

SCHEDULES

SCHEDULE 29

Section 328.

AMENDMENTS RELATING TO THE FIRE ETC AUTHORITY

PART I

PUBLIC GENERAL ACTS

THE LANDLORD AND TENANT ACT 1954

Local authority

- 1 In section 69(1) of the Landlord and Tenant Act 1954 (interpretation) in the definition of “local authority” after “the Broads Authority” there shall be inserted “, the London Fire and Emergency Planning Authority”.

THE LOCAL GOVERNMENT (RECORDS) ACT 1962

Acquisition and deposit of records

- 2 In section 2 of the Local Government (Records) Act 1962 (acquisition and deposit of records) in subsection (6) (authorities to which subsections (1) and (2) apply) after “the Common Council of the City of London,” there shall be inserted “to the London Fire and Emergency Planning Authority,”.

Local authority

- 3 In section 8(1) of the Local Government (Records) Act 1962 (interpretation) in the definition of “local authority”, after “the Common Council of the City of London,” there shall be inserted “the London Fire and Emergency Planning Authority,”.

THE LONDON GOVERNMENT ACT 1963

Delegation of functions in Greater London

- 4 In section 5 of the London Government Act 1963 (delegation of functions in Greater London) in subsection (3) (agreements with local authorities whose areas are contiguous to Greater London etc) for “London Fire and Civil Defence Authority” there shall be substituted “London Fire and Emergency Planning Authority”.

Compensation for injury to, or death of, officers

- 5 In section 75 of the London Government Act 1963 (compensation for injury to, or death of, officers) in subsection (4) (application of section to the bodies there

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specified) for “London Fire and Civil Defence Authority” there shall be substituted “London Fire and Emergency Planning Authority”.

Music and dancing licences

- 6 In Schedule 12 to the London Government Act 1963 (licensing of public events) in paragraph 2(1) (which was substituted by section 20 of the London Local Authorities Act 1996 and requires a copy of an application for the grant etc of a public dancing or music etc licence to be sent to the London Fire and Civil Defence Authority) for “London Fire and Civil Defence Authority” there shall be substituted “London Fire and Emergency Planning Authority”.

THE LOCAL GOVERNMENT ACT 1966

Grants for expenditure due to ethnic minority population

- 7 In section 11 of the Local Government Act 1966 (grants for expenditure due to ethnic minority population) in subsection (2) (application of section to the bodies there specified) after “shall apply to” there shall be inserted “the London Fire and Emergency Planning Authority”.

THE LEASEHOLD REFORM ACT 1967

Land required for public purposes

- 8 In section 28 of the Leasehold Reform Act 1967 (retention or resumption of land required for public purposes) in subsection (5) (bodies to which the section applies) in paragraph (a), after “any joint authority established by Part IV of the Local Government Act 1985” there shall be inserted “, the London Fire and Emergency Planning Authority,”.

Exclusion of certain shared ownership leases

- 9 In Schedule 4A to the Leasehold Reform Act 1967, in paragraph 2 (exclusion of certain leases granted by bodies specified in sub-paragraph (2)) in sub-paragraph (2), after paragraph (b) there shall be inserted—
“(bb) the London Fire and Emergency Planning Authority;”.

THE LOCAL GOVERNMENT GRANTS (SOCIAL NEED) ACT 1969

Grants to local authorities etc

- 10 In section 1 of the Local Government Grants (Social Need) Act 1969 (provision for grants) in subsection (3) (which defines “local authority”) after “shall also include” there shall be inserted “the London Fire and Emergency Planning Authority,”.

THE POST OFFICE ACT 1969

Local authority

- 11 In section 86 of the Post Office Act 1969 (interpretation of Part III) in subsection (1), in the definition of “local authority”, in paragraph (a), after “a joint authority

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established by Part IV of the Local Government Act 1985” there shall be inserted
“, the London Fire and Emergency Planning Authority”.

THE EMPLOYERS' LIABILITY (COMPULSORY INSURANCE) ACT 1969

Exemption

- 12 In section 3 of the Employers' Liability (Compulsory Insurance) Act 1969 (employers exempted from insurance) in subsection (2)(b) (which specifies certain authorities exempted under subsection (1)(a)) after “a joint authority established by Part IV of the Local Government Act 1985,” there shall be inserted “the London Fire and Emergency Planning Authority.”

THE PENSIONS (INCREASE) ACT 1971

Meaning of local authority

- 13 In Schedule 3 to the Pensions (Increase) Act 1971 (meaning of local authority) after paragraph 6(1)(a)(ia) there shall be inserted—
“(ib) the London Fire and Emergency Planning Authority;”.

THE LOCAL GOVERNMENT ACT 1972

Restriction on promoting Bills for changing local government areas etc

- 14 In section 70 of the Local Government Act 1972 (restriction on promotion of Bills for changing local government areas etc) at the beginning there shall be inserted “(1)” and after the subsection so formed there shall be added—
“(2) Subsection (1) above shall have effect as if the reference to a joint authority included a reference to the London Fire and Emergency Planning Authority.”

Members' interests in contracts etc

- 15 In section 98 of the Local Government Act 1972 (members' interests in contracts: interpretation of sections 95 to 97) in subsection (1A) (extended meaning of local authority) after “a joint authority” there shall be inserted “, the London Fire and Emergency Planning Authority”.

Powers with respect to emergencies and disasters

- 16 In section 138 of the Local Government Act 1972 (powers of principal councils with respect to emergencies and disasters) in subsection (5) (expenses incurred by certain bodies in co-ordinating planning) for “London Fire and Civil Defence Authority” there shall be substituted “London Fire and Emergency Planning Authority”.

Information relating to matters affecting local government

- 17 In section 142 of the Local Government Act 1972 (provision of information relating to matters affecting local government) after subsection (3) there shall be added—
“(4) This section shall have effect as if any reference to a local authority included a reference to the London Fire and Emergency Planning Authority.”

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Allowances for attending conferences and meetings

- 18 In section 175 of the Local Government Act 1972 (allowances for attending conferences and meetings) in subsection (3B) (application in relation to joint authorities etc) after “In relation to” there shall be inserted “the London Fire and Emergency Planning Authority or”.

Payment of expenses for official and courtesy visits etc

- 19 In section 176 of the Local Government Act 1972 (payment of expenses for official and courtesy visits etc) in subsection (3) (which provides that local authority includes a joint authority) after “joint authority” there shall be inserted “and the London Fire and Emergency Planning Authority”.

Power to prosecute or defend legal proceedings

- 20 In section 222 of the Local Government Act 1972 (power of local authority to prosecute or defend legal proceedings) in subsection (2) (which provides that local authority includes the Common Council) after “Common Council” there shall be inserted “and the London Fire and Emergency Planning Authority”.

General application of Part XI of the 1972 Act

- 21 In Part XI of the Local Government Act 1972 (general provisions as to local authorities) after section 244 there shall be inserted—

“244A Application of this Part to London Fire and Emergency Planning Authority

This Part shall have effect as if any reference to a joint authority included a reference to the London Fire and Emergency Planning Authority.”

THE EMPLOYMENT AGENCIES ACT 1973

Exemptions

- 22 In section 13 of the Employment Agencies Act 1973 (interpretation) in subsection (7) (which specifies what the Act does not apply to) after paragraph (fg) there shall be inserted—
- “(fh) the exercise by the London Fire and Emergency Planning Authority of any of its functions;”.

THE HEALTH AND SAFETY AT WORK ETC. ACT 1974

Restrictions on disclosure of information

- 23 In section 28 of the Health and Safety at Work etc. Act 1974 (restrictions on disclosure of information) in subsection (6) (which extends the meaning of local authority in subsections (3) to (5)) at the end there shall be added “and the London Fire and Emergency Planning Authority”.

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THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

Local authority

- 24 In section 44(1) of the Local Government (Miscellaneous Provisions) Act 1976 (interpretation of Part I) in the definition of “local authority”—
- (a) in paragraph (a), after “a joint authority established by Part IV of the Local Government Act 1985” there shall be inserted “and the London Fire and Emergency Planning Authority”; and
 - (b) in paragraph (c) after “(waste regulation and disposal authorities),” there shall be inserted “the London Fire and Emergency Planning Authority”.

THE RENT (AGRICULTURE) ACT 1976

No statutory tenancy in certain cases

- 25 In section 5 of the Rent (Agriculture) Act 1976 (no statutory tenancy where landlord’s interest belongs to local authority etc) in subsection (3) (which specifies the bodies in question) after paragraph (bb) (joint authorities) there shall be inserted—
- “(bbb) the London Fire and Emergency Planning Authority;”.

THE RENT ACT 1977

No protected tenancy in certain cases

- 26 In section 14 of the Rent Act 1977 (no protected tenancy where landlord’s interest belongs to a local authority etc) after paragraph (cb) (joint authorities) there shall be inserted—
- “(cc) the London Fire and Emergency Planning Authority;”.

THE PROTECTION FROM EVICTION ACT 1977

Excluded tenancies and licences

- 27 In section 3A of the Protection from Eviction Act 1977 (excluded tenancies and licences) in subsection (8) (excluded licence in case of hostel provided by a body specified in that subsection) in paragraph (a) after “the Inner London Education Authority,” there shall be inserted “the London Fire and Emergency Planning Authority;”.

THE LOCAL GOVERNMENT, PLANNING AND LAND ACT 1980

Duty to publish information

- 28 In section 2 of the Local Government, Planning and Land Act 1980 (duty of authorities to publish information) in subsection (1) (which specifies the authorities to which the section applies) after paragraph (ka) (joint authorities) there shall be inserted—
- “(kb) the London Fire and Emergency Planning Authority;”.

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Direct labour organisations

- 29 In section 20(1) of the Local Government, Planning and Land Act 1980 (interpretation of Part III) in the definition of “local authority”, in paragraph (a), after “a joint authority established by Part IV of the Local Government Act 1985” there shall be inserted “, the London Fire and Emergency Planning Authority”.

Disposal of land

- 30 In section 98 of the Local Government, Planning and Land Act 1980 (disposal of land at direction of Secretary of State) in the subsection (8A) which is inserted by paragraph 56 of Schedule 11 to the Local Government and Housing Act 1989 (and which specifies the bodies mentioned in the subsection (8)(d) inserted by the same provision) after paragraph (e) (joint authorities) there shall be inserted “and
 (f) the London Fire and Emergency Planning Authority.”

Directions to dispose of land: supplementary

- 31 In section 99 of the Local Government, Planning and Land Act 1980 (disposal of land— supplementary) in subsection (4) (representations by certain bodies) after paragraph (db) (joint authorities) there shall be inserted—
 “(dbb) the London Fire and Emergency Planning Authority;”.

Meaning of “subsidiary” in Part X

- 32 In section 100 of the Local Government, Planning and Land Act 1980 (interpretation and extent of Part X) in the subsection (1) which is substituted by paragraph 57 of Schedule 11 to the Local Government and Housing Act 1989 (and which defines “subsidiary” in relation to different bodies) in paragraph (a), before “or a joint authority established by Part IV of the Local Government Act 1985” there shall be inserted “, the London Fire and Emergency Planning Authority”.

Bodies to whom Part X applies

- 33 In Schedule 16 to the Local Government, Planning and Land Act 1980 (bodies to whom Part X applies) after paragraph 5B (joint authorities) there shall be inserted—
 “5BB The London Fire and Emergency Planning Authority.”

THE ACQUISITION OF LAND ACT 1981

Local authority etc land

- 34 (1) The Acquisition of Land Act 1981 shall be amended as follows.
- (2) In section 7(1) (general definitions) in the definition of “local authority”, after paragraph (a) there shall be inserted—
 “(a1) the London Fire and Emergency Planning Authority;”.
- (3) In section 17 (compulsory purchase of local authority and statutory undertakers' land) in subsection (4), in the definition of “local authority”, in paragraph (a), after “Common Council of the City of London,” there shall be inserted “the London Fire and Emergency Planning Authority,”.

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THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Enforceability of covenants

- 35 In section 33 of the Local Government (Miscellaneous Provisions) Act 1982 (enforceability by local authorities of covenants relating to land) in subsection (9) (a) (meaning of “principal council” in that section) after “the London Residuary Body,” there shall be inserted “the London Fire and Emergency Planning Authority.”

Lost and uncollected property

- 36 In section 41 of the Local Government (Miscellaneous Provisions) Act 1982 (lost and uncollected property) in subsection (13), in the definition of “local authority”, after paragraph (e) (joint authorities) there shall be inserted “and
(f) the London Fire and Emergency Planning Authority.”

Arrangements under the Employment and Training Act 1973

- 37 In section 45 of the Local Government (Miscellaneous Provisions) Act 1982 (power of local authority to enter into arrangements with Secretary of State under the Employment and Training Act 1973) in subsection (2) (local authorities to whom the section applies) after paragraph (c) there shall be inserted “and
(d) the London Fire and Emergency Planning Authority.”

THE COUNTY COURTS ACT 1984

Right of audience

- 38 In section 60 of the County Courts Act 1984 (right of audience) in subsection (3), in the definition of “local authority”, after “a joint authority established by Part IV of the Local Government Act 1985” there shall be inserted “the London Fire and Emergency Planning Authority.”

THE LOCAL GOVERNMENT ACT 1985

First appointments

- 39 In section 30 of the Local Government Act 1985 (first appointments) subsection (2) (a) (which required notice of the first appointments to the London Fire and Civil Defence Authority to be given to the Greater London Council and which is spent) shall cease to have effect.

General fund

- 40 (1) The Fire etc Authority shall continue to keep a general fund under and in accordance with section 72 of the Local Government Act 1985.
(2) Accordingly, after subsection (4) of that section there shall be inserted—
“(5) Any reference in this section to a new authority includes a reference to the London Fire and Emergency Planning Authority.”

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Number of members of joint authorities

- 41 In Schedule 10 to the Local Government Act 1985 (number of members of joint authorities) Part I (which relates to the Fire etc Authority) shall cease to have effect.

THE HOUSING ACT 1985

Local authority

- 42 In section 4 of the Housing Act 1985 (other descriptions of authority) in paragraph (e) (local authorities) after the words “a joint authority established by Part IV of the Local Government Act 1985”, in both places where they occur, there shall be inserted “and the London Fire and Emergency Planning Authority”.

THE HOUSING ASSOCIATIONS ACT 1985

Local authority

- 43 In section 106(1) of the Housing Associations Act 1985 (definitions) in the definition of “local authority”—
- (a) after “a joint authority established by Part IV of the Local Government Act 1985” there shall be inserted “and the London Fire and Emergency Planning Authority”; and
 - (b) after “such a joint authority” there shall be inserted “, the London Fire and Emergency Planning Authority”.

THE LANDLORD AND TENANT ACT 1985

Local authority

- 44 In section 38 of the Landlord and Tenant Act 1985 (minor definitions) in the definition of “local authority” after “a joint authority established by Part IV of the Local Government Act 1985” there shall be inserted “and the London Fire and Emergency Planning Authority”.

THE LOCAL GOVERNMENT ACT 1986

Local authority publicity

- 45 In section 6(2) of the Local Government Act 1986 (meaning of “local authority” in Part II) in paragraph (a), after the entry “a joint authority established by Part IV of the Local Government Act 1985,” there shall be inserted the entry—
- “the London Fire and Emergency Planning Authority,”.

Transfer of local authority mortgages

- 46 In section 9(1)(a) of the Local Government Act 1986 (meaning of “local authority” in Part III) after the entry “a joint authority established by Part IV of the Local Government Act 1985,” there shall be inserted the entry—
- “the London Fire and Emergency Planning Authority,”.

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THE LOCAL GOVERNMENT FINANCE ACT 1987

Rates: maximum limit

- 47 In Schedule 2 to the Local Government Finance Act 1987 (rates: maximum limit) in paragraph 6(5) (the appropriate formula for, among other bodies, the London Fire and Civil Defence Authority) the words “or the London Fire and Civil Defence Authority” shall cease to have effect.

THE LANDLORD AND TENANT ACT 1987

Exempt landlords etc

- 48 In section 58(1) of the Landlord and Tenant Act 1987 (bodies which are “exempt landlords”) in paragraph (a), after “the Common Council of the City of London,” there shall be inserted “the London Fire and Emergency Planning Authority.”

THE LOCAL GOVERNMENT ACT 1988

Competition

- 49 In section 1(1) of the Local Government Act 1988 (which specifies the defined authorities for the purposes of Part I) in paragraph (g), for “London Fire and Civil Defence Authority” there shall be substituted “London Fire and Emergency Planning Authority”.

Public supply or works contracts

- 50 In Schedule 2 to the Local Government Act 1988 (which specifies the public authorities to which section 17 of that Act applies) for the entry relating to the London Fire and Civil Defence Authority there shall be substituted the entry—
“The London Fire and Emergency Planning Authority.”

THE LOCAL GOVERNMENT FINANCE ACT 1988

Financial administration

- 51 (1) Section 111 of the Local Government Finance Act 1988 (interpretation of Part VIII) shall be amended as follows.
(2) In subsection (2) (relevant authorities) paragraph (h) (which refers to the London Fire and Civil Defence Authority but is superseded for the London Fire and Emergency Planning Authority by amendments made by section 128 of this Act) shall be omitted.

THE HOUSING ACT 1988

Transfer of housing accommodation etc

- 52 In section 74 of the Housing Act 1988 (transfer of land and other property to housing action trusts) in subsection (8) (meaning of “local authority”) after paragraph (f) there shall be inserted—
“(g) the London Fire and Emergency Planning Authority.”

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Tenancies which cannot be assured tenancies

- 53 In Schedule 1 to the Housing Act 1988 (tenancies which cannot be assured tenancies) in paragraph 12(2) (definition of “local authority”) after paragraph (e) there shall be inserted—
 “(ee) the London Fire and Emergency Planning Authority;”.

THE ROAD TRAFFIC ACT 1988

Exception from requirement of third-party insurance etc

- 54 In section 144(2)(a)(i) of the Road Traffic Act 1988 (which provides that section 143 does not apply to vehicles owned by certain authorities) after “the Inner London Education Authority,” there shall be inserted “the London Fire and Emergency Planning Authority;”.

THE LOCAL GOVERNMENT AND HOUSING ACT 1989

Application of Part I to the Fire etc Authority

- 55 In section 21(1) of the Local Government and Housing Act 1989 (which defines local authority for the purposes of Part I in relation to England and Wales) in paragraph (i) (joint authorities) after “transport)” there shall be inserted “or the London Fire and Emergency Planning Authority”.

Charges by certain authorities

- 56 In section 152 of the Local Government and Housing Act 1989 (interpretation etc of sections 150 and 151) in subsection (2) (meaning of “relevant authority” in relation to England and Wales) after paragraph (m) there shall be inserted—
 “(n) the London Fire and Emergency Planning Authority.”

THE TOWN AND COUNTRY PLANNING ACT 1990

Procedure for making of orders

- 57 In section 252 of the Town and Country Planning Act 1990 (procedure for making of orders) in subsection (12), in the definition of “local authority”, after “a joint authority established by Part IV of the Local Government Act 1985,” there shall be inserted “the London Fire and Emergency Planning Authority;”.

Footpaths and bridleways orders

- 58 In Schedule 14 to the Town and Country Planning Act 1990 (procedure for footpaths and bridleways orders) in paragraph 1(3), in the definition of “council”, after “London borough council” there shall be inserted “, the London Fire and Emergency Planning Authority;”.

Status: This is the original version (as it was originally enacted).

THE LOCAL GOVERNMENT (OVERSEAS ASSISTANCE) ACT 1993

Power to provide advice and assistance

- 59 In section 1 of the Local Government (Overseas Assistance) Act 1993 (power to provide advice and assistance) in subsection (10) (bodies which are local authorities) after paragraph (d) (joint authorities) there shall be inserted—
“(dd) the London Fire and Emergency Planning Authority;”.

THE HOUSING GRANTS, CONSTRUCTION AND REGENERATION ACT 1996

Grants for improvements and repairs

- 60 In section 3(2) of the Housing Grants, Construction and Regeneration Act 1996 (ineligible applicants) after paragraph (j) there shall be inserted “or
(k) the London Fire and Emergency Planning Authority.”

THE CHANNEL TUNNEL RAIL LINK ACT 1996

Highways

- 61 In Schedule 3 to the Channel Tunnel Rail Link Act 1996 (highways) in paragraph 2(11) (meaning of “local authority” in sub-paragraph (7)(a)) after “a joint authority established by Part IV of the Local Government Act 1985,” there shall be inserted “the London Fire and Emergency Planning Authority;”.

THE JUSTICES OF THE PEACE ACT 1997

Disqualification of justices who are members of local authorities

- 62 In section 66 of the Justices of the Peace Act 1997 (disqualification in certain cases of justices who are members of local authorities) in subsection (7) (meaning of “local authority”) after paragraph (c) (joint authorities) there shall be inserted—
“(cc) the London Fire and Emergency Planning Authority;”.

THE CRIME AND DISORDER ACT 1998

Duty to consider crime and disorder implications

- 63 In section 17 of the Crime and Disorder Act 1998 (duty of certain authorities in exercising their functions) in subsection (2) (which specifies the authorities) after “a joint authority,” there shall be inserted “the London Fire and Emergency Planning Authority;”.

Status: This is the original version (as it was originally enacted).

PART II

LOCAL AND PERSONAL ACTS

THE LONDON COUNTY COUNCIL (GENERAL POWERS) ACT 1912

Registration of petroleum oil depots

- 64 In section 4 of the London County Council (General Powers) Act 1912 (registration of petroleum oil depots) for the definition of “controlling authority” there shall be substituted—

““controlling authority” means the London Fire and Emergency Planning Authority;”.

THE ESSEX COUNTY COUNCIL ACT 1952

Precautions against fire in certain buildings in North East London

- 65 In section 80 of the Essex County Council Act 1952 (which was substituted by section 6 of the Essex County Council Act 1958 and relates to precautions against fire in certain buildings in parts of Greater London that used to be in Essex) for “London Fire and Civil Defence Authority” there shall be substituted “London Fire and Emergency Planning Authority”.

THE LONDON HYDRAULIC POWER ACT 1977

Notice of intention to use new pipeline to be given to Fire etc Authority

- 66 In section 3(3)(b) of the London Hydraulic Power Act 1977 (which requires the Company to give notice of intention to use a new pipeline to the London Fire and Civil Defence Authority) for “London Fire and Civil Defence Authority” there shall be substituted “London Fire and Emergency Planning Authority”.

THE LONDON LOCAL AUTHORITIES ACT 1990

Night cafe licensing

- 67 In section 4 of the London Local Authorities Act 1990 (interpretation of Part II) in the definition of “the fire authority” for “London Fire and Civil Defence Authority” there shall be substituted “London Fire and Emergency Planning Authority”.

THE LONDON LOCAL AUTHORITIES ACT 1991

Special treatment premises

- 68 In the following provisions of Part II of the London Local Authorities Act 1991 (special treatment premises), namely—
- (a) section 7 (application under Part II), and
 - (b) section 15 (powers of entry),
- for the words “London Fire and Civil Defence Authority”, wherever occurring, there shall be substituted “London Fire and Emergency Planning Authority”.

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THE LONDON LOCAL AUTHORITIES ACT 1995

The fire authority

- 69 (1) The London Local Authorities Act 1995 shall be amended as follows.
- (2) In section 2 (interpretation of Act) in the definition of “the fire authority” for “London Fire and Civil Defence Authority” there shall be substituted “London Fire and Emergency Planning Authority”.
- (3) Section 44 (which permits a participating council to appoint a deputy for a member appointed by them to the fire authority and which applies with necessary modifications to the London Waste Regulation Authority, which has been abolished) shall cease to have effect.

THE LONDON LOCAL AUTHORITIES ACT 1996

Private places of entertainment

- 70 In section 21 of the London Local Authorities Act 1996 (which applies section 3 of the Private Places of Entertainment (Licensing) Act 1967 with modifications) in the notionally inserted subsection (5) (copy of application to be sent to the London Fire and Civil Defence Authority) for “London Fire and Civil Defence Authority” there shall be substituted “London Fire and Emergency Planning Authority”.

Theatres

- 71 In section 22 of the London Local Authorities Act 1996 (which applies Schedule 1 to the Theatres Act 1968, with modifications, in relation to licences in respect of premises in a borough) in the notionally substituted paragraph 2(1) (copy of application to be sent to the London Fire and Civil Defence Authority) for “London Fire and Civil Defence Authority” there shall be substituted “London Fire and Emergency Planning Authority”.