New Towns and Urban Development Corporations Act 1985

1985 CHAPTER 5

Housing transfer schemes

3 Housing transfer schemes: contents and vesting dates

(1) In section 44 of the New Towns Act 1981 (contents of schemes for the transfer of dwellings and associated property, etc., to district councils)—

(a) in subsection (7), paragraphs (b) and (d) and the word " and " at the end of paragraph (c) shall be omitted; and

(b) after subsection (7) there shall be inserted the following subsections—

"(7A) A transfer scheme may—

(a) confer on the new town corporation a right, subject to subsection (7B) below, to nominate tenants of Housing Act dwellings of the district council (whether transferred or not and including any which are the subject of management arrangements) and specify the number or proportion of dwellings in respect of which the right is so conferred and the period for which it is to be exercisable;

(b) contain information about the effect of the scheme on the existing staff of the parties concerned and state proposals for staffing arrangements following the transfer and the protection of existing staff.

(7B) The corporation's right of nominating tenants shall be exercisable during the following period or periods—

(a) where the corporation are a development corporation, a period beginning with the date on which their interest in the transferred dwellings vests in the district council and ending with the date which is the transfer date for the purposes of Schedule 10 to this Act,

(b) where the corporation are the Commission and the dwellings in question were transferred from the development corporation to the district council, a period of 5 years beginning with that transfer date,

(c) where the corporation are the Commission and the dwellings in question were transferred from them to the district council, the period of 5 years beginning with the date on which the Commission's interest in the transferred dwellings vests in the district council,

or, in a case falling within paragraph (b) or (c) above, during such shorter period as may be agreed.”

(2) In section 47(1) of that Act (statutory vesting of property, etc. and date thereof), in paragraph (a), for the words " 1st April" there shall be substituted the words " 1st January, 1st April, 1st July or 1st October ".

(3) In section 57 of that Act (definitions), after the definition of " dwelling of a new town ", there shall be inserted the following—

“' Housing Act dwelling', with reference to a district council, means a dwelling provided (or treated by section 47(6) above as provided) by the council under Part V of the Housing Act 1957 ;”.

4 Defects grants to district councils in respect of transferred dwellings

After section 51 of the New Towns Act 1981 there shall be inserted the following section—

“**51A Defects grants to district councils.**

(1) The Secretary of State may, with the Treasury's consent, make, out of money provided by Parliament, grants to any district council which has done accepted remedial work on dwellings or land—

(a) which were or was transferred to the council before 1st April 1981 under a 1976 Act transfer scheme, or

(b) with respect to which obligations were assumed by the council before that date under management arrangements included in such a scheme,

towards the cost of doing the work and providing alternative accommodation or meeting other incidental expenditure.

(2) In making a grant to a council under this section the Secretary of State may impose such conditions as he thinks fit, including—

(a) conditions for the repayment of grant, and

(b) conditions for the payment to him of any portion of any sums received by the council in respect of the defects which gave rise to the work.

(3) Any sums received by the Secretary of State under subsection (2) above shall be paid by him into the Consolidated Fund.

(4) In this section—

"accepted remedial work" means work for the purpose of remedying defects in transferred dwellings which, before it is done, is accepted by

the Secretary of State as eligible for financial assistance out of public funds; and

" a 1976 Act transfer scheme " means a transfer scheme under the provisions of the New Towns (Amendment) Act 1976 re-enacted in section 42 above and the other provisions of this Part; and references to transferred dwellings, transferred land and management arrangements shall be construed accordingly."”

5 Revocation of certain staff compensation regulations

(1) Except to the extent of the saving in subsection (2) below—

(a) the obligation imposed on the Secretary of State by section 54(4) of the New Towns Act 1981 (duty to make staff compensation regulations) shall be treated as having ceased to have effect on 7th November 1984, and

(b) the staff compensation regulations (which were made under section 24 of the Superannuation Act 1972 in pursuance of the obligation referred to in paragraph (a) above) shall be deemed to have been revoked for all purposes on that date.

(2) Nothing in subsection (1) above shall affect the staff compensation regulations or the Secretary of State's obligation to keep them in being as regards persons who are affected by transfer schemes approved before the date specified in subsection (1) above ; and the Secretary of State may after that date amend the regulations under the said section 24 in their application to such persons.

(3) In this section—

" the staff compensation regulations" means the New Towns Transfer Schemes (Compensation) Regulations 1977;

" transfer scheme " means a scheme made under section 42 of the New Towns Act 1981 or under section 1 of the New Towns (Amendment) Act 1976.