



Housing Grants, Construction and Regeneration Act 1996

1996 CHAPTER 53

PART IV

GRANTS &C. FOR REGENERATION, DEVELOPMENT AND RELOCATION

Relocation grants in clearance areas

133 Relocation grants: qualifying persons and qualifying dwellings

- (1) A person is a qualifying person for the purposes of section 132 (relocation grants: applications and payments) if—
 - (a) an interest of his in a dwelling in the clearance area (“the original dwelling”) has been, or is to be, acquired by the local housing authority under section 290 of the Housing Act 1985 or section 154 of the Town and Country Planning Act 1990;
 - (b) that interest on the acquisition date was greater than a tenancy for a year or from year to year; and
 - (c) the original dwelling was his only or main residence both on the declaration date and throughout the period of 12 months ending with the acquisition date.
- (2) A dwelling is a qualifying dwelling for the purposes of section 132 if it is—
 - (a) in the clearance area; or
 - (b) in an area designated by the local housing authority as an area for the relocation of persons displaced by the clearance;and any area so designated may be in or outside the authority’s area.
- (3) In making a designation under subsection (2) a local housing authority shall have regard to such guidance as may from time to time be given by the Secretary of State.

Status: This is the original version (as it was originally enacted).

- (4) Subsections (2) to (4) of section 604A of the Housing Act 1985 (duty to consider guidance before taking enforcement action) shall apply in relation to guidance under subsection (3) as they apply in relation to guidance under subsection (1) of that section.
- (5) Any reference in the preceding provisions of this section to the clearance area includes a reference to any land surrounded by or adjoining the clearance area which has been, or is to be, acquired by the local housing authority under section 290 of the Housing Act 1985 or section 154 of the Town and Country Planning Act 1990.
- (6) In this section—
- “the acquisition date”, in relation to an acquisition under section 290 of the Housing Act 1985, means the date of—
- (a) the notice to treat under section 5 of the Compulsory Purchase Act 1965;
 - (b) the general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981; or
 - (c) the agreement between the local housing authority and the applicant, in pursuance of which the interest in the original dwelling was, or is to be, acquired by the authority;
- “the acquisition date”, in relation to an acquisition under section 154 of the Town and Country Planning Act 1990 (effect of valid blight notice), means the date mentioned in subsection (3) of that section;
- “the declaration date” means the date on which the clearance area was declared by the authority.