
STATUTORY INSTRUMENTS

1995 No. 2248

HOUSING, ENGLAND AND WALES

**The Stonebridge Housing Action Trust
(Transfer of Property) Order 1995**

Made - - - - 29th August 1995
Laid before Parliament 31st August 1995
Coming into force - - 25th September 1995

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 London Borough of Brent(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 Stonebridge Housing Action Trust (Transfer of Property) Order 1995 and shall come into force on 25th September 1995.

Interpretation

2. In this Order—

“the council” means the council of the London Borough of Brent;

“the map” means the map entitled “Map referred to in the Stonebridge Housing Action Trust (Transfer of Property) Order 1995” of which prints, signed by an Under Secretary in the Department of the Environment, are deposited and available for inspection at the principal office of each of the Secretary of State for the Environment, the council and the trust;

“the transfer date” means 25th September 1995; and

“the trust” means the Stonebridge 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 Stonebridge Housing Action Trust (Area

(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.

and Constitution) Order 1994⁽³⁾ and shown on the map bounded internally by a broken black line and excluding the hatched areas bounded internally by a broken black line 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).

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 £80,550 in respect of arrears of rent arising before the transfer date—

- (a) under tenancies of any of the housing transferred by this Order where such tenancies have not been determined prior to the transfer date, and
- (b) under tenancies of other land transferred by this Order whether or not such tenancies have been determined.

(2) Any rent or other sum arising under a tenancy of land transferred by this Order and falling due before the transfer date, except for the arrears described in paragraph (1) of this article, shall continue to be recoverable by the council to the exclusion of the trust and of any other person in whom the reversion on the tenancy may become vested notwithstanding anything in section 141 of the Law of Property Act 1925⁽⁵⁾.

(3) If any part of the sum payable under paragraph (1) of this article 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⁽⁶⁾ while it remains unpaid.

(4) 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⁽⁷⁾ as sums received by the council in respect of a disposal falling within section 58(1)(a) of the Act.

Signed by authority of the Secretary of State

29th August 1995

Paul Beresford
Parliamentary Under-Secretary of State,
Department of the Environment

(3) S.I. 1994/1987.
(4) 1985 c. 68.
(5) 1925 c. 20.
(6) 1961 c. 33.
(7) 1989 c. 42

EXPLANATORY NOTE

(This note is not part of the Order)

This Order vests in the Stonebridge Housing Action Trust the housing and other land comprising the housing estate known as Stonebridge Estate, located on the A404 Harrow Road, between Harlesden and Wembley, which is currently vested in the council of the London Borough of Brent (article 3). The Order also sets the financial terms of the transfer (article 5). The property transferred is in the area designated by the Stonebridge Housing Action Trust (Area and Constitution) Order 1994 which established the Stonebridge Housing Action Trust.

The map referred to in the Order is deposited and available for inspection at the offices of the Department of the Environment, 2 Marsham Street, London SW1 3EB, the council of the London Borough of Brent, The Town Hall, Forty Lane, Wembley, Middlesex HA9 9DB and the Stonebridge Housing Action Trust, 12, Donovan Court, Exton Crescent, Stonebridge Estate, London NW10 8DB.