

## **THE RECOVERY OF CAPITAL GRANTS FROM REGISTERED PROVIDERS AND RECYCLED CAPITAL GRANT FUND (GREATER LONDON) GENERAL DETERMINATION 2017**

1. The Greater London Authority (GLA) in exercise of the powers conferred on it by sections 32, 33 and 34 of the Housing and Regeneration Act 2008 as applied to the GLA pursuant to section 333ZE of the Greater London Authority Act 1999, and all other powers enabling it in that behalf, after consultation with the Regulator of Social Housing, such bodies appearing to the GLA to represent the interests of registered providers of social housing as it considered appropriate and such other persons as it considered appropriate, hereby makes the following General Determination of the principles upon which the GLA shall specify:
  - (a) the events upon which the GLA shall Recover from Registered Providers Capital Grants paid;
  - (b) the manner in which, and time or times at which, Capital Grant is to be Recovered;
  - (c) the circumstances and manner in which a Registered Provider may apply or appropriate Recoverable Capital Grant or any Uplift Amount to specified purposes, and those purposes;
  - (d) the method for calculating the amount of Capital Grant and any Uplift Amount to be Recovered;
  - (e) the circumstances and manner in which the GLA may direct interest to be added to Recovery of Capital Grant and any Uplift Amount at specified rates;
  - (f) the proportion of Capital Grant which, upon a transfer of land or Property to another Registered Provider, shall be deemed to be vested in that other Registered Provider.
2. This General Determination is made without prejudice to the GLA's power to make specific Determinations under the provisions of the Housing and Regeneration Act 2008 as applied in relation to the GLA pursuant to section 333ZE of the Greater London Authority Act 1999.

### **CITATION AND COMMENCEMENT**

3. This Determination may be cited as the Recovery of Capital Grants from Registered Providers and Recycled Capital Grant Fund (Greater London) General Determination 2017.
4. This Determination has effect from September 6 2017.
5. The Recovery of Capital Grants General Determinations 2012 and 2015 shall not apply to Capital Grant given on or after the date of this Determination.<sup>1</sup>
6. To the extent that Recovery events and principles for the purposes of Sections 32 and 33 of the Housing and Regeneration Act 2008, Sections 27, 53 and 54 of the Housing Act 1996, Sections 52 and 53 of the Housing Act 1988, as amended by Section 28(3) of the Housing Act 1996 and Sections 218 and 266, Schedule 11 paragraphs 2 and 4 and Schedule 16 of

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<sup>1</sup> For the avoidance of doubt, except as specified in paragraph 5, this General Determination does not amend or repeal any previous determinations made pursuant to sections 27, 53 and 54 of the Housing Act 1996, sections 52 and 53 of the Housing Act 1988, as amended by section 28(3) of the Housing Act 1996 and by sections 218 and 266, Schedule 11 paragraphs 2 and 4 and Schedule 16 of the Housing Act 2004, and sections 32 and 33 of the Housing and Regeneration Act 2008

the Housing Act 2004 are contained in contractual agreements for the provision of Capital Grant, those events and principles shall continue to take effect after the date of this Determination.

## INTERPRETATION

7. Words and expressions used in this Determination shall, unless the context requires otherwise, have the following meanings:

**"Capital Funding Guide"** means the "Capital Funding Guide" published on the GLA's website or any successor guide so published subject to such amendments variations or updates to the same as the GLA (or any successor body) may publish on its website from time to time.

**"Capital Grant"** means Social Housing Assistance paid by the GLA as a grant and includes sums drawn from a Registered Provider's RCGF to defray all or part of the capital expenditure incurred or to be incurred, including new build development, any Major Repairs, Miscellaneous Works, and re-improvements. It includes any Simple Interest which accompanied payment of the principal Capital Grant

**"Dwelling"** has the meaning given by section 275 of the Housing and Regeneration Act 2008.

**"Equity Percentage Loan"** means a loan of the type of arrangement described in section 70(5) of the Housing and Regeneration Act 2008.

**"For-Profit Registered Provider"** means a body entered on the Register as a profit-making organisation, as such term is defined in section 115 of the Housing and Regeneration Act 2008.

**"GLA"** means the Greater London Authority (but also includes (i) the Homes and Communities Agency insofar as it exercises functions of the Greater London Authority under delegated authority of the Mayor under section 38 (1) of the Greater London Authority Act 1999, and (ii) GLA Land and Property Ltd insofar as it is implementing a decision of the Greater London Authority).

**"Hostel"** means a building comprising accommodation for two or more households (whether self-contained or not and whether or not inclusive of communal living space or facilities for the preparation or provision of food) and which is not (at the point at which any Capital Grant is given) intended to be used as permanent accommodation for such households.<sup>2</sup>

**"Investment Partner"** means a Registered Provider which has been confirmed by the GLA as having "Investment Partner Status" under the GLA's Investment Partner qualification procedure.

**"Letting"** includes a sub-lease, sub-tenancy or licence and an agreement for a lease, tenancy, licence, sub-lease or sub-tenancy.

**"Major Repairs"** means those works to a Property owned by a Registered Provider which are necessary to ensure the continued habitability of the Property, excluding re-improvements, and which fall into the following categories:

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<sup>2</sup> For the avoidance of doubt, where Capital Grant is given by the GLA in respect of such a building, there shall be a presumption that the building is not intended to be used as permanent accommodation.

(a) major works which have become necessary since the original development or rehabilitation work was completed, including those works required by subsequent legislation

(b) replacement of, or major work on, those components of a Property which have come to the end of their useful lives

**"Milestone"** means a predefined event during development for which the GLA has requested the Capital Grant holder to forecast a completion date

**"Miscellaneous Works"** means remedial work to heating systems in existing Properties, energy conservation works, works for the removal of lead in drinking water, for reducing the risk of exposure to asbestos, to upgrade or install fire precautionary measures recommended by a fire authority (within the meaning of section 6 of the Fire and Rescue Services Act 2004), remedial works to Properties contaminated by radon or structural adaptations for people with physical disabilities

**"Private Registered Provider"** has the meaning ascribed to it in section 80(3) of the Housing and Regeneration Act 2008.

**"Property"** means a Dwelling, Hostel or Supported Housing funded by Capital Grant

**"Recovery"** comprises reduction of any Capital Grant payable, or yet to be paid, by the GLA suspension or cancellation of any instalment of Capital Grant, the application or appropriation of Capital Grant or (where applicable) any Uplift Amount for such purposes as the GLA may specify or payment to the GLA of such amounts as the GLA may specify and **"Recover"**, **"Recoverable"** and **"Recovered"** shall be construed accordingly.

**"Recycled Capital Grant Fund"** or **"RCGF"** has the meaning given in paragraph 13 of this Determination.

**"Register"** means the register maintained by the Regulator of Social Housing pursuant to section 111 of the Housing and Regeneration Act 2008.

**"Registered Provider"** or **"RP"** means (as appropriate) a local authority entered on the Register pursuant to section 114 of the Housing and Regeneration Act 2008 or a body entered on the Register as a non-profit organisation or a profit-making organisation (as such terms are defined in section 115 of the Housing and Regeneration Act 2008).

**"Regulator of Social Housing"** means the Homes and Communities Agency acting through the Regulatory Committee established pursuant to Part 2 of the Housing and Regeneration Act 2008 or any similar future authority (including statutory successor) carrying on substantially the same regulatory functions.

**"Relevant Event"** means an event, as referred to in section 32(1) of the Housing and Regeneration Act 2008 and as identified in paragraph 8 of this Determination, which may give rise to Recovery of Capital Grant.

**"Right to Acquire"** has the meaning given in section 180 of the Housing and Regeneration Act 2008.

**"Right to Buy"** means the right conferred on tenants to buy property from a Registered Provider under Part V of the Housing Act 1985 and includes cases in which the right is

preserved under section 171A of the Housing Act 1985.

**"Sale and Leaseback"** means a transaction in which a Registered Provider disposes of a freehold or superior leasehold interest in land or Property and acquires simultaneously a long leasehold interest in that land or Property.

**"Shared Ownership Lease"** means a lease of the type described in section 70(4) of the Housing and Regeneration Act 2008.

**"Social HomeBuy"** has the meaning given to it in the Capital Funding Guide.

**"Simple Interest"** means further amounts of Capital Grant added to a payment of Capital Grant in compensation to a Registered Provider for delays in payment of the principal Capital Grant. The further amounts of Capital Grant are calculated in the manner of interest accruing according to the length of delay in payment.

**"Social Housing"** has the meaning given by Section 68 of the Housing and Regeneration Act 2008.

**"Social Housing Assistance"** has the meaning given in section 32(13) of the Housing and Regeneration Act 2008 as interpreted in relation to the GLA in accordance with section 333ZE(2)(b) of the Greater London Authority Act 1999.

**"Supported Housing"** means accommodation owned by a Registered Provider and allocated to people who need intensive and supportive housing management. It excludes accommodation the primary purpose of which is to provide care rather than housing, accommodation which aims to fulfil a statutory duty other than under housing legislation, and accommodation which is not provided with the aim of providing residents with a permanent home or the life skills and confidence to move into permanent accommodation.

**"Uplift Amount"** means an amount calculated by reference to any increase in the market value of any housing or other land acquired, constructed, converted, improved or repaired as a result of Capital Grant.

**"Voluntary Purchase Arrangements"** means the disposal of a Dwelling on voluntary terms by a Registered Provider to an existing tenant at a discount.

**"Voluntary Right to Buy"** means the disposal of a Dwelling on voluntary terms by a Private Registered Provider to an existing tenant at a discount equivalent to the Right to Buy discount.

## **RELEVANT EVENTS GIVING RISE TO RECOVERY OF GRANT**

8. The GLA may exercise its powers of Recovery when any of the following Relevant Events occurs in relation to Property or land located within Greater London:

(a) when, during the progress of a project approved for Capital Grant, Capital Grant or any instalment of Capital Grant was claimed or paid in anticipation of a Milestone, and that Milestone either does not take place or takes place later than anticipated;

(b) when, after Capital Grant or any instalment of Capital Grant has been advanced upon a project approved for Capital Grant, the GLA cancels the approval, or approves the project on

revised terms which involve a reduced entitlement to Capital Grant;

(c) discovery, upon an intermediate or final review of the costs of a project approved for Capital Grant, that an instalment or payment on account of Capital Grant had been greater than eventually required;

(d) failure to use Capital Grant for the purpose for which it was paid;

(e) failure to comply with any condition attached to the making of Capital Grant, including failure to complete a project and for the purposes of this sub-paragraph (e) "condition" includes (but is not limited to) the terms of any agreement pursuant to which Capital Grant is advanced (or approved to be drawn down from an RP's RCGF) by the GLA to a Registered Provider;

(f) discovery that the Secretary of State or the GLA has received incorrect information or made an error in connection with the calculation of Capital Grant payable or Recoverable;

(g) disposal of Capital Grant funded land acquired for the development of Social Housing, or designated for a further phase or phases of Social Housing, when the development or further phase or phases was, or were, not completed at the time of disposal;

(h) redemption of the outstanding indebtedness on a Property owned by a co-ownership (equity sharing) housing society and funded by Capital Grant.

(i) de-registration of a Registered Provider by The Regulator of Social Housing, under section 118 or 119 of the Housing and Regeneration Act 2008.

(j) a change of use of land or Property to one which would not qualify in principle for Social Housing Assistance, or change to a use which might receive a significantly lower grant (for example a change from supported to general needs housing;)

(k) cessation of use of Property or land funded by Capital Grant;

(l) demolition of Property or other buildings funded by Capital Grant;

(m) disposal of Property or land funded by Capital Grant, except:

(i) to another Registered Provider (taking the Property or land subject to liability for the Capital Grant within it pursuant to Section 33 of the Housing and Regeneration Act 2008) with the prior approval of the GLA;

(ii) the sale of the first share of a Dwelling under a Shared Ownership Lease.;

(iii) Sale and Leaseback provided that the GLA has given prior approval to the terms and objectives of the transaction;

(iv) Lease and sub-lease arrangements under which a Registered Provider disposes of a superior interest in a property and there is the simultaneous grant of a sub-lease to another Registered Provider where the purpose of the lease and sublease arrangement is to raise private finance, the property remains controlled and let by a Registered Provider as Social Housing and the GLA approves in advance the terms of the transaction.

(v) when the legal ownership of Property or land is transferred to a developer for the period during which a development, redevelopment or re-improvement is carried out, and either the freehold or a leasehold interest is returned to the Registered Provider on terms acceptable to the GLA;

(vi) the disposal of an adaptation provided to assist a resident with a physical disability;

(vii) when the consideration is broadly equivalent replacement Property or Properties or land, or the money to provide broadly equivalent replacement Property or Properties or land;

(viii) disposal of small plots of surplus land, where that plot is not suitable to provide any further Social Housing;

(ix) upon disposal of certain freehold reversions, as defined in published guidance and updated from time to time;

(x) the grant of any mortgage or charge over the Property or land funded by Capital Grant

(n) a disposal of Property or land funded by Capital Grant that would give rise to a repayment of discount under section 155 of the Housing Act 1985;

(o) a disposal of Property or land funded by Capital Grant that would give rise to a repayment of discount under sections 11 and 12 of the Housing Act 1996 as modified by section 179 of the Housing and Regeneration Act 2008;

(p) a disposal of Property or land funded by Capital Grant that would give rise to the repayment of a payment made to a tenant as an incentive to vacate a Dwelling owned by a Registered Provider under the terms of the mortgage deed requiring repayment of the original payment;

(q) the redemption, or a disposal of Property or land funded by Capital Grant giving rise to the redemption, of an Equity Percentage Loan;

(r) a change in the status of a Private Registered Provider from an unincorporated body to an incorporated body by whatever means;

(s) all or some of the assets of a Registered Provider become vested in a third party;

(t) the sale of a Dwelling under the Voluntary Right to Buy or the Right to Acquire.

(u) failure to provide the GLA with written notification in accordance with any timetable and/or terms specified by the GLA of the occurrence or, in specified circumstances, anticipated occurrence of a disposal of Property or land funded by Capital Grant unless such disposal is:

i) the grant of a tenancy to the occupier of accommodation of the type described in section 69 of the Housing and Regeneration Act 2008 for use as their only or principal home;

(ii) the sale of the first share of a Dwelling under a Shared Ownership Lease;

(iii) a disposal to a statutory undertaker for the purposes of the supply or transmission of statutory services to the Property or land funded by Capital Grant;

(iv) a disposal pursuant to or required by a planning obligation within the meaning of s106 or s299A of the Town and Country Planning Act 1990 in connection with the Property or land funded by Capital Grant

(v) a disposal to a highway authority for the purposes of or in connection with the adoption of roads, footpaths or cycleways on the Property or land funded by Capital Grant;

(vi) the grant of any mortgage or charge over the Property or land funded by Capital Grant.

9. A Registered Provider must notify the GLA of the occurrence or, in specified circumstances, anticipated occurrence of a Relevant Event in accordance with a timetable specified by the GLA. When a Relevant Event occurs, a Registered Provider must apply or appropriate the Capital Grant Recoverable in ways determined or directed by the GLA.

#### **PRINCIPLES FOR THE RECOVERY OF CAPITAL GRANT**

10. Upon notification of the occurrence or discovery of a Relevant Event within Greater London, the GLA may Recover Capital Grant.
11. Where a Relevant Event occurs within Greater London on only part of the property or land on which Capital Grant was paid, the GLA may Recover a proportionate amount of Capital Grant. The GLA may specify methods of apportionment in accordance with published guidance.
12. To the extent that Recovery events and principles for the purposes of sections 32 and 33 of the Housing and Regeneration Act 2008 (including any specifically determined contractual arrangements in relation to Uplift Amounts) are contained in contractual arrangements for the provision of Capital Grant, those events and principles and contractual arrangements shall have effect or continue to have effect after the date of this Determination save that any reference therein to a determination shall in respect of Capital Grant given after the date of this Determination be interpreted so as to give effect to paragraph 5.

#### **CIRCUMSTANCES IN WHICH REGISTERED PROVIDERS MAY APPLY OR APPROPRIATE CAPITAL GRANT RECOVERABLE TO THE GLA TO SPECIFIED PURPOSES IN GREATER LONDON**

13. Subject to paragraphs 18, 19 and 20 below, Registered Providers may choose between repaying the Capital Grant Recoverable to the GLA or placing it in a fund, known as the Recycled Capital Grant Fund.
14. Permissible uses of the Recycled Capital Grant Fund, based on policy priorities for Social Housing, will be published by the GLA, and may be amended from time to time. These permissible uses will include those for which the GLA would make Social Housing Assistance available, unless a specific restriction is stated, and other specified purposes. The GLA may further publish specific permissible uses for receipts generated from land or Property receiving grant through a specific funding programme. These permissible uses are

referred to hereafter as “Permissible Purposes”. For the avoidance of doubt, receipts generated from land or Property in Greater London which are placed in the RCGF may be used for Permissible Purposes for reinvestment in Greater London only. GLA approval in advance is required for any application of RCGF. RCGF sums and Uplift Amounts when applied or appropriated by any Registered Provider will be Social Housing Assistance and will be subject to any then current conditions (whether contractual or otherwise) relating to the provision of Social Housing Assistance.

- 15 The GLA may direct that notional interest accruing on Capital Grant in the Recycled Capital Grant Fund (and also, for the avoidance of doubt, any Uplift Amount and interest which has been calculated in accordance with paragraphs 27 and/or 28 and placed in the Recycled Capital Grant Fund) may also be applied or appropriated to Permissible Purposes. The notional interest shall be calculated according to the principles in paragraph 25 below.
- 16 In circumstances specified by the GLA, a Registered Provider may transfer all or part of its Recycled Capital Grant Fund to another Registered Provider so that the other Registered Provider may apply or appropriate it to the published Permissible Purposes (subject to GLA approval in advance of such application or appropriation). For amounts generated within Greater London, Registered Providers may transfer balances to other Registered Providers for Permissible Purposes for reinvestment within Greater London only.
- 17 The GLA may set time limits within which it expects a Registered Provider to apply or appropriate Capital Grant to these Permissible Purposes. For the purposes of these time limits, a transfer of Recycled Capital Grant Fund to another Registered Provider will not re-start the timetable.

#### **CIRCUMSTANCES IN WHICH REGISTERED PROVIDERS WOULD NORMALLY REPAY CAPITAL GRANT TO THE GLA**

18. In respect of Registered Providers, the GLA will normally demand repayment of Capital Grant Recoverable, without the option of placing it in a Recycled Capital Grant Fund, when Recovery arises from any of the Relevant Events (a) to (i) and (u) in paragraph 8 above. In relation to (i) of paragraph 8, such Recovery may be deferred until the occurrence of any other Relevant Event.

#### **CIRCUMSTANCES IN WHICH THE GLA MAY WITHDRAW THE OPTION OF APPLYING OR APPROPRIATING CAPITAL GRANTS THROUGH THE RECYCLED CAPITAL GRANT FUND**

19. The GLA will publish, and may amend from time to time, a description of those circumstances in which the option of applying or appropriating Capital Grants through the Recycled Capital Grant Fund, established in paragraph 13 above, may be withdrawn, and repayment made in total or in part. These will relate to: risks to the contents or future contents of a Recycled Capital Grant Fund revealed by the GLA’s exercise of its financial supervisory responsibilities or by the Regulator of Social Housing’s exercise of its regulatory responsibilities; discovery that the administration or operation of a Recycled Capital Grant Fund, or application of its contents, has been or is in breach of the principles determined here or the requirements specified in related guidance; the breach, or expectation of a breach, of time limits for applying Recycled Capital Grant specified by the GLA; deregistration or other specified changes of status by a Registered Provider; removal or expiry of Investment Partner status with the GLA; the requirements of the relevant funding



programme require repayment of Capital Grant; and any other circumstances considered appropriate by the GLA.

## **THE ADMINISTRATION OF RECYCLED CAPITAL GRANT FUNDS**

20. Registered Providers shall administer Recycled Capital Grant Funds according to the requirements which the GLA may from time to time publish with a view to ensuring, inter alia, that the Recycled Capital Grant Fund is used to support GLA housing policy objectives, helps to build and maintain sustainable communities and supports regional, sub-regional and local programme priorities. Such requirements will furthermore seek to ensure that the RCGF is easy to operate, transparent, accountable and promotes efficiency.

## **THE METHOD OF CALCULATING THE AMOUNT OF GRANT RECOVERABLE ON RELEVANT EVENTS**

21. The GLA will publish, and may amend from time to time, methods for calculating the amount of Capital Grant recoverable should the Relevant Events at paragraph 8 occur. These methods will take into account, according to the interpretation of the GLA:

(a) for Capital Grant paid in error or in excess of requirements, an intention to recover Capital Grant or excess Capital Grant in full;

(b) for disposals or other Relevant Events, an intention to recover Capital Grant in full, but with allowance (i) for costs, fees and expenses incurred by the Registered Provider in direct relation to the Relevant Event (ii) for the deferral or reduction of Capital Grant recovered where disposal proceeds are less than the amount recoverable and (iii) for any other circumstances which the GLA may specify in its published procedures and amend from time to time; and

(c) if the Registered Provider is a For-Profit Registered Provider.

22. The GLA may agree a temporary change of use, without Recovery, to one not qualifying in principle for Social Housing Assistance.

23. Where Recovery of Capital Grant calculated in accordance with the provisions of this Determination would place a Registered Provider in financial difficulty, the GLA may at its discretion:

(a) defer the Recovery to a future date, or

(b) accept Recovery by agreed instalments, or

(c) reduce part or all of the Recovery.

## **INTEREST ON RECOVERY OF CAPITAL GRANT AND ON RECYCLED CAPITAL GRANT FUNDS**

24. The GLA may direct a Registered Provider to add interest to an amount of Capital Grant repayable upon a Relevant Event, if there is a failure or delay by the Registered Provider in notification of the Relevant Event to the GLA or in grant repayment, or in other circumstances leading to a potential loss to the GLA. The GLA will publish, and may amend

from time to time, details of these circumstances, the rates of interest to be charged, and the mechanism for its application.

25. The GLA requires Registered Providers to add notional interest to the Recycled Capital Grant Fund at rates specified by the GLA which shall not exceed the rates which a Registered Provider might reasonably expect to earn on the deposit of the cash comprising its Recycled Capital Grant Fund.
26. When the GLA directs repayment of Recoverable Capital Grant placed in a Recycled Capital Grant Fund, it may direct the Registered Provider to calculate and add interest attributable to the amount repaid. The interest shall be calculated according to paragraph 25 above.

### **UPLIFT ON RECOVERY OR RECYCLING OF CAPITAL GRANT**

27. The GLA requires, in such circumstances as the GLA will publish and may amend from time to time, a For-Profit Registered Provider to add an Uplift Amount to any amount of Capital Grant Recoverable upon a Relevant Event, whether such amount is to be repaid to the GLA or placed in the RCGF. The GLA will publish, and may amend from time to time, the method for calculating the Uplift Amount concerned.
28. Further, the GLA may direct a For-Profit Registered Provider to add interest to this Uplift Amount, as described in paragraph 27, if there is a failure or delay by the Registered Provider in notification of the Relevant Event to the GLA or in grant repayment, or in other circumstances leading to a potential loss to the GLA. The GLA will publish, and may amend from time to time, details of these circumstances, the rates of interest to be charged, and the mechanism for its application.

### **THE APPROPRIATE PROPORTION OF CAPITAL GRANT DEEMED TO BE TRANSFERRED BETWEEN REGISTERED PROVIDERS, FOR PURPOSES OF RECOVERY**

29. When land or Property on which Capital Grant has been given becomes vested in, or is leased for a term of years to, or reverts to, another Registered Provider, and a Relevant Event subsequently occurs, this Determination shall apply to the entire Capital Grant paid on the land or Property as if the Capital Grant had been made to that other Registered Provider.

### **EXPLANATORY NOTES**

Legislation provides for the GLA to set out, in a statutory determination, the occasions when it will recover capital grants from persons who have received social housing assistance and the principles which it will apply to the recovery process.

Where this Determination states that the GLA will publish or specify detail this will be done within the Capital Funding Guide or within the terms of any grant agreement relating to the provision of Capital Grant.

This Determination covers all property funded with Social Housing Assistance, through the GLA, from the date of this Determination onwards.

The Housing and Planning Act 2016 has repealed (amongst other provisions) Section 177 of the Housing and Regeneration Act 2008. As a result, section 32 of the Housing and

Regeneration Act 2008, section 27 of the Housing Act 1996 and section 52 of the Housing Act 1988 are re-applied to the proceeds arising out of the disposals of Property or land funded by Capital Grant. This means, for example, that Capital Grant given to develop homes which are disposed of under the Right to Acquire, Social HomeBuy or Voluntary Purchase Arrangements is subject to Recovery.

Unless otherwise provided in this Determination, Registered Providers must notify GLA when they dispose of Property or land funded by Capital Grant. A failure to comply with the notification requirements specified by GLA will entitle the GLA to implement the recovery process.

***This Determination is approved by way of Mayoral Decision to take effect from September 6 2017***