
STATUTORY INSTRUMENTS

2001 No. 3561

The Rent Officers (Housing Benefit Functions) (Amendment) Order 2001

Amendment of the Rent Officers (Housing Benefit Functions) Order 1997

2.—(1) Schedule 1 to the Rent Officers (Housing Benefit Functions) Order 1997⁽¹⁾ shall be amended as provided in this article and references in this article to paragraphs are to paragraphs of that Schedule.

(2) In paragraph 1—

(a) in sub-paragraph (3), for “locality” in each place where it appears there shall be substituted “vicinity”; and

(b) after sub-paragraph (3) there shall be added the following sub-paragraph—

“(4) For the purposes of this paragraph and paragraph 2 “vicinity” means—

(a) the area immediately surrounding the dwelling; or

(b) where, for the purposes of sub-paragraph (2)(c) of paragraph 2, there is no dwelling in the area immediately surrounding the dwelling which satisfies the description in heads (i), (ii) and (iii) of that sub-paragraph, the area nearest to the dwelling where there is such a dwelling.”.

(3) In sub-paragraph (2)(c) of paragraph 2 for “locality” there shall be substituted “vicinity”.

(4) In paragraph 3—

(a) in sub-paragraphs (3)(a) and (4)(a), for “locality” in each place where it appears there shall be substituted “neighbourhood”; and

(b) after sub-paragraph (4) there shall be added the following sub-paragraph—

“(5) For the purposes of this paragraph and paragraph 4(6) “neighbourhood” means—

(a) where the dwelling is in a town or city, the part of that town or city where the dwelling is located which is a distinct area of residential accommodation; or

(b) where the dwelling is not in a town or city, the area surrounding the dwelling which is a distinct area of residential accommodation and where there are dwellings satisfying the description in sub-paragraph (4)(b).”.

(5) After paragraph 4(5) there shall be added the following sub-paragraph—

“(6) For the purposes of this paragraph and paragraph 5 “locality” means an area—

(a) comprising two or more neighbourhoods, including the neighbourhood where the dwelling is situated, each neighbourhood adjoining at least one other in the area;

(b) within which a tenant of the dwelling could reasonably be expected to live having regard to facilities and services for the purposes of health, education, recreation, personal banking and shopping which are in or accessible from the neighbourhood of the dwelling, taking account of the distance of travel, by public and private

⁽¹⁾ S.I.1997/1984. Relevant amending instruments are S.I. 2000/1, 2001/1325 and 2317.

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transport, to and from facilities and services of the same type and similar standard;
and

- (c) containing residential premises of a variety of types, and including such premises held on a variety of tenancies.”.