
STATUTORY INSTRUMENTS

1981 No. 536

LONDON GOVERNMENT

**The Greater London Council (Transfer of Land
and Housing Accommodation) (No. 2) Order 1981**

<i>Made</i>	- - - -	<i>2nd April 1981</i>
<i>Laid before Parliament</i>		<i>10th April 1981</i>
<i>Coming into Operation</i>		<i>1st May 1981</i>

Whereas the Greater London Council has requested the Secretary of State for the Environment to provide by an order under section 23(3) of the London Government Act 1963 for the transfer to certain London borough councils of certain land for the time being held by the Greater London Council for the purpose of development or redevelopment as housing accommodation and certain housing accommodation for the time being vested in the Greater London Council;

And whereas the Secretary of State having consulted the said London borough councils has decided that the said land and housing accommodation should be so transferred and has determined the terms of the said transfer;

And whereas certain further matters appear to the Secretary of State necessary and proper for the purposes of or in consequence of the said transfer;

Now therefore the Secretary of State, in exercise of powers conferred by sections 23(3) and 84 of the said Act of 1963 and now vested in him⁽¹⁾ and in exercise of all other powers enabling him in that behalf, hereby makes the following order:—

Citation and commencement

1. This order may be cited as the Greater London Council (Transfer of Land and Housing Accommodation) (No. 2) Order 1981, and shall come into operation on 1st May 1981.

Interpretation

2.—(1) In this order—

“the deposited Schedules” means the Schedules prepared in triplicate and entitled “Properties transferred by the Greater London Council (Transfer of Land and Housing Accommodation)

(No. 2) Order 1981” and numbered 1 to 8 each of which is signed by an Assistant Secretary in the Department of the Environment and as to which further provision is made in article 3;

“excluded property” means land or housing accommodation described or delineated on a plan in the deposited Schedules but excluded from transfer by the terms of the said Schedules;

“the Council” means the Greater London Council;

“the relevant date” means the 1st April 1982;

“the Secretary of State” means the Secretary of State for the Environment;

“Borough” means a London borough council to which land or housing accommodation is transferred by this order; and

“transferred property” means the land or housing accommodation described or delineated on a plan in the deposited Schedules, other than excluded property and any property which the Council has disposed of before the relevant date.

(2) Without prejudice to the generality of section 23(5) of the London Government Act 1963, in this order, unless the context otherwise requires, any reference to housing accommodation shall include a reference to garages, parking spaces, shops and estate amenities.

(3) Any reference in this order to a numbered article shall, unless that reference is to an article of a specified order, be construed as a reference to the article bearing that number in this order.

(4) Any reference in an article of this order to a numbered paragraph shall, unless the reference is to a paragraph in a specified article, be construed as a reference to the paragraph bearing that number in the first-mentioned article.

(5) Any reference in a Schedule to this order to a numbered paragraph shall, unless the reference is to a paragraph in a specified Schedule, be construed as a reference to the paragraph bearing that number in the first-mentioned Schedule.

Deposited Schedules

3. One copy of each of the deposited Schedules is deposited in the offices of the Secretary of State, one in the principal office of the Council and one which shall be open to inspection at all reasonable times in the principal office of the Borough to which the Schedule relates.

Transfer of property

4. On the relevant date the interest of the Council in the transferred property and (save as hereinafter provided) all liabilities attaching directly or indirectly to the Council in respect of its ownership or occupation of such property shall by virtue of this order be transferred to and vest in or attach to the respective Borough indicated in the appropriate deposited Schedule, and—

(a) subject to articles 6 and 7, all contracts, deeds, bonds, agreements and other instruments subsisting in favour of, or against, and all notices in force which were given (or having effect as if they had been given) by, or to, the Council in respect of such property and liabilities shall be of full force and effect in favour of, or against, the respective Borough; and

(b) any action or proceeding, or any cause of action or proceeding, pending or existing at the relevant date, by, or against, the Council in respect of such property and liabilities shall not be prejudicially affected by reason of this order, and may be continued, prosecuted and enforced by, or against, the respective Borough.

General words implied in transfer

5. Unless the Council and a Borough otherwise agree, section 62 of the Law of Property Act 1925 (which implies certain words in conveyances of land, subject to the terms of the conveyance and the provisions therein contained) shall have effect—

- (a) in respect of any transferred property; and
- (b) in respect of any property, being property vested in the Council, which is affected by the transfer effected by this order,

as if the property described in (a) and (b) respectively had been the subject of a conveyance on the relevant date.

Contracts for major works

6.—(1) In this article and article 7—

“major works” means any works on or to the transferred property, being works—

- (a) of construction, rehabilitation or modernisation; or
 - (b) to rectify major defects due to construction or design;
- and

“final certificate” means the certificate of the architect or other supervisory officer with responsibility for the execution of major works certifying final payment in respect thereof.

(2) Where a contract relating to or in connection with major works—

- (a) is subsisting three months after the coming into operation of this order, or
- (b) having been entered into after that date is subsisting on the relevant date,

the Council, unless otherwise agreed with the appropriate Borough, shall on or before the date referred to in (a) or the relevant date, as the case may be, notify the Borough that the contract is to be an excluded contract for the purposes of this order.

(3) Article 4 shall not apply to an excluded contract which shall be fulfilled by the Council.

(4) A Borough shall afford the Council, its officers, employees, agents and contractors all such access to the transferred property and rights to use the same as may reasonably be required for the purposes of paragraph (3).

(5) When a final certificate is issued in respect of an excluded contract the Council shall forthwith notify this fact to the appropriate Borough.

(6) Where under a contract for major works entered into before the relevant date a Borough—

- (a) makes a payment, the Council shall reimburse the Borough; or
- (b) receives a payment, the Borough shall remit the payment to the Council.

Major works by direct labour

7.—(1) Where on the relevant date major works are being carried out directly by the Council, the Council shall complete those works and on doing so shall forthwith notify the appropriate Borough to that effect.

(2) Any contract in connection with or incidental to works to which paragraph (1) applies which is subsisting on the relevant date shall be an excluded contract for the purposes of this order.

(3) Article 6(4) shall apply for the purposes of paragraph (1) of this article as it applies for the purposes of paragraph (3) of that article.

Assignment of contracts etc

8. If it is necessary or expedient for the purposes of this order—
- (a) the Council shall assign to the appropriate Borough the benefit and burden of any excluded contract or any cause of action arising out of any such contract; and
 - (b) a Borough shall assign to the Council the benefit and burden of any rights or liabilities transferred to the Borough by virtue of article 4.

Claims in tort

9. The Council shall meet the full amount of any claim in tort made against it or against a Borough by a third party in respect of any transferred property where the claim relates to an act or omission committed or occurring before the relevant date.

Legal proceedings

10.—(1) Any legal proceedings at the relevant date may be amended in such manner as may be necessary or proper in consequence of this order.

(2) A certificate signed by the chief officer of a Borough that any transferred property is vested in the Borough by virtue of this order shall be evidence of the matter stated in the certificate.

Covenants affecting transferred property

11.—(1) The Council shall notify the appropriate Borough of any land within the extent of an area of transferred property in respect of which the Council have power under section 151 of the Housing Act 1957 to enforce any covenant against an owner for the time being of the land and such notification shall provide sufficient particulars of the said covenant.

- (2) In respect of any such land—
- (a) the Council shall consult with the Borough before exercising their power under the said section 151; and
 - (b) the Borough by notice may require the Council to exercise the said power in any case where such exercise is required in the interests of the area of transferred property within the extent of which the land is situated.

12. Any covenant (not being a covenant to which article 11 applies) which would be enforceable by the Council immediately before the relevant date in respect of land within the extent of, or adjoining an area of, transferred property, being land which was sold or exchanged by the Council or by the London County Council and, immediately before such sale or exchange, was held by them for the purposes of the Housing Act 1957, or of any Act re-enacted by that Act, shall be of full force and effect in favour of the Borough.

Sharing of transferred property

13.—(1) Where immediately before the relevant date the Council has been using any transferred property or any part thereof continuously or at regular intervals for the purposes of Part V of the Housing Act 1957 and for the purposes of some other statutory function and it is reasonable that use for that other statutory function should continue after the relevant date, the Council may within 3 months after the date of operation of this order notify the appropriate Borough to this effect and the Borough shall allow the Council to continue the said use on such terms as the Council and the Borough may agree.

(2) Where it is reasonable that a Borough for the purpose of managing, maintaining or repairing its housing land or accommodation should share with the Council the use of any premises being or forming part of excluded property the Borough may notify the Council to this effect and the Council shall allow the Borough to share the use of the said premises on such terms as the Borough and the Council may agree.

Rent Books

14.—(1) In the case of any transferred property, being premises to which the Landlord and Tenant Act 1962 applies, notification by the Borough to the tenant of the said property of the transfer effected by this order shall be deemed to be a compliance by the said Borough with the requirements of section 2(1) of the said Act.

(2) Paragraph (1) shall cease to apply in respect of any such premises when the Borough first provides a rent book or other similar document for use in respect of the said premises.

Byelaws

15. Any byelaw in force immediately before the relevant date for the regulation of any transferred property shall have effect as if it had been made by the appropriate Borough.

Vehicles and plant

16.—(1) Motor vehicles and plant belonging to the Council and wholly or partly kept and used in connection with the repair, maintenance or management of transferred property shall be transferred to the Boroughs (subject to the needs of the Council in relation to their remaining property) and divided among the Boroughs in a fair and reasonable manner.

(2) As soon as may be after the coming into operation of this order the Council and the Boroughs shall make and agree such scheme or schemes as may be necessary to give effect to paragraph (1) and on the date of the coming into force of any such scheme the motor vehicles and plant which are the subject matter of the scheme shall be transferred to and vest in the appropriate Borough indicated in the scheme.

(3) Articles 4, 9 and 10(1) shall apply in respect of any motor vehicles and plant transferred under paragraph (2) as they apply in respect of transferred property save that there shall be substituted for the references to the “relevant date” in the said articles references to the date of the coming into force of the relevant scheme.

(4) In this article—

“motor vehicle” shall have the same meaning as in section 190(1) of the Road Traffic Act 1972; and

“plant” includes any equipment or machinery (other than a motor vehicle), whether or not movable or mechanically operated, and other devices used in connection with the repair, maintenance or management of land or property.

Goods and materials

17.—(1) All goods and materials belonging to the Council which on the relevant date are situated and normally kept on or in any transferred property shall on that date be transferred to and vest in the appropriate Borough.

(2) Goods and materials transferred under paragraph (1) shall be shared and distributed among the Council and the Boroughs and the value of such goods and materials shall be adjusted between

the Council and the Boroughs in a fair and reasonable manner having regard to the needs of the Boroughs in relation to the repair, maintenance and management of the transferred property, the needs of the Council in relation to their remaining property and to the goods and materials available to the Council to meet those needs.

(3) As soon as may be after the relevant date the Council and the Boroughs shall make and agree such scheme or schemes as may be necessary to give effect to paragraph (2) and on the coming into force of any such scheme the Council and the Boroughs shall give effect to it according to its terms.

(4) Articles 4, 9 and 10(1) shall apply in respect of any goods and materials transferred under paragraph (1) as they apply in respect of transferred property.

(5) In this article “goods and materials” means substances of all kinds, trade fittings and tools used in connection with the repair, maintenance or management of land or property.

Nomination rights

18.—(1) For the purposes of—

- (a) assisting in meeting the requirements of the Council and of the London borough councils for housing accommodation arising from the discharge of any of their functions; and
- (b) providing opportunities for the movement of persons requiring rented accommodation in Greater London,

the Council may until 31st March 1990 nominate tenants to not more than 50 per centum of the vacancies existing or occurring in dwellings included in the transferred property or in dwellings provided upon transferred property after the relevant date in pursuance of articles 6 and 7.

(2) In the exercise of its power under paragraph (1) the Council shall have regard to the need of the Boroughs to rehouse tenants displaced as a result of works carried out in pursuance of article 19.

(3) As soon as may be after the coming into operation of this order the Council shall, after consultation with each Borough, make schemes which shall operate for the allocation of the said vacancies.

(4) At the end of each year of its operation the Council, after consultation with the Borough, shall review and may modify a scheme made under paragraph (3).

(5) A Borough shall ensure that the vacancies made available to the Council for the purposes of this article shall, so far as reasonably practicable, be in dwellings which in size, type, age and quality are, taken as a whole, fairly representative of the dwellings included in the transferred property of that Borough in which vacancies occur.

(6) Paragraph (1) shall not apply to a vacancy existing or occurring in a dwelling where the event giving rise to the vacancy has not increased the total number of vacancies available to the Borough for letting.

(7) To enable the Council to operate, review or modify a scheme made under paragraph (3), a Borough shall provide the Council with such information as the Council may from time to time reasonably require.

Carrying out of works of improvement etc

19.—(1) Within ten years from the relevant date the Council shall take such steps as may be necessary to ensure that all the dwellings included in the transferred property attain the required standard for the purposes of section 61(3) (improvement grants) of the Housing Act 1974.

(2) Without prejudice to the generality of paragraph (1), for a period of ten years from the relevant date the Council shall be responsible for rectifying any major defects due to construction or design which may be found within that period in any dwelling included in the transferred property.

(3) Where the Council is not able to carry out its obligations under paragraphs (1) or (2) at a reasonable expense, the Council shall, with the agreement of the appropriate Borough, either carry out more limited works or demolish the dwelling.

(4) Any question whether for the purpose of paragraph (3) works can be carried out at a reasonable expense shall be decided by the Secretary of State.

(5) Schedule 1 shall have effect for the purposes of this article.

Transfer of outstanding debt

20.—(1) A Borough shall—

- (a) from the relevant date assume liability for all repayments of principal, interest and management expenses relating to the loan debt outstanding at that date on its transferred properties (including the cost of the land) and due to the consolidated loans fund of the Council;
- (b) from the date on which the Council makes a payment in respect of an excluded contract or incurs expenditure in carrying out its obligations under article 7(1), assume a similar liability in respect of the payment or, as the case may be, expenditure; and
- (c) from the date on which the Council makes a payment or incurs expenditure in carrying out its functions under article 19, assume a similar liability in respect of the payment or, as the case may be, expenditure.

(2) A Borough shall discharge its liabilities under paragraph (1) by making payments to the Council of such amounts and at such times each year as shall be agreed between the Council and the Borough.

21. Where under this order or any adjustment made in consequence hereof any liability or part of a liability charged indifferently on all the revenues of the Council or on any particular revenues or fund of the Council is transferred to a Borough, the liability or part of the liability, as the case may be, shall be charged indifferently on all the revenues of that Borough and shall cease to be a charge on any revenues or fund of the Council.

Capital expenditure attributable to transfer

22. Where a Borough, during the period beginning on the date of coming into operation of this order and ending on 31st March 1984, reasonably incurs any expenditure directly attributable to this order under heads (a), (b), (d) or (f) of paragraph 1 of Schedule 12 (Prescribed Expenditure under Part VIII) to the Local Government, Planning and Land Act 1980 or within that period, with the agreement of the Council, identifies a need to incur such expenditure in a later year, such expenditure is not to be treated as expenditure by the Borough for the purposes of Part VIII of that Act (Capital Expenditure of Local Authorities Etc.) but shall be treated as expenditure by the Council for the purposes of any such money Act as is referred to in paragraph 25 of Schedule 2 to the London Government Act 1963.

Housing grants and subsidies

23. The Council shall furnish the Boroughs with such information as they may reasonably require for the purpose of supplying information to the Secretary of State to enable him to determine any

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

question in connection with the transferred property concerning housing grants or subsidies or the amount thereof.

Annual payments in respect of net revenue cost of transferred property

24. Schedule 2 shall have effect in relation to annual payments to be made by the Council to the Boroughs in respect of the net revenue cost of the transferred property.

Documents relating to transferred property

25. The Council shall, on written request, supply a Borough with any document (or a copy thereof) relating to its transferred property which the Borough may reasonably require.

Arbitration

26. Subject to any provision of this order, any dispute between the Council and a Borough arising under this order, or in consequence thereof, shall be determined by an arbitrator appointed by agreement between the parties in dispute or, in default of agreement, by the Secretary of State and, subject as aforesaid, the Arbitration Act 1950 shall apply to any arbitration under this article.

Signed by authority of the Secretary of State

2nd April 1981

Geoffrey Finsberg
Parliamentary Under Secretary of State
Department of the Environment

SCHEDULE 1

Article 19

CARRYING OUT OF WORKS OF IMPROVEMENT ETC. TO TRANSFERRED PROPERTY

1.—(1) As soon as may be after the coming into operation of this order the Council shall make and agree with each Borough a programme for the carrying out by the Council in a fair and reasonable manner of its functions under article 19 and the Council shall carry out each such programme according to its terms, subject to any amendment which may from time to time be agreed with the appropriate Borough.

(2) Any such programme shall also provide for such works to land and housing accommodation outside the curtilage of dwellings as may be necessary to bring that land and accommodation up to a standard commensurate with that of dwellings which attain the required standard for the purposes of section 61(3) of the Housing Act 1974.

(3) The Council shall, in making a programme under sub-paragraph (1), have regard to the condition of the dwellings in determining the order in which the works are to be carried out.

(4) Before carrying out works provided for in any such programme the Council shall consult the Borough about the design and means of implementation of the works.

2. The Council's obligation under article 19(1) shall not extend to a case where the works necessary to bring a dwelling up to the required standard are works of a minor character which would in accordance with standard local authority accounting practice be financed from revenue.

3. If the Council and a Borough so agree, the Borough instead of the Council may design and carry out any works contained in a programme made under paragraph 1.

4.—(1) Where a Borough receives from a contractor or any other person any monies in respect of major defects due to construction or design it shall remit the said monies to the Council.

(2) Where a Borough takes steps to recover monies from contractors and others in respect of major defects due to construction or design, it may require the Council to reimburse its proper costs and disbursements expended thereon and not otherwise recovered by the Borough.

5. Article 6(4) shall apply for the purposes of paragraph 1 of this Schedule as it applies for the purposes of paragraph (3) of that article.

6.—(1) Subject as hereinafter provided, if—

- (a) in pursuance of a programme made under paragraph 1 the Council demolishes a dwelling, then the Council shall pay to the appropriate Borough, in respect of each year beginning with the date the dwelling is vacated for the purposes of demolition and ending 10 years after the relevant date; or
- (b) a dwelling is not reasonably capable of being let for a period of more than a year by reason of the Council's failure to carry out, according to its terms, a programme made under paragraph 1, then, without prejudice to any other remedy available to the Borough, the Council shall pay to the appropriate Borough in respect of each succeeding year after the first until the dwelling is made fit for occupation;

a sum equal to three times the total rent (including rent rebate subsidy) credited to the Borough's housing revenue account in the relevant financial year divided by the number of dwellings held by the Borough under Part V of the Housing Act 1957 in that year (or for a part of a year an appropriate proportion of that sum).

(2) Where a payment falls to be made by the Council under sub-paragraph (1), the Council shall also reimburse the Borough any payment it has made to the occupier of the dwelling under section 29 or section 37 of the Land Compensation Act 1973.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more***

(3) A payment shall only be made by the Council under this paragraph if it makes a payment to the Borough for the financial year in question under paragraph 1 of Schedule 2.

SCHEDULE 2

Article 24

PAYMENTS IN RESPECT OF NET REVENUE COST OF TRANSFERRED PROPERTY

1.—(1) For each financial year, or part thereof, after 1st April 1982 the Council shall pay to each Borough a sum equal to the amount by which (a) exceeds (b) of the following amounts—

- (a) the amount of the Borough's outgoings in relation to the transferred property for that year or part of a year, as ascertained in accordance with the following provisions of this Schedule; and
- (b) the sum of the rents, as so ascertained, and the subsidies attributable to that property for that year or part of a year.

(2) In this Schedule “subsidies” means all grants and subsidies (other than rent rebate subsidy) paid to the Borough which are attributable to the transferred property, including subsidies attributable to works carried out in pursuance of article 19.

2. For the purposes of paragraph 1—

- (a) the amount of a Borough's outgoings shall be the sum of the following—
 - (i) the amount of the payments made by the Borough under article 20(2) in respect of its liabilities under article 20(1)(a) and (b), and under article 20(1)(c) in so far as its liabilities arise out of the carrying out by the Council of works other than works which are wholly or mainly works of improvement;
 - (ii) eighty-five per centum of the amount of payments made by the Borough under article 20(2) in respect of its liability under article 20(1)(c) in so far as its liability arises out of the carrying out by the Council of works which are wholly or mainly works of improvement;
 - (iii) the amount or, as the case may be, eighty-five per centum of the amount, of repayments of principal, interest and management expenses arising from any payment made or expenditure incurred in pursuance of paragraph 3 of Schedule 1 in carrying out such works as are respectively referred in heads (i) and (ii) above;
 - (iv) the costs, calculated in accordance with paragraph 3, deemed to be incurred by the Borough in managing and maintaining its transferred property;
 - (v) the costs incurred by the Borough in providing such office and other accommodation as the Borough reasonably requires (in addition to any such accommodation included in the transferred property); and
 - (vi) the administrative costs reasonably incurred by the Borough which are directly attributable to article 18 (nomination rights);
- (b) the amount of the rents shall be the income deemed to have been received by the Borough in respect of the transferred property, calculated in accordance with paragraph 5.

3.—(1) For the financial year 1982/83, the amount of the costs deemed to be incurred in managing and maintaining its transferred property by the Borough shown in column (i) of the following table shall be the sum of the amounts shown in relation to that Borough in columns (ii) and (iii), increased by an amount agreed by the Council and the Borough to represent the increase in costs of management and maintenance between the financial years 1980/81 and 1982/83:

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

	(i)	(ii)	(iii)
Brent		£131,000	£28,000
Camden		£1,253,000	£175,000
Hackney		£10,687,000	£1,209,000
Haringey		£1,152,000	£176,000
Hounslow		£109,000	£24,000
Lambeth		£8,878,000	£1,097,000
Lewisham		£7,834,000	£993,000
Waltham Forest		£719,000	£131,000

(2) For each succeeding financial year up to and including the year 1987/1988, the amount of the said costs deemed to be incurred shall be the amount of those deemed costs for the Borough for the financial year 1982/83 as increased by an amount determined by the Council which shall not be less than such sum per transferred dwelling as the Secretary of State may notify as having been used by him for the purpose of determining the reckonable expenditure of the Borough under section 99 of the Housing Act 1980.

(3) For each financial year after 1987/88, the amount of the said costs for each Borough shall be the sum shown in relation to that Borough in column (ii) of the Table in sub-paragraph (1), as increased in accordance with sub-paragraphs (1) and (2).

4. For the financial year 1982/83 only there shall be included in a Borough's outgoings for the purpose of paragraph 1 the amount of any costs incurred by the Borough during that year or during the financial year 1981/82, or with the agreement of the Council during the financial year 1983/84; which are reasonably attributable to the assumption by the Borough of responsibility for managing and maintaining its transferred property.

5. For the purposes of paragraph 2(b) the income deemed to have been received by a Borough in respect of its transferred property shall be calculated by estimating the amount of the whole of the income received by the Council in respect of the property in the financial year 1981/82 after deduction of subsidies and by increasing the amount each year by an amount determined by the Council which shall not exceed the sum per transferred dwelling notified by the Secretary of State as having been used by him in determining the Borough's local contribution differential under section 100 of the Housing Act 1980.

6. In calculating the amount of subsidies attributable to transferred property for the purposes of paragraph 1(1)(b), no account shall be taken of—

- (a) any reduction due to the demolition by a Borough (otherwise than in pursuance of a programme under Schedule 1) of any dwelling included in its transferred property; or
- (b) any reduction or recoupment due to transferred property not being used by a Borough for a purpose for which subsidy is payable; save that in any case where a period taken into account by the Secretary of State in deciding to reduce or recoup subsidy began before the relevant date the amount of the reduction or recoupment to be ignored for the purposes of paragraph 1(1)(b) shall be such reasonable amount (if any) as the Council and the Borough may agree.

7.—(1) When a Borough disposes of, or appropriates to another statutory purpose, any transferred property, the amount payable by the Council to the Borough under paragraph 1 shall be adjusted accordingly;

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more***

provided that no such adjustment shall be made if it would result in any increase in the amount payable by the Council.

(2) A Borough shall provide the Council with sufficient information about the disposal or appropriation of any transferred property to enable the adjustments required by sub-paragraph (1) to be made.

8.—(1) Not later than 31st March 1990 and every five years thereafter, the Council shall review the provisions of this Schedule for the purpose of considering whether, having regard to the financial needs of any Borough in receipt of payments under paragraph 1, such payments need to be continued by the Council.

(2) Notwithstanding sub-paragraph (1), the Council or any Borough which is in receipt of payments under paragraph 1 may at any time give to the other notice requiring the provisions of this Schedule to be reviewed and specifying the circumstances which in the opinion of the Council or the Borough, as the case may be, call for a review, and thereupon the Council shall review the said provisions.

(3) Following a review under sub-paragraphs (1) or (2), such payments, if any, shall continue to be made by the Council to any Borough and on such terms and conditions and for such period as the parties may agree, or, in default of agreement, as may be determined by the Secretary of State.

(4) Any review to which this paragraph applies shall be carried out by the Council in consultation with the Borough or Boroughs concerned.

EXPLANATORY NOTE

This Order is made at the request of the Greater London Council and after consultation with the London Boroughs of Brent, Camden, Hackney, Haringey, Hounslow, Lambeth, Lewisham and Waltham Forest. It provides for the transfer from the GLC to those boroughs of housing land and accommodation situated in their respective areas. It includes the terms on which the transfer is to take place and also certain consequential and supplemental provisions.