
STATUTORY INSTRUMENTS

1993 No. 2171

HOUSING, ENGLAND AND WALES

**The Liverpool Housing Action Trust
(Transfer of Property) Order 1993**

Made - - - - *6th September 1993*
Laid before Parliament *13th September 1993*
Coming into force - - *4th October 1993*

The Secretary of State for the Environment, in exercise of the powers conferred on him by sections 74 and 75(4) of the Housing Act 1988(1) and of all other powers enabling him in that behalf, after consulting the council of the City of Liverpool(2) and taking such steps as appear to him to be appropriate in accordance with section 75(3) of that Act, hereby makes the following Order.

Citation and commencement

1. This Order may be cited as the Liverpool Housing Action Trust (Transfer of Property) Order 1993 and shall come into force on 4th October 1993.

Interpretation

2. In this Order—
- “the council” means the council of the City of Liverpool;
 - “the transfer date” means 4th October 1993; and
 - “the trust” means the Liverpool Housing Action Trust.

Transfer of Land

3. Subject to article 4 of this Order, the interest of the council in the housing and other land within the area designated as a housing action trust area by the Liverpool Housing Action Trust (Area and Constitution) Order 1993(3) shall vest in the trust on the transfer date together with all easements and rights vested in the council which are annexed or appurtenant to the land transferred by this Order (or any part of the land).

(1) 1988 c. 50; section 74(6) was amended by the Local Authorities (Capital Finance) (Consequential Amendments) Order 1990, S.I.1990/778.
(2) See section 75(2) of the Housing Act 1988.
(3) S.I. 1993/210.

Mortgages

4. The interest of the council in any mortgage effected in pursuance of a secure tenant's right to a mortgage under section 132 of the Housing Act 1985(4) shall not vest in the trust.

Financial terms

5.—(1) On the transfer date the trust shall pay to the council £300,000 in respect of arrears of rent falling due before the transfer date and arising under secure tenancies of housing transferred by this Order.

(2) If any part of the sum payable under paragraph (1) is unpaid, the trust shall further pay the council interest at such rate as may be prescribed by regulations under section 32 of the Land Compensation Act 1961(5) while it remains unpaid.

(3) Payments to the council under this article shall not be regarded for the purposes of Part IV of the Local Government and Housing Act 1989(6) as sums received by the council in respect of a disposal falling within section 58(1)(a) of that Act.

Signed by authority of the Secretary of State

6th September 1993

G. S. K. Young
Minister of State
Department of the Environment

(4) 1985 c. 68.
(5) 1961 c. 33.
(6) 1989 c. 42.

EXPLANATORY NOTE

(This note is not part of the Order)

The Liverpool Housing Action Trust (Area and Constitution) Order 1993 designated 44 parcels of land as a Housing Action Trust area. The land designated is all within the ownership of Liverpool City Council.

This Order vests that land in the Liverpool Housing Action Trust (article 3). It also sets the financial terms of the transfer (article 5).

A plan showing the land transferred may be inspected at the offices of the Trust and at the Department of the Environment, 2 Marsham Street, London SW1P 3EB.