
STATUTORY INSTRUMENTS

1991 No. 1787

EDUCATION, ENGLAND AND WALES

**The Education (London Residuary Body)
(Property Transfer) (No. 3) Order 1991**

<i>Made</i>	- - - -	<i>29th July 1991</i>
<i>Laid before Parliament</i>		<i>9th August 1991</i>
<i>Coming into force</i>	- -	<i>1st September 1991</i>

Whereas the London Residuary Body, acting pursuant to section 187(2) of the Education Reform Act 1988⁽¹⁾, has submitted proposals to the Secretary of State for effecting transfers of certain property, rights and liabilities transferred to it, or held, acquired or incurred by it by virtue of, or in the exercise of any of its functions under, Part III of that Act;

And whereas the Secretary of State has decided to give effect to those proposals with modifications; Now, therefore, the Secretary of State, in exercise of the powers conferred on him by sections 187(5) and (6), 231(2) and (3) and 232(5) of the Education Reform Act 1988 and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Education (London Residuary Body) (Property Transfer) (No. 3) Order 1991 and shall come into force on 1st September 1991.

(2) In this Order—

“the LRB” means the London Residuary Body; and

“the transfer date” means 1st September 1991.

(3) Unless the context otherwise requires, any reference in this Order to a numbered article is a reference to the article of this Order so numbered.

Transfer of land etc.

2.—(1) Subject to paragraphs (3) and (4) below, on the transfer date all interests, rights and liabilities of the LRB in the land specified in column (2) of Part I of the Schedule to this Order shall vest in the London borough council or body specified opposite thereto in column (1) of that Part.

(1) 1988 c. 40.

(2) On the transfer date all interests, rights and liabilities of the LRB in the land specified in Part II of the Schedule to this Order shall vest in the London borough council in whose area such land is situated.

(3) The LRB shall remain entitled to any refund of rates payable in relation to any such land referred to in paragraph (1) above for any period prior to 1st April 1990 and may continue any appeal in respect of any assessment in respect of any such period.

(4) The LRB shall remain entitled to any rent due in respect of the land referred to in column (2) of Part I of the Schedule to this Order as “Site for proposed new primary school, Moxon Street/ Cramer Street W1” for any period prior to the transfer date, and may commence or continue any claim or proceeding in respect of such rent.

Records relating to land transferred

3.—(1) Subject to paragraph (2) below, on the transfer date all records held by the LRB relating exclusively to interests, rights and liabilities in land transferred by article 2 shall vest in the council or body to which such interests are so transferred.

(2) The LRB shall remain entitled to retain custody of records relating to any appeal referred to in article 2(3) or relating to any rent or claim or proceeding referred to in article 2(4).

Condition imposed on transfer

4.—(1) Land transferred pursuant to article 2(1) is subject to the condition that it or any interest in it shall not be disposed of within 20 years of the transfer date without the consent in writing of the Secretary of State.

(2) In giving his consent the Secretary of State may impose conditions regarding the payment of all or part of the consideration for any such disposal, in such proportions as he may direct, to any or all of the councils of the inner London boroughs and (in their capacity as a local authority) the Common Council of the City of London.

General transfer of property other than land

5.—(1) Where an interest in land vests by virtue of article 2 in any council or body, any property in or on the land, being property held by the LRB for the purposes of any of its functions shall vest in that council or body.

(2) Paragraph (1) above applies—

- (a) to property used or intended to be used exclusively for the discharge of functions on any land, and which is kept elsewhere when not in use;
- (b) to vehicles and other mobile equipment which are normally kept on any land; and
- (c) to property which is normally kept in or on land and which is immediately before the transfer date on loan from the LRB to another person or body,

as it applies to property in or on that land.

(3) The reference in paragraph (1) above to the vesting of any property shall be construed as including a reference to the vesting of rights and liabilities of the LRB in respect of any agreement for the hire or use by, or deposit with, the LRB of any such property.

(4) On the transfer date all records held by the LRB relating exclusively to property transferred by this article shall vest in the council or body to which such property is so transferred.

(5) Any vehicle licence, operator’s licence, road service licence, plating certificate or other document issued in respect of any vehicle the property in which is transferred by this article shall have effect as if it had been issued to the council or body to whom property in such vehicle is

transferred (“the transferee”) and any reference to the LRB or ILEA in any registration book or other document issued in respect of such a vehicle shall have effect as a reference to the transferee.

Continuity etc.

6.—(1) All contracts, deeds, bonds, agreements and other instruments subsisting in favour of, or against, and all notices in force which were given, or have effect as if given, by, or to, the LRB in respect of any property, rights or liabilities (“transferred matters”) transferred by this Order shall be of full force and effect in favour of, or against, the council or body (“the transferee”) to which such matters are transferred.

(2) Subject to article 2(3) and (4), any action or proceeding, or any cause of action or proceeding, pending or existing at the transfer date by or against the LRB and in respect of any transferred matters may be continued, prosecuted and enforced by or against the transferee.

Enforcement

7. The LRB shall enforce, subject to any directions given by the Secretary of State, compliance with the condition imposed by article 4(1) in relation to property transferred pursuant to article 2(1).

29th July 1991

Kenneth Clarke
Secretary of State for Education and Science

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

THE SCHEDULE

Article 2(1) and (2)

TRANSFER OF LAND

PART I

(1) Transferring to	(2) Description
City of London Polytechnic	Premises of the former London College of Furniture at 49–71 (odd) Commercial Road E1 1LA
Council of the London Borough of Greenwich	John Roan School Annex, Westcombe Park Road SE3
Council of the London Borough of Hackney	11 Glenwood Close, Stevenage, Hertfordshire SG2 9QT
Council of the London Borough of Hammersmith and Fulham	1–17 (odd) and 18–22 (even) Gorleston Street W14 Former Heathermount School, Devenish Road, Sunningdale, Berkshire SL5 9PL
Council of the London Borough of Southwark	Site of 7 Naylor Road SE15
Council of the London Borough of Tower Hamlets	Langdon Park School site extension at the corner of Hay Currie Street and Bright Street E14 Land bounded by Stepney Green, Copley Street, Stepney Way and Garden Street E1
Council of the City of Westminster	Site for proposed new primary school, Moxon Street/Cramer Street W1 Moberley Youth Centre, Kilburn Lane W10
Hertfordshire County Council	Premises of the Consortium of Local Education Authorities for the Provision of Science Services at Brunel University, Kingston Centre, Uxbridge, Middlesex
Morley College Council	Morley College Extension, 61 Westminster Bridge Road SE1 7HT

PART II

Approximate area in square metres	Description
155	In the London Borough of Camden Site of 42–52 Hartland Road In the London Borough of Hackney

Approximate area in square metres	Description
25.6	Land in Oldhill Street adjacent to Tyssen Primary School
224	Land in Northwold Road adjacent to Northwold Primary School
742	Land in Kingsmead Way fronting Kingsmead Primary School and Youth Club
	In the London Borough of Hammersmith & Fulham
55	Land adjacent to the northern boundary of Wedgwood School, Mund Street
43.5	Land in Highway at Flora Gardens Primary School
	Land in
156	(a) (a) St Peter's Road,
32	(b) (b) Standish Road and
3.4	(c) (c) Beavor Road
	adjacent to St Peter's Church of England Primary School
31.3	Land at the corner of Hurlingham Road and Broomhouse Lane fronting Sullivan Primary School
	In the London Borough of Lambeth
710	Land at rear of 11–15 (odd) Rosedene Avenue adjacent to Dunraven School
1015	Land in Harborough Road fronting Sunnyhill Primary School
	In the London Borough of Southwark
159	Land in Leo Street adjacent to Southwark College Annex
	In the London Borough of Tower Hamlets
31	Land in Emmett Street fronting Cyril Jackson Primary School Annex
174	Land in Tench Street and Reardon Path adjacent to Wapping Youth club
233	Land to east of Individual Tuition Unit, Ramsey Street
243	Land to west of Individual Tuition Unit, Ramsey Street
13.5	Land at the corner of Hay Currie Street and Burcham Street

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Approximate area in square metres	Description
5.5	Land at the corner of St Leonard's Road and Burcham Street
214	Land at rear of 3–5 Lorden Walk
16	Land in Brabazon Street adjacent to St Saviour's Primary School
	Land in
63	(a) (a) Wyvis Street, and
34	(b) (b) Uamvar Street
	adjacent to Manorfields Primary School
27	Land at corner of Old Bethnal Green Road and Pollard Row
5.4	Land in Gunthorpe Street fronting Canon Barnett Primary School
152.6 and 185	Two pieces of land in King David Lane fronting Blue Gate Fields Primary School
12	Land fronting Tower Hamlets College, Poplar High Street
5	Land to the rear of 194 Mile End Road
	In the London Borough of Wandsworth
33.6	Land at the corner of Burntwood Lane and Aboyne Road
16.9	Land at the corner of Hearnville Road and Chestnut Grove
5.4	Land at the corner of Petworth Street and Rosenau Road
333	Land in Portswood Place
23.8	Land to rear of 59–61 (odd) Mitcham Road
212 and 195	Two pieces of land in Battersea Park Road fronting Battersea Park School
23	Land in Battersea Park Road fronting John Milton Primary School
15.3	Land in Beechcroft Road adjacent to Ernest Bevin School
219	Land at head of Dendy Street
220	Land to rear of 3–43 (odd) Levenson Street
368	Land between 19 and 25 Cunliffe Street
11.4	Land in Cortis Road to the south of Granard Primary School

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Approximate area in square metres	Description
250	Land in Pirbright Road adjacent to Riversdale Primary School

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the transfer to specified inner London borough councils and other bodies of certain property, rights and liabilities originally transferred to, or held, acquired or incurred by the London Residuary Body (“the LRB”) by virtue of, or in the exercise of any of its functions under, Part III of the Education Reform Act 1988 (“the 1988 Act”).

The Order gives effect with modifications to proposals made by the LRB in respect of such transfers pursuant to section 187(2) of the 1988 Act.

Land transferred pursuant to article 2(1) may not be disposed of within 20 years without the consent in writing of the Secretary of State (article 4). The LRB is made responsible for enforcing such condition (article 7).

Plans showing the land transferred pursuant to article 2 may be inspected during normal office hours at the offices of the London Residuary Body, Globe House, 4 Temple Place, London WC2R 3HP.