

Changes to legislation: Local Government and Housing Act 1989, Part V is up to date with all changes known to be in force on or before 17 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 9 **E+W**

AMENDMENTS OF PARTS VI, IX, XI, XVII AND XVIII OF THE HOUSING ACT 1985

PART V **E+W**

AMENDMENTS OF PART XVIII

^{F1}83

Textual Amendments

F1 Sch. 9 para. 83 repealed (6.4.2006 for E., 16.6.2006 for W.) by [Housing Act 2004 \(c. 34\)](#), s. 270(4)(5) (f), [Sch. 16](#); S.I. 2006/1060, art. 2(1)(e) (with Sch.); S.I. 2006/1535, art. 2(c) (with Sch.)

^{F2}84

Textual Amendments

F2 Sch. 9 para. 84 repealed (6.4.2006 for E., 16.6.2006 for W.) by [Housing Act 2004 \(c. 34\)](#), s. 270(4)(5) (f), [Sch. 16](#); S.I. 2006/1060, art. 2(1)(e) (with Sch.); S.I. 2006/1535, art. 2(c) (with Sch.)

85 For section 605 there shall be substituted the following section—

“605 Consideration by local housing authority of housing conditions in their district.

- (1) The local housing authority shall at least once in each year consider the housing conditions in their district with a view to determining what action to take in performance of their functions under—
 - (a) Part VI (repair notices);
 - (b) Part IX (slum clearance);
 - (c) Part XI (houses in multiple occupation);
 - (d) Part VII of the Local Government and Housing Act 1989 (renewal areas); and
 - (e) Part VIII of that Act (grants towards cost of improvements and repairs etc.).
- (2) For the purposes of carrying out their duty under subsection (1), the authority and their officers shall comply with any directions the Secretary of State may give and shall keep such records and supply him with such information as he may specify.”

^{F3}86

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Textual Amendments

F3 Sch. 9 para. 86 repealed (6.4.2006 for E., 16.6.2006 for W.) by [Housing Act 2004 \(c. 34\), s. 270\(4\)\(5\) \(f\), Sch. 16](#); [S.I. 2006/1060, art. 2\(1\)\(e\)](#) (with [Sch.](#)); [S.I. 2006/1535, art. 2\(c\)](#) (with [Sch.](#))

87 In section 608 (acquisition of ancient monuments etc.), in paragraph (a) the words from “section 192” to “beyond repair) or” shall be omitted.

88 In section 610 (power of court to authorise conversion of houses into flats), in subsection (1)—

- (a) for the words “a house” there shall be substituted “ any premises ”;
- (b) for the word “house”, in each subsequent place where it occurs, there shall be substituted “ premises ”; and
- (c) in paragraph (a) for the words “is situated, it” there shall be substituted “ are situated, they ” and for the words “tenement” and “tenements” there shall be substituted “ dwelling-house ” and “ dwelling-houses ” respectively.

89 In section 612 (exclusion of Rent Act protection) for the word “house” there shall be substituted “ dwelling-house ”.

90 (1) In section 623 (minor definitions: Part XVIII), for the definition of “house” there shall be substituted—

““dwelling-house” and “flat”, except in the expression “flat in multiple occupation”, shall be construed in accordance with subsection (2);

“house in multiple occupation” and “flat in multiple occupation” have the same meaning as in Part XI;”.

(2) At the end of that section there shall be inserted the following subsection—

“(2) For the purposes of this Part, “dwelling-house” includes any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it and section 183 shall have effect to determine whether a dwelling-house is a flat.”

91 In section 624 (index of defined expressions: Part XVIII)—

- (a) the entry beginning “house” shall be omitted; and
- (b) at the appropriate places in alphabetical order there shall be inserted the following entries—

“dwelling-house	section 623”
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“flat	section 623”
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“flat in multiple occupation	section 623”
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“house in multiple occupation	section 623”
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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 65(2)(b)(ii) inserted by [2004 c. 23 Sch. 2 para. 11](#) (Pt. IV repealed (18.11.2003 for E. for the repeal of ss. 45, 53, 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1st April 2004, and 1.4.2004 for E. in so far as not already in force) by Local Government Act 2003 (c. 26), s. 128(6), Sch. 7 para. 29; S.I. 2003/2938, arts. 3(h), 7(b) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I (with Sch. 2 para. 2))
- s. 76A76B inserted by [2014 c. 29 s. 24\(2\)](#)
- s. 87(1A) inserted by [2014 c. 29 s. 24\(5\)](#)