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STATUTORY INSTRUMENTS

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**1997 No. 860**

**EDUCATION, ENGLAND AND WALES**

**The Education (Inner London Education Authority) (Property Transfer) (Modification and Amendment) Order 1997**

<i>Made</i>	- - - -	<i>17th March 1997</i>
<i>Laid before Parliament</i>		<i>18th March 1997</i>
<i>Coming into force</i>	- -	<i>31st March 1997</i>

In exercise of the powers conferred on the Secretary of State by sections 187(5) and (6), 231(2) and (3)(d) and 232(5) of the Education Reform Act 1988(1), and all other powers enabling her in that behalf, the Secretary of State for Education and Employment hereby makes the following Order:

1. This Order may be cited as the Education (Inner London Education Authority) (Property Transfer) (Modification and Amendment) Order 1997 and shall come into force on 31st March 1997.

2.—(1) Subject to paragraph (2) below, Conditions A, B and C specified in article 2(2) of the Education (Inner London Education Authority) (Property Transfer) Order 1990(2), subject to which conditions certain land was transferred by that Order, shall cease to have effect.

(2) Condition C, and Condition A so far as necessary for the operation of Condition C, shall continue to have effect in relation to the playing fields and sports centres listed in Schedule 1 to this Order.

3. The Education (London Residuary Body) (Property Transfer) Order 1992(3) shall be amended—

(a) by the insertion at the beginning of paragraph (1) of article 7 of the words “Subject to paragraph (3),”;

(b) by the addition at the end of article 7 of a new paragraph—

“(3) Before making any payment under paragraph (1) on or after 31st March 1997, Kensington and Chelsea shall first pay, from the sums realised by them referred to in that paragraph, the amounts set out in column (2) of Schedule 4, to the councils set out opposite thereto in column (1) of that Schedule.”; and

(c) by the addition after Schedule 3 of the Schedule set out in Schedule 2 to this Order.

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(1) 1988 c. 40.

(2) S.I. 1990/124; the relevant amending instrument is S.I. 1990/772.

(3) S.I. 1992/587; to which there are amendments not relevant to this Order.

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**Status:** This is the original version (as it was originally made).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

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17th March 1997

*Cheryl Gillam*  
Parliamentary Under Secretary of State,  
Department for Education and Employment

SCHEDULE 1

Article 2

PLAYING FIELDS AND SPORTS CENTRES

Bow Lane Playing Fields, 55 Bow Lane, N12  
 Chase Lodge Playing Fields, Page Street, Mill Hill, NW7  
 Prince Edward Playing Fields, 226 Whitechurch Lane, Edgware, Middlesex  
 Coldharbour Sports Centre, Chapel Farm Road, SE9 3HH  
 Hackney Downs Playing Field, Enfield  
 Barn Elms Sports Centre, Rowing and Sailing Centres, Queen Elizabeth Walk, SW13  
 Orchard Sports Centre, William Booth Road (off Anerley Road), SE20 8BG  
 Surrey Docks Watersports Centre, Rope Street, off Redriff Road, SE16

SCHEDULE 2

Article 3

NEW SCHEDULE TO S.I.1992/587

“SCHEDULE 4

*DISTRIBUTION TO INNER LONDON COUNCILS AND  
 THE COMMON COUNCIL OF THE CITY OF LONDON”*

<i>Council (1)</i>	<i>Amount (2) £</i>
City of London	3.41
Camden	67.66
Greenwich	12.78
Hackney	330.42
Hammersmith & Fulham	92.70
Islington	154.12
Kensington & Chelsea	695,230.28
Lambeth	86.58
Lewisham	92.00
Southwark	00.00
Tower Hamlets	213.72
Wandsworth	105.75
Westminster	42,532.08

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order modifies the effect of the Education (Inner London Education Authority) (Property Transfer) Order 1990.

The transfer of certain land to the councils of inner London boroughs under that Order was made subject to conditions. Condition A (as amended by S.I. 1990/772) provided that, if the land ceased to be used wholly or mainly for the purposes of the council's functions as local education authority before 1st April 2010, it was to be disposed of and the proceeds divided between all inner London councils including the Common Council of the City of London (in their capacity as a local authority) ("the inner London councils"). This condition ceases to apply except in so far as required for the continued operation of Condition C.

Condition B provided that, if the land was not brought into use wholly or mainly for the purposes of the council's functions as local education authority by 1st April 1997, it was to be disposed of and the proceeds divided as if it were a disposal to which Condition A applied. This condition ceases to apply altogether.

Condition C provided that, if the land ceased to be used wholly or mainly for the purposes of the council's functions as local education authority or if the council wished to dispose of it, it had first to be offered for transfer to the other inner London councils. If no council wanted the land it was to be disposed of and the proceeds divided as if it were a disposal to which Condition A applied. This condition ceases to apply except in relation to certain named playing fields and sports centres.

In cases where the proceeds of sale have already been distributed to the inner London councils, article 3 operates to compensate the councils concerned by amending the Education (London Residuary Body) (Property Transfer) Order 1992.

Under regulation 7 of that Order, the Council of the Royal Borough of Kensington and Chelsea is obliged to distribute the capital receipts from the disposal of certain former property of the Inner London Education Authority on the basis set out in that Order. The amendment requires that council, before making any such payments on or after 31st March 1997, to first make the payments to each of the inner London councils set out in the new Schedule 4 which is inserted in that Order.