

Status: Point in time view as at 01/02/1991.

Changes to legislation: Housing Act 1988, Paragraph 15 is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 10

HOUSING ACTION TRUSTS: LAND

PART II

LAND: SUPPLEMENTARY

Statutory undertakers

- 15 (1) The powers conferred by this paragraph shall be exercisable where, on a representation made by statutory undertakers, it appears to the Secretary of State and the appropriate Minister to be expedient that the powers and duties of those undertakers should be extended or modified, in order—
- (a) to secure the provision for a designated area of services which would not otherwise be provided, or which would not otherwise be satisfactorily provided; or
 - (b) to facilitate an adjustment of the carrying on of the undertaking necessitated by any of the acts and events mentioned in sub-paragraph (2) below.
- (2) The said acts and events are—
- (a) the acquisition under Part III of this Act of any land in which an interest was held, or which was used, for the purpose of the carrying on of the undertaking of the statutory undertakers in question; and
 - (b) the extinguishment of a right or the imposition of any requirements by virtue of paragraph 12 above.
- (3) The powers conferred by this paragraph shall also be exercisable where, on a representation made by a housing action trust, it appears to the Secretary of State and the appropriate Minister to be expedient that the powers and duties of statutory undertakers should be extended or modified, in order to secure the provision of new services, or the extension of existing services, for the purposes of a designated area under Part III of this Act.
- (4) Where the powers conferred by this paragraph are exercisable, the Secretary of State and the appropriate Minister may, if they think fit, by order provide for such extension or modification of the powers and duties of the statutory undertakers as appears to them to be requisite in order to secure the provision of the services in question, as mentioned in sub-paragraph (1)(a) or sub-paragraph (3) above, or to secure the adjustment in question, as mentioned in sub-paragraph (1)(b) above, as the case may be.
- (5) Without prejudice to the generality of sub-paragraph (4) above, an order under this paragraph may make provision—

Status: Point in time view as at 01/02/1991.

Changes to legislation: *Housing Act 1988, Paragraph 15 is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (a) for empowering the statutory undertakers to acquire (whether compulsorily or by agreement) any land specified in the order, and to erect or construct any buildings or works so specified;
- (b) for applying, in relation to the acquisition of any such land or the construction of any such works, enactments relating to the acquisition of land and the construction of works;
- (c) where it has been represented that the making of the order is expedient for the purposes mentioned in sub-paragraph (1)(a) or sub-paragraph (3) above, for giving effect to such financial arrangements between the housing action trust and the statutory undertakers as they may agree, or as, in default of agreement, may be determined to be equitable in such manner and by such tribunal as may be specified in the order; and
- (d) for such incidental and supplemental matters as appear to the Secretary of State and the appropriate Minister to be expedient for the purposes of the order.

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

Housing Act 1988, Paragraph 15 is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.