
STATUTORY INSTRUMENTS

2008 No. 2361

The Housing (Right to Manage) (England) Regulations 2008

PART 2

INITIATING THE PROCESS STAGE

Authority support following proposal notice

12.—(1) Where an authority has accepted a proposal notice, the TMO which served the notice may request the authority for such support as is specified in the request, being support that is reasonably required for the purposes of pursuing the proposal notice.

(2) On receipt of a request under paragraph (1), the authority must—

(a) determine the support which it considers the TMO reasonably requires for the purposes of pursuing the proposal notice; and

(b) notify the TMO of the determination within 28 days of receipt of the request.

(3) Subject to paragraphs (7) and (8) the authority must provide support in accordance with the determination under paragraph (2)(a).

(4) If a TMO is dissatisfied with an authority's determination under paragraph (2)(a) it may, within 28 days of being notified of the determination, refer the request to an arbitrator.

(5) Where a TMO makes a referral under paragraph (4) it must at the same time give notice of that referral to the authority.

(6) Within 28 days of a referral under paragraph(4) the arbitrator must—

(a) determine the support which the arbitrator considers the TMO reasonably requires for the purposes of pursuing the proposal notice; and

(b) notify the authority and the TMO of the determination.

(7) Where a determination has been notified under paragraph (6), the authority must provide support in accordance with that determination.

(8) Paragraph (3) does not apply if the proposal notice is withdrawn voluntarily by the TMO, or is deemed to be withdrawn under these Regulations.