



Local Government Act 1985

1985 CHAPTER 51

An Act to abolish the Greater London Council and the metropolitan county councils; to transfer their functions to the local authorities in their areas and, in some cases, to other bodies; and to provide for other matters consequential on, or connected with, the abolition of those councils. [16th July 1985]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

ABOLITION OF GREATER LONDON COUNCIL AND METROPOLITAN COUNTY COUNCILS

1 Abolition of GLC and metropolitan county councils

- (1) On the date on which this subsection comes into force—
 - (a) the Greater London Council; and
 - (b) the metropolitan county councils,shall cease to exist.
- (2) The date on which subsection (1) above comes into force is in this Act referred to as the "abolition date" and shall be 1st April 1986.

PART II

TRANSFER OF FUNCTIONS TO LONDON BOROUGH COUNCILS, METROPOLITAN DISTRICT COUNCILS AND OTHER EXISTING AUTHORITIES

Preliminary

2 Commencement of Part II

Except so far as otherwise provided the following provisions of this Part of this Act shall have effect from the abolition date.

Town and country planning etc.

3 Local planning authorities

- (1) For section 1(1) of the Town and Country Planning Act 1971 (local planning authorities) there shall be substituted—

“(1) Subject to the provisions of this section—

- (a) in a non-metropolitan county, the council of the county is the county planning authority for the county and the council of a district is the district planning authority for the district;
- (b) the council of a metropolitan district is the local planning authority for the district; and
- (c) the council of a London borough is the local planning authority for the borough.”

- (2) In section 1 (2A) of that Act (meaning of " local planning authority " except as respects Greater London) after the words "except as respects" there shall be inserted the words " a metropolitan county," .

- (3) For section 1(2B) of that Act (mineral planning authorities) there shall be substituted—

“(2B) In this Act ' mineral planning authority' means—

- (a) in respect of a site in a non-metropolitan county, the county planning authority; and
- (b) in respect of a site in a metropolitan district or London borough, the local planning authority.”

- (4) In section 92A(1) of that Act (registration of enforcement notices etc.) for the words " every council of a London borough " there shall be substituted the words " the council of every metropolitan district or London borough" .

- (5) In section 182(2) of the Local Government Act 1972 (which, with Schedule 16 to that Act, deals with the allocation of local planning authority functions in England exclusive of Greater London) after the words " " exclusive of " there shall be inserted the words " the metropolitan counties, " and in paragraphs 54(1) and 55(1) of that Schedule after the words " Elsewhere than in Greater London " there shall be inserted the words " , a metropolitan county " .

4 Development plans

- (1) Part I of Schedule 1 to this Act shall apply instead of Part II of the Town and Country Planning Act 1971 (development plans) to the area of any local planning authority in Greater London or a metropolitan county and shall come into force in any such area on such day after the abolition date as may be appointed in relation to that area by an order made by the Secretary of State.
- (2) Part II of that Schedule shall have effect with respect to development plans in any such area as is mentioned in subsection (1) above from the abolition date until a unitary development plan for that area becomes operative under Part I of that Schedule and with respect to other transitional matters.
- (3) The said Act of 1971 and the provisions of Schedule 1 to this Act shall have effect as if that Schedule were contained in that Act

5 Joint planning committee for Greater London

- (1) The local planning authorities in Greater London shall not later than the abolition date establish a joint committee to discharge the functions mentioned in subsection (2) below.
- (2) The joint committee shall—
 - (a) consider and advise those authorities on matters of common interest relating to the planning and development of Greater London;
 - (b) inform the Secretary of State of the views of those authorities concerning such matters including any such matters as to which he has requested their advice;
 - (c) inform the local planning authorities for areas in the vicinity of Greater London, or any body on which those authorities and the local planning authorities in Greater London are represented, of the views of the local planning authorities in Greater London concerning any matters of common interest relating to the planning and development of Greater London and those areas;and the committee may, if it thinks fit, contribute towards the expenses of any such body as is mentioned in paragraph (c) above.
- (3) The expenses of the joint committee which have been incurred with the approval of at least two-thirds of the local planning authorities in Greater London shall be defrayed by those authorities in such proportions as they may decide or, in default of a decision by them, as the Secretary of State may determine.
- (4) In this section references to the local planning authorities in Greater London are to the authorities which are the local planning authorities in Greater London for the purposes of Part II of the Town and Country Planning Act 1971 or section 4 above.

6 Listed buildings, conservation areas and ancient monuments

Schedule 2 to this Act shall have effect for amending the law relating to listed buildings, conservation areas, ancient monuments and certain related subjects, the principal purpose of the amendments being—

- (a) to transfer functions relating to those matters from the Greater London Council to the Historic Buildings and Monuments Commission for England ;
and

- (b) to make, in the enactments relating to those functions, amendments consequential on section 3(1) above.

7 National Parks and countryside functions

- (1) Schedule 3 to this Act shall have effect for transferring functions relating to National Parks and the countryside from—
- (a) the Greater London Council to London borough councils and the Common Council; and
 - (b) from metropolitan county councils to metropolitan district councils.
- (2) The Secretary of State shall before the abolition date lay before Parliament a report on the steps he will take to secure the full adoption by the councils to which functions are transferred by this section in Greater London or a metropolitan county of those facilities, services and responsibilities for the protection and enjoyment of the countryside and areas for urban nature conservation which serve the continuing needs of Greater London or that county and neighbouring populations.

Highways and road traffic

8 Highways and road traffic functions

- (1) Schedule 4 to this Act shall have effect for amending the law relating to highways, streets and bridges, and Part I of Schedule 5 to this Act for amending certain enactments relating to road traffic, the principal purpose of the amendments being to transfer functions relating to those matters—
- (a) from the Greater London Council to London borough councils and the Common Council; and
 - (b) from metropolitan county councils to metropolitan district councils.
- (2) The supplementary provisions in Part II of Schedule 5 to this Act shall have effect in relation to the regulation of road traffic in Greater London and the metropolitan counties.
- (3) Grants under section 6 of the Local Government Act 1974 (transport supplementary grant) for financial years beginning on or after the abolition date shall be payable to the councils of metropolitan districts and London boroughs and to the Common Council of the City of London and accordingly—
- (a) in subsections (1)(a) and (4) of that section for the words " and the Greater London Council" and " or the Greater London Council" there shall be substituted respectively the words " , metropolitan district councils, London borough councils and the Common Council of the City of London " and " , a metropolitan district council, a London borough council or the Common Council" ;
 - (b) paragraph (a) of subsection (5) of that section shall be omitted and in paragraph (b) of that subsection for the words " a district council " there shall be substituted the words " a non-metropolitan district council " .

*Waste regulation and disposal***9 Waste regulation and disposal functions**

Schedule 6 to this Act shall have effect for transferring functions relating to waste regulation and disposal—

- (a) from the Greater London Council to London borough councils and the Common Council; and
- (b) from metropolitan county councils to metropolitan district councils.

10 Joint arrangements for waste disposal functions

(1) If it appears to the Secretary of State in the case of Greater London or of any metropolitan county—

- (a) that all or any of the councils by which functions to which this section applies will be exercisable in that area from the abolition date could with advantage make joint arrangements for the discharge of all or any of those functions from that date but have not made any or any satisfactory arrangements for that purpose before 15th November 1985 ; or
- (b) that satisfactory arrangements for that purpose have ceased or will cease to be in operation at any time after the abolition date,

he shall by order establish for the whole or any part of that area a single authority to discharge from that date or, as the case may be, from any subsequent time all those functions or such of them as are specified in the order.

- (2) For the purposes of subsection (1) above the Secretary of State shall have particular regard to the need for satisfactory arrangements in respect of hazardous waste.
- (3) No person shall be a member of an authority established by an order under subsection (1) above unless he is a member of one of the councils for whose areas the authority is established; and any such order may make provision for enabling the Secretary of State to require the authority established by the order to submit to him a scheme for the winding up of the authority and the transfer to those councils of its functions, property, staff, rights and liabilities.
- (4) This section applies to any functions conferred by section 74 or 76 of the Public Health Act 1936, Part I of the Control of Pollution Act 1974, the Refuse Disposal (Amenity) Act 1978 or section 5 or 6 of the Litter Act 1983.
- (5) The Secretary of State may by order dissolve any authority established under this section or provide for excluding any functions, or any functions in any area, from those for which the authority was established.
- (6) An order under this section may contain such supplementary and transitional provisions as the Secretary of State thinks necessary or expedient, including provisions for the transfer of property, staff, rights and liabilities and provisions amending any enactment or any instrument made under any enactment.
- (7) An order may be made by virtue of subsection (1)(a) above at any time before the abolition date.

Land drainage and flood prevention

11 Land drainage and flood prevention functions

- (1) Schedule 7 to this Act shall have effect
 - (a) for transferring functions under the Land Drainage Act 1976 from metropolitan county councils to metropolitan district councils or, as respects one of those functions, to the water authorities for the areas concerned ; and
 - (b) for making in that Act amendments which are consequential on the abolition of the Greater London Council.
- (2) The Secretary of State may by an order made before and taking effect on the abolition date make provision for the exercise on and after that date of the functions which by virtue of Schedule 5 to that Act are exercisable by the Greater London Council in the London excluded area and for that purpose may make such consequential amendments in that Act and the Water Act 1973 as appear to him to be required.
- (3) In section 2(1) of the Reservoirs Act 1975 (local authorities for the purposes of that Act) for the words " the Greater London Council and county councils" there shall be substituted the words " the councils of counties, metropolitan districts and London boroughs" .

Administration of justice

12 Petty sessions areas, magistrates' courts committees etc.

- (1) The Justices of the Peace Act 1979 shall have effect with the following amendments the principal effect of which is—
 - (a) to replace, for the purposes of the provisions of that Act relating to petty sessions areas, petty sessional divisions and magistrates' courts committees, the commission areas known as outer London areas by the London boroughs of which they are composed; and
 - (b) to transfer, in respect of those commission areas, the functions of the Greater London Council to the councils of those boroughs.
- (2) In section 4(2) (petty sessions areas) for paragraphs (b) to (d) there shall be substituted—
 - “(b) the inner London area if it is not divided into petty sessional divisions;
 - (c) any petty sessional division of the inner London area ;
 - (d) any outer London borough which is not divided into petty sessional divisions;
 - (e) any petty sessional division of an outer London borough; and
 - (f) the City of London.”.
- (3) In section 12(5)(c) (allowances) for the words " the Greater London Council" there shall be substituted the words " the council of the outer London borough which is or includes the petty sessions area for which the justice acts" .
- (4) In section 19 (magistrates' courts committees)—
 - (a) in subsection. (1) for the word "areas" there shall be substituted the word " boroughs" ; and

- (b) in subsection (2)(c) for the words " each of the outer London areas " there shall be substituted the words " every outer London borough" .
- (5) In section 20 (constitution of committees)—
- (a) in subsection (1)—
- (i) in paragraph (c) for the words from " areas " to " area" there shall be substituted the words " boroughs or for the City of London, be composed of magistrates for the commission area comprising that borough" ; and
- (ii) in paragraph (d) for the words " each London commission area" there shall be substituted the words " the commission area comprising each London borough" ; and
- (b) in subsection (3), before the words " that area " , there shall be inserted the words " any borough in" .
- (6) In section 22(2)(c) (clerks to committees) for the word " areas " there shall be substituted the word " boroughs " and for the words "for that area" there shall be substituted the words " acting for that borough" .
- (7) In section 23 (petty sessional divisions), in subsection (1) for the words " areas " and " area " there shall be substituted respectively the words " boroughs " and " borough " , in subsection (2) for the word " area " there shall be substituted the word " borough" , and in subsection (4) for the word " areas " in both places where it occurs there shall be substituted the word " boroughs" .
- (8) In section 24 (procedure under section 23)—
- (a) in subsection (1)—
- (i) in paragraph (a) for the words " or metropolitan district" there shall be substituted the words " , metropolitan district or outer London borough" ; and
- (ii) in paragraph (b) after the word " order " there shall be inserted the words " concerning a non-metropolitan county" ;
- (b) in subsection (2) for the words after " non-metropolitan county " there shall be substituted the words " , metropolitan district or outer London borough concerned, to the magistrates for any existing petty sessional division in the area and, if a non-metropolitan county is concerned, to every interested authority" ;
- (c) in subsection (5) for the words " county or London commission area" there shall be substituted the words " non-metropolitan county, metropolitan district or outer London borough" ; and
- (d) in subsection (6) (a) for the words after " draft order " there shall be substituted the words " concerning a non-metropolitan county, means the council of any district in the county which is wholly or partly included in the area to which the order or draft order relates; and" .
- (9) In section 57(1) (duties of local authorities) for the words after " outer London" there shall be substituted the words " boroughs as if each such borough were a metropolitan district
- (10) In section 59(6) (grants to local authorities) for the words " or metropolitan district, the Greater London Council" there shall be substituted the words " , metropolitan district or outer London borough" .

- (11) For the definition of "petty sessions area" in section 88(1) of the Domestic Proceedings and Magistrates' Courts Act 1978 and section 150(1) of the Magistrates' Courts Act 1980 there shall be substituted "' petty sessions area' has the same meaning as in the Justices of the Peace Act 1979 ;" .

13 Coroners

- (1) In section 220 of the Local Government Act 1972 (appointment of coroners)—
- (a) in subsection (1) for the words "for each county, for Greater London (other than the City and the Temples) " there shall be substituted the words " for each non-metropolitan county " and paragraph (b) shall be omitted; and
 - (b) in subsection (3) for the words " a county " there shall be substituted the words " a non-metropolitan county" .
- (2) Subject to the provisions of this section, the enactments relating to coroners shall apply in relation to a metropolitan county and to Greater London as if—
- (a) each coroner's district were a non-metropolitan county; and
 - (b) the relevant council for each coroner's district were the council of such a county.
- (3) For the purposes of this section the relevant council is—
- (a) for a coroner's district consisting of or included in a metropolitan district or London borough, the council of that district or borough; and
 - (b) for a coroner's district consisting of two or more metropolitan districts or London boroughs, such one of the councils of those districts or boroughs as may be designated by an order made by the Secretary of State.
- (4) A relevant council shall not appoint a coroner except with the approval of the Secretary of State; and a relevant council falling within subsection (3)(b) above shall not appoint a coroner except after consultation with the other council or councils in question.
- (5) Section 1(2) of the Coroners (Amendment) Act 1926 (disqualification) shall not apply to a metropolitan county or to Greater London but a person shall, so long as he is a councillor of a metropolitan district or London borough, and for six months after he ceases to be one, be disqualified for being a coroner or deputy coroner for a coroner's district which consists of, includes or is included in that metropolitan district or London borough.
- (6) In the case of a coroner's district falling within subsection (3)(b) above the expenses of the councils in question in respect of the coroners service shall be apportioned between those councils in such manner as they may agree or, in default of agreement, as may be determined by the Secretary of State.
- (7) The council of a metropolitan district or London borough (whether or not a relevant council) may provide and maintain proper accommodation for the holding of inquests in its area.
- (8) Section 5 of the Coroners Act 1844 (assignment of coroners to districts) shall not apply in a metropolitan county or in Greater London but sections 19 and 20 of that Act (exercise of functions throughout the county) shall apply to a coroner appointed for a coroner's district in such a county or in Greater London as if he had been assigned to that district under section 5 but were a coroner for the whole of the county or for the whole of Greater London and as if Greater London were a county.

- (9) No order in respect of a metropolitan county or Greater London shall be made after the abolition date under section 12 of the said Act of 1926 (coroners' districts) but the Secretary of State may by order divide, amalgamate or otherwise alter the coroners' districts for the time being existing in those areas; and before making any such order he shall consult the local authorities and coroners appearing to him to be affected by the order and such other persons as he thinks appropriate.
- (10) Any coroner holding office immediately before the abolition date and assigned to a coroner's district in a metropolitan county or in Greater London shall be deemed to have been duly appointed by the relevant council for that district under this section; and any orders made under the said section 12 and in force immediately before that date shall, so far as they affect a metropolitan county or Greater London, have effect as if made under subsection (9) above and may be amended or revoked under that subsection accordingly.
- (11) In subsections (2) to (10) above " Greater London " does not include the City or the Temples.

14 Local valuation panels

- (1) In subsection (1)(b) of section 91 of the General Rate Act 1967 (schemes for local valuation panels) for the words " and the Greater London Council" there shall be substituted the words " , metropolitan district or London borough and the Common Council of the City of London" .
- (2) The Secretary of State may at any time before the abolition date direct the council of a metropolitan district or London borough or the Common Council or any two or more such councils, to make a new scheme under subsection (1)(a) of that section providing for a local valuation panel or local valuation panels for the whole of their area or areas.
- (3) Any scheme made pursuant to a direction under subsection (2) above shall be submitted to the Secretary of State under subsection (3) of the said section 91 before such date as he may direct and, if approved by him under subsection (5) of that section, shall come into force on the abolition date.
- (4) In subsection (4) of the said section 91 for the words " each of the rating authorities " there shall be substituted the words " each other authority which is a rating authority " and after subsection (6) of that section there shall be inserted—
- “(7) For the purposes of any scheme under this section the area of the Common Council of the City of London shall be deemed to include the Inner Temple and the Middle Temple.”.

15 The probation service

- (1) Paragraphs 15(3) and 17(3) of Schedule 3 to the Powers of Criminal Courts Act 1973 (apportionment between local authorities of expenses in respect of the probation service) shall not apply to a probation area which is situated in the areas of two or more local authorities all of which are councils of metropolitan districts or outer London boroughs or any of which is the council of such a district or borough; but in the case of any such area—
- (a) the sums to be defrayed under paragraph 15(1); and
- (b) the expenditure referred to in paragraph 17(3),

shall be apportioned between those authorities in proportion to the populations of their respective areas; and in paragraph 17(1) the reference to paragraph 15(3) shall include a reference to this subsection.

- (2) For the purposes of subsection (1) above the population of an area shall be taken to be the number estimated by the Registrar General and certified by him to the Secretary of State by reference to such date as the Secretary of State may from time to time direct.
- (3) The probation committee for any such area as is mentioned in subsection (1) above shall co-opt one member from among the members of each local authority which is liable to contribute to the expenses of the committee (or such greater number of members as may be specified for any such local authority by an order made by the Secretary of State); and the member or members to be co-opted shall be chosen by the committee after consultation with those authorities in such manner as the Secretary of State may by order prescribe.
- (4) A probation committee shall not under subsection (3) above co-opt any person who is an employee of that committee ; and the number of members of a probation committee co-opted under that subsection, together with any members co-opted or appointed to the committee under paragraphs 6 and 7 of Schedule 3 to the said Act of 1973, shall not exceed one-third of the number of members of the committee.
- (5) The first persons to become members of a probation committee by virtue of subsection (3) above shall be co-opted by that committee so as to take office on such day before the abolition date as the Secretary of State may by order appoint; and any person who immediately before that day is a member of the committee by virtue of the said paragraph 6 or 7 shall cease to be a member on that day but, subject to subsection (4) above, without prejudice to his being again co-opted or appointed to that committee.
- (6) The provisions made by rules under paragraph 18 of Schedule 3 to the said Act of 1973 in relation to the probation areas to which subsection (1) above applies may be different from those made in relation to other areas.

Miscellaneous

16 Miscellaneous functions

Schedule 8 to this Act shall have effect for transferring functions under the enactments there mentioned—

- (a) from the Greater London Council to London borough councils and the Common Council; and
- (b) from metropolitan county councils to metropolitan district councils.

17 Functions under local statutory provisions

- (1) Subject to the foregoing provisions of this Part of this Act and to any other provision made by or under this Act or any other enactment—
 - (a) any functions conferred by a local statutory provision which immediately before the abolition date are exercisable by the Greater London Council in or for the benefit of the whole of Greater London shall on and after that date be exercisable in or for the benefit of each London borough or the City by the council of that borough or the Common Council, as the case may be ; and

- (b) any functions conferred by a local statutory provision which immediately before that date are exercisable by the council of a metropolitan county in or for the benefit of the whole of that county shall on and after that date be exercisable in or for the benefit of each district in the county by the council of that district.
- (2) In this section " local statutory provision " means a provision of a local Act (including an Act confirming a provisional order) or a provision of an instrument made under any such local Act or of an instrument in the nature of a local enactment made under any other Act.

PART III

EDUCATION IN INNER LONDON

18 The Inner London Education Authority

- (1) On such day before the abolition date as the Secretary of State may by order appoint for the purposes of this section there shall be established a body corporate which, as from the abolition date, shall be known as the Inner London Education Authority and, before that date, as the Inner London Interim Education Authority.
- (2) As from the abolition date the Authority established by this section (in this Part of this Act referred to as " the Authority ") shall be the local education authority for the Inner London Education Area, and references to a local education authority in the Education Acts 1944 to 1981 and in any other enactment shall be construed accordingly.
- (3) The Inner London Education Area shall continue to consist of Greater London exclusive of the outer London boroughs.
- (4) Subject to subsection (5) below, the Authority shall consist of members elected by the local government electors of the Inner London Education Area in accordance with this Act and the Representation of the People Act 1983.
- (5) Until elected members of the Authority take office in accordance with section 19(2) below, the Authority shall consist of the persons who on the day appointed under subsection (1) above are members of the special committee referred to in section 30 of the London Government Act 1963 but so that any such person shall cease to be a member of the Authority if—
- (a) before the abolition date he ceases to be a member of that special committee; or
 - (b) whether before or after that date he ceases to be a member of the Authority by disqualification, resignation or otherwise in accordance with section 80, 84 or 85 of the principal Act as applied to the Authority by section 84 below.
- (6) Except where the context otherwise requires, references to the Inner London Education Authority in any enactment passed or instrument made before the passing of this Act shall as respects any time on or after the abolition date be construed as references to the Authority established by this section.

19 Elections

- (1) The ordinary elections of members of the Authority shall take place in 1986 and every fourth year thereafter, their terms of office shall be four years and they shall retire together in every such fourth year on the fourth day after the ordinary day of election of members of the Authority.
- (2) The persons elected at the ordinary elections in 1986 shall come into office on the fourth day after the day of election; and those elected at any subsequent ordinary elections shall come into office on the day on which their predecessors retire.
- (3) For the purposes of the election of members to the Authority the Inner London Education Area shall be divided into electoral divisions, each returning two members in the case of the ordinary elections in 1986 and one member in the case of any subsequent ordinary elections, and there shall be a separate election for each electoral division.
- (4) The electoral divisions shall be the areas constituted as the parliamentary constituencies in that Area by the Parliamentary Constituencies (England) Order 1983, but subject in the case of the second ordinary elections and any subsequent election to the provisions of any order under Part IV of the principal Act.
- (5) Part I of Schedule 9 to this Act shall have effect for applying to the election of members of the Authority the provisions of the Representation of the People Act 1983; and Part II of that Schedule shall have effect with respect to the alteration of the electoral arrangements for the Inner London Education Area under Part IV of the principal Act.
- (6) That Schedule has effect from the day appointed under section 18(1) above; and until the abolition date references in that Schedule to the Inner London Education Authority shall be construed as references to the Inner London Interim Education Authority.

20 Chairman and vice-chairman

- (1) The Authority shall in each year appoint a chairman and a vice-chairman from among its members.
- (2) Appointments under subsection (1) above shall be the first business transacted at the annual meeting of the Authority.
- (3) Subject to any standing orders made by the Authority, anything authorised or required to be done by or in relation to the chairman may be done by or in relation to the vice-chairman.
- (4) The Authority may pay to the chairman and vice-chairman for the purpose of enabling him to meet the expenses of his office such allowance as the Authority thinks reasonable.
- (5) The chairman shall, unless he resigns or becomes disqualified, continue in office until his successor becomes entitled to act as chairman.
- (6) During his term of office the chairman shall continue to be a member of the Authority notwithstanding the provisions of this Part of this Act relating to the retirement of its members.
- (7) The vice-chairman shall, unless he resigns or becomes disqualified, hold office until immediately after the appointment of a chairman at the next annual meeting of the Authority and during that time shall continue to be a member of the Authority

notwithstanding the provisions of this Part of this Act relating to the retirement of its members.

- (8) If apart from subsection (6) or (7) above the person presiding at the meeting referred to in subsection (2) above would have ceased to be a member of the Authority, he shall not be entitled to vote on the appointment except in accordance with subsection (9) below.
- (9) In the case of an equality of votes in respect of the appointment of a chairman the person presiding at the meeting shall give a casting vote in addition to any other vote he may have.

21 Consultation with inner London boroughs and the City

- (1) The Authority shall in each financial year (beginning with that in which it is established) consult the council of each inner London borough and the Common Council about—
 - (a) the Authority's proposals for expenditure and the financing of expenditure in the next financial year; and
 - (b) the Authority's main policy objectives.
- (2) The Authority shall comply with subsection (1) above in each financial year before it determines for the purposes of section 11 of the General Rate Act 1967 the amount of its total estimated expenditure for the next financial year.
- (3) If in the course of any financial year and after complying with subsection (1) above the Authority proposes to change any of its main policy objectives or to make an addition to those objectives it shall consult any council mentioned in that subsection whose area will in the Authority's opinion be significantly affected by the proposal.
- (4) Any consultation under this section between the Authority and a council shall be carried out in such manner as the Authority and that council may agree or, in default of agreement, as the Secretary of State may direct.
- (5) The Authority and the councils mentioned in subsection (1) above shall have regard to any guidance given by the Secretary of State as to the matters to be regarded as main policy objectives and generally as to consultation under this section; and for the purposes of any such consultation the Authority shall supply each of those councils with such information as that council may reasonably request.
- (6) Before publishing any proposals under section 12(1) or 15(3) of the Education Act 1980 (establishment, discontinuance or alteration of school or reduction of school places) the Authority shall consult the council or councils of the area or areas which the Authority considers are being served by the school in question or, in the case of the establishment of a new school, will be served by it.

22 Review of administration of education in inner London

- (1) The Secretary of State may before 31st March 1991 review the exercise by the Authority of its functions relating to education.
- (2) The Secretary of State shall lay before Parliament a report on any review carried out by him under this section; and the report shall be laid not later than the date mentioned in subsection (1) above.

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

PART IV

POLICE, FIRE SERVICES, CIVIL DEFENCE AND TRANSPORT

Establishment of joint authorities

23 Preliminary

In this Part of this Act " the appointed day " , in relation to the establishment of the authorities mentioned in the following provisions (in this Act referred to as " joint authorities "), means such day before the abolition date as the Secretary of State may by order appoint, and different days may be appointed for different authorities.

24 Metropolitan county police authorities

- (1) On the appointed day there shall be established for each metropolitan county which is a police area a body corporate to be known by the name of the county with the addition of the words " Police Authority " .
- (2) The police authorities established by this section shall be known as metropolitan county police authorities.
- (3) Each metropolitan county police authority shall consist of—
 - (a) members of the constituent councils appointed by them to be members of the authority ; and
 - (b) magistrates for the county appointed by a joint committee of those magistrates ("the joint magistrates' committee ").
- (4) The constituent councils in relation to a metropolitan county police authority shall be the councils of the metropolitan districts comprised in the county.
- (5) The joint magistrates' committee for a county shall consist of such number of representatives from each of the magistrates' courts committees for the districts in the county as those committees may agree or, in default of agreement, as may be determined by the Secretary of State.
- (6) Appointments by a joint magistrates' committee under subsection (3)(b) above shall be made in accordance with a scheme made by the committee and approved by the Secretary of State; and, subject to sections 30 and 32 below, the persons to be appointed by the committee shall be appointed at such times, in such manner and for such terms as may be prescribed by rules made by the Secretary of State.

25 Northumbria Police Authority

- (1) On the appointed day there shall be established for the police area constituted by the Northumbria Police (Amalgamation) Order 1973 (which consists of the metropolitan county of Tyne and Wear and the county of Northumberland) a body corporate which as from the abolition date shall be known as the Northumbria Police Authority and before that date as the Northumbria Interim Police Authority.
- (2) The authority shall consist of—
 - (a) members of the constituent councils appointed by them to be members of the authority ;

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- (b) magistrates for the county of Tyne and Wear appointed by a joint committee of those magistrates (" the joint magistrates' committee "); and
 - (c) magistrates for the county of Northumberland appointed by the magistrates' courts committee for that county.
- (3) The constituent councils in relation to that authority shall be the councils of the metropolitan districts comprised in the county of Tyne and Wear and the Northumberland County Council.
- (4) The joint magistrates' committee for the county of Tyne and Wear shall consist of such number of representatives from each of the magistrates' courts committees for the districts in that county as those committees may agree or, in default of agreement, as may be determined by the Secretary of State.
- (5) Appointments by the joint magistrates' committee and the magistrates' courts committee under subsection (2)(b) and (c) above shall be made in accordance with schemes made by those committees respectively and approved by the Secretary of State ; and, subject to sections 30 and 32 below, the persons to be appointed by those committees shall be appointed at such times, in such manner and for such terms as may be prescribed by rules made by the Secretary of State.
- (6) The Order mentioned in subsection (1) above shall cease to have effect on the abolition date and the Authority established by it shall then cease to exist and all its property, rights and liabilities (including rights and liabilities in respect of contracts of employment) shall on that date vest in the Authority established by this section.

26 Metropolitan county fire and civil defence authorities

- (1) On the appointed day there shall be established for each metropolitan county a body corporate to be known by the name of that county with the addition of the words " Fire and Civil Defence Authority " .
- (2) The authorities established by this section shall be known as metropolitan county fire and civil defence authorities.
- (3) Each metropolitan county fire and civil defence authority shall consist of members of the constituent councils appointed by them to be members of the authority.
- (4) The constituent councils in relation to a metropolitan county fire and civil defence authority shall be the councils of the metropolitan districts comprised in the county.

27 London Fire and Civil Defence Authority

- (1) On the appointed day there shall be established for Greater London a body corporate to be known as the London Fire and Civil Defence Authority.
- (2) The Authority shall consist of members of the constituent councils appointed by them to be members of the Authority.
- (3) The constituent councils in relation to the Authority shall be the London borough councils and the Common Council.

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

28 Metropolitan county passenger transport authorities

- (1) On the appointed day there shall be established for each metropolitan county a body corporate to be known by the name of that county with the addition of the words "Passenger Transport Authority" .
- (2) The passenger transport authorities established by this section shall be known as metropolitan county passenger transport authorities.
- (3) Each metropolitan county passenger transport authority shall consist of members of the constituent councils appointed by them to be members of the authority.
- (4) The constituent councils in relation to a metropolitan county passenger transport authority shall be the councils of the metropolitan districts comprised in the county.

Members of joint authorities

29 Number of members

- (1) The number of members to be appointed to a joint authority by a constituent council, joint magistrates' committee or magistrates' courts committee shall be the number specified for that council or committee in relation to that authority in Schedule 10 to this Act.
- (2) Subject to subsection (3) below, the Secretary of State may by order make alterations in the numbers for the time being specified in that Schedule, including alterations resulting in an increase or decrease in the total number of members of any joint authority.
- (3) In making any alteration in the number of members to be appointed to a joint authority by any of its constituent councils the Secretary of State shall have regard to the number of local government electors in the areas of those councils respectively; and any alteration of numbers relating to a police authority shall be such that the number of members of the authority appointed by the constituent councils is two-thirds, or as nearly as may be two-thirds, of the total number of members of the authority.
- (4) The Secretary of State shall consult a joint authority's constituent councils before making any order in respect of that authority under subsection (2) above.

30 First appointments

- (1) It shall be the duty of each constituent council, joint magistrates' committee and magistrates' courts committee which is required to appoint members of a joint authority to appoint the first members before the appointed day and those appointments shall take effect on that day.
- (2) Notice of the appointments made to a joint authority under this section shall be given before the appointed day—
 - (a) in the case of the London Fire and Civil Defence Authority, to the Greater London Council;
 - (b) in the case of a joint authority established for a metropolitan county, to the council of that county; and
 - (c) in the case of the authority established by section 25 above, to the Tyne and Wear County Council.

31 Replacement of members

- (1) A constituent council may at any time terminate the appointment of a person appointed by it to a joint authority and appoint another member of the council in his place.
- (2) Where a constituent council exercises its powers under this section—
 - (a) it shall give notice of the new appointment and of the termination of the previous appointment to the authority to which those appointments were made ; and
 - (b) subject to section 32(5) below, the new appointment shall take effect, and the previous appointment shall terminate, at the end of one month from the date on which the notice is given.

32 Filling of vacancies

- (1) The appointment of a person to a joint authority by a constituent council shall terminate if he ceases to be a member of the council; and where a person's appointment terminates by virtue of this subsection the constituent council shall as soon as practicable give notice of that fact to the authority to which he was appointed.
- (2) Where a vacancy among the persons appointed to a joint authority by a constituent council occurs for any reason other than that mentioned in subsection (1) above, the joint authority shall give notice of that fact to the constituent council—
 - (a) in a case where the authority declares the office to be vacant, immediately after the declaration;
 - (b) in a case where the High Court declares the office to be vacant, as soon as practicable after the date of the declaration; and
 - (c) in the case of resignation, as soon as practicable after the date of receipt of the notice of resignation by the officer to whom it is required to be delivered.
- (3) Where a vacancy occurs among the persons appointed to a joint authority by a constituent council, that council shall not later than one month after the relevant date—
 - (a) appoint another member of the council to fill the vacancy; and
 - (b) give notice of that appointment to the joint authority; and any appointment made under this subsection shall take effect when notice of the appointment is given as aforesaid.
- (4) In subsection (3) above " the relevant date " means, in a case within subsection (1) above, the date on which the person in question ceased to be a member of the constituent council and, in a case within subsection (2) above, the date on which notice of the vacancy is given to the constituent council under that subsection.
- (5) So much of subsection (2)(b) of section 31 above as provides that the previous appointment shall terminate at the end of the period there mentioned shall not be construed as precluding its earlier termination by virtue of subsection (1) above or for any other reason; but in that event—
 - (a) the new appointment and the notice of it given under that section shall be treated as a sufficient compliance with subsection (3) above ; and
 - (b) the new appointment shall take effect on the termination of the previous appointment or on the giving of that notice, whichever is the later.

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- (6) For the purposes of subsection (5)(b) above an appointment which terminates by virtue of subsection (1) above shall be treated as terminating when notice of that fact is given in accordance with that subsection.
- (7) Where a person is appointed to a joint authority by a constituent council and before his appointment takes effect he—
- (a) ceases to be a member of that council; or
 - (b) otherwise becomes disqualified for appointment,
- that council shall as soon as practicable replace his appointment by a further appointment and give notice of it to the joint authority; and the further appointment shall take effect when the original appointment would have taken effect or on the giving of that notice, whichever is the later.
- (8) Subsections (1), (2) and (7) above shall apply also to a person appointed to a police authority by a joint magistrates' committee or magistrates' courts committee, taking references to a constituent council as references to that committee and references to a person being or ceasing to be a member of the constituent council as references to his being or ceasing to be a magistrate for the county in question.

33 Balance of parties

Each constituent council shall, so far as practicable, exercise its power to make or terminate appointments to a joint authority so as to ensure that the balance of parties for the time being prevailing in that council is reflected in the persons who are for the time being members of the authority and for whose appointment the council is responsible.

34 Chairman, vice-chairman and clerk

- (1) A joint authority shall in each year appoint a chairman and vice-chairman from among its members.
- (2) The appointments under subsection (1) above shall be the first business transacted at the annual meeting of the authority.
- (3) Subject to any standing orders made by the authority, anything authorised or required to be done by or in relation to the chairman may be done by or in relation to the vice-chairman.
- (4) The authority may pay to the chairman and vice-chairman for the purpose of enabling him to meet the expenses of his office such allowance as the authority thinks reasonable.
- (5) In the case of an equality of votes in respect of the appointment of a chairman the person presiding at the meeting shall give a casting vote in addition to any other vote he may have.
- (6) On a casual vacancy occurring in the office of chairman, an appointment to fill the vacancy shall be made at the next ordinary meeting of the authority held after the date on which the vacancy occurs, or if that meeting is held within fourteen days after that date then not later than the next following meeting; and any such meeting may be convened by the proper officer of the authority.

- (7) For the purposes of subsection (6) above the vacancy shall be deemed to have occurred—
- (a) if the chairman has ceased to be a member of the authority by reason of section 31 above, at the time specified in subsection (2) (b) of that section;
 - (b) if the chairman has ceased to be a member by reason of section 32(1) above, when notice thereof is given to the authority under that provision; and
 - (c) in any other case, on the date of the declaration or of receipt of the notice of resignation mentioned in section 32(2) above.
- (8) Each joint authority shall appoint a person to be the clerk to the authority and in making the appointment the authority shall have regard to the desirability of that person being the chief officer of a constituent council of the authority.

35 Disqualification

- (1) A person shall be disqualified for being appointed or being a member of a joint authority if he holds any paid office or employment (other than the office of chairman or vice-chairman) appointments to which are or may be made or confirmed by the authority or any committee or sub-committee of the authority or by a joint committee on which the authority is represented or by any person holding any such office or employment.
- (2) A paid officer of a joint authority who is employed under the direction of—
- (a) a committee or sub-committee of the joint authority any member of which is appointed on the nomination of another joint authority or of a local authority ;
or
 - (b) a joint committee on which the joint authority is represented and any member of which is so appointed,
- shall be disqualified for being appointed or being a member of that other joint authority or for being elected or being a member of the local authority, as the case may be.
- (3) A person who is for the time being a member, officer or servant of, or an officer or servant of a subsidiary (within the meaning of the Transport Act 1962) of, the Passenger Transport Executive for an area which is or was coterminous with the area of a metropolitan county shall be disqualified for being appointed or being a member of the metropolitan county passenger transport authority for that county.

36 Notices

As soon as practicable after receiving notice from a constituent council, joint magistrates' committee or magistrates' courts committee that it has made an appointment, or from a constituent council that it has terminated an appointment, under this Part of this Act, the authority to which the appointment was made shall give public notice of the fact that the appointment has been made or terminated and of the name of the person concerned.

Functions

37 Police and fire services

Schedule 11 to this Act shall have effect, as from the abolition date, for vesting functions relating to police, fire services and certain related matters in the police authorities and fire and civil defence authorities established by this Part of this Act.

38 Civil defence

- (1) Any functions which immediately before the abolition date are exercisable by a metropolitan county council by virtue of regulations made under section 2 of the Civil Defence Act 1948 shall on that date become functions of the metropolitan county fire and civil defence authority; and accordingly references in those regulations to a county council shall include references to such an authority.
- (2) Any functions which immediately before the abolition date are exercisable by the Greater London Council by virtue of those regulations shall on that date become functions of the London Fire and Civil Defence Authority; and accordingly for any reference in those regulations to that Council there shall be substituted a reference to that Authority.
- (3) Subsections (1) and (2) above are without prejudice to any functions exercisable under those regulations by the authorities there mentioned in their capacity as fire authorities.
- (4) For the purpose of determining whether any, and if so what, deduction should be made from grants payable in accordance with regulations made under section 3 of the said Act of 1948 to an authority to which functions are transferred by subsection (1) or (2) above from another authority, any land or article acquired by, or article provided for, that other authority for the purposes of those functions shall be treated as having been acquired or, as the case may be, provided for the first-mentioned authority.
- (5) The power to vary or revoke regulations made under the said Act of 1948 shall include power to amend or repeal any of the foregoing provisions of this section.

39 Passenger transport

- (1) Schedule 12 to this Act shall have effect for transferring functions relating to passenger transport to the metropolitan county passenger transport authorities and for making provision with respect to the exercise of those functions.
- (2) In that Schedule paragraphs 1 to 4 shall have effect from the abolition date and paragraph 5 shall have effect as provided in sub-paragraph (5) of that paragraph.

40 Airports

- (1) If, in the case of any airport in respect of which a metropolitan county council has property, rights or liabilities, the Secretary of State is satisfied that the councils of the districts comprised in the county have agreed on—
 - (a) the operation of the airport from the abolition date by a committee consisting of or including members appointed by all or any of those councils; and
 - (b) the transfer or division of the property, rights and liabilities of the metropolitan county council to or among all or any of those councils,

he may, by an order coming into force on that date, provide for the transfer or division of that property and those rights and liabilities in accordance with the agreement.

- (2) If, in the case of any such airport, the Secretary of State is not satisfied as aforesaid he may by an order coming into force on the abolition date provide for the transfer of the property, rights and liabilities of the metropolitan county council in respect of the airport to the metropolitan county passenger transport authority.
- (3) In sections 30 to 33, 35, 37(3), (4) and (5), 60(3)(a) and 88 (10) of the Civil Aviation Act 1982 (airport functions of local authorities) references to a local authority shall include references to a metropolitan county passenger transport authority; and before making any order under subsection (1) or (2) above the Secretary of State shall satisfy himself that any necessary consent under section 30 of that Act has been or will be obtained.

41 Questions on discharge of functions

Arrangements shall be made (whether by standing orders or otherwise) for enabling questions on the discharge of the functions of a joint authority to be put in the course of the proceedings of any constituent council by members of that council for answer by a member of it who is also a member of the authority and is nominated by the authority for that purpose.

42 Reorganisation of functions

- (1) The Secretary of State may by order make provision for any of the following purposes—
 - (a) the constitution of a metropolitan district or of the county of Northumberland as a separate police area with its own police force and police authority;
 - (b) the constitution of the council of a metropolitan district or London borough or the Common Council as the fire authority for that district or borough or for the City and the Temples, as the case may be;
 - (c) the exclusion of any metropolitan district from, or the abolition of, any passenger transport area which is or was coterminous with a metropolitan county or, as respects any functions exercisable by a metropolitan county passenger transport authority otherwise than by virtue of section 39 above, the exclusion of the council of any such district from the authority's constituent councils;
 - (d) whether or not an order is made for any of the foregoing purposes, the transfer to the council of a metropolitan district or London borough or to the Common Council in respect of its area of any functions that would otherwise be exercisable in respect of that area by a joint authority or, in the case of the council of a metropolitan district, by a Passenger Transport Executive.
- (2) The Secretary of State may by order make provision for—
 - (a) the amalgamation of a police area for which a police authority is constituted by this Part of this Act or by an order under subsection (1) above with any other police area or the exclusion from a police area for which a police authority is constituted by this Part of this Act of any area for which a separate police authority could be constituted by an order under that subsection and its amalgamation with any other such area or with another police area; or

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- (b) the combination of the area of any fire authority constituted by this Part of this Act or by an order under subsection (1) above with the area of any other fire authority or the exclusion from an area for which a fire authority is constituted by this Part of this Act of any area for which a separate fire authority could be constituted by an order under that subsection and its combination with any other such area or with the area of another fire authority.
- (3) Before making an order under this section the Secretary of State shall consult each of the following bodies which appears to him to be affected by the order, that is to say, any police, fire or passenger transport authority, the council of a county, district or London borough and the Common Council.
- (4) An order under this section may contain such supplementary and transitional provisions as the Secretary of State thinks necessary or expedient, including provisions for the transfer of property, staff, rights and liabilities and provisions amending any other provision of this Act, any other enactment or any instrument made under any enactment.

PART V

THE ARTS, RECREATION AND VOLUNTARY ORGANISATIONS

43 Museum of London

- (1) The persons who immediately before the abolition date are members of the Board of Governors of the Museum of London by virtue of appointments made by the Greater London Council under paragraph (c) of subsection (2) of section 1 of the Museum of London Act 1965 shall cease to be members on that date; and as from that date the number of members to be appointed by the Prime Minister under paragraph (a) of that subsection shall be increased from six to twelve.
- (2) Of the six additional members first appointed by the Prime Minister, two shall be appointed to hold office for the period beginning with the abolition date and ending on the first occasion on which other members of the Board are due to retire after that date, two shall be appointed to hold office for the period beginning with that date and ending on the second such occasion and two shall be appointed to hold office for the period beginning with that date and ending on the third such occasion.
- (3) In sections 9(1) and (3), 14(1) and (2) and 15(1) and (2) of that Act (functions of Corporation and Greater London Council) for the words "the Corporation and the Greater London Council" , wherever they occur, there shall be substituted the words " and the Corporation" .
- (4) In section 15(3) of that Act (payment of Corporation's expenses in respect of the Museum as to one-third out of moneys provided by Parliament and one-third by the Greater London Council) for the words " the Secretary of State, out of moneys provided by Parliament, and the Greater London Council shall each pay to the Corporation a sum equal to one-third " there shall be substituted the words " the Secretary of State shall pay to the Corporation out of moneys provided by Parliament a sum equal to two-thirds " and for the words " the Corporation, the Secretary of State and the Greater London Council " there shall be substituted the words " the Corporation and the Secretary of State" .

- (5) In paragraph 4 of the Schedule to that Act (resignation and vacation of office)—
- (a) in sub-paragraph (1) for the words " or (c) thereof, to the body by whom he was appointed " there shall be substituted the words " thereof, to the Corporation" ;
 - (b) in sub-paragraph (2) for the words from " or (c)" to " was appointed " there shall be substituted the words " of this Act who is, at the time of his appointment, a member of the Common Council of the City of London" .
- (6) Subsections (3) to (5) above shall have effect from the abolition date.

44 Historic House Museums

The Historic House Museums, that is to say, Kenwood House, Marble Hill House and Ranger's House, together with such land of the Greater London Council adjacent to Kenwood House and such other property of that Council as may be specified by an order made by the Secretary of State, shall on the abolition date vest in the Historic Buildings and Monuments Commission for England; and the functions of the Greater London Council by virtue of—

- (a) the Iveagh Bequest (Kenwood) Act 1929;
- (b) Part IV of the London County Council (General Powers) Act 1902 (which relates to the Marble Hill Estate); and
- (c) section 21 of the London County Council (General Powers) Act 1900, section 22 of the London County Council (General Powers) Act 1952 and section 6 of the Greater London Council (General Powers) (No. 2) Act 1978 (which relate to Ranger's House),

shall on that date become functions of the Commission.

45 Horniman and Geffrye museums

The Horniman and Geffrye museum, together with such adjacent land and other property of the Greater London Council as may be specified by an order made by the Secretary of State, shall on the abolition date vest in the Authority established by section 18 above; and the functions of the Greater London Council by virtue of—

- (a) section 46 of the London County Council (General Powers) Act 1901 (which relates to the Horniman museum); and
- (b) section 29 of the London County Council (General Powers) Act 1959 (which relates to the Geffrye museum),

shall on that date become functions of that Authority.

46 Metropolitan county museums

- (1) If it appears to the Minister that any collection of works of art or of objects of historical or scientific interest belonging to a metropolitan county council is of such national importance that on the abolition date it should be vested in a body of trustees appointed by him and supported by moneys provided by Parliament he may make a recommendation to that effect to Her Majesty in Council and Her Majesty may then by Order in Council constitute such a body and make such further provision as appears to Her Majesty to be necessary or expedient for giving effect to the recommendation.
- (2) In this section " the Minister " means the Chancellor of the Duchy of Lancaster.

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47 The South Bank

- (1) The Royal Festival Hall, the Queen Elizabeth Hall, the Purcell Room, the National Theatre, the National Film Theatre and the Hayward Gallery, together with such adjacent land and other property of the Greater London Council as may be specified by an order made by the Secretary of State, shall on the abolition date vest in the Arts Council of Great Britain.
- (2) The Council shall furnish the Minister with such information relating to the property vested in them by or under this section and the manner in which they are discharging or intend to discharge their responsibilities in respect of it as he may require and shall make to him, as soon as may be after 31st March in each year following that in which the abolition date falls, a report on their discharge of those responsibilities since the abolition date or, as the case may be, since the end of the period covered by their last report under this subsection; and each report shall include particulars of so much of the Council's accounts for the period covered by the report as relates to that property.
- (3) The Minister shall lay before Parliament a copy of each report made to him under subsection (2) above.
- (4) In this section " the Minister " has the same meaning as in section 46 above.

48 Grants to voluntary organisations

- (1) A scheme for the making of grants to eligible voluntary organisations may be made for Greater London or a metropolitan county by the constituent councils, that is to say—
 - (a) in relation to Greater London, the London borough councils and the Common Council; and
 - (b) in relation to a metropolitan county, the councils of the metropolitan districts comprised in the county.
- (2) Any such scheme shall provide—
 - (a) for the grants to be made by one of the constituent councils designated for that purpose by the scheme; and
 - (b) for the other constituent councils to contribute as provided by subsection (3) below to the expenditure incurred by the designated council in making the grants or otherwise in discharging its functions under the scheme.
- (3) The constituent councils shall be required to contribute to any expenditure of the designated council which has been incurred with the approval of at least two-thirds of the constituent councils; and the amounts of the contributions shall be determined so that the expenditure in respect of which they are payable is borne by the constituent councils in proportion to the populations of their respective areas.
- (4) For the purposes of subsection (3) above the population of any area shall be taken to be the number estimated by the Registrar General and certified by him to the Secretary of State by reference to such date as the Secretary of State may from time to time determine.
- (5) The total expenditure incurred under a scheme by a designated council in Greater London or a metropolitan county in any financial year (including the amounts recoverable under the scheme from other councils) shall not exceed such amount as is for the time being prescribed for that area by an order made by the Secretary of State.

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- (6) A scheme shall not provide for the making of grants before the beginning of the financial year after that in which the scheme is made and shall continue in force until the end of at least two financial years after that in which it is made.
- (7) A scheme may, in the absence of agreement between all the constituent councils, be made by a majority of those councils so as to be binding on all of them; but a council shall not be designated by a scheme except with its consent.
- (8) A scheme may contain such supplementary provisions as the councils making the scheme think necessary or expedient and, subject to subsection (6) above, may be revoked by those councils (or, in the absence of agreement between all of them, by a majority of those councils) with effect from the end of any financial year after that in which the decision to revoke the scheme is made.
- (9) The council designated by a scheme may by giving not less than twelve months notice to the other constituent councils withdraw its consent to act as designated council with effect from the end of any financial year not earlier than the second financial year after that in which the scheme was made; and in that event the scheme shall terminate when the withdrawal takes effect.
- (10) Each constituent council in Greater London or a metropolitan county shall exercise its functions under this section, and under any scheme made under this section, with due regard to the needs of the whole of Greater London or that county, as the case may be, and each scheme shall provide for those needs to be kept under review.
- (11) In this section "voluntary organisation" means a body the activities of which are carried on otherwise than for profit but does not include any public or local authority and "eligible voluntary organisation" means, in relation to Greater London or a metropolitan county, a voluntary organisation whose activities will directly or indirectly benefit either the whole of Greater London or that county or any part of it extending beyond the area of any particular constituent council.
- (12) The powers conferred by this section shall not be regarded as restricting those conferred by section 137 of the principal Act (power to incur expenditure for purposes not authorised by any other enactment) and accordingly the reference to any other enactment in subsection (1) of that section shall not include a reference to this section.
- (13) As respects expenditure incurred before the abolition date subsection (3) shall have effect with the substitution for the reference to two-thirds of the constituent councils of a reference to a majority of those councils.

49 Grants by residuary bodies

- (1) The Secretary of State may by order provide for the making of grants to eligible charities out of money received from the disposal of land by the residuary bodies established by Part VII of this Act.
- (2) In this section "eligible charity" means, in relation to a residuary body, a body of persons or trust established for charitable purposes only, being purposes which are wholly or primarily for the benefit of the area for which the residuary body is established.

PART VI

STAFF

50 Functions of staff commission

- (1) As respects any time after the passing of this Act the functions of the staff commission established under section 4 of the Local Government (Interim Provisions) Act 1984 shall be those stated in subsection (2) below, and that subsection and subsection (3) below shall have effect instead of subsections (1)(a) and (b) and (4) of that section.
- (2) The functions of the commission shall be—
 - (a) to advise the Secretary of State on the steps necessary to safeguard the interests of the staff employed by relevant authorities so far as affected by any provision made by or under this Act;
 - (b) to consider and keep under review—
 - (i) the arrangements for the recruitment of staff by those authorities; and
 - (ii) the arrangements for any transfer of the staff of those authorities in consequence of any such provision ; and
 - (c) to consider such staffing problems arising in consequence of, and such other matters relating to staff of any body affected by, any such provision as may be referred to the commission by the Secretary of State.
- (3) For the purposes of subsection (2) above and of subsections (2) and (3) of the said section 4 (directions and expenses) the relevant authorities shall be the Greater London Council, London borough councils, the Common Council, metropolitan county councils, metropolitan district councils, the authorities established by Parts III and IV of this Act (in this Act referred to as " new authorities "), the residuary bodies established under Part VII of this Act and any other body to which functions or property of the Greater London Council or a metropolitan county council will be or have been transferred by or under this Act or any other enactment.

51 Remuneration of employees

- (1) For the purposes of this section the Secretary of State may, after consulting such bodies representative of relevant authorities as appear to him to be concerned, either—
 - (a) designate any existing body appearing to him to be appropriate to consider any increase made or proposed to be made by a relevant authority in the remuneration of any of its employees; or
 - (b) establish a new body to consider any such increase as aforesaid.
- (2) For the purpose of enabling the body designated or established under subsection (1) above (" the advisory body ") to carry out its functions under this section, that body shall consult and seek information from relevant authorities and, if requested to do so by that body, the Secretary of State may give a direction to any such authority requiring it to furnish the advisory body with such information as may be specified in the direction relating to the remuneration and other terms and conditions of employment of such employees of that authority as may be so specified.
- (3) If it appears to the advisory body—
 - (a) that a relevant authority has fixed or proposes to fix for any employee or class of employees of the authority a rate of remuneration which, having

regard to any recommended levels of remuneration formulated on a national basis by representatives of local authorities and employees of local authorities, is greater than that which the advisory body considers appropriate for that employee or class of employees; and

- (b) if that authority is the council of a metropolitan district or London borough or the Common Council, that the rate of remuneration is attributable to the abolition of the Greater London Council or a metropolitan county council,

it shall notify the authority concerned and recommend to it the rate of remuneration which should be paid to the employee or class of employees concerned.

- (4) If it appears to the advisory body that a relevant authority to which they have made a recommendation under subsection (3) above is not complying with the recommendation they may refer the matter to the Secretary of State and on such a reference the Secretary of State may give a direction to the authority requiring it, with effect from such date as may be specified in the direction, to pay such employee or class of employees of the authority as was the subject of the recommendation and as may be so specified remuneration at the rate recommended by the advisory body under subsection (3) above and specified in the direction.

- (5) Before referring any matter to the Secretary of State under subsection (4) above the advisory body shall give notice in writing to the authority concerned of their intention to make the reference; and no direction shall be given by the Secretary of State on any such reference—

- (a) except after consulting with such persons appearing to him to be representative of local authorities and of employees of local authorities as he considers appropriate in relation to the employee or class of employees concerned; or
- (b) so as to take effect from a date earlier than that on which notice of the advisory body's intention to make the reference was given under this subsection.

- (6) It shall be the duty of a relevant authority to which a direction is given under subsection (2) or (4) above to comply with the direction.

- (7) If at any time in the period of three months beginning with the abolition date it appears to the advisory body that the remuneration paid at any time before that date to any employee or class of employees of the Greater London Council or a metropolitan county council, was such that, if that council had not ceased to exist, the advisory body—

- (a) would have made a recommendation to the council under subsection (3) above ; or
- (b) having made such a recommendation before that date, would have referred the matter to the Secretary of State under subsection (4) above,

they shall notify the Secretary of State and report to him the rate of remuneration which in their opinion should have been paid to the employee or class of employees concerned immediately before the abolition date or such earlier date as may be specified in the report, being the date on which the employee or employees ceased to be employed by the council concerned.

- (8) On receiving a report under subsection (7) above the Secretary of State may, after such consultation as is specified in subsection (5) (a) above, by order provide that for the purpose of determining—

- (a) the terms of any contract affected by section 52 below; and
- (b) any compensation payable in accordance with section 53(2) or (3) below,

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the employee or class of employees to whom the report relates and who are specified in the order shall be deemed to have been receiving immediately before the abolition date (or such earlier date as may be specified in the report) remuneration at the rate stated in the report and specified in the order but no such order shall affect remuneration payable in respect of service before the date on which the order is made or compensation paid or payable before that date.

- (9) Nothing in this section shall apply to the remuneration payable to teachers by a local education authority; and this section shall not empower the Secretary of State—
- (a) to give a direction requiring a relevant authority to pay an employee remuneration at a rate below that to which he was entitled on 1st March 1984; or
 - (b) to make an order specifying a rate of remuneration in respect of an employee below that to which he was entitled on that date.
- (10) No direction shall be given or order made under this section after the end of the period of six months beginning with the abolition date ; and no direction shall apply to the remuneration payable by the council of a metropolitan district or London borough or the Common Council after the end of that period.
- (11) The relevant authorities for the purposes of this section are the Greater London Council, the councils of metropolitan counties, metropolitan districts and London boroughs and the Common Council.

52 Power to transfer staff

- (1) This section applies to any person who—
- (a) immediately before the abolition date is in the service of the Greater London Council or a metropolitan county council (in this section referred to as his " employing council") under a contract of employment which would have continued but for the abolition of that council; and
 - (b) is designated for the purposes of this section by an order made by the Secretary of State.
- (2) The contract of employment between a person to whom this section applies and his employing council shall not be terminated by the abolition of that council but shall have effect from the abolition date as if originally made between him and such successor authority (" the new employer ") as may be specified in relation to that person by the order designating him for the purposes of this section.
- (3) Without prejudice to subsection (2) above—
- (a) all the employing council's rights, powers, duties and liabilities under or in connection with a contract to which that subsection applies shall by virtue of this section be transferred on the abolition date to the new employer; and
 - (b) anything done before the abolition date by or in relation to the employing council in respect of that contract or the employee shall be deemed from that date to have been done by or in relation to the new employer.
- (4) Subsections (2) and (3) above are without prejudice to any right of an employee to terminate his contract of employment if a substantial change is made to his detriment in his working conditions but no such right shall arise by reason only of the change of employer effected by this section.

- (5) An order under this section may designate a person either individually or as a member of a class or description of employees.
- (6) In this section " successor authority" means a London borough council, the Common Council, a metropolitan district council, a new authority and any other body to which functions or property of the Greater London Council or a metropolitan county council are transferred by or under this Act or any other enactment.

53 Compensation for loss of office or diminution of emoluments

- (1) This section applies to any person who at any time after the passing of this Act is in the service of—
 - (a) the Greater London Council or the council of a metropolitan county, metropolitan district or London borough or the Common Council; or
 - (b) a new authority or a residuary body,and suffers loss of employment or loss or diminution of emoluments which is attributable to any provision made by or under this Act.
- (2) Compensation in respect of any such loss or diminution suffered by a person to whom this section applies shall, subject to subsection (3) below, be paid only in accordance with regulations made for the purposes of this section under section 24 of the Superannuation Act 1972; and accordingly none of the councils, authorities or bodies mentioned in subsection (1) above shall pay any such compensation under any other statutory provision, by virtue of any provision in a contract or otherwise.
- (3) Subsection (2) above shall not preclude the making of any payment to which a person is entitled by virtue of contractual rights acquired by him before 2nd March 1984.
- (4) Regulations under the said section 24 shall not provide compensation for a person to whom this section applies in respect of any such loss or diminution as is mentioned in subsection (1) above so far as attributable to the termination on or before the abolition date of a contract made after 1st March 1984 which provides for the employment of that person for a fixed term extending beyond the abolition date.
- (5) For the purpose of determining under section 82(5) or (6) or 84(3) of the Employment Protection (Consolidation) Act 1978—
 - (a) whether the provisions of a new contract offered to a person employed by any such council, authority or body as is mentioned in subsection (1) above differ from the corresponding provisions of his previous contract ; and
 - (b) whether employment under the new contract is suitable in relation to that person,there shall be treated as forming part of the remuneration payable under the new contract any compensation to which that person is or, if he accepted the offer, would be entitled in accordance with this section.
- (6) Except as provided in subsection (5) above nothing in this section shall be construed as affecting any entitlement to a redundancy payment under Part VI of the said Act of 1978 or to any payment by virtue of any provision of the Superannuation Act 1972 other than the said section 24.

54 Continuity of employment in certain cases of voluntary transfer

- (1) This section applies to a person who at any time after the passing of this Act ceases to be employed by a relevant authority (his " former employer ") if—
 - (a) the termination of his employment is attributable to any provision made by or under this Act;
 - (b) he is subsequently employed by another person (his " new employer "); and
 - (c) by virtue of section 84, 94 or 95 of the Employment Protection (Consolidation) Act 1978 (renewal or reengagement) that subsequent employment precludes his receiving any redundancy payment under Part VI of that Act.
- (2) Where this section applies to a person Schedule 13 to the said Act of 1978 (computation of period of employment for the purposes of that Act) shall have effect in relation to that person as if it included the following provisions, that is to say—
 - (a) the period of employment of that person with his former employer shall count as a period of employment with his new employer; and
 - (b) the change of employer shall not break the continuity of the period of employment.
- (3) Where this section applies to a person the period of his employment with his former employer shall count as a period of employment with his new employer for the purposes of any provision of his contract of employment with his new employer which depends on his length of service with that employer.
- (4) The relevant authorities for the purposes of this section are the same as those for the purposes specified in section 50(3) above.

55 Offers of employment by successor authorities

- (1) Each successor authority shall as soon as may be after the passing of this Act or, in the case of a new authority, after it is established, and in any event before the abolition date consider what additional staff (if any) it will require for the purpose of—
 - (a) discharging any functions which by virtue of any provision made by or under this Act will become functions of that authority or will become exercisable by it alone instead of concurrently with the Greater London Council or a metropolitan county council; or
 - (b) discharging its responsibilities in respect of any property transferred to it by virtue of any such provision.
- (2) If a successor authority proposes to engage a person who is currently in the employment of the Greater London Council or a metropolitan county council it shall, if reasonably practicable, enter into, or offer to enter into, a contract of employment with him such that his employment by the authority will or would take effect either immediately on the ending of his employment by that council or after an interval of not more than four weeks thereafter.
- (3) If a successor authority enters into a contract of employment with a person who has received or is entitled to receive a redundancy payment under Part VI of the Employment Protection (Consolidation) Act 1978—
 - (a) by reason of his dismissal at any time after the passing of this Act by the Greater London Council or a metropolitan county council; or
 - (b) by virtue of section 59(1) below,

the authority shall, if the Secretary of State so directs, pay to the appropriate residuary body an amount equal to that payment.

- (4) The Secretary of State shall not give a direction under subsection (3) above in respect of the employment of any person by a successor authority if the authority satisfies him—
- (a) that it could not reasonably have made that person an offer of employment on the terms and conditions of the contract mentioned in that subsection which, if accepted by him, would have precluded his entitlement to the redundancy payment; or
 - (b) that the authority has made such an offer but that the person concerned acted reasonably in refusing it or that he could reasonably have refused such an offer if it had been made by the authority.
- (5) In any case in which an amount is payable by a successor authority under subsection (3) above there shall also be payable by it to the appropriate residuary body an amount equal to any compensation under the regulations referred to in section 53(2) above which has been paid or is payable to the person concerned before the time when he enters into the contract.
- (6) A former member of a successor authority shall not be disqualified by virtue of section 116 of the principal Act for being appointed by that authority to a paid office if—
- (a) he is, or at any time between the passing of this Act and the abolition date has been, in the employment of the Greater London Council or a metropolitan county council; and
 - (b) he is appointed not later than twelve months after that date and with the consent of the Secretary of State.
- (7) For the purposes of subsection (2) above employment ending on a Friday or a Saturday shall be treated as ending immediately before the following Monday and the interval of four weeks shall be calculated as if any such employment had ended at that time.
- (8) In this section " successor authority " means a London borough council, the Common Council, a metropolitan district council and a new authority.

56 Information as to local government manpower

- (1) The Secretary of State shall make regulations requiring London borough councils, metropolitan district councils and the Common Council to furnish him with such information as is specified in the regulations with respect to—
- (a) the number of persons from time to time employed by those councils respectively in the period beginning with 22nd November 1984 and ending three years after the abolition date; and
 - (b) the purposes for which those persons are employed.
- (2) Regulations under this section may—
- (a) require the information to which they relate to be furnished at such times and in such form as is specified in the regulations;
 - (b) make different provision for different councils; and
 - (c) apply either to all the persons employed by a council or to any class or description of such persons.

- (3) The Secretary of State shall lay before Parliament any information furnished to him in pursuance of regulations made under this section.

PART VII

RESIDUARY BODIES

57 Establishment of residuary bodies

- (1) On the appointed day there shall be established—
- (a) for Greater London a body corporate to be known as the London Residuary Body ; and
 - (b) for each metropolitan county a body corporate to be known by the name of that county with the addition of the words " Residuary Body " .
- (2) The bodies established by this section are in this Act referred to as residuary bodies, and in this Act " the appropriate residuary body " means, in relation to Greater London or the Greater London Council, the London Residuary Body and, in relation to a metropolitan county or the council of that county, the residuary body established for that county.
- (3) Each of those bodies shall consist of not less than five and not more than ten members appointed by the Secretary of State; and the Secretary of State shall appoint one of those members to be chairman and may appoint another to be deputy chairman of that body.
- (4) As soon as may be after the establishment of a joint committee under section 95 below for Greater London or a metropolitan county the Secretary of State shall, after consultation with that committee, appoint one of its members to be a member of the appropriate residuary body.
- (5) The Secretary of State may by an order applying to all or any of the residuary bodies alter either of the numbers specified in subsection (3) above.
- (6) In this section "the appointed day " means such day before the abolition date as the Secretary of State may by order appoint, and different days may be appointed for different residuary bodies.
- (7) Schedule 13 to this Act shall have effect with respect to each residuary body.

58 Repayment of loans

- (1) Except so far as otherwise provided by any provision made under this Act, all the rights and liabilities of the Greater London Council or a metropolitan county council on the abolition date in respect of money borrowed by that council shall on that date become rights and liabilities of the appropriate residuary body and those liabilities (both as respects principal and interest) shall be charged on the revenues of that body.
- (2) For the purpose of providing a residuary body with money to discharge those liabilities each relevant authority shall on the abolition date be deemed to have borrowed from the appropriate residuary body such sum as may be specified by or determined in accordance with an order made by the Secretary of State; and that sum shall be deemed

to have been borrowed on such terms as to repayment and the payment of interest as may be so specified.

- (3) Without prejudice to its borrowing powers by virtue of Part VIII below, a residuary body may borrow money for the purpose of discharging any liabilities to which it is subject under subsection (1) above and a relevant authority may, during the period within which it is required to discharge its liabilities in respect of principal under subsection (2) above, borrow money for the purpose of discharging its liabilities under that subsection.
- (4) In this section " relevant authority " means—
 - (a) as respects Greater London, each rating authority in Greater London and the authorities established by sections 18 and 27 above ;
 - (b) as respects a metropolitan county, each rating authority in the county and any joint authority in relation to which such an authority is a constituent council.
- (5) In subsection (1) above the reference to money borrowed by a council includes a reference to any money borrowed by any other authority whose rights and liabilities in respect of that money have been transferred to that council.

59 Redundancy and compensation payments

- (1) Any person who immediately before the abolition date is in the service of the Greater London Council or a metropolitan county council under a contract of employment which would have continued but for the abolition of that council and who is not designated for the purposes of section 52 above shall be entitled to receive from the appropriate residuary body any redundancy payment under Part VI of the Employment Protection (Consolidation) Act 1978 which he would have been entitled to receive from that council if it had not been abolished but had dismissed him by reason of redundancy immediately before the abolition date.
- (2) As respects any such redundancy payment as is mentioned in subsection (1) above the appropriate residuary body shall be treated as the employer of the person concerned for the purposes of sections 101, 102, 104, 108 and 119 of the said Act of 1978 (ancillary provisions about redundancy payments) and references to the relevant date in sections 81(4), 82(1) and 101 of that Act and in Schedule 4 to that Act shall be construed as references to the day before the abolition date.
- (3) With a view to reducing the cases in which redundancy payments will fall to be made to such persons as are mentioned in subsection (1) above the Secretary of State may make a scheme for the making of payments by the residuary bodies to employers offering such persons employment which, by virtue of sections 84, 94 and 95 of the said Act 1978, will preclude their becoming entitled to redundancy payments.
- (4) Any person who immediately before the abolition date is in the service of the Greater London Council or a metropolitan county council under a contract of employment made before 2nd March 1984 and who is not designated for the purposes of section 52 above shall be entitled to receive from the appropriate residuary body—
 - (a) if the contract provided for his employment for a fixed term extending beyond that date without any provision for its prior termination by that council, an amount equal to any damages which he would have been entitled to recover from that council if it had not been abolished but had dismissed him immediately before that date; or

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- (b) if the contract (whether or not for a fixed term) provided for its termination by that council on payment of compensation for loss of employment, an amount equal to the compensation which he would have been entitled to receive from that council if it had not been abolished but had terminated the contract immediately before that date.
- (5) In paragraph (b) of subsection (4) above " compensation for loss of employment" does not include any payment to be made under the contract in lieu of notice ; and where the amount of compensation payable under a contract differs according to the reasons for its termination the amount payable under that paragraph shall be determined on the assumption that the contract was terminated by reason of redundancy within the meaning of the said Act of 1978.

60 Payment of pensions

- (1) Except so far as otherwise provided by regulations made before the abolition date under section 7 of the Superannuation Act 1972 (local government superannuation) all the functions of the Greater London Council or a metropolitan county council as administering authority under the regulations then in force under that section shall on that date become functions of the appropriate residuary body and the superannuation fund maintained by that council, together with all rights and liabilities in respect of it, shall on that date vest in that body.
- (2) Subject to subsection (3) below, all liabilities of the Greater London Council or a metropolitan county council in respect of pensions payable by it otherwise than under such regulations as aforesaid shall on the abolition date become liabilities of the appropriate residuary body.
- (3) Subsection (2) above does not apply to liabilities which by virtue of any provisions made under this Act become liabilities of a police or fire authority established by Part IV of this Act.
- (4) Any pension granted on or after the abolition date under section 6 of the Coroners (Amendment) Act 1926 by a metropolitan district council shall be paid by the appropriate residuary body but the sums required for paying the pension shall be reimbursed to that body—
 - (a) if that council is not designated under section 13(3)(b) above, by that council; and
 - (b) if that council is so designated, by that and the other councils in the coroner's district in question in such proportions as they may agree or, in default of agreement, as may be determined by the Secretary of State.
- (5) In subsection (2) above references to pensions include references to allowances, grants or other benefits in respect Of past service, death, injury or disease (whether of the pensioner or another person) and any such compensation as is mentioned in section 8(1)(b) of the Pensions (Increase) Act 1971.
- (6) As from the abolition date section 58(2)(c) of the Justices of the Peace Act 1979 shall be amended by substituting for the words " the Greater London Council " the words " the London Residuary Body" .

61 Payment of pensions increases

- (1) As from the abolition date paragraphs 48 and 49 of Schedule 2 to the Pensions (Increase) Act 1971 shall be amended by substituting for the words " the Greater London Council " the words " the London Residuary Body " .
- (2) At the end of Part II of that Schedule (pensions payable out of local funds) there shall be inserted—
 - “64A A pension payable by a residuary body established by the Local Government Act 1985 in respect of service ending with service with that body.
 - 64B A pension payable by such a residuary body, being a pension which would fall within any of the foregoing paragraphs of this Part of this Schedule if references to a local authority had continued to include references to the authorities abolished by that Act.”
- (3) In paragraph 1(5) of Schedule 3 to that Act (cases where increase of pension is to be reimbursed by the last employing authority) for the words " and 63 " there shall be substituted the words " , 63, 64A and, so far as relating to any pension falling within any of the foregoing paragraphs, 64B " .
- (4) The appropriate residuary body shall pay—
 - (a) any increase which by virtue of regulations under section 5(2) of the said Act of 1971 would have been payable on or after the abolition date by the Greater London Council or a metropolitan county council; and
 - (b) any payment which is analogous to a pensions increase and would have been payable as aforesaid by virtue of regulations under section 13(3) of that Act.
- (5) Notwithstanding subsection (3) above or anything in any such regulations as are mentioned in subsection (4)(a) above no liability to reimburse a residuary body in respect of any payment made by virtue of this section shall attach to the Secretary of State, the Arts Council of Great Britain or the Historic Buildings and Monuments Commission for England.

62 Custody of residuary property etc.

- (1) On the abolition date there shall vest in the appropriate residuary body all residuary property, rights and liabilities of the Greater London Council or a metropolitan county council.
- (2) In subsection (1) above "residuary property, rights and liabilities " means any property for the vesting of which provision is not otherwise made by or under this Act or any other enactment and, subject to subsection (3) below, any rights and liabilities which are not transferred, extinguished or otherwise dealt with by any provision made as aforesaid.
- (3) This section shall not be construed—
 - (a) as continuing in force any contract of employment made by the Greater London Council or a metropolitan county council; or
 - (b) as imposing any liability on a residuary body in respect of the termination of any such contract by the abolition of that council;but the rights and liabilities to which this section applies shall include any rights and liabilities attributable to anything done or omitted under or in respect of such a

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contract before the abolition date except any liability to make a payment prohibited by section 53(2) above.

- (4) The Secretary of State may by order confer on a residuary body any statutory functions which before the abolition date were exercisable by the Greater London Council or a metropolitan county council, being functions exercisable by that council in relation to any property, rights or liabilities which are vested in that body by this section or by any other provision made by or under this Act or any other enactment.
- (5) An order under subsection (4) above may contain such supplementary and transitional provisions as the Secretary of State thinks necessary or expedient, including provisions amending any enactment or any instrument made under any enactment.

63 Preparation of final accounts

- (1) It shall be for the appropriate residuary body to discharge in relation to the accounts of the Greater London Council or a metropolitan county council for any period ending before the abolition date—
 - (a) any functions under the regulations in force under Part III of the Local Government Finance Act 1982 which would have fallen to be discharged on or after that date by that council or any of its officers; and
 - (b) any functions under those regulations which fell to be so discharged before that date but have not been discharged.
- (2) As respects anything falling to be done on or after the abolition date in relation to the accounts mentioned in subsection (1) above the provisions of Part III of the said Act of 1982 shall have effect as if those accounts were accounts of the appropriate residuary body but so that—
 - (a) the documents to which an auditor has the right of access under section 16(1) shall include any documents relating to the Greater London Council or the relevant metropolitan county council which are in the possession of a successor authority; and
 - (b) the persons who may be required to give information or an explanation under section 16(2) or 28(1) shall include any person who was an officer or member of the Greater London Council or the relevant metropolitan county council at any time during the period to which the accounts relate and who is an officer or member of a successor authority.
- (3) Any requirement under section 29(1) of the said Act of 1982 in respect of a claim, return or account of the Greater London Council or a metropolitan county council, and any consent under section 30(1)(a) of that Act in respect of information relating to such a council, may, on or after the abolition date, be made or given by the appropriate residuary body.
- (4) The appropriate residuary body shall have a right of access at all reasonable times to all such documents as are mentioned in subsection (2)(a) above which appear to the body to be needed for the purpose of discharging its functions under this section and may require any such person as is mentioned in subsection (2)(b) above to give it any such information or explanation as it thinks necessary for that purpose.
- (5) Any person who without reasonable excuse fails to comply with any requirement under subsection (4) above shall be liable on summary conviction to a fine not exceeding the third level on the standard scale and to an additional fine not exceeding £40 for each day on which the offence continues after conviction thereof.

- (6) In so far as this section has effect in relation to accounts for periods earlier than those to which Part III of the said Act of 1982 or regulations under that Part apply, references in this section to that Part or to any provision of it or to regulations in force under that Part shall be construed respectively as references to Part VIII of the principal Act, to the corresponding provision of that Part or to the relevant regulations under section 166 of that Act.
- (7) In this section "successor authority" means a London borough council, the Common Council, a metropolitan district council, a new authority and any other body to which functions or property of the Greater London Council or a metropolitan county council are transferred by or under this Act or any other enactment.

64 Commutation of smallholdings and housing payments

- (1) Any annual or other periodic payments under the terms of any settlement in respect of amounts payable under section 27 of the Land Settlement (Facilities) Act 1919 which, apart from this subsection, would fall to be made by the Minister of Agriculture, Fisheries and Food to a residuary body may be commuted by him into a single payment either by agreement with that body or, in default of agreement, by an order made by him in that behalf.
- (2) Any annual or other periodic payments which, apart from this subsection, would fall to be made by the Secretary of State to a residuary body by virtue of any enactment relating to the housing functions of the Greater London Council or a metropolitan county council may be commuted by him into a single payment either by agreement with that body or, in default of agreement, by an order made by him in that behalf.
- (3) Where any annual or other periodic payments falling to be made to a residuary body are commuted under subsection (2) above and annual or other periodic payments corresponding to or related to those payments would, apart from this subsection, fall to be made by that body to another person, then, unless those payments are commuted into a single payment by agreement between that body and that person, they may be so commuted by an order in that behalf made by the Secretary of State.
- (4) Any commutation by an order under this section shall be on such terms as appear to the Minister of Agriculture, Fisheries and Food or the Secretary of State, as the case may be, to be just and equitable; and any order under subsection (2) or (3) above shall require the consent of the Treasury.

65 Directions

- (1) In exercising the functions conferred on it by or under this Act or any other enactment each residuary body shall comply with any directions given to it by the Secretary of State.
- (2) Subsection (1) above does not apply to any functions of a residuary body under regulations made under section 7 of the Superannuation Act 1972; and no transaction entered into by a residuary body in the exercise of other functions shall be invalid by reason only of a failure to comply with any direction given under this section.
- (3) The Secretary of State shall publish any directions given by him under this section.

66 Discharge of certain residuary functions by designated councils

- (1) The Secretary of State may by an order made on the application of the councils of the districts in a metropolitan county make provision whereby any rights, liabilities, property or functions which by virtue of section 58, 60 or 61 above would Otherwise be vested in or fall to be discharged by the residuary body established for that county are vested in or discharged by one of those councils (a "designated council") instead of that body.
- (2) An order under subsection (1) above may modify or supplement any of the provisions of the sections mentioned in that subsection; and any such order may in particular—
 - (a) require the designated council to keep such accounts and establish such funds as may be specified in the order;
 - (b) provide for any deficit or surplus in any such account or fund to be recovered from or distributed among the councils on whose application the order is made; and
 - (c) in the case of an order relating to section 58, impose on the designated council liabilities corresponding to those to which it would have been subject under subsection (2) of that section.
- (3) References in this section to the functions falling to be discharged by virtue of section 61 do not include those exercisable by virtue of the paragraph 64A inserted by subsection (2) of that section.

67 Winding up of residuary bodies

- (1) Except as respects any of its functions for the discharge of which provision will be or is likely to be required after the end of the period of five years beginning with the abolition date, it shall be the duty of each residuary body to use its best endeavours to secure that its work is completed as soon as practicable and in any event by the end of that period; and each residuary body shall—
 - (a) as respects any such functions, any property held by that body for the purposes of any such functions and any rights or liabilities of that body which will or are likely to subsist for longer than that period, make such arrangements as are practicable for their transfer to another body or bodies or submit proposals to the Secretary of State for effecting such transfers by orders made by him in that behalf ;
 - (b) not later than the end of the period of four years beginning with the abolition date, submit to the Secretary of State a scheme for the winding up of the residuary body and the disposal of its remaining functions, property, rights and liabilities so far as not dealt with in pursuance of paragraph (a) above.
- (2) A residuary body may at any time before the end of the period mentioned in subsection (1)(b) above submit proposals to the Secretary of State for the transfer of any property of that body to a local authority or to a new authority.
- (3) The Secretary of State may by order provide for any such transfer or disposal as is mentioned in subsection (1) or (2) above, whether as proposed by the residuary body or otherwise, and for giving effect (with or without modifications) to any scheme submitted to him under subsection (1) above ; and, without prejudice to the generality of that power, any such order may contain such supplementary and transitional provisions as the Secretary of State thinks necessary or expedient, including provisions amending any enactment or any instrument made under any enactment or establishing

new bodies corporate to receive any functions, property, rights or liabilities transferred by the order.

PART VIII

FINANCIAL PROVISIONS

New authorities

68 Precepts

- (1) A new authority may in respect of any financial year beginning after the date on which it is established issue precepts to the appropriate rating authorities for the levying of rates to meet all liabilities falling to be discharged by the authority for which provision is not otherwise made.
- (2) The appropriate rating authorities are—
 - (a) in the case of a joint authority, the rating authorities in the area for which it is established;
 - (b) in the case of the Inner London Education Authority, the rating authorities in the Inner London Education Area.
- (3) In section 12(1) of the General Rate Act 1967 (supplementary provisions about precepts) after the words "a county council," there shall be inserted the words " a joint authority established by Part IV of the Local Government Act 1985, the Inner London Education Authority" .
- (4) Part I of the Rates Act 1984 (selective limitation of rates and precepts) shall apply to the new authorities and accordingly in section 1(3) of that Act for paragraph (c) there shall be substituted—
 - “(c) the Inner London Education Authority;
 - (cc) a joint authority established by Part IV of the Local Government Act 1985; and”.
- (5) In section 2(6) of that Act (classes of authority to which common principles are to be applied in designation and in the determination of expenditure levels) the word " and " at the end of paragraph (e) shall be omitted and after paragraph (f) there shall be inserted—
 - “(g) metropolitan county police authorities and the Northumbria Police Authority;
 - (h) metropolitan county fire and civil defence authorities; and
 - (i) metropolitan county passenger transport authorities.”
- (6) Each new authority shall be deemed for the purposes of Part I of that Act to have been designated under section 2 of that Act in relation to the financial year beginning on the abolition date and the two subsequent financial years; and—
 - (a) the principles in accordance with which expenditure levels are determined for those years under section 3 of that Act may differ as between different new authorities ; and

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- (b) notwithstanding any order bringing section 10 of that Act (general limitation) into force before the end of those years, no new authority shall be treated as designated in relation to any of those years by virtue of that section.

69 Block grant

- (1) The new authorities shall be local authorities for the purposes of block grant under Part VI of the Local Government, Planning and Land Act 1980 (rate support grant) for financial years beginning on or after the abolition date and accordingly that Act shall for those purposes have effect with the following amendments.
- (2) In section 53—
- (a) in subsection (5), in paragraph (f) the word " and " shall be omitted and after that paragraph there shall be inserted—
“(ff) a joint authority ; and”;
- (b) at the end of subsection (6) there shall be inserted the words " and the area of a joint authority is the area for which the authority is established. " .
- (3) In section 54(8) for paragraph (a) of the definition of "rate fund " there shall be substituted—
“(a) in relation to the Inner London Education Authority and any joint authority, means the general fund ;”.
- (4) In section 55(3), after paragraph (c), there shall be inserted “; or
(d) to a joint authority.”.
- (5) In section 59(11)—
- (a) in paragraph (c)(i) for the words " subsection (6) (b) or (c) " there shall be substituted the words " paragraph (a), (b), (c) or (d) of subsection (6) " ; and
- (b) after paragraph (c) there shall be inserted—
“; and
(d) as if paragraph (ff) referred to four classes, namely—
(i) metropolitan county police authorities and the Northumbria Police Authority;
(ii) metropolitan county passenger transport authorities;
(iii) metropolitan county fire and civil defence authorities; and
(iv) the London Fire and Civil Defence Authority.”
- (6) At the end of section 68(1) there shall be inserted the words " and ' joint authority' means a joint authority established by Part IV of the Local Government Act 1985" .

70 Borrowing, lending and funds

- (1) Paragraph 22 of Schedule 13 to the principal Act (borrowing, lending and funds) shall have effect with the following amendments, being amendments applying Part I of that Schedule to the new authorities.
- (2) In sub-paragraph (1), in the definition of " revenue fund " after the words " the general rate fund " there shall be inserted the words " , the general fund of a joint authority or the Inner London Education Authority" .

(3) After sub-paragraph (2) there shall be inserted—

“(3) In this Part of this Schedule " local authority " and " principal council" include a joint authority and the Inner London Education Authority, and those authorities shall be treated as county councils for the purposes of paragraph 5(2)(a) above.”

71 Interim borrowing powers

- (1) Without prejudice to its borrowing powers by virtue of section 70 above but subject to subsection (2) below, a new authority may borrow by way of temporary loan or overdraft from a bank or otherwise any sums which it may require for the purpose of defraying its expenses before the abolition date.
- (2) The sums borrowed by an authority under this section shall not exceed such amount as the Secretary of State may determine and shall be repaid before the end of the financial year in which revenue is first received by the authority as a result of precepts issued by it under section 68 above.
- (3) Paragraph 12 of Schedule 13 to the principal Act (joint borrowing) shall apply to the power conferred by this section as it applies to the powers of borrowing conferred by Part I of that Schedule.

72 Accounts and audit

- (1) Each new authority shall keep a fund to be known as the general fund; and all receipts of the authority shall be carried to that fund and all liabilities falling to be discharged by the authority shall be discharged out of that fund.
- (2) Accounts shall be kept of receipts carried to, and payments made out of, the general fund.
- (3) In section 12(2) of the Local Government Finance Act 1982 (accounts subject to audit) after paragraph (a) there shall be inserted—
 - “(aa) a joint authority;
 - (ab) the Inner London Education Authority ;”.
- (4) Nothing in subsection (1) above shall be construed as requiring or authorising an authority to apply or dispose of the surplus revenue arising from any undertaking carried on by it otherwise than in accordance with any enactment or instrument applicable to the undertaking.

73 Financial administration

Each new authority shall make arrangements for the proper administration of its financial affairs and shall secure that one of its officers has responsibility for the administration of those affairs.

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Residuary bodies

74 Levies

- (1) A residuary body may in respect of any financial year beginning after the date on which it is established make levies on the rating authorities in its area to meet all liabilities falling to be discharged by it for which provision is not otherwise made.
- (2) The amount to be levied by a residuary body in respect of any financial year from each of the rating authorities in its area shall be determined by apportioning the total amount to be levied by that body in respect of that year between those authorities in proportion to the populations of their respective areas; and for that purpose the population of any area shall be taken to be the number estimated by the Registrar General and certified by him to the Secretary of State by reference to such date as the Secretary of State may from time to time direct.
- (3) A levy on a rating authority shall be made by issuing the authority with a demand stating the date or dates on or before which a payment or payments in respect of the levy are required to be made and the amount of that payment or each of those payments; and such demand must be issued, or information as to the amount to be subsequently demanded must be given, to a rating authority not less than twenty-one days before the beginning of the financial year to which the levy relates.
- (4) The following enactments—
 - (a) sections 11 and 12(8) and (9) of the General Rate Act 1967 (money to be raised by precepts and liability for interest where amount due under a precept is unpaid);
 - (b) section 15 of that Act (power to secure payment of precept) ; and
 - (c) section 14 of the Rates Act 1984 (information as to precepts and precepting authorities),
 shall apply to a levy issued by a residuary body and to such a body as they apply to a precept issued by a precepting authority and to such an authority taking the reference in section 11 to rates as a reference to levies and with the omission in subsection (1) of section 15 of the words " the rating authority have refused or through wilful neglect or wilful default failed to raise that amount by a rate, or that, having raised the amount by a rate " .
- (5) For the purposes of any other enactment (including in particular section 34 of the Local Loans Act 1875) any sum levied under this section shall be treated as money to be raised out of a rate.
- (6) In this section references to the area of a residuary body are references to the area for which it is established.

75 Borrowing and lending

- (1) Subject to the provisions of this section, a residuary body shall be treated as a local authority for the purposes of Part I of Schedule 13 to the principal Act (borrowing, lending and funds).
- (2) In relation to a residuary body paragraph 5(2) and (3) of that Schedule (issue of bills limited by reference to income derived from rates) shall apply with the omission of the words " derived from rates " and with the omission in paragraph 5(2) of the words from " or, if no such proportion is so prescribed " onwards.

- (3) In relation to a residuary body paragraph 8 of that Schedule (power to borrow during fixed period for repaying loans) shall apply with the substitution for the words " during the fixed period " of the words " during such period as may be determined by the Secretary of State " .
- (4) Paragraphs 7, 9 and 15 to 19 of that Schedule shall not apply to a residuary body.

76 Interim borrowing powers

- (1) Without prejudice to the borrowing powers of a residuary body by virtue of section 75 above but subject to subsection (2) below, a residuary body may borrow by way of temporary loan or overdraft from a bank or otherwise any sums which it may require for the purpose of defraying its expenses before the abolition date.
- (2) The sums borrowed by a residuary body under this section shall not exceed such amount as the Secretary of State may determine and shall be repaid before the end of the financial year in which revenue is first received by the body as a result of levies made by it under section 74 above.
- (3) Paragraph 12 of Schedule 13 to the principal Act (joint borrowing) shall apply to the power conferred by this section as it applies to the powers of borrowing conferred by Part I of that Schedule.

77 Treatment and distribution of capital and other money

- (1) The Secretary of State may by order provide—
 - (a) that such part (if any) of any capital money received by a residuary body as is specified in the order shall be treated for the purposes of Part VIII of the Local Government, Planning and Land Act 1980 (capital expenditure of local authorities) as, or as forming part of, the capital receipts of any authority to which this subsection applies and which is specified in the order ;
 - (b) for the payment by a residuary body to any such authority of such part (if any) of any capital money received by that body as is specified in the order.
- (2) Subsection (1) above applies to any rating authority in the area for which the residuary body in question is established and to any new authority established for (or for an area which includes or is included in) that area.
- (3) An order under subsection (1) above may—
 - (a) apply only to capital money of a particular description or make different provision in relation to capital money of different descriptions ;
 - (b) apply only to some of the authorities to which that subsection applies or make different provision in relation to different authorities; and
 - (c) provide for the said Part VIII to apply in relation to any money which is the subject of an order under that subsection to such extent only or with such modifications as may be provided by the order.
- (4) A residuary body may in any financial year distribute among the rating authorities in the area for which it is established any money (other than capital money) for the time being in the hands of that body; and any such distribution shall be in the same proportions as those that would apply to a levy made by it on those authorities in respect of that year.

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- (5) In this section " capital money" means money of such description as may be specified for the purposes of this section by an order made by the Secretary of State.

78 Accounts

- (1) A residuary body shall keep proper accounts and proper records in relation to them.
- (2) A residuary body shall prepare a statement of accounts in respect of each financial year.
- (3) The statement shall comply with any directions given by the Secretary of State, with the consent of the Treasury, as to the information to be contained in the statement, the manner in which the information is to be presented or the methods and principles according to which the statement is to be prepared.
- (4) Without prejudice to section 65 above the Secretary of State may give directions to a residuary body requiring it—
 - (a) to keep accounts in respect of such matters and records relating to them as may be specified in the direction; and
 - (b) to comply with such methods and principles as may be so specified with respect to any accounts or records kept by that body;and it shall be the duty of a residuary body to comply with any such directions.

79 Audit

- (1) The accounts of a residuary body shall be included among those which are required to be audited in accordance with Part III of the Local Government Finance Act 1982 and, subject to subsection (2) below, that Part shall accordingly have effect in relation to any such body and its accounts.
- (2) Sections 15(1)(a), 17, 19, 20, 22, 23 and 24 of that Act shall not apply in relation to a residuary body or its accounts.
- (3) At each audit by an auditor under Part III of the said Act of 1982 of the accounts of a residuary body any local government elector for any area to which the accounts to be audited relate may inspect those accounts and all books, deeds, contracts, bills, vouchers and receipts relating to them and make copies of all or any part of the accounts and those other documents.
- (4) At the request of any such local government elector, the auditor shall give the elector, or any representative of his, an opportunity to question the auditor about those accounts or to draw his attention to any matter on which he could make a report under section 15(3) of the said Act of 1982.
- (5) As soon as the audit of the accounts of a residuary body has been concluded a copy of any statement prepared by that body for the accounting year in question under section 78(2) above, together with a copy of any report made by the auditor on the statement or on the accounts shall be sent by the body to the Secretary of State who shall lay a copy of the statement and report before each House of Parliament.
- (6) Any person, on application to a residuary body, shall be entitled—
 - (a) to inspect and make copies of any statement prepared by it under section 78(2) above and any report made by an auditor on the statement or on the accounts of that body; and

- (b) to be furnished with copies of any such statement or report on payment of such reasonable sum as the body may determine.
- (7) Any document which a person is entitled to inspect under subsection (3) or (6) above may be inspected by him at all reasonable times and without payment.
- (8) Subsection (2) above shall not have effect so as to exclude the provisions there mentioned from Part III of the said Act of 1982 as applied by section 63 above and references to the accounts of a residuary body in subsections (3) to (6) above do not include references to any accounts in respect of which it has functions under that section.

Transitional provisions

80 Transitional provisions relating to block grant and expenditure levels

- (1) For the purposes of section 59(6)(a) of the Local Government, Planning and Land Act 1980 and section 8(3)(a) of the Local Government Finance Act 1982 in their application to block grant payable to a relevant authority for the year beginning with the abolition date there shall be deemed to have been payable to that authority in the previous year block grant of such an amount as may be determined by the Secretary of State.
- (2) In relation to block grant payable for the year beginning with the abolition date the principles mentioned in section 59(11 A) of the said Act of 1980 and those mentioned in section 8(6) of the said Act of 1982 need not be the same for all relevant authorities.
- (3) Notwithstanding subsection (2) of section 3 of the Rates Act 1984 the principles in accordance with which the Secretary of State exercises his power under that section to determine a level for the total expenditure of a relevant authority in the year beginning with the abolition date may differ from those applied by him in the case of any other relevant authority.
- (4) In this section " relevant authority " means a metropolitan district council, a London borough council, the Common Council, a new authority and any other authority which the Secretary of State, having regard to any transfer of functions or property to that authority under or by virtue of this Act, may by order designate as a relevant authority for the purpose of this section.

81 Transitional functions of residuary bodies in respect of block grant

- (1) Any payment which by virtue of any provision of Part VI of the Local Government, Planning and Land Act 1980 would but for this Act have fallen to be made on or after the abolition date by or to the Greater London Council or the council of a metropolitan county in respect of block grant payable for a year ending before that date shall instead be made by or to the appropriate residuary body.
- (2) Any information, notice, representation or request under section 65, 66 or 67 of that Act which but for this Act would have fallen to be given or made by or to the Greater London Council or the council of a metropolitan county on or after the abolition date in respect of block grant payable for a year ending before that date shall instead be given or made by or to the appropriate residuary body.

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- (3) In relation to the Greater London Council in its capacity as the Inner London Education Authority, for references to the appropriate residuary body in subsections (1) and (2) above there shall be substituted references to the body which by virtue of section 18 above will become the Inner London Education Authority on the abolition date.

82 Transitional provisions for interim authorities

- (1) As respects anything falling to be done before the abolition date in relation to the financial year beginning on that date references in sections 68 and 69 above and in the enactments which they amend to the Inner London Education Authority and the Northumbria Police Authority shall be construed respectively as references to the Inner London Interim Education Authority and the Northumbria Interim Police Authority; and references to the Inner London Education Authority in sections 70 and 72 above shall, as respects any time before the abolition date, be construed as references to the Inner London Interim Education Authority.
- (2) This Act does not affect Part I of the Rates Act 1984 in its application, for any financial year ending before the abolition date, to the existing Inner London Education Authority, that is to say, that Authority within the meaning of section 30 of the London Government Act 1963.

London rate equalisation

83 London rate equalisation schemes

- (1) In section 66(2) of the London Government Act 1963 (schemes for equalisation of rates by the making of contributions by rating authorities in Greater London to other such authorities) for the words after " to other such authorities " there shall be substituted the words " either directly or in such other manner as the scheme may provide ; and in determining the amount of a rating authority's contribution the Minister may have regard to any expenditure which that authority incurs in carrying out functions for the benefit of some or all of the other rating authorities. "
- (2) After section 63 of the Local Government, Planning and Land Act 1980 there shall be inserted—

“63A Adjustment of block grant for rates equalisation contribution.

- (1) Where in any year a local authority is entitled to receive a contribution under a scheme made by virtue of section 66 of the London Government Act 1963 (equalisation of rates) the amount of any block grant payable to the authority for that year shall, if the Secretary of State so determines, be reduced by an amount equal to that contribution or by such lesser amount as he may determine.
- (2) Subsection (5) of section 61 above shall not apply to any exercise of the power conferred by subsection (3) of that section in respect of a determination under this section.”
- (3) This section has effect in relation to any financial year beginning on or after the abolition date.

PART IX

MISCELLANEOUS AND SUPPLEMENTARY

84 Application of local authority provisions to new authorities

- (1) The principal Act shall have effect with the amendments specified in Part I of Schedule 14 to this Act, and the other enactments specified in Part II of that Schedule shall have effect with the amendments there specified, being amendments for applying those enactments in relation to the new authorities.
- (2) This section has effect in relation to the Authority established by section 18 above from the day appointed under subsection (1) of that section ; and—
 - (a) until the abolition date references to the Inner London Education Authority in any amendment made by that Schedule shall be construed as references to the Inner London Interim Education Authority;
 - (b) sections 83 and 89 of the principal Act shall not by virtue of that Schedule apply to the persons who are members of the Authority by virtue of section 18(5) above;
 - (c) for the purposes of sections 82 and 84 of that Act as applied by that Schedule those persons shall be treated as having been elected to the Authority.
- (3) This section has effect in relation to a joint authority from the day on which it is established.

85 Exercise of functions by new authorities in initial period

- (1) With a view to securing that the functions of a new authority are discharged economically, efficiently and effectively in the period beginning with its establishment and ending three years after the abolition date, the Secretary of State may by regulations provide for the submission to him by the authority, or the making by him, of schemes with respect to the discharge of those functions so far as concerned with any of the matters to which this section applies; and it shall be the duty of the authority to discharge those functions in that period in accordance with any such scheme as approved or made by the Secretary of State and for the time being in force.
- (2) This section applies to—
 - (a) the number of persons employed by the authority or employed by it for a particular purpose;
 - (b) the authority's arrangements for obtaining any services (so far as not provided by its employees) or any supplies or facilities that it may require or may require for any particular purpose;
 - (c) the authority's organisation and its arrangements for managing its affairs.
- (3) This section also applies, in the case of a police authority, to the number of persons constituting the establishment of the police force maintained by the authority, and in the case of a fire authority, to the number of persons constituting the establishment of any fire brigade maintained by it; and section 4(2) of the Police Act 1964 and section 19 of the Fire Services Act 1947 (which relate to those matters) shall have effect subject to the provisions of this section.
- (4) Regulations under this section may contain such supplementary provisions as the Secretary of State thinks necessary or expedient, including provisions with respect to

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the procedure to be followed in the preparation and submission of schemes, or for enabling him to approve a scheme with modifications or to vary a scheme approved or made by him; and the regulations may also contain any transitional provisions that he thinks necessary or expedient in connection with the termination of the period mentioned in subsection (1) above.

- (5) The Secretary of State shall lay before Parliament copies of any scheme made, approved or varied by him under this section.

86 First meetings of new authorities

- (1) The first meeting of a new authority shall be held within twenty-one days after the day appointed under this Act for its establishment and shall be treated as the annual meeting of the authority for the year in which it is held.
- (2) The meeting shall be convened, and held at a place appointed, by the proper officer of the relevant council; and for the purposes of this section the relevant council is—
- (a) in relation to the authorities established by sections 18 and 27 above, the Greater London Council;
 - (b) in relation to any other authority, the council of the metropolitan county which is, or is included in, the area for which it is established,
- and references in this section to the proper officer of the relevant council are references to the officer whose duty it is to summon meetings of that council.
- (3) Notice of the meeting shall be published at the place where the meeting is to be held and summonses to attend the meeting shall be signed by the proper officer of the relevant council.
- (4) Until the completion of the election of a chairman and vice-chairman at the meeting, the functions falling to be exercised by the chairman and vice-chairman shall be exercised by a member of the new authority chosen by the members of that authority present at the meeting.
- (5) At the meeting the proper officer of the relevant council shall exercise any functions falling to be exercised by the proper officer of the new authority in relation to the meeting.
- (6) The standing orders for the regulation of the proceedings and business of the relevant council shall, so far as practicable, apply at the meeting.
- (7) If it appears to the Secretary of State that the first meeting of a new authority is not likely to be convened to be held within the time specified in subsection (1) above, he may—
- (a) in the case of a joint authority, direct that the foregoing provisions of this section shall have effect with the substitution for references to the relevant council of references to a constituent council of that authority ; or
 - (b) in any case, himself convene the meeting and appoint the place where it is to be held ;
- and in any such case the meeting shall be held as soon as practicable.
- (8) Where the Secretary of State convenes a meeting under subsection (7) above, he shall himself sign the summonses referred to in subsection (3) above, the functions referred to in subsection (5) above shall be exercised by a person appointed by him and the

standing orders referred to in subsection (6) above shall be those of such authority as he may direct.

- (9) Schedule 12 to the principal Act, as applied by section 84 above, shall have effect subject to this section, and in particular paragraph 4(2) of that Schedule shall not require notice of the first meeting of a new authority to be published at that authority's office or summonses to attend the meeting to be signed by the proper officer of that authority.

87 Local and personal Bills

- (1) Subject to subsections (2) and (3) below, a local Bill promoted in Parliament by the council of a London borough may include provisions requested by the council of another London borough; and a local Bill promoted as aforesaid by the council of a metropolitan district may include provisions requested by the council of another metropolitan district in the same county.
- (2) Subsection (1) above applies only if the council making the request passes a resolution approving the provisions in question and that resolution—
- (a) is passed by a majority of the whole number of the members of the council at a meeting of the council held after thirty clear days' notice of the meeting and of its purpose has been given by advertisement in one or more local newspapers circulating in the area of the council, such notice being given in addition to the ordinary notice required to be given for the convening of a meeting of the council; and
 - (b) is confirmed by a like majority at a further such meeting convened in accordance with paragraph (a) above and held as soon as may be after the expiration of fourteen days after the Bill has been deposited in Parliament.
- (3) Where a resolution of a council is not confirmed as required by subsection (2) (b) above, the council shall give notice of that fact to the council promoting the Bill who shall take all necessary steps for the omission from the Bill of the provisions to which the resolution relates or, if those provisions were requested also by other councils, of those provisions so far as relating to the council whose resolution has not been confirmed.
- (4) A council which in accordance with this section requests the inclusion of provisions in a Bill promoted by another council may contribute towards the expenses of the other council in connection with the Bill.
- (5) In this section references to the council of a London borough include references to the Common Council.
- (6) Neither the Greater London Council nor a metropolitan county council shall have power to promote or oppose a local or personal Bill in any Session of Parliament beginning after the date on which this Act is passed except a Bill presented in pursuance of an order of either House giving leave to suspend proceedings on a corresponding Bill in a Session beginning before that date.

88 Research and collection of information

- (1) A scheme may be made for Greater London or a metropolitan county by the constituent councils whereby one of those councils designated by the scheme has the function of—

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- (a) carrying out, or assisting in carrying out, investigations into, and the collection of information relating to, any matters concerning that area or any part of it; and
 - (b) making, or assisting in making, arrangements whereby any such information and the results of any such investigation are made available to any other local authority in that area, any government department or the public.
- (2) Any such scheme shall require the other constituent councils to contribute as provided by subsection (3) below to the expenditure incurred by the designated council in carrying out its functions under the scheme.
- (3) The constituent councils shall be required to contribute to any expenditure of the designated council which has been incurred with the approval of at least two-thirds of the constituent councils; and the amounts of the contributions shall be determined so that the expenditure in respect of which they are payable is borne by the constituent councils in proportion to the populations of their respective areas.
- (4) For the purposes of subsection (3) above the population of any area shall be taken to be the number estimated by the Registrar General and certified by him to the Secretary of State by reference to such date as the Secretary of State may from time to time determine.
- (5) A scheme may provide that, if two-thirds of the constituent councils so decide, the designated council may require all or any of the constituent councils other than the designated council to carry out in respect of their respective areas an investigation into, or the collection of information relating to, any specified matter concerning the area covered by the scheme or any part of it; and where such a requirement is imposed on a council—
 - (a) that council shall comply with the requirement in such manner and within such time as may be specified in the requirement; and
 - (b) if that council fails to comply with the requirement the designated council may itself do what was required and recover the cost of doing it from that council.
- (6) The expenditure which is to be borne as mentioned in subsection (3) above shall not include—
 - (a) any expenditure of the designated council which is recoverable by virtue of paragraph (b) of subsection (5) above; or
 - (b) if a requirement is imposed by virtue of that subsection on all the constituent councils other than the designated council, any expenditure incurred by that council in doing in respect of its own area what it has required the other councils to do in respect of their areas.
- (7) Any information collected by the designated council, and the results of any investigation carried out by it, in the exercise of its functions under the scheme shall be made available, on request, to each of the other constituent councils.
- (8) A scheme shall not come into force before the abolition date but shall continue in force until the end of at least two financial years after that in which it is made.
- (9) A scheme may, in the absence of agreement between all the constituent councils, be made by a majority of those councils so as to be binding on all of them; but a council shall not be designated by a scheme except with its consent.
- (10) A scheme may contain such supplementary provisions as the councils making the scheme think necessary or expedient and, subject to subsection (8) above, may be

revoked by those councils (or, in the absence of agreement between all of them, by a majority of those councils) with effect from the end of any financial year after that in which the decision to revoke the scheme is made.

- (11) The council designated by a scheme may by giving not less than twelve months notice to the other constituent councils withdraw its consent to act as the designated council with effect from the end of any financial year not earlier than the second financial year after that in which the scheme was made; and in that event the scheme shall terminate when the withdrawal takes effect.
- (12) For the purposes of this section the constituent councils are—
 - (a) in relation to Greater London, the London borough councils and the Common Council; and
 - (b) in relation to a metropolitan county, the councils of the metropolitan districts comprised in the county.
- (13) Whether or not a scheme is made under this section a London borough council, the Common Council and a metropolitan district council shall have power to exercise any of the functions described in subsection (1)(a) and (b) above.
- (14) The appropriate Minister with respect to any matter may require any such council as is mentioned in subsection (13) above to provide him with any information with respect to that matter which is in the possession of, or available to, that council in consequence of the exercise of any powers conferred by or under any enactment.

89 GLC housing transfer orders and nomination rights

- (1) The Secretary of State may by order amend or revoke any order made under section 23 of the London Government Act 1963 (transfer of GLC housing land) so far as it confers rights which are exercisable on or after the abolition date or imposes liabilities which fall to be discharged on or after that date; and an order under this subsection may in particular have effect so as to—
 - (a) extinguish rights and liabilities to receive or make payments or transfer such rights or liabilities to the London Residuary Body;
 - (b) extinguish rights to nominate tenants for housing accommodation ; and
 - (c) extinguish liabilities to carry out works.
- (2) The Secretary of State may by an order or orders taking effect on the abolition date—
 - (a) confer on himself, in respect of housing accommodation transferred by orders under the said section 23, rights of nomination which correspond to those conferred by those orders on the Greater London Council but with such modifications as to their duration and the matters to be taken into account in their exercise as he thinks fit; and
 - (b) transfer to himself any other rights of the Greater London Council to nominate tenants for housing accommodation belonging to other authorities or bodies.
- (3) The Secretary of State may delegate, with or without restrictions, to any other authority, body or person the exercise of any rights conferred on or transferred to him by an order under subsection (2) above (and accordingly such an authority, body or person may take any action necessary for the enforcement of those rights).
- (4) Where any rights transferred under subsection (2)(b) above were acquired by the Greater London Council in consideration of payments by that Council, any liability in respect of such payments which is outstanding on the abolition date and any liability

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to make such payments on or after that date shall become liabilities of the London Residuary Body.

90 Charities

- (1) Where immediately before the abolition date any property is held exclusively for charitable purposes by the Greater London Council and the Inner London Education Authority are the charity trustees of the charity to which the property relates, that property shall on that date vest for the like purposes in the Authority established by section 18 above.
- (2) Subject to subsection (1) above, the Secretary of State may by order make such provision in relation to any charity as appears to him to be necessary or expedient in consequence of the abolition of the Greater London Council or the council of a metropolitan county, including provision for transferring to any person any property, rights, liabilities or functions relating to the charity which are vested in that council or in the holder of any office connected with that council, and provision for terminating any such rights, liabilities or functions.
- (3) Nothing in this section shall affect any power of Her Majesty, the court or any other person to alter the trusts of any charity.
- (4) In this section "charity", "charitable purposes" and "charity trustees" have the same meaning as in the Charities Act 1960.

91 Control of financial and other assistance to local authorities by GLC and metropolitan county councils

- (1) This section applies to—
 - (a) any grant made to a local authority by the Greater' London Council or a metropolitan county council after 24th July 1984 ;
 - (b) any agreement or arrangements entered into by the Greater London Council or a metropolitan county council after that date for giving relevant assistance to a local authority ; and
 - (c) any relevant assistance given to a local authority by the Greater London Council or a metropolitan county council after that date under an agreement or arrangements entered into by it on or before that date.
- (2) Except with the consent of the Secretary of State neither the Greater London Council nor a metropolitan county council shall after the passing of this Act—
 - (a) make any such grant or enter into any such agreement or arrangements as are mentioned in paragraph (a) or
 - (b) of subsection (1) above ; or
 - (b) give any such assistance as is mentioned in paragraph (c) of that subsection ;
 and if at any time since 24th July 1984 and before the passing of this Act any of those councils has done anything that would have been a contravention of the foregoing provisions if they had then been in force the same consequences shall follow as if those provisions had been contravened by that council.
- (3) The Secretary of State shall not give his consent for the purposes of subsection (2) above unless he is satisfied that it is expedient for the Greater London Council or, as the case may be, the metropolitan county council to make the grant, enter into the agreement or arrangements or give the assistance, as the case may be; and in deciding

whether or not to give his consent he shall have regard to the cost to the ratepayers of Greater London or the metropolitan county in question of the grant or of the assistance given or to be given under the agreement or arrangements and to such other matters as he considers relevant.

- (4) Any consent for the purposes of subsection (2) above may be given either in respect of any particular grant, agreement, arrangements or assistance or in respect of grants, agreements, arrangements or assistance of any description and either unconditionally or subject to conditions.
- (5) Any statement made by or on behalf of the Secretary of State before the passing of this Act that he will after the passing of this Act give his consent, or give his consent subject to specified conditions, in respect of any such grant, agreement, arrangements or assistance as are mentioned in subsection (1) above shall be treated for the purposes of subsection (2) above as a consent, or a consent subject to those conditions, given under this section.
- (6) In this section "relevant assistance" has the meaning given in Part I of Schedule 15 to this Act; and Parts II and III of that Schedule shall have effect with respect to the consequences of any contravention of this section and for otherwise supplementing its provisions.
- (7) Nothing in this section applies to anything done by the Greater London Council or a metropolitan county council which requires the consent of the Secretary of State under sections 7 to 9 of the Local Government (Interim Provisions) Act 1984.
- (8) Section 7(2) of that Act shall have effect, and be deemed always to have had effect, with the substitution for the reference to 26th June of a reference to 27th June.

92 Control of liabilities affecting successor authorities

- (1) This section applies to any agreement or arrangements entered into after 21st March 1985 under which the Greater London Council or a metropolitan county council assumes liabilities not falling to be wholly discharged before the abolition date other than—
 - (a) an agreement or arrangements requiring the consent of the Secretary of State under section 91 above ;
 - (b) any transaction requiring his consent under sections 7 to 9 of the Local Government (Interim Provisions) Act 1984 or which would require his consent under section 9 of that Act if the consideration exceeded the limit applying under that section ;
 - (c) a contract of employment or a contract for the borrowing of money by the council.
- (2) Except with the consent of the Secretary of State neither the Greater London Council nor a metropolitan county council shall after the passing of this Act enter into any agreement or arrangements to which this section applies; and if at any time since 21st March 1985 and before the passing of this Act any of those councils has done anything that would have been a contravention of the foregoing provisions if they had then been in force the same consequences shall follow as if those provisions had been contravened by that council.

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- (3) Any consent for the purposes of subsection (2) above may be given either in respect of any particular agreement or arrangements or in respect of agreements or arrangements of any class or description and either unconditionally or subject to conditions.
- (4) No agreement or arrangements entered into in contravention of this section shall be enforceable against a successor authority.
- (5) If, on an application made by a constituent council, by a local government elector for the area of a constituent council or by a successor authority other than a constituent council, it appears to the High Court that the Greater London Council or a metropolitan county council has entered into any agreement or arrangements in contravention of this section, the court may order any person responsible for authorising the agreement or arrangements who is, or was at the time of the conduct in question, a member of the council—
- (a) to be disqualified for being a member of that council and to be disqualified for a specified period for being a member of any other local authority ; and
 - (b) to pay to that council (or, in the case of an order made on or after the abolition date, to the appropriate residuary body) a sum not exceeding the cost of discharging such of the liabilities assumed by the council under the agreement or arrangements as have not been, or in the opinion of the court are likely not to be, discharged by that council before that date.
- (6) No order shall be made in respect of any person under subsection (5) above if the court is satisfied that he acted in the belief that the agreement or arrangements had the consent of the Secretary of State and that any conditions attached to the consent had been complied with.
- (7) In paragraph (a) of subsection (5) above " local authority " includes the Common Council and the Council of the Isles of Scilly ; and in sections 80(1)(e), 86(b) and 87(1)(d) of the principal Act references to Part III of the Local Government Finance Act 1982 shall include references to that subsection.
- (8) In this section " a constituent council " means—
- (a) in relation to the Greater London Council, a London borough council or the Common Council;
 - (b) in relation to a metropolitan county council, the council of any district comprised in the county ;
- and " a successor authority " means, in relation to the Greater London Council or a metropolitan county council, any body or person who by virtue of any provision made by or under this Act will succeed or has succeeded to any liability of that council.
- (9) Any statement by or on behalf of the Secretary of State before the passing of this Act that he will after the passing of this Act give his consent, or give his consent subject to specified conditions, in respect of any agreement or arrangements to which this section applies shall be treated for the purposes of subsection (2) above as a consent, or a consent subject to those conditions, given under this section.

93 Control of disposals and contracts

- (1) Any disposal made after 21st March 1985 in contravention of section 8 of the Local Government (Interim Provisions) Act 1984 shall be void; and section 128(2) of the principal Act (protection of purchasers etc.) shall not have effect in relation to the consent required by the said section 8 for any disposal made after that date.

- (2) As respects any contract entered into after that date subsection (1) of section 9 of the said Act of 1984 shall have effect with the substitution for the reference to £250,000 and for each reference to £100,000 of a reference to £15,000.
- (3) No contract entered into after the said 21st March in contravention of the said section 9 shall be enforceable against a successor authority; and accordingly subsection (5) of that section shall not apply to any contract entered into after that date.
- (4) An application under section 10 of the said Act of 1984 (disqualification for membership of local authority) may be made by a successor authority and in that section " local authority " shall include the Common Council and the Council of the Isles of Scilly.
- (5) Where by reason of a disposal or contract made after the said 21st March in contravention of section 8 or 9 of the said Act of 1984 the High Court has power to make an order under section 10 of that Act in respect of any person it shall also have power to order him to pay to the Greater London Council or, as the case may be, to the metropolitan county council (or, in the case of an order made on or after the abolition date, to the appropriate residuary body) a sum not exceeding—
 - (a) in the case of a disposal in contravention of section 8, an amount equal to the amount or value of the consideration for the disposal or, if there is no consideration or it is less than the market value of what is disposed of, an amount equal to that market value ;
 - (b) in the case of a contract in contravention of section 9, an amount equal to the amount or value of the consideration in respect of the matters by virtue of which the contract is subject to that section.
- (6) No order shall be made in respect of any person under the said section 10 or subsection (5) above if the court is satisfied that he acted in the belief that the disposal or contract had the consent of the Secretary of State and that any conditions attached to the consent had been complied with.
- (7) In this section " successor authority " has the same meaning as in section 92 above.

94 The Temples

- (1) Subject to subsection (2) below, Her Majesty may at any time, whether before or after the abolition date, by an Order in Council coming into force not earlier than that date provide that any functions exercisable as respects a London borough by the council of that borough shall be exercisable—
 - (a) as respects both the Temples by the Common Council; or
 - (b) as respects the Inner Temple by its Sub-Treasurer and as respects the Middle Temple by its Under Treasurer.
- (2) Subsection (1) above does not apply to any functions for the exercise of which as respects the Temples specific provision is made elsewhere in this Act or by or under any other enact* ment.
- (3) An Order under this section may make such incidental, consequential, transitional or supplementary provision as appears to Her Majesty to be necessary or proper for the purposes or in consequence of any of the provisions of the Order, including provision—

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- (a) applying to the Inner Temple or the Middle Temple any enactment relating to the functions in question which is contained in this Act or in any Act passed before or in the same Session as this Act;
 - (b) modifying or repealing any such enactment in its application to the Inner Temple or the Middle Temple ; or
 - (c) excluding the application of any such enactment to the Inner Temple or the Middle Temple.
- (4) Any expenses incurred by the Sub-Treasurer of the Inner Temple or the Under Treasurer of the Middle Temple under this Act or any enactment applied to the Temples by or under this Act may be defrayed out of a rate in the nature of a general rate levied in the Inner Temple or the Middle Temple, as the case may be.

95 Co-ordinating committees of successor councils

- (1) The London borough councils and the Common Council shall not later than 1st September 1985 establish a joint committee to discharge the functions mentioned in subsection (2) below; and the councils of the districts in each metropolitan county shall not later than that date establish a joint committee to discharge those functions.
- (2) The joint committee required to be established under this section by the councils in Greater London or a metropolitan county shall—
- (a) co-ordinate the making of preparations by those councils—
 - (i) for the transfer of the functions of the Greater London Council or the council of that county which will on the abolition date become functions of those councils by virtue of any provision made by or under this Act; and
 - (ii) for the exercise by those councils of functions which by virtue of any such provision will on that date cease to be exercisable concurrently with those councils by the Greater London Council or the council of that county;
 - (b) consider whether any of those functions could with advantage be discharged jointly by those councils or any of them and, if of that opinion, promote the making of arrangements in that behalf under section 101 of the principal Act;
 - (c) consider whether it is desirable that a scheme under section 48 or 88 above, or schemes under both those sections, should be made by those councils and, if of that opinion, promote the making of such a scheme or such schemes;
 - (d) consult and co-operate, as respects matters affecting those councils or their areas, with the new authorities, the residuary bodies and any other body to which functions or property of the Greater London Council or the council of that county will be transferred by virtue of any provision made by or under this Act and with the staff commission ;
 - (e) consider, in consultation with the authorities and bodies mentioned in paragraph (d) above, whether they could with advantage make joint arrangements for the provision of any services or goods required in connection with the discharge of the functions of those councils, authorities and bodies and, if of that opinion, promote the making of such arrangements ; and
 - (f) exercise the committee's powers under section 96 below so as to obtain from the Greater London Council or the council of that county and their officers any information the committee may require for discharging its functions under this section.

- (3) Any such joint committee shall consist of such number of members of each of the councils by which it is required to be established as they may determine.
- (4) The first meeting of any such joint committee shall be held at such time and place as the councils by which it is required to be established may determine.
- (5) The matters for determination under subsections (3) and (4) above by the councils there mentioned shall (in the absence of agreement) be determined in accordance with the wishes of a majority of those councils.
- (6) The expenses of a joint committee under this section shall be defrayed by the councils by which it is required to be established in such proportions as the committee may decide or, in default of a decision by the committee, as the Secretary of State may determine.

96 Information for implementation of Act

The purposes for which information may be requested under section 5 of the Local Government (Interim Provisions) Act 1984 shall include the implementation of any provision made by or under this Act; and the bodies at whose request information is to be provided under that section shall include—

- (a) in relation to the Greater London Council and its officers, the authorities established by sections 18 and 27 above, the London Residuary Body, any other body in which functions or property of that Council will vest on the abolition date by virtue of any provision made by or under this Act or any other enactment and the joint committee established by the London borough councils and the Common Council under section 95 above;
- (b) in relation to the council of a metropolitan county and its officers, any joint authority established for that county (or for an area which includes that county), the appropriate residuary body, any other body in which functions or property of that council will vest as aforesaid and the joint committee established by the district councils in that county under section 95 above.

97 Other provisions for implementation of Act

- (1) Without prejudice to sections 95 and 96 above and to section 5 of the Local Government (Interim Provisions) Act 1984, it shall be the duty of the relevant authorities and their officers to co-operate with each other and generally to exercise their functions so as to facilitate the implementation of this Act and any transfer of functions, property or staff made under this Act or, in connection with this Act, under any other enactment.
- (2) In the case of the Greater London Council and the council of a metropolitan county the duty imposed by subsection (1) above includes in particular the duty to co-operate with the joint committee established under section 95 above by the London borough councils and the Common Council or, as the case may be, by the district councils in that county.
- (3) A person in the service of the Greater London Council or a metropolitan county council may enter into a contract of employment with a successor authority for the rendering of services by him to that authority concurrently with his service to the council.

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- (4) Subsection (3) above has effect notwithstanding anything in a person's contract of employment with the Greater London Council or a metropolitan county council and neither his entering into a contract of employment with a successor authority nor anything done by him in pursuance of such a contract shall be a ground for that council to terminate his employment.
- (5) In this section "relevant authority" means the Greater London Council, a metropolitan county council and a successor authority and "successor authority" means a London borough council, the Common Council, a metropolitan district council, a new authority and any other body to which functions or property of the Greater London Council or a metropolitan county council are transferred by or under this Act or any other enactment.

98 Continuity of exercise of functions

- (1) The abolition of the Greater London Council and the metropolitan county councils shall not affect the validity of anything done by any of those councils before the abolition date.
- (2) Anything which at the abolition date is in process of being done by or in relation to any of those councils in the exercise of or in connection with any statutory functions which by virtue of any provision made by or under this Act become functions of another authority, or of other authorities in respect of their respective areas, may be continued by or in relation to the authority ("the successor authority") by which those functions become exercisable or, as the case may be, become exercisable in respect of the area in question.
- (3) Where immediately before the abolition date any statutory functions exercisable by any of those councils are exercisable concurrently by another authority, or by other authorities in respect of their respective areas, subsection (2) above shall have effect as if those functions had by virtue of this Act become functions of that other authority or of those other authorities in respect of their respective areas.
- (4) Anything done by or in relation to any of those councils before the abolition date in the exercise of or in connection with any functions to which subsection (2) above applies shall, so far as is required for continuing its effect on and after that date, have effect as if done by or in relation to the successor authority.
- (5) Subsection (4) above applies in particular to—
- (a) any decision, determination, declaration, designation, agreement or instrument made by a council;
 - (b) any regulations or byelaws made by a council;
 - (c) any licence, permission, consent, approval, authorisation, exemption, dispensation or relaxation granted by or to a council;
 - (d) any notice, direction or certificate given by or to a council;
 - (e) any application, request, proposal or objection made by or to a council;
 - (f) any condition or requirement imposed by or on a council;
 - (g) any fee paid by or to a council;
 - (h) any appeal allowed by or in favour of or against a council;
 - (i) any proceedings instituted by or against a council.

- (6) Any reference in the foregoing provisions of this section to anything done by or in relation to a council includes a reference to anything which by virtue of any enactment is treated as having been done by or in relation to that council.
- (7) Any reference to a council in any document constituting or relating to anything to which the foregoing provisions of this section apply shall, so far as is required for giving effect to those provisions, be construed as a reference to the successor authority.
- (8) Any question under this section as to which is the successor authority in respect of any particular functions may be determined by a direction given by the Secretary of State.
- (9) The foregoing provisions of this section are without prejudice to any provision made by this Act in relation to any particular functions and shall not be construed as continuing in force any contract of employment made by any of the councils mentioned in subsection (1) above; and the Secretary of State may, in relation to any particular functions, by order exclude, modify or supplement any of the foregoing provisions of this section or make such other transitional provision as he thinks necessary or expedient.
- (10) The foregoing provisions of this section shall apply in relation to the authority abolished by section 25(6) above as they apply in relation to the councils mentioned in subsection (1) above.

99 Disqualification of justices

Section 64 of the Justices of the Peace Act 1979 (disqualification of justices) shall apply as if the proceedings in relation to which a justice of the peace is disqualified from acting included—

- (a) proceedings which by virtue of any provision made by or under this Act are continued by or against the authority of which he is a member; and
- (b) proceedings by way of appeal from any decision which by virtue of any such provision is treated as a decision of that authority or of any committee or officer of that authority within the meaning of subsections (1) and (2) of that section.

100 Transfers of property, rights and liabilities

- (1) The Secretary of State may by an order or orders made at any time before the abolition date provide for the transfer on that date to any local authority, new authority or residuary body or to any other person, including any Minister of the Crown, of any property, rights or liabilities of the Greater London Council or a metropolitan county council which, if not transferred under this section, would vest in accordance with section 62 above.
- (2) Any transfer under this section and any transfer of property by or under any other provision of this Act may be on such terms, including financial terms, as the Secretary of State thinks fit and the Secretary of State may by order create or impose such new rights or liabilities in respect of what is transferred as appear to him to be necessary or expedient.
- (3) The Secretary of State may by order confer on any person to whom property is transferred by the order or by or under any other provision of this Act any statutory

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functions which before the abolition date were exercisable in relation to that property by the Greater London Council or a metropolitan county council.

- (4) Without prejudice to subsections (2) and (3) above, any order under this section and any other order under this Act by which property is transferred may include such incidental consequential and supplementary provisions as appear to the Secretary of State to be necessary or expedient.

101 Power to make incidental, consequential and transitional provisions

- (1) The Secretary of State may at any time by order make such incidental, consequential, transitional or supplementary provision as appears to him to be necessary or expedient—
- (a) for the general purposes or any particular purposes of this Act or in consequence of any of its provisions or for giving full effect to it; or
 - (b) in consequence of such of the provisions of any other Act passed in the same Session as this Act as apply to any area or authority affected by this Act.
- (2) An order under this section may in particular make provision—
- (a) for enabling any authority or body by whom any powers will become exercisable on the abolition date by virtue of any provision made by or under this Act to take before that date any steps (such as the undertaking of consultations, the giving of notices or the consideration of objections) which are required to be taken as a preliminary to the exercise of those powers ;
 - (b) for the making before the abolition date of arrangements for securing the satisfactory operation from that date of any provision made by or under this Act and for defraying the cost of any such arrangements ;
 - (c) for amending, repealing or revoking (with or without savings) any provision of an Act passed, or an instrument under an Act made, before the abolition date, for applying any such provision (with or without modification) and for making savings or additional savings from the effect of any amendment or repeal made by this Act;
 - (d) with respect to the membership of any body so far as consisting of persons elected by, or appointed by or on the nomination of, the Greater London Council or a metropolitan county council, whether alone or together with one or more other bodies ;
 - (e) for dissolving any body corporate established by any Act passed, or by any instrument under an Act made, before the abolition date.
- (3) The amendments that may be made under subsection (2)(c) above—
- (a) shall be in addition and without prejudice to those made by any other provision of this Act; and
 - (b) shall, in particular, include amendments in consequence of functions under provisions applying to Greater London or a metropolitan county becoming exercisable in their respective areas by the councils of London boroughs or metropolitan districts or by the Common Council.
- (4) No other provision of this Act shall be construed as prejudicing the generality of the powers conferred by this section.

102 Consequential amendments and repeals

- (1) The enactments mentioned in Schedule 16 to this Act shall have effect with the amendments there specified, being amendments consequential on the provisions of this Act.
- (2) The enactments mentioned in Schedule 17 to this Act (which include spent provisions) are hereby repealed to the extent specified in the third column of that Schedule.
- (3) This section has effect from the abolition date.
- (4) Subsection (2) above does not affect any orders made before the abolition date under section 23, 83 or 87 of the London Government Act 1963.

103 Orders etc.

- (1) Any power of the Secretary of State to make orders, regulations or rules under this Act shall be exercisable by statutory instrument and may be exercised so as to make different provision for different cases, including different provision for different areas.
- (2) A statutory instrument containing regulations or, subject to subsection (3) below, an order under this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) Subsection (2) above does not apply to an order under section 13, 15, 18, 23, 42, 51 or 57 above or under paragraph 10 of Schedule 5 to this Act.
- (4) A statutory instrument containing an order under section 13(9) above shall be laid before each House of Parliament after being made.
- (5) No order shall be made under section 42 above unless a draft of it has been laid before and approved by a resolution of each House of Parliament.
- (6) Any power conferred on the Secretary of State by section 11(2) 98(8), 100 and 101 above may also be exercised by any appropriate Minister.

104 Expenses

There shall be paid out of moneys provided by Parliament—

- (a) any expenses of any Minister under this Act; and
- (b) any increase attributable to this Act in the sums payable out of such moneys under any other Act.

105 Interpretation

- (1) In this Act—
 - " the abolition date " has the meaning given in section 1(2) above;
 - " contract of employment " , " employee " and " employer " have the same meaning as in the Employment Protection (Consolidation) Act 1978 ;
 - " joint authority " means any authority established by Part IV of this Act;
 - " new authority " means any authority established by Part III or IV of this Act;
 - " the principal Act " means the Local Government Act 1972;

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" residuary body " means a body established by Part VII of this Act and " the appropriate residuary body " has the meaning given in section 57(2) above ;

" statutory functions" means functions conferred by an enactment or a statutory instrument.

- (2) In this Act any expression which is also used in the principal Act has the same meaning as in that Act.
- (3) Any provision of this Act enabling a power to be exercised or anything else to be done before the abolition date so as to take effect on or after that date is without prejudice to section 13 of the Interpretation Act 1978 (anticipatory exercise of powers).

106 Short title and extent

- (1) This Act may be cited as the Local Government Act 1985.
- (2) Any amendment or repeal by this Act of an enactment which extends to Scotland or Northern Ireland has the same extent as that enactment but, save as aforesaid, this Act extends to England and Wales only.

SCHEDULES

SCHEDULE 1

Section 4.

DEVELOPMENT PLANS

PART I

UNITARY DEVELOPMENT PLANS

Survey of planning areas

- 1 (1) The local planning authority—
 - (a) shall keep under review the matters which may be expected to affect the development of their area or the planning of its development; and
 - (b) may, if they think fit, institute a survey or surveys of their area or any part of their area for examining those matters.
- (2) Without prejudice to the generality of sub-paragraph (1) above, the matters to be kept under review or examined under that subparagraph shall include—
 - (a) the principal physical and economic characteristics of the area of the authority (including the principal purposes for which land is used) and, so far as they may be expected to affect that area, of any neighbouring areas ;
 - (b) the size, composition and distribution of the population of that area (whether resident or otherwise);
 - (c) without prejudice to paragraph (a) above, the communications, transport system and traffic of that area and, so far as they may be expected to affect that area, of any neighbouring areas;
 - (d) any considerations not mentioned in any of the foregoing paragraphs which may be expected to affect any matters mentioned in them;
 - (e) such other matters as may be prescribed or as the Secretary of State may in a particular case direct;
 - (f) any changes already projected in any of the matters mentioned in any of the foregoing paragraphs and the effect which those changes are likely to have on the development of that area or the planning of such development.
- (3) A local planning authority shall, for the purpose of discharging their functions under this paragraph of keeping under review and examining any matters relating to the area of another such authority, consult with that other authority about those matters.

Preparation of unitary development plan

- 2 (1) The local planning authority shall, after the coming into force of this paragraph in their area and within such period (if any) as the Secretary of State may direct, prepare for their area a plan to be known as a unitary development plan.

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- (2) A unitary development plan shall comprise two parts, namely—
- (a) Part I which shall consist of a written statement formulating the authority's general policies in respect of the development and other use of land in their area (including measures for the improvement of the physical environment and the management of traffic) ; and
 - (b) Part II which shall consist of—
 - (i) a written statement formulating in such detail as the authority think appropriate (and so as to be readily distinguishable from the other contents of the plan) their proposals for the development or other use of land in their area or for any description of development or other use of such land ;
 - (ii) a map showing those proposals on a geographical basis ;
 - (iii) a reasoned justification of the general policies in Part I and of the proposals in Part II; and
 - (iv) such diagrams, illustrations or other descriptive or explanatory matter in respect of the general policies in Part I or the proposals in Part II as the authority think appropriate or as may be prescribed.
- (3) A unitary development plan shall also contain such other matters as may be prescribed or as the Secretary of State may in any particular case direct.
- (4) In formulating the general policies in Part I of a unitary development plan the authority shall have regard—
- (a) to any strategic guidance given by the Secretary of State to assist them in the preparation of the plan ;
 - (b) to current national and regional policies ;
 - (c) to the resources likely to be available ; and
 - (d) to such other matters as the Secretary of State may direct the authority to take into account.
- (5) The proposals in Part II of a unitary development plan shall be in general conformity with Part I.
- (6) Part II of a unitary development plan may designate any part of the authority's area as an action area, that is to say, an area which they have selected for the commencement during a prescribed period of comprehensive treatment by development, redevelopment or improvement (or partly by one and partly by another method) and if an area is so designated that Part of the plan shall contain a description of the treatment proposed by the authority.
- (7) In preparing a unitary development plan the authority shall take into account the provisions of any scheme under paragraph 3 of Schedule 32 to the Local Government, Planning and Land Act 1980 relating to land in their area which has been designated under that Schedule as an enterprise zone.

Publicity in connection with preparation of unitary development plan

- 3 (1) When preparing a unitary development plan for their area and before finally determining its contents the local planning authority shall take such steps as will in their opinion secure—
- (a) that adequate publicity is given in their area to the matters which they propose to include in the plan;

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- (b) that persons who may be expected to desire an opportunity of making representations to the authority with respect to those matters are made aware that they are entitled to an opportunity of doing so ; and
 - (c) that such persons are given an adequate opportunity of making such representations;
- and the authority shall consider any representations made to them within the prescribed period.
- (2) Where the local planning authority have prepared a unitary development plan they shall, before adopting it, make copies of it available for inspection at their office and at such other places as may be prescribed and send a copy to the Secretary of State; and each copy made available for inspection shall be accompanied by a statement of the time within which objections to the plan may be made to the authority.
- (3) The copy of a unitary development plan sent to the Secretary of State under sub-paragraph (2) above shall be accompanied by a statement—
 - (a) of the steps which the authority have taken to comply with sub-paragraph (1) above ; and
 - (b) of the authority's consultations with, and their consideration of the views of, other persons.
- (4) If, on considering the statement submitted with and the matters contained in a unitary development plan and any other information provided by the local planning authority, the Secretary of State is not satisfied that the purposes of paragraphs (a) to (c) of sub-paragraph (1) above have been adequately achieved by the steps taken by the authority in compliance with that sub-paragraph, he may, within twenty-one days of the receipt of the statement, direct the authority not to take further steps for the adoption of the plan without taking such further action as he may specify in order better to achieve those purposes and satisfying him that they have done so.
- (5) A local planning authority who are given directions by the Secretary of State under sub-paragraph (4) above shall—
 - (a) forthwith withdraw the copies of the unitary development plan made available for inspection as required by subparagraph (2) above; and
 - (b) notify any person by whom objections to the plan have been made to the authority that the Secretary of State has given such directions as aforesaid.

Withdrawal of unitary development plan

- 4
- (1) A unitary development plan may be withdrawn by the local planning authority at any time before it is adopted by the authority or approved by the Secretary of State and shall be withdrawn by the authority if the Secretary of State so directs.
 - (2) Where a unitary development plan is withdrawn the authority shall—
 - (a) withdraw the copies made available for inspection and sent to the Secretary of State under paragraph 3(2) above; and
 - (b) give notice that the plan has been withdrawn to every person who has made an objection to it.
 - (3) In determining the steps to be taken by a local planning authority to secure the purposes of paragraphs (a) to (c) of sub-paragraph (1) of paragraph 3 above the authority and the Secretary of State may take into account any steps taken to secure

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those purposes in connection with any unitary development plan which the authority have previously withdrawn.

- (4) Where a unitary development plan is withdrawn the copies of the plan shall be treated as never having been made available under paragraph 3(2) above.

Adoption of unitary development plan by local planning authority

- 5 (1) After the expiry of the period afforded for making objections to a unitary development plan or, if such objections have been duly made during that period, after considering those objections, the local planning authority may, subject to the following provisions of this paragraph and paragraph 7 below, by resolution adopt the plan either as originally prepared or as modified to take account—
- (a) of those objections ;
 - (b) of any other objections made to the plan ;
 - (c) of any other considerations which appear to the authority to be material.
- (2) A unitary development plan shall not be adopted unless Part II of the plan is in general conformity with Part I.
- (3) Where an objection to a unitary development plan has been made by the Minister of Agriculture, Fisheries and Food and the local planning authority do not propose to modify the plan to take account of the objection the authority—
- (a) shall send the Secretary of State particulars of the objection and a statement of their reasons for not modifying the plan to take account of it; and
 - (b) shall not adopt the plan unless the Secretary of State authorises them to do so.
- (4) Subject to the following provisions of this Schedule and to section 242 of the Town and Country Planning Act 1971, a unitary development plan shall become operative on the date on which it is adopted.

Local inquiries and hearings prior to adoption

- 6 (1) For the purpose of considering objections to a unitary development plan the local planning authority may, and shall in the case of objections made in accordance with regulations under this Part of this Schedule, cause a local inquiry or other hearing to be held by a person appointed by the Secretary of State or, in such cases as may be prescribed by regulations under this Part of this Schedule, by the authority themselves ; and—
- (a) subsections (2) and (3) of section 250 of the Local Government Act 1972 (power to summon and examine witnesses) shall apply to an inquiry held under this paragraph as they apply to an inquiry under that section ; and
 - (b) the Tribunals and Inquiries Act 1971 shall apply to a local inquiry or other hearing held under this paragraph as it applies to a statutory inquiry held by the Secretary of State but as if in section 12(1) of that Act (statement of reasons for decisions) the reference to any decision taken by the Secretary of State were a reference to a decision taken by a local authority.
- (2) Regulations made for the purposes of this paragraph may—
- (a) make provision with respect! to the appointment and qualifications for appointment of persons to hold a local inquiry or other hearing under this paragraph, including provision enabling the Secretary of State to direct a

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local planning authority to appoint a particular person or one of a specified list or class of persons ;

(b) make provision with respect to the remuneration and allowances of a person appointed for that purpose.

(3) No local inquiry or other hearing need be held under this paragraph if all persons who have made objections have indicated in writing that they do not wish to appear.

Calling in of unitary development plan for approval by Secretary of State

7 (1) At any time after a copy of a unitary development plan has been sent to the Secretary of State under paragraph 3(2) above and before it is adopted by the local planning authority, the Secretary of State may direct that the whole or part of the plan shall be submitted to him for his approval, and in that event—

(a) the authority shall not take any further steps for the adoption of the plan until the Secretary of State has given his decision on the plan or the relevant part of it; and

(b) the plan or the relevant part of it shall not have effect unless approved by him and shall not require adoption under the foregoing provisions of this Schedule.

(2) Where particulars of an objection to a unitary development plan have been sent to the Secretary of State under paragraph 5(3) above, then, unless he is satisfied that the Minister of Agriculture, Fisheries and Food no longer objects to the plan, it shall be the duty of the Secretary of State to give a direction in respect of it under subparagraph (1) above.

(3) Sub-paragraph (1)(a) above applies in particular to holding or proceeding with a local inquiry or other hearing in respect of the plan under paragraph 6 above ; and at any such inquiry or hearing which is subsequently held or resumed a local planning authority shall not be obliged to afford any person an opportunity of being heard in respect of any objection which has been heard at an examination, local inquiry or other hearing under paragraph 9 below or which the Secretary of State states that he has considered in making his decision.

Approval of unitary development plan by Secretary of State

8 (1) Subject to paragraph 9 below, the Secretary of State may after considering a plan or part of a plan submitted to him under paragraph 7(1) above either approve it in whole or in part and with or without modifications or reservations or reject it.

(2) In considering a plan or part of a plan submitted to him as aforesaid the Secretary of State may take into account any matters which he thinks relevant, whether or not they were taken into account in the plan or that part of it.

(3) The Secretary of State shall give to a local planning authority such statement as he considers appropriate of the reasons governing his decision on any plan or part of a plan submitted to him.

(4) Where the whole or part of Part I of a unitary development plan is approved by the Secretary of State with modifications, the local planning authority shall, before adopting the remainder of the plan, make such modifications in Part II as may be directed by the Secretary of State for bringing it into general conformity with Part

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I and, in the absence of any such direction, shall make such modifications for that purpose in Part II as appear to the authority to be required.

- (5) Subject to section 242 of the Town and Country Planning Act 1971, a plan or part of a plan which is approved by the Secretary of State under this paragraph shall become operative on such day as he may appoint.

Local inquiry, public examination and consultation by Secretary of State

- 9 (1) Subject to sub-paragraph (3) below, before deciding whether or not to approve a plan or part of a plan submitted to him under paragraph 7(1) above, the Secretary of State shall consider any objection to it so far as made in accordance with regulations under this Part of this Schedule.
- (2) Subject to sub-paragraph (3) below, where—
- (a) the whole of a unitary development plan; or
 - (b) the whole or part of Part II of such a plan ; or
 - (c) the whole or part of Part I together with any part of Part II, or the whole of Part II together with any part of Part I, of such a plan,
- is submitted as aforesaid, then, if any objections have been made to the plan or the relevant part of it as aforesaid, the Secretary of State shall before deciding whether to approve it cause a local inquiry or other hearing to be held for the purpose of considering those objections.
- (3) The Secretary of State need not under sub-paragraph (1) above consider any objections which have already been considered by the local planning authority and need not cause a local inquiry or other hearing to be held under sub-paragraph (2) above if that authority have already held a local inquiry or other hearing into the objections under paragraph 6 above or the Secretary of State, on taking the plan or the relevant part of it into consideration, decides to reject it.
- (4) Where the whole or part of Part I of a unitary development plan (but not the whole or any part of Part II) is submitted to the Secretary of State under paragraph 7(1) above he may cause a person or persons appointed by him for the purpose to hold an examination in public of such matters affecting the Secretary of State's consideration of the part of the plan submitted to him as he considers ought to be so examined.
- (5) The Secretary of State may, after consultation with the Lord Chancellor, make regulations with respect to the procedure to be followed at any examination under sub-paragraph (4) above.
- (6) The Secretary of State shall not be required to secure to any local planning authority or other person a right to be heard at an examination under sub-paragraph (4) above, and the bodies and persons who may take part shall be such only as he may, whether before or during the course of the examination, in his discretion invite to do so; but the person or persons holding the examination shall have power, exercisable either before or during the course of the examination, to invite additional bodies or persons to take part if it appears to him or them desirable to do so.
- (7) An examination under sub-paragraph (4) above shall constitute a statutory inquiry for the purposes of section 1(1)(c) of the Tribunals and Inquiries Act 1971 but shall not constitute such an inquiry for any other purpose of that Act.
- (8) On considering a plan or part of a plan submitted to him under paragraph 7(1) above the Secretary of State may consult with or consider the views of any local planning

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authority or other person but shall not be under any obligation to do so except as provided in the foregoing provisions of this paragraph.

Alteration of unitary development plan

- 10 (1) A local planning authority may at any time, and shall if so directed by the Secretary of State, make proposals for the alteration or replacement of a unitary development plan adopted or approved for their area under the foregoing provisions of this Part of this Schedule but, except in pursuance of such a direction, a local planning authority shall not without the consent of the Secretary of State make proposals under this paragraph in respect of any plan or part of a plan if that plan or any part of it has been approved by him under those provisions.
- (2) Paragraphs 2 to 9 above (other than sub-paragraph (1) of paragraph 2) shall apply in relation to the making of proposals under this paragraph and to any alteration or replacement so proposed as they apply to the preparation of a unitary development plan under paragraph 2 and to a plan prepared under that paragraph.
- (3) As soon as practicable after—
- (a) an order has been made under paragraph 5 of Schedule 32 to the Local Government, Planning and Land Act 1980 (designation of enterprise zone); or
 - (b) a notification has been given under paragraph 11(1) of that Schedule (approval of modification of enterprise zone scheme),
- the local planning authority for an area in which the zone is wholly or partly situated shall review any unitary development plan for that area in the light of the provisions of the scheme or modified scheme under that Schedule and prepare proposals under this paragraph for any consequential alterations to the plan which they consider necessary.

Disregard of certain representations

- 11 Notwithstanding anything in the foregoing provisions of this Part of this Schedule, neither the Secretary of State nor a local planning authority shall be required to consider representations or objections with respect to a unitary development plan or any proposals for the alteration or replacement of such a plan if it appears to the Secretary of State or the authority, as the case may be, that those representations or objections are in substance representations or objections with respect to things done or proposed to be done in pursuance of—
- (a) an order or scheme under section 10, 14, 16, 18, 106(1) or (3) or 108(1) of the Highways Act 1980 ;
 - (b) an order or scheme under any provision replaced by the provisions mentioned in paragraph (a) above, namely, an order or scheme under section 7, 9, 11, 13 or 20 of the Highways Act 1959, section 3 of the Highways (Miscellaneous Provisions) Act 1961 or section 1 or 10 of the Highways Act 1971; or
 - (c) an order under section 1 of the New Towns Act 1981.

Joint unitary development plans

- 12 (1) A joint unitary development plan may be prepared by two or more local planning authorities in Greater London or by two or more local planning authorities in a

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metropolitan county; and the foregoing provisions of this Part of this Schedule shall, in relation to any such joint plan, have effect subject to the following provisions of this paragraph.

- (2) The local planning authorities shall jointly take such steps as will in their opinion secure—
- (a) that adequate publicity is given in their areas to the matters proposed to be included in the plan ;
 - (b) that persons who may be expected to desire an opportunity of making representations to any of the authorities are made aware that they are entitled to an opportunity of doing so ; and
 - (c) that such persons are given an adequate opportunity of making such representations ;
- and the authorities shall consider any representations made to them within the prescribed period.
- (3) Sub-paragraph (1) of paragraph 3 above shall not apply in relation to a joint unitary development plan and references in subparagraphs (3) and (4) of that paragraph and in paragraph 4(3) above to sub-paragraph (1) of paragraph 3 and the purposes of paragraphs (a) to (c) of that sub-paragraph shall include references to sub-paragraph (2) above and the purposes of paragraphs (a) to (c) of that sub-paragraph.
- (4) Each of the local planning authorities by whom a joint unitary development plan is prepared shall have the duty imposed by sub-paragraph (2) of paragraph 3 above of making copies of the plan available for inspection, and objections to the plan may be made to any of those authorities and the statement required by that sub-paragraph to accompany copies of the plan shall state that objections may be so made.
- (5) It shall be for each of the local planning authorities by whom a joint unitary development plan is prepared to adopt the plan under paragraph 5(1) above and they may do so as respects any part of their area to which the plan relates, but any modifications subject to which the plan is adopted must have the agreement of all those authorities.
- (6) Where a unitary development plan has been prepared jointly the power of making proposals in respect of the plan under paragraph 10 above may be exercised as respects their respective areas by any of the authorities by whom it was prepared and the Secretary of State may under that paragraph direct any of them to make proposals as respects their respective areas.
- (7) In relation to any proposals made jointly under paragraph 10 above the reference in sub-paragraph (2) of that paragraph to paragraphs 2 to 9 above shall include a reference to sub-paragraph (2) above.
- (8) The date of the coming into operation of a unitary development plan prepared jointly by two or more local planning authorities or for the alteration or replacement of such a plan in pursuance of proposals so prepared shall be a date jointly agreed by those authorities.

Default powers

- 13 (1) Where, by virtue of any of the foregoing provisions of this Part of this Schedule, any unitary development plan or proposals for the alteration or replacement of such

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a plan are required to be prepared, or steps are required to be taken for the adoption of any such plan or proposals, then—

- (a) if at any time the Secretary of State is satisfied, after holding a local inquiry or other hearing, that the local planning authority are not taking the steps necessary to enable them to prepare or adopt such a plan or proposals within a reasonable period; or
- (b) in a case where a period is specified for the preparation or adoption of any such plan or proposals if no such plan or proposals have been prepared or adopted within that period,

the Secretary of State may prepare and make the plan or any part of it or, as the case may be, alter or replace it, as he thinks fit.

- (2) Where under this paragraph anything which ought to have been done by a local planning authority is done by the Secretary of State, the foregoing provisions of this Part of this Schedule shall, so far as practicable, apply with any necessary modifications in relation to the doing of that thing by the Secretary of State and the thing so done.
- (3) Where the Secretary of State incurs expenses under this paragraph in connection with the doing of anything which should have been done by a local planning authority, so much of those expenses as may be certified by the Secretary of State to have been incurred in the performance of functions of that authority shall on demand be repaid by that authority to the Secretary of State.

Regulations and directions

- 14 (1) Without prejudice to the foregoing provisions of this Part of this Schedule, the Secretary of State may make regulations with respect to the form and content of unitary development plans and with respect to the procedure to be followed in connection with their preparation, withdrawal, adoption, submission, approval, making, alteration or replacement; and such regulations may in particular—
 - (a) provide for publicity to be given to the results of any review or survey carried out under paragraph 1 above ;
 - (b) provide for the notice to be given of, or the publicity to be given to, matters included or proposed to be included in any unitary development plan, and the approval, adoption or making of any such plan or any alteration or replacement of it or to any other prescribed procedural step, and for publicity to be given to the procedure to be followed as aforesaid;
 - (c) make provision with respect to the making and consideration of representations with respect to matters to be included in, or objections to, any such plan or proposals for its alteration or replacement;
 - (d) without prejudice to paragraph (b) above, provide for notice to be given to particular persons of the approval, adoption, alteration or replacement of any plan if they have objected to the plan and have notified the local planning authority of their wish to receive notice, subject (if the regulations so provide) to the payment of a reasonable charge;
 - (e) require or authorise a local planning authority to consult with, or consider the views of, other persons before taking any prescribed procedural step ;
 - (f) require a local planning authority, in such cases as may be prescribed or in such particular cases as the Secretary of State may direct, to provide persons making a request in that behalf with copies of any plan or document which has been made public for the purpose mentioned in paragraphs 3(1)(a) or

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- 12(2)(a) above or has been made available for inspection under paragraph 3(2) above, subject (if the regulations so provide) to the payment of a reasonable charge;
- (g) provide for the publication and inspection of any unitary development plan which has been adopted, approved or made or any document approved, adopted or made altering or replacing any such plan, and for copies of any such plan or document to be made available on sale.
- (2) Regulations under this paragraph may make different provision for different cases.
- (3) Subject to the foregoing provisions of this Part of this Schedule and to any regulations under this paragraph, the Secretary of State may give directions to any local planning authority or to local planning authorities generally.—
- (a) for formulating the procedure for the carrying out of their functions under this Part of this Schedule ;
- (b) for requiring them to give him such information as he may require for carrying out any of his functions under this Part of this Schedule.

Meaning of " development plan " in Greater London and metropolitan counties

- 15 (1) For the purposes of the Town and Country Planning Act 1971, any other enactment relating to town and country planning, the Land Compensation Act 1961 and the Highways Act 1980, the development plan for any district in Greater London or a metropolitan county (whether the whole or part of the area of a local planning authority) shall be taken as consisting of—
- (a) the provisions of the unitary development plan for the time being in force for that area or the relevant part of it, together with a copy of the local planning authority's resolution of adoption or the Secretary of State's notice of approval or, where part of the plan has been adopted and the remainder approved, copies of the resolution and the notice; and
- (b) any alteration to that plan, together with a copy of the authority's resolution of adoption, or the Secretary of State's notice of approval, of the alteration or, where part of the alteration has been adopted and the remainder approved, copies of the resolution and the notice.

Consequential amendments

- 16 (1) In section 192(1) of the Town and Country Planning Act 1971 after paragraph (b) there shall be inserted—
- “(bb) is land indicated in a unitary development plan in force for the district in which it is situated either as land which may be required for the purpose of any such functions or as land which may be included in an action area ; or
- (bc) is land which by a unitary development plan is allocated for the purposes, or defined as the site, of proposed development! for any such functions ;”.
- (2) In section 194(2X 0 of that Act after the words "paragraph (a) " there shall be inserted the words " or (bb)" .
- (3) In section 242(1)(a) of that Act for the words " a local plan " there shall be substituted the words " , local plan or unitary development plan" .

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- (4) After section 244(5) of that Act there shall be inserted—
- “(6) Subsections (1) and (2) of this section shall apply to a unitary development plan as they apply to a structure plan or local plan as if references to Part II of this Act and section 18(1) of this Act were references to Part I of Schedule 1 to the Local Government Act 1985 and paragraph 14 of that Schedule.”
- (5) In section 255(2)(a) of that Act after the words " Part II of this Act" there shall be inserted the words " or of a unitary development plan under Part I of Schedule 1 to the Local Government Act 1985" .
- (6) In section 266(1)(a) of that Act after the words " Part II of this Act" there shall be inserted the words " or Part I of Schedule 1 to the Local Government Act 1985" .
- (7) In section 280(1)(a) of that Act after the words " Part II of this Act" there shall be inserted the words " or a unitary development plan relating to the land under Part I of Schedule 1 to the Local Government Act 1985" .
- (8) In section 290(1) of that Act, in the definition of " development plan " after the words " section 20 of this Act" there shall be inserted the words " and paragraph 15 of Schedule 1 to the Local Government Act 1985" .
- 17 (1) In paragraphs (bb) and (bc) of section 192(1) of the Town and Country Planning Act 1971 the references to a unitary development plan shall include references to—
- (a) a unitary development plan of which copies have been made available for inspection under paragraph 3(2) above ;
 - (b) proposals for the alteration or replacement of a unitary development plan of which copies have been made available for inspection under that provision as applied by paragraph 10(2) above ; and
 - (c) modifications proposed to be made by the local planning authority or the Secretary of State to any such plan or proposals as are mentioned in paragraph (a) or (b) above, being modifications of which notice has been given in accordance with regulations under Part I of this Schedule.
- (2) No blight notice shall be served by virtue of this paragraph at any time after the copies of the plan or proposals made available for inspection have been withdrawn under paragraph 3(5) or 4(2) above but paragraph 4(4) above shall not invalidate any blight notice served by virtue of this paragraph before the withdrawal of copies of the plan or proposals.
- (3) No blight notice shall be served by virtue of this paragraph after the relevant plan or alterations have come into force (whether in their original form or with modifications) or the local planning authority have decided to abandon, or the Secretary of State has decided to reject, the plan or alterations and notice of the decision has been given by advertisement.
- (4) Section 68(6) of the Land Compensation Act 1973 (right to serve substituted counter-notice where the relevant plan or alterations come into force) shall apply also to a blight notice served by virtue of this paragraph.
- (5) References in sub-paragraph (1) above to anything done under the provisions there mentioned include references to anything done under those provisions as they apply by virtue of paragraph 13(2) above.

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- (6) In relation to land falling within the said section 192(1) by virtue of this paragraph "the appropriate enactment" for the purposes of sections 192 to 207 of the said Act of 1971 shall be determined in accordance with subsection (2) of section 206 of that Act as if references in that subsection to the development plan were references to such plan, proposals or modifications as are mentioned in sub-paragraph ((1)(a)). (b) or (c) above.

PART II

TRANSITIONAL PROVISIONS

Continuation of structure plans, local plans and old development plans

- 18 (1) Subject to paragraphs 19 and 20 below—
- (a) the structure plan,
 - (b) any local plan ; and
 - (c) any old development plan,
- which at the abolition date is in force in the area of a local planning authority in Greater London or a metropolitan county (or in that and other areas) shall continue in force in respect of the area of that authority until a unitary development plan for that area becomes operative under Part I of this Schedule or, where parts of a unitary development plan become operative on different dates, until every part of it has become operative.
- (2) A plan which continues in force by virtue of this paragraph shall, while it continues in force, be treated for the purposes of the Town and Country Planning Act 1971, any other enactment relating to town and country planning, the Land Compensation Act 1961 and the Highways Act 1980 as being, or being comprised in, the development plan in respect of the area in question.
- (3) In this paragraph " structure plan" , in relation to Greater London, means the Greater London Development Plan and " old development plan " means any plan which is in force in the area in question on the abolition date by virtue of Schedule 7 to the said Act of 1971.

Revocation of structure plan

- 19 (1) Where under Part I of this Schedule the Secretary of State approves all or any of Part I of a unitary development plan he may by order—
- (a) wholly or partly revoke a structure plan continued in force by paragraph 18 above, either in its application to the whole of the area of a local planning authority or in its application to part of that area; and
 - (b) make such consequential amendments to that plan as appear to him to be necessary or expedient.
- (2) Before making an order under this paragraph the Secretary of State shall consult the local planning authority for the area to which the unitary development plan relates.

Local plans between abolition date and coming into force of Part I of this Schedule

- 20 (1) This paragraph has effect with respect to the application of Part II of the said Act of 1971 in relation to the area of a local planning authority in Greater London or a metropolitan county between the abolition date and the coming into force in that area of Part I of this Schedule.
- (2) The said Part II shall not apply except for sections 6 and 21(3), paragraph 2 of Schedule 4 and the provisions relating to the preparation, alteration, repeal or replacement of local plans by local planning authorities which are London borough councils or metropolitan district councils and, in respect of those matters, those provisions shall not include—
- (a) sections 12(1A) and 14(5) to (7) and any other provision referring to those provisions ; and
 - (b) section 15A.
- (3) In section 15(1) and (2) the reference to a local plan adopted by a local planning authority shall—
- (a) in the case of a local planning authority which is a London borough council, include a local plan adopted by the Greater London Council and in force in respect of the area of that authority on the abolition date ;
 - (b) in the case of a local planning authority which is a metropolitan district council, include a local plan adopted by the metropolitan county council and in force in the area of that authority on that date.
- (4) On the coming into force in any area of Part I of this Schedule, any local plan or proposal for the alteration, repeal or replacement of a local plan which—
- (a) has been prepared by a London borough council or metropolitan district council (or by such a council jointly with one or more other such councils) ; but
 - (b) has not been adopted or approved,
- shall be treated as having been abandoned by that council or those councils.

Incorporation of current local plan in unitary development plan

- 21 (1) A unitary development plan shall include any local plan which is in force in respect of the area in question at the time when the unitary development plan is prepared but subject to such alterations, if any, as may be specified in Part II of the unitary development plan ; and a unitary development plan shall as respects any such local plan indicate the extent, if any, to which it is subject to alteration in accordance with Part II of the unitary development plan.
- (2) This paragraph shall not be construed as enabling any objections to be made to any part of a unitary development plan which consists of provisions of a local plan that are not subject to alterations as aforesaid.

Publicity in connection with local plan

- 22 In determining the steps to be taken by a local planning authority or local planning authorities to secure the purposes of paragraph 3(1)(a) to (c) or paragraph 12(2)(a) to (c) above in relation to proposals made in respect of a unitary development plan, the authority or authorities may under those provisions, and the Secretary of State may under paragraph 3(4) above, take into account any steps taken by the authority

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or authorities to secure those purposes in relation to the same or similar proposals made in respect of a local plan.

Pending proposals by GLC or metropolitan county council

- 23 (1) Any proposals for the alteration, or for the repeal and replacement, of a structure plan which have been prepared by the Greater London Council or a metropolitan county council before the abolition date but have not been approved by the Secretary of State shall be treated as having been withdrawn by that council.
- (2) Subject to sub-paragraph (3) below, any local plan or proposal for the alteration, repeal or replacement of a local plan which has been prepared by the Greater London Council or a metropolitan county council before the abolition date but has not been adopted or approved shall be treated as having been abandoned by that council.
- (3) Where before the abolition date the Secretary of State has directed that any local plan or any such proposals as are mentioned in sub-paragraph (2) above shall not have effect unless approved by him, he shall continue to consider the plan or the proposals and give his decision thereon as if the plan or proposals had been prepared and submitted by the London borough or metropolitan district council whose area is affected by the plan or proposals or, where the areas of two or more such councils are affected, as if the plan or proposals had been a joint plan or joint proposals prepared by those councils.
- (4) In the case of any such local plan or proposals as are mentioned in sub-paragraph (2) above the grounds on which the Secretary of State may give such a direction as is mentioned in sub-paragraph (3) above shall include the ground that he considers it desirable that the plan or proposals should, instead of being treated as abandoned, be dealt with by him in accordance with sub-paragraph (3) above.

SCHEDULE 2

Section 6.

LISTED BUILDINGS, CONSERVATION AREAS AND ANCIENT MONUMENTS

Listed buildings and conservation areas

- 1 (1) The Town and Country Planning Act 1971 shall be amended as follows.
- (2) In section 28(2) for the words from the beginning to " National Park " there shall be substituted the words " In Greater London or a metropolitan county the local planning authority, in any part of a National Park outside a metropolitan county" .
- (3) In section 54—
- (a) in subsection (5) for the words from " clerk " , in the first place where it occurs, to the end of the subsection there shall be substituted the words " proper officer of a London borough shall be deposited also with the chief officer of the Commission" ;
 - (b) in subsection (8) for the words " with whose clerk " there shall be substituted the words " or body with whose officer" , and at the end there shall be inserted " or, in the case of the Commission, in Greater London." ; and
 - (c) in subsection (11), in paragraph (a) after the words " Greater London" there shall be inserted the words " or a metropolitan county" , and in paragraph (b)

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for the words "a National Park " there shall be substituted the words " any part of a National Park outside a metropolitan county" .

(4) For section 54A(4) there shall be substituted—

“(4) In this section " local planning authority" shall, in relation to a building in Greater London, include the Historic Buildings and Monuments Commission for England.”.

(5) In section 58—

- (a) in subsection (1) for the words " district planning authority " there shall be substituted the words " local planning authority, other than a county planning authority," ;
- (b) in subsections (3), (5) and (6) for the word " district" there shall be substituted the word " local" ; and
- (c) after subsection (6) there shall be inserted—

“(7) The Historic Buildings and Monuments Commission for England shall, as respects any London borough, have concurrently with the council of that borough the functions of a local planning authority under this section ; and references to the local planning authority shall be construed accordingly.”.

(6) After section 58 there shall be inserted—

“58A Special provision for listed buildings in Greater London.

- (1) Without prejudice to his powers by virtue of section 31(1) of this Act the Secretary of State may by regulations provide for any application for planning permission to which this section applies to be referred to the Historic Buildings and Monuments Commission for England before it is dealt with by the local planning authority.
- (2) This section applies to an application for planning permission for any development in Greater London which would, in the opinion of the local planning authority to which the application is made, involve the demolition, in whole or in part, or a material alteration, of a listed building.
- (3) Regulations under this section may provide—
 - (a) for the giving to the referring authority by the Commission of directions as to the manner in which an application is to be dealt with ; and
 - (b) that an application which satisfies such conditions as may be specified in the regulations need not be referred to the Commission.”.

(7) After section 99A there shall be inserted—

“99B Concurrent functions in London.

The Historic Buildings and Monuments Commission for England shall, as respects any London borough, have concurrently with the council of that borough the functions of a local planning authority under sections 96 to 99A of this Act; and references to the local planning authority in those

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provisions, or in section 88 of this Act as applied for the purpose of any of those provisions, shall be construed accordingly.”.

(8) In section 101—

- (a) in subsection (4), after the word " authority " there shall be inserted the words " or the Commission " , and after the word " area " there shall be inserted the words " or, in the case of the Commission, in Greater London, " ; and
- (b) in subsection (6), after the word " authority " in both places where it occurs, there shall be inserted the words " or the Commission, " .

(9) In section 114—

- (a) in subsection (1) for the words "the Greater London Council" there shall be substituted the words " the Historic Buildings and Monuments Commission for England " ; and
- (b) in subsection (3A) there shall be inserted at the end the words " , other than an order for the acquisition of a building by the Commission. "

(10) in section 115—

- (a) in subsection (1) for the words from the beginning to " Act " , in the first place where it occurs, there shall be substituted the words " The compulsory purchase of a building under section 114 of this Act shall not be started by a council or by the Historic Buildings and Monuments Commission for England (in this section referred to as the Commission ") or by the Secretary of State " ;
- (b) in subsections (2) and (3), after the word "council" , there shall be inserted the words " , the Commission " ;
- (c) in subsection (3A) for the words " the Historic Buildings and Monuments Commission for England " there shall be substituted the words " the Commission " ; and
- (d) in subsection (4), after the word " council " , there shall be inserted the words " , the Commission " .

(11) In section 117—

- (a) in subsection (1) for the words from the beginning to " if " there shall be substituted the words " Where a council or the Historic Buildings and Monuments Commission for England propose to acquire a building compulsorily under section 114 of this Act and " , and before the word " may " there shall be inserted the words " they " ; and
- (b) in subsection (5) for the words " the local authority " there shall be substituted the words " a council or the Historic Building and Monuments Commission for England " .

(12) In section 126(1), after the word " Act " there shall be inserted the words " or the Historic Buildings and Monuments Commission for England acquire any building or other land under the said section 114(1) " .

(13) At the end of section 246 there shall be inserted—

“(6) In the case of a listed building enforcement notice issued by the Historic Buildings and Monuments Commission for England subsection (1) above shall apply as if the reference to the local planning authority were a reference to the Commission.”

(14) In section 277—

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- (a) for subsection (5) there shall be substituted—
- “(5) Before making a determination under this section the Historic Buildings and Monuments Commission for England and a county planning authority shall respectively consult the council of each London borough or district of which any part is included in the area to which the proposed determination relates : and before designating any area in Greater London as a conservation area the Commission shall obtain the consent of the Secretary of State.”; and
- (b) in subsection (10)—
- (i) in paragraph (a) for the words " the Greater London Council" there shall be substituted the words " the Historic Buildings and Monuments Commission for England" ;
- (ii) after that paragraph there shall be inserted—
- “(aa) in a metropolitan county, by the local planning authority ;” ; and
- (iii) in paragraph (b) for the words " a National Park " there shall be substituted " any part of a National Park outside a metropolitan county" .
- (15) In section 277A(11), in paragraph (a) for the words after " Greater London" in the first place where it occurs there shall be substituted " or a metropolitan county, by the local planning authority ;" ; and in paragraph (b) for the words " a National Park " there shall be substituted the words " any part of a National Park outside a metropolitan county" .
- (16) At the end of section 280 there shall be inserted—
- “(10) In subsections (1)(c), (3), (4) and (8) above references to a local planning authority or local authority include, in relation to a building situated in Greater London, a reference to the Historic Buildings and Monuments Commission for England.”.
- (17) In Schedule 11—
- (a) in paragraph 5—
- (i) in sub-paragraph (1) the words "(other than a London borough council)" shall be omitted ; and
- (ii) after sub-paragraph (2) there shall be inserted—
- “(3) Sub-paragraph (1) above shall not apply where the local planning authority to whom application is made is a London borough council, unless the application is made by the Historic Buildings and Monuments Commission for England.”;
- (b) in paragraph 6—
- (i) in sub-paragraph (1) for the words "the Greater London Council" there shall be substituted the words " the Historic Buildings and Monuments Commission for England (in this paragraph referred to as the Commission)" ;
- (ii) in sub-paragraph (2) for the words "the Greater London Council" there shall be substituted the words " the Commission" ;
- (iii) in sub-paragraph (3) for the words " The Greater London Council" there shall be substituted the words " The Commission" , and for the

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word " Council" in the second and third places where it occurs there shall be substituted the word " Commission" ;

(iv) in sub-paragraph (4) for the word " Council" there shall be substituted the word " Commission" ; and

(v) after that sub-paragraph there shall be inserted—

“(5) Where the Commission direct the local planning authority under sub-paragraph (2)(b) of this paragraph to refuse listed building consent, the authority may, within twenty-eight days from the date of the direction, notify the Secretary of State of the application made to them (giving particulars of the works for which the consent is required) ; and if the authority do so notify the Secretary of State, they shall not give effect to the Commission's direction unless either—

(a) a period of twenty-eight days has expired, beginning with the date of the notification, without the Secretary of State having directed the reference of the application to him; or

(b) the Secretary of State has notified the authority that he does not intend to require the reference of the application.

(6) The Secretary of State may at any time before the said period of twenty-eight days expires give notice to the local planning authority that he requires further time in which to consider whether to require the reference of the application to him and sub-paragraph (5)(a) of this paragraph shall then have effect with the substitution for the period of twenty-eight days of such longer period as may be specified in the Secretary of State's notice.

(7) Where after receiving notification under sub-paragraph (5) of this paragraph the Secretary of State directs the reference of the application to him, paragraph 4(4) of this Schedule shall apply as if the reference to the authority were a reference to the authority or the Commission.

(8) Sub-paragraph (1) of this paragraph shall not apply where the application for listed building consent is made by the Commission.”; and

(c) in paragraph 7(1) for the words " the Greater London Council" there shall be substituted the words " the Historic Buildings and Monuments Commission for England" .

Ancient monuments

2 (1) The Ancient Monuments and Archaeological Areas Act 1979 shall be amended as follows.

(2) In section 33—

(a) after subsection (2) there shall be inserted—

“(2A) The Commission may from time to time by order designate as an area of archaeological importance any area in Greater London which

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appears to them to merit treatment as such for the purposes of this Act"; and

- (b) in subsection (3), after the words "local authority" , there shall be inserted the words " or by the Commission" .
- (3) At the end of section 34(3) there shall be inserted the words " ; and, if the area is wholly or partly situated in Greater London, he shall also notify the Commission. "
- (4) In Schedule 2, at the end of paragraph 15, there shall be inserted—

"Designation orders by the Commission

- 15A Paragraphs 8, 9, 10 to 13, 14(a) and (6) and 15 above shall have effect in relation to a designation order made by the Commission as if—
- (a) in paragraphs 8(1), 12, 13 and 15 the references to a local authority were a reference to the Commission ;
 - (b) in paragraphs 9 and 14 the first reference to a local authority were a reference to the Commission, and the word " other " were omitted ; and
 - (c) in paragraph 11—
 - (i) in sub-paragraph (a) the words in brackets were omitted; and
 - (ii) in sub-paragraph (6) the reference to the local authority proposing to make the order were a reference to the Commission, and the word " other " were omitted."

Other functions

- 3 (1) The Historic Buildings and Monuments Commission for England (in this paragraph and paragraph 4 below referred to as " the Commission ") may—
- (a) acquire by agreement any building or place of historical or architectural interest in Greater London;
 - (b) undertake, or contribute towards, the cost of preserving, maintaining and managing any such building or place;
 - (c) acquire by agreement any work of art;
 - (d) agree with any person for the production by that person of a work of art for acquisition by the Commission ;
 - (e) erect and maintain, or contribute towards the provision, erection and maintenance of, any work of art in any place in Greater London.
- (2) For the purpose of providing for the accommodation, exhibition and preservation of works of art or objects of historical, antiquarian or other public interest which may for the time being be in the possession of the Commission by virtue of any gift, loan or discovery, or by virtue of this Act, the Commission may adapt, furnish and maintain any premises given to and for the time being vested in it for the purposes of this sub-paragraph.
- (3) The Commission may let any building vested in it for the purposes of sub-paragraph (2) above on such terms and conditions as to payment or otherwise as it thinks fit and may make charges for admission to any such building which may for the time being be under its management and control.

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- (4) The Commission may in the case of any building in Greater London cause investigations to be made, and information to be published, with respect to the history of the building.
- 4 The Commission may in Greater London, and a London borough council may in its borough—
- (a) provide; and
 - (b) on any conspicuous part of a house, building or place, with the consent of its owner, erect,

a commemorative plaque, tablet or sign indicating an event or matter of public interest in connection with the house, building or place or its site, and may hi that area, with the like consent, maintain any such plaque, tablet or sign erected by it or by any other person or body, whether before or after the passing of this Act.

SCHEDULE 3

Section 7.

NATIONAL PARKS AND COUNTRYSIDE FUNCTIONS

Byelaws for country parks etc.

- 1 The land in respect of which a metropolitan district council, London borough council or the Common Council may make bye-laws under section 41 of the Countryside Act 1968 shall include any land in the area of the council in respect of which byelaws have been, or could have been, made under that section before the abolition date by a metropolitan county council or the Greater London Council.

Joint planning boards for National Parks

- 2 (1) If immediately before the abolition date there is a joint planning board for a National Park which is partly in one or more metropolitan counties and partly in one or more non-metropolitan counties, the district councils in the metropolitan county or counties shall become constituent councils of the board in place of the council of that county or the councils of those counties.
- (2) Any such board shall be the local planning authority for the part of the Park in the metropolitan county or counties, and nothing in section 4 of this Act shall be construed as applying to that part of the Park.

Functions of local planning authorities in National Parks

- 3 (1) In section 182(4) and (5) of the Local Government Act 1972 after the words " National Park " there shall be inserted the words " outside a metropolitan county" .
- (2) In section 184(1) of that Act after the words " elsewhere than " there shall be inserted the words " in the metropolitan counties," .
- 4 In paragraphs 54(2) and 55(2) of Schedule 16 to the said Act of 1972 for the words " In a National Park " there shall be substituted the words " As respects an area in a National Park outside a metropolitan county" .
- 5 (1) Schedule 17 to the said Act of 1972 shall be amended as follows.

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- (2) In paragraph 5 for the words "county or counties" there shall be substituted the words " planning areas" .
- (3) In paragraph 8—
 - (a) for the words "new counties" there shall be substituted the words " planning areas" ;
 - (b) for the words " those counties " , in both placet, there shall be substituted the words " those areas" .
- (4) In paragraph 12A(1) for the words " district councils whose districts" there shall be substituted the words " councils of non-metropolitan districts which " ; and any person who immediately before the abolition date is a member of a board or committee by virtue of an appointment made under the said paragraph 12A by the council of a metropolitan district (whether alone or jointly) shall cease to be a member of that board or committee on that date.
- (5) In paragraph 13(b) and (c) for the words " county council" there shall be substituted the words " county or metropolitan district council" .
- (6) In paragraph 14—
 - (a) for the words " one county" and " the county" there shall be substituted respectively the words " One planning area " and " the area " ;
 - (b) for the words " two or more counties " and " those counties " there shall be substituted respectively the words " two or more planning areas " and " those areas " ;
 - (c) for the words (in paragraph (b)) " county council" there shall be substituted the words " county or metropolitan district council" .
- (7) In paragraph 16 for the words "the county council" there shall be substituted the words " the council of the planning area" .
- (8) After paragraph 21 there shall be inserted—

“21A In this Part of this Schedule " planning area " meant a metropolitan district or a non-metropolitan county.”
- (9) Paragraph 35 shall have effect in relation to any area—
 - (a) which is in a metropolitan district; and
 - (b) to which subsections (1) and (2) of section 61 of the National Parks and Access to the Countryside Act 1949 do not apply at the abolition date by virtue of subsection (3) of that section,as if the reference to the county council were a reference to the council of that metropolitan district.

Grants for expenditure on National Parks

- 6 In section 7 of the Local Government Act 1974—
 - (a) in subsection (1) for the words "county councils" there shall be substituted the words " councils of counties and metropolitan districts" ;
 - (b) in subsection (3) for the words "county councils whose areas" there shall be substituted the words " councils of counties or metropolitan districts which " and for the words " a county council" there shall be substituted the words " a council" .

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Other powers relating to nature conservation, the countryside and the National Parks

- 7 (1) The Wildlife and Countryside Act 1981 shall be amended as follows.
- (2) In section 34(6) for the definition of " the relevant authority " there shall be substituted—
- “ the relevant authority' means—
- (a) in relation to a non-metropolitan county, the county planning authority and, in relation to any outer area in England, the local planning authority ;
- (b) in relation to Scotland, the authority exercising district planning functions.”
- (3) In section 39(5)(a) after the words " National Park " there shall be inserted the words " and outside a metropolitan county. "
- (4) In sections 42, 43, 44 and 51(2)(c) for the words " county planning authority " , wherever they occur, there shall be substituted the words " local planning authority" .
- (5) In section 52(2) for the words from the beginning to the end of paragraph (b) there shall be substituted the words " In the application of this Part to England (except as respects a metropolitan county or Greater London) and to Wales references to a local planning authority shall be construed—
- (a) in sections 42, 43, 44 and 51(2)(c) as references to a county planning authority; and
- (b) in any other provision, as references to a county planning authority and a district planning authority; " .
- (6) In section 66(1) for the definition of " surveying authority " there shall be substituted—
- “ surveying authority', in relation to any area, means the county council, metropolitan district council or London borough council whose area includes that area.”
- (7) In section 72(10) after the words "a county council" there shall be inserted the words " or metropolitan district council" .
- (8) In the definition of "local authority" in paragraph 5(1) of Schedule 14 and paragraph 13(2) of Schedule 15 for the words "a district council, the Greater London Council" there shall be substituted the words " a non-metropolitan district council" .

SCHEDULE 4

Section 8.

HIGHWAYS

PART I

AMENDMENTS OF THE HIGHWAYS ACT 1980

- 1 In section 1—
- (a) in subsection (2), after the word " county " in the first place where it occurs, there shall be inserted the words " or metropolitan district" , and after that

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- word in the second place where it occurs there shall be inserted the words " or, as the case may be, the district" ;
- (b) in subsection (3) for the words from the beginning to " the council" there shall be substituted the words " The council" ; and
 - (c) in subsection (4), after the word "county" , there shall be inserted the words " or, as the case may be, the metropolitan district" .
- 2 In section 2, in paragraph (a), after the word " county " , there shall be inserted the words " or metropolitan district" , and in paragraph (b) for the words from " the" in the second place where it occurs to the end of the paragraph there shall be substituted the words " the council of the borough. "
- 3 In section 4(3), before the word " district" , there shall be inserted the word " non-metropolitan" .
- 4 In section 6—
- (a) in subsection (1)—
 - (i) for the words " the Greater London Council" there shall be substituted the words " a metropolitan district council" ; and
 - (ii) the words after " below " shall be omitted ;
 - (b) after that subsection there shall be inserted—

“(1A) The Minister shall not delegate functions to a council under subsection (1) above—

 - (a) with respect to a trunk road or land outside their area but within a non-metropolitan county or London borough, except with the consent of the council of that county or borough;
 - (b) with respect to a trunk road or land outside their area but within a metropolitan district except after consultation with the council of that district.”
 - (c) in subsection (5) for the words " the Greater London Council" there shall be substituted the words " a metropolitan district council" ;
 - (d) in subsection (6) the words after "arrangements" in the third place where it occurs shall be omitted; and
 - (e) after that subsection there shall be inserted—

“(6A) No arrangements shall be entered into under subsection (6) above for the carrying out by a district council of any functions-

 - (a) with respect to a trunk road or land outside their area but within a non-metropolitan district, except with the consent of the council of the non-metropolitan district;
 - (b) with respect to a trunk road or land outside their area but within a metropolitan district, except after consultation with the council of the metropolitan district”.
- 5 At the end of section 8(4) there shall be inserted " ; and the council of a metropolitan district may not enter into an agreement under this section with the council of another metropolitan district or of a county unless the districts are in the same county or in counties which adjoin each other or, as the case may be, the county in which the district is situated and the other county adjoin each other." .
- 6 In section 20(8) for the words " sections 156 and 159 " there shall be substituted the words " section 156" .

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- 7 In sections 31(7), 36(6), 40, 172(1), 188(1), 190(1), 191(1) and (3), 192(1) and (3), 193(1) and (2), 194(1) and (2), 195(3), 197(2) and (3), 198, 199 and 200(2) and (3), after the word "county" , there shall be inserted the words " , metropolitan district" .
- 8 In section 34, after the words " county council," there shall be inserted the words " a metropolitan district council," .
- 9 In section 35, in subsections (1)(a) and (b) and 3(d) and (e) before the word "district" , and in subsection (7) before the word "district" in the first two places where it occurs, there shall be inserted the word " non-metropolitan" .
- 10 In section 39, after the words " county council" , there shall be inserted the words " or metropolitan district council" .
- 11 In section 42(1) and (3), before the word "district" in the first place where it occurs, there shall be inserted the word " non-metropolitan" .
- 12 In section 43(2), before the word " district" , there shall be inserted the word " non-metropolitan" .
- 13 In section 45—
- (a) in subsections (4) and (6) for the word "county" there shall be substituted the words " non-metropolitan county, metropolitan district" ;
 - (b) in subsections (7) and (8) for the word " county " there shall be substituted the words " non-metropolitan county or metropolitan district" ; and
 - (c) in subsection (12), before the word "district" in the first place where it occurs, there shall be inserted the word " non-metropolitan" .
- 14 In section 50, in subsection (2), before the word " district" in the first place where it occurs, there shall be inserted the word " non-metropolitan " .
- 15 In section 61, before the word " district" in each place where it occurs there shall be inserted the word " non-metropolitan" .
- 16 In section 64(5) for the words " subsections (1) to (4)" there shall be substituted the words " subsections (1) to (3)" .
- 17 In section 66(6), after the word " county" in both places where it occurs, there shall be inserted the words " or metropolitan district" .
- 18 In section 79(3), before the word "district" there shall be inserted the word " non-metropolitan" .
- 19 In sections 80(4), 195(1)(b), 254(2)(b) and 271(1)(ii) and paragraph 1 of Schedule 15 after the word "county" , there shall be inserted the words " or metropolitan district" .
- 20 In section 95(1), in paragraph (a), after the word "county" , there shall be inserted the words " or metropolitan district" , and in paragraph (c) for the words "any other" there shall be substituted the word " a" .
- 21 At the end of section 100(6) there shall be inserted " ; and where the highway authority are a metropolitan district council they shall, before so exercising any powers under that Act, give such notice to the water authority within whose area the powers are proposed to be exercised." .
- 22 In section 114(1), (3) and (4), after the words "county council" there shall be inserted the words " or metropolitan district council" .

- 23 In section 115H, in subsection (1) for the words "subsections (2) and (3)" there shall be substituted the words " subsection (3) " ; and in subsection (3) for the words from the beginning to " as" there shall be substituted " Subsection (1) above shall have effect in relation to a highway—
- (a) to which this Part of this Act applies ; and
 - (b) in relation to which there is no pedestrian planning order in force, as " .
- 24 In section 116—
- (a) in subsection (1) for the word " appropriate" there shall be substituted the word " highway" ; and
 - (b) for paragraph (a) of subsection" (3) there shall be substituted—
 - “(a) if the highway is in a non-metropolitan district, the council of that district: and”.
- 25 In sections 134(7) and (10)(a), 143(1)(a), 146(2)(a) and (5)(b). 147(1)(a), 156(2)(i) and 175, before the word " district" , there, shall be inserted the word " non-metropolitan" .
- 26 In section 151(1)(a) for the words after "also" there shall be substituted the words " , if the street is situated in a non-metropolitan district, the council of that district; and" .
- 27 In section 154(1)(b) for the words after " also " there shall be substituted the words " , if the highway is situated in a non-metropolitan district, the council of that district;
- 28 In section 160(2) for the words from "the Greater London Council" to "the Council" there shall be substituted the words " the highway authority that any person mentioned in paragraph (a), (b) or (c) of subsection (1) above has caused an unnecessary obstruction for the purposes of this section, that authority" .
- 29 In section 186—
- (a) in subsection (1) for the words " and of every " there shall be substituted the words " , metropolitan district and" ; and
 - (b) in subsections (5)(b) and (7), after the words " county council " there shall be inserted the words " , metropolitan district council" .
- 30 In section 189(1) for the words " a London" there shall be substituted the words " , metropolitan district council or London" .
- 31 In section 196(8)(a), after the word "council" there shall be inserted the words " or metropolitan district council" .
- 32 In section 197(1) for the word " the " in the second place where it occurs there shall be substituted the words " metropolitan district council or" .
- 33 In section 203(3) in the definition of " street works authority " after the word "county" , there shall be inserted the words " or metropolitan district" .
- 34 In sections 205(5) and 210(2) for the words after "also" there shall be substituted the words " , in the case of a street situated in a non-metropolitan district, at the offices of the council of that district." .
- 35 In sections 220(2) and 223(6), before the word " district" in the first place where it occurs, there shall be inserted the word " non-metropolitan" .
- 36 In section 230(7), after the word "concerned" , there shall be inserted the words " is situated in a non-metropolitan district and" .

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- 37 In section 263(5), before the word " district" in the first place where it occurs, there shall be inserted the word " non-metropolitan" .
- 38 In section 264—
- (a) in subsection (1), after the word " county " in both places where it occurs, there shall be inserted the words " or metropolitan district" ;
 - (b) for subsection (2) there shall be substituted—
 - “(2) The drains belonging to a highway—
 - (a) which immediately before the date of the abolition of the Greater London Council under the Local Government Act 1985 was a metropolitan road; and
 - (b) which did not become a trunk road on that date by virtue of an order made under paragraph 53 of Schedule 4 to that Act,

vest in the council of the London borough in which the highway is situated or, if it is situated in the City in the Common Council, and where any other drain or sewer was, at the date when the highway became a metropolitan road, used for any purpose in connection with the drainage of that highway, that council shall have the right of using the drain or sewer for that purpose.”;
 - (c) in subsection (3)—
 - (i) in paragraph (a), before the word "district" , there shall be inserted the word " non-metropolitan" ;
 - (ii) in paragraph (c) for the words " or the Greater London Council" there shall be substituted the words " , metropolitan district council or London borough council or the Common Council" .
- 39 In section 285—
- (a) in subsection (1) for the words from " either " to " are " in the first place where it occurs there shall be substituted the words " the Minister of Transport, after consultation with the highway authority, is" , and in paragraph (b) of that subsection for the word "are" in both places where it occurs there shall be substituted the word " is" ;
 - (b) in subsection (4) for the words " or the Council execute or propose" there shall be substituted the words " executes or proposes" ;
 - (c) in subsection (5) for the words "or the Council execute" there shall be substituted the word " executes" ; and
 - (d) in subsection (6) for the words "or the Council proceed" there shall be substituted the word " proceeds" .
- 40 In section 298(1), before the word "district" , there shall be inserted the word " non-metropolitan" .
- 41 In section 330(1), after the words "county council" in both places where they occur, there shall be inserted the words " or metropolitan district council" .
- 42 In paragraph 1 of Schedule 7, before the words "district council " , there shall be inserted the word " non-metropolitan" .
- 43 In paragraph 1(d) of Schedule 12 for the words from "road" to " is" there shall be substituted the words " road in a non-metropolitan district, to the district council, and if the highway is a classified road" .

- 44 In paragraph 1 of Schedule 23 for the words " they have " there shall be substituted the words " it has" .

PART II

AMENDMENTS OF OTHER ENACTMENTS

- 45 In section 26 of the Highways and Locomotives (Amendment) Act 1878 for the words from the beginning to " Greater London Council," there shall be substituted the words " The council of a county or metropolitan district may, with respect to all or any of the highways in that county or district, and" .
- 46 In section 35 of the Electricity (Supply) Act 1926—
- (a) in subsection (1) after the words " any county council" there shall be inserted the words " or metropolitan district council" ; and
 - (b) for the words " the county council" wherever they occur there shall be substituted the words " the council" .
- 47 In section 21 of the Public Health Act 1936, after the words " county council" in each place where they occur, there shall be inserted the words " , metropolitan district council or London borough council " and after subsection (4) of that section there shall be inserted—
- “(5) In this section references to a London borough council include references to the Common Council of the City of London.”
- 48 In sections 1(1) and 3(1) of the Agriculture (Improvement of Roads) Act 1955 for the words " county, in England or Wales " there shall be substituted the words " county or metropolitan district in England, or county in Wales" .
- 49 In section 5(1) of the Parish Councils Act 1957, in the second column of the Table, after the words " county council" , there shall be inserted the words " or metropolitan district council" .
- 50 In the Town and Country Planning Act 1971—
- (a) in section 209(2Xf), after the words " county council there shall be inserted the words " , metropolitan district council" ;
 - (b) in section 216(4) for the words " the Greater London Council, the council of a " there shall be substituted the words " metropolitan district or" ; and
 - (c) in Schedule 22, in paragraph 4, after the words " county council" , there shall be inserted the words " or metropolitan district council" .
- 51 In section 19(1) of the Land Compensation Act 1973—
- (a) at the end of paragraph (a) of the definition of " the appropriate highway authority " , there shall be inserted the words " or any other authority to which the functions of that authority in relation to that highway are transferred by virtue of the Local Government Act 1985" ; and
 - (b) at the end of paragraph (b) of that definition, there shall be inserted the words " or any other authority to which the functions of that authority in relation to that highway are transferred by virtue of that Act" .

PART III

SUPPLEMENTARY PROVISIONS

- 52 Where by virtue of this Act the functions of a highway authority are transferred to other highway authorities any rights of the transferor authority under section 82(2) of the Public Health Act 1961 shall become rights of each of the transferee authorities affected by the local Act in question.
- 53 (1) All such highways or proposed highways as immediately before the abolition date are metropolitan roads shall on that date cease to be metropolitan roads but, subject to sub-paragraph (2) below, shall continue to be principal roads for the purposes of any enactment or instrument which refers to roads or highways classified by the Secretary of State or the Minister of Transport as principal roads.
- (2) The Secretary of State may by order direct that a highway or proposed highway which immediately before the abolition date is a metropolitan road shall on that date become a trunk road.
- 54 (1) Where a bridge carries a highway for which the Secretary of State is not the highway authority and part of the bridge is situated in one metropolitan district and part in another in the same county, the highway authority for the highway carried by the bridge and the approaches to it is such one of the councils of those districts as may be agreed between them before such a day as the Secretary of State may by order appoint or, in default of such agreement, as may be determined by the Secretary of State.
- (2) Where a bridge carries a highway to which this sub-paragraph applies and part of the bridge is situated in one London borough and part in another, the highway authority for the highway carried by the bridge and the approaches to it is such one of the councils of those boroughs as may be agreed between them before such a day as the Secretary of State may by order appoint or, in default of such agreement, as may be determined by the Secretary of State.
- (3) Sub-paragraph (2) above applies to a highway which—
- (a) immediately before the abolition date is a metropolitan road; and
 - (b) does not on that date become a trunk road by virtue of an order under paragraph 53(2) above.
- (4) Where the Secretary of State has made a determination under sub-paragraph (1) or (2) above, the determination—
- (a) may be varied at the request of either of the councils concerned; and
 - (b) shall be varied to give effect to any request made jointly to the Secretary of State by both those councils;
- and any such variation shall take effect on the 1st April falling not less than 3 months, and not more than 15 months, after the date on which the determination is varied.
- (5) In sub-paragraph (2) above references to a London borough include references to the City and references to the council of a London borough include references to the Common Council; and in sub-paragraph (4) above references to councils shall be construed accordingly.
- (6) Without prejudice to section 3(3) of the Highways Act 1980, where a bridge carries a highway for which the Secretary of State is not the highway authority and sub-paragraphs (1) and (2) above do not apply, but some part of one or more of the approaches to the bridge lies in a metropolitan district or London borough different

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from that in which the bridge itself is situated, the highway authority for the whole of that approach or those approaches is the council of the metropolitan district or London borough in which the bridge is situated.

- (7) For the purposes of this paragraph, the approaches to a bridge consist of so much of the highway or highways on either side of the bridge as is situated within 100 yards of either end of the bridge.

55 In the foregoing provisions of this Part of this Schedule "bridge" , "highway" , "proposed highway" and "trunk road" have the same meaning as in the Highways Act 1980 and " metropolitan road" has the meaning which, but for the provisions of this Act, it would continue to have in that Act

56 (1) Subject to the following provisions of this paragraph—

- (a) any agreement made between the Secretary of State or the Minister of Transport and a metropolitan county council under subsection (1) or (5) of section 6 of the Highways Act 1980, and
- (b) any arrangements made by a metropolitan county council with a district council under subsection (6) of that section,

shall, if subsisting immediately before the abolition date, cease to have effect on that date; and where any such agreement ceases to have effect under this sub-paragraph anything done before the abolition date by or in relation to the metropolitan county council in respect of the agreement shall have effect as if done by or in relation to the Secretary of State.

- (2) Subject to sub-paragraph (4) below, the Secretary of State may by order provide that any such agreement specified in the order shall have effect as from the abolition date as an agreement between the Secretary of State and a metropolitan district council or non-metropolitan county council specified in the order (a " successor council") or as two or more separate agreements, each being between the Secretary of State and a successor council.

(3) An order under this paragraph in respect of an agreement may-

- (a) provide that anything done by or in relation to the metropolitan county council in respect of the agreement shall have effect as if done by or in relation to any successor council or councils;
- (b) modify or exclude any term of the agreement in relation to any successor council or councils;
- (c) make provision in respect of any arrangements made by the metropolitan county council under section 6(6) of the said Act of 1980 in relation to the agreement;
- (d) include such other incidental, consequential, transitional or supplementary provision as appears to the Secretary of State to be necessary or expedient.

- (4) All rights of a metropolitan county council arising from or in connection with any such agreement as is mentioned in sub-paragraph (1) above to receive payments from the Secretary of State and all liabilities of such a council arising as aforesaid to make payments to him (being rights and liabilities attributable to anything done or omitted under or in respect of any such agreement before the abolition date) shall be transferred on that date to the appropriate residuary body; and accordingly as from that date any such agreement shall have effect as respects such rights and liabilities as an agreement between the Secretary of State and the appropriate residuary body.

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- 57 The Secretary of State may by order provide that any agreement specified in the order and made before the abolition date between him and a metropolitan county council in pursuance of regulation 14 of the Noise Insulation Regulations 1975 (local authorities as agents of highway authorities) shall cease to have effect on that date.

SCHEDULE 5

Section 8.

ROAD TRAFFIC

PART I

AMENDMENTS OF ENACTMENTS

The Chronically Sick and Disabled Persons Act 1970

- 1 In section 21(8) of the Chronically Sick and Disabled Persons Act 1970, after the word "county" , there shall be inserted the words " or metropolitan district" .

The Road Traffic Act 1972

- 2 (1) The Road Traffic Act 1972 shall be amended as follows.
- (2) In section 31(7), after the word "county" , there shall be inserted the words " or metropolitan district" .
- (3) In sections 33(4) and 33AA(6) for the words " or of a London borough, the Greater London Council" there shall be substituted the words " , metropolitan district or London borough
- (4) In section 35(5)(a), after the word "county" , there shall be inserted the words " , metropolitan district" .
- (5) In section 38(5)(a) for the words "or London borough, or the Greater London Council" there shall be substituted the words " metropolitan district or London borough" .
- (6) In section 127(2), in the definition of " local authority " , for the words "the Greater London Council, the council of a London borough " there shall be substituted the words " metropolitan district or London borough" .
- (7) In section 196(1). in paragraph (a) of the definition of " highway authority" , for the words from "the Common Council" to " the Greater London Council" there shall be substituted the words " metropolitan district or London borough or the Common Council of the City of London" .

The Public Passenger Vehicles Act 1981

- 3 (1) The Public Passenger Vehicles Act 1981 shall be amended as follows.

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- (2) In section 5(3)(b) for the words "and Wales county councils and the Greater London Council" there shall be substituted the words " non-metropolitan county councils, in Wales county councils" .
- (3) For section 31(4)(a) there shall be substituted—
 - “(a) in metropolitan counties, metropolitan county passenger transport authorities;”.
- (4) In section 38(8), in the definition of " local authority " , after the words " county council" , there shall be inserted the words " or metropolitan district council" .
- (5) In section 40(2)(c)(i), before the word "district" , there shall be inserted the word " non-metropolitan" .
- (6) In section 47(7) in the definition of " local authority " , for the words " a county council or the Greater London Council" there shall be substituted the words " the council of a county, metropolitan district or London borough and the Common Council of the City of London" .
- (7) In Schedule 1, in paragraph 2(2)(a). for the words " the Greater London Council or a county council" there shall be substituted the words " the council of a county, metropolitan district or London borough and the Common Council of the City of London" .
- (8) In Schedule 4, in paragraphs 2(1)(b) and 4(b), before the word " district" there shall be inserted the word " non-metropolitan" .

The Road Traffic Regulation Act 1984

- 4 (1) The Road Traffic Regulation Act 1984 shall be amended as follows.
- (2) In section 1(2)(a). after the word "council" , there shall be inserted the words " or metropolitan district council" .
- (3) In section 6—
 - (a) in subsection (2)—
 - (i) in paragraph (a), for the words " the Greater London Council" there shall be substituted the words " the local authority, that is to say, the London borough council or the Common Council of the City of London" ; and
 - (ii) in paragraph (b) for the word " Council" there shall be substituted the words " local authority" ; and
 - (b) for subsection (3)(a) there shall be substituted—
 - “(a) to the whole area of a local authority, or to particular parts of that area, or to particular places or streets or parts of streets in that area ;”.
- (4) In section 9(5) for the words " the Greater London Council" there shall be substituted the words " a London borough council or the Common Council of the City of London" ; and for the words "the Council" in each place where they occur there shall be substituted the words " the council" .
- (5) In section 10(5) for the words " the Greater London Council" there shall be substituted the words " a London borough council or the Common Council of the

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City of London" ; and for the words " that Council" there shall be substituted the words " that council" .

(6) In section 12—

- (a) in subsection (1) for the words " the Greater London Council " and " that Council" there shall be substituted the words " the local authority " and " that authority" respectively ;
- (b) in subsection (2) for the words "The Greater London Council" , " that Council" and " the Council" there shall be substituted the words " The local authority " , "that authority " and " the authority " respectively ;
- (c) in subsection (3) for the words " the Council's" and " the Council" there shall be substituted the words " the local authority's " and " the authority " respectively ;
- (d) in subsection (6) for the words " the Greater London Council" there shall be substituted the words " the local authority" ; and
- (e) for subsection (10) there shall be substituted— " (10) In this section—
 "the commissioner of police" , in relation to the metropolitan police district, means the commissioner of police of the metropolis and, in relation to the City of London, means the commissioner of police for the City of London ; and
 "local authority" means the council of a London borough or the Common Council of the City of London."

(7) In section 15(4) for the words after " or " there shall be substituted the words " by a London borough council or the Common Council of the City of London

(8) In section 19(3)(a), after the word " county" , there shall be inserted the words " or metropolitan district" .

(9) In section 23(5)(a) for the words "or the Greater London Council" there shall be substituted the words " , metropolitan district or London borough or the Common Council of the City of London" .

(10) In section 26—

- (a) in subsection (2)(a), after the word " county " , there shall be inserted the words " or metropolitan district" ;
- (b) in subsection (4)(a), after the word "county" in the first place where it occurs there shall be inserted the words " or metropolitan district" , and for the words " or in the " there shall be substituted the words " , metropolitan district or" ; and
- (c) in subsection (5)(a) for the words " as respects places in the county" there shall be substituted the words " or metropolitan district as respects places in the county or district" .

(11) In section 29(1), after the word "county" , there shall be inserted the words " or metropolitan district" .

(12) In section 30(6) for the words " The Greater London Council" there shall be substituted the words " The Secretary of State " , and the words "and the confirmation of such orders" and "and confirmed " shall be omitted.

(13) In section 31(2) for the words after "confirmation" there shall be substituted the words " by the Secretary of State" .

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- (14) In section 36(3), before the word " district" , there shall be inserted the word " non-metropolitan" .
- (15) In section 37(1), after the word "county" , there shall be inserted the words " or metropolitan district" .
- (16) In section 39—
- (a) in subsection (3), after the words " district council" , there shall be inserted the words " , other than a metropolitan district council," ;
 - (b) in subsection (4)—
 - (i) after " 32 " there shall be inserted " or 35" ;
 - (ii) before the word " district" in the second place where it occurs there shall be inserted the word " non-metropolitan" ; and
 - (iii) the words " or Wales " shall be omitted ; and
 - (c) in subsection (6), after the words " district council" in the first place where they occur, there shall be inserted the words " , other than a metropolitan district council," .
- (17) In section 43—
- (a) in subsection (1) for the words " the Council" , in both places where they occur, there shall be substituted the words " the local authority" ;
 - (b) in subsection (6) for the words " the Council" there shall be substituted the words " a local authority " , and the words " comprised within the area of a particular local authority " in paragraph (a) and the words after paragraph (c) shall be omitted;
 - (c) in subsection (13) for the words "the Council" there shall be substituted the words " the local authority" ;
 - (d) in subsection (14) the definitions of " the Common Council " and " the Council" shall be omitted, and for the definition of " local authority " there shall be substituted—
 - “" local authority" means the council of a London borough or the Common Council of the City of London ;”;and
 - (e) in subsection (15) for the words " the Council" there shall be substituted the words " a local authority" , and after the word " designated " there shall be inserted the words " by the local authority" .
- (18) In section 44—
- (a) in subsection (1) for paragraph (a) there shall be substituted—
 - “(a) in English counties, by the county council or metropolitan district council, and in Welsh counties, by the county council; and”;
 - (b) in subsection (3) for paragraph (b) there shall be substituted—
 - “(b) may in relation to non-metropolitan counties in England and counties in Wales provide for certain functions of local authorities under the London provisions in respect of areas designated as controlled areas to be conferred on district councils or on both county councils and district councils, and may in consequence of any such distribution of functions make such incidental and supplementary provision as appears to Her Majesty to be necessary or expedient;”.

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- (19) In section 45—
- (a) in subsection (1) for the words from the beginning to " area " in the second place where it occurs there shall be substituted the words " Subject to Parts I to III of Schedule 9 to this Act and, in the case of a highway outside Greater London for which they are not the highway authority, to obtaining the consent of the highway authority, the local authority may by order designate parking places on highways in their area" ; and
 - (b) in subsection (7)(a), after the word " county " , there shall be inserted the words " , metropolitan district" .
- (20) In section 51(2) for the words " the Greater London Council ** there shall be substituted the words " the council of a London borough or of the Common Council of the City of London
- (21) In section 53(7), after the word " county " in the first place where it occurs, there shall be inserted the words " or metropolitan district
- (22) In section 55(4)(c) for the words " any county council, to the Greater London Council" there shall be substituted the words " the council of any county, metropolitan district or London borough or to the Common Council of the City of London" .
- (23) In section 58(1), in the second column of the Table, after the words " county council" , there shall be inserted the words " or metropolitan district council" .
- (24) In section 59—
- (a) in subsection (1), after the word " county " in the first place where it occurs there shall be inserted the words " or metropolitan district" , and after the words "county council " there shall be inserted the words " or metropolitan district council" .
 - (b) in subsection (2)—
 - (i) in paragraph (a), after the words " the county council" in the first place where they occur, there shall be inserted the words " or metropolitan district council" , and for the words " the county council" in the second place where they occur there shall be substituted the words " that council" ;
 - (ii) in paragraph (b) for the words "send a copy of that application " there shall be substituted the words " in the case of an application to a county council, send a copy of it" ; and
 - (iii) before the words " the county council" in the third place where they occur there shall be inserted the words " , in that case," ;
 - (c) in subsection (4), after the words " county council" in both places where they occur, there shall be inserted the words " or metropolitan district council" ;
 - (d) in subsection (5), after the words " county council" , there shall be inserted the words " or metropolitan district council" ;
 - (e) in subsection (6), after the words " county council" in each place where they occur, there shall be inserted the words " or metropolitan district council" ; and
 - (f) in subsection (7), after the words " county council" , there shall be inserted the words " or metropolitan district council" .

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- (25) In section 61(1) for the words " a county council or the Greater London Council " there shall be substituted the words " the council of a county, metropolitan district or London borough or the Common Council of the City of London " .
- (26) In section 73—
- (a) for subsection (1) there shall be substituted—
- “(1) In connection with any order under section 6 or 9 of this Act made or proposed by them, the council of a London borough and the Common Council of the City of London may, as respects any road in their area which is not a trunk road affix any traffic sign to any lamp-post or other structure in the highway, whether or not belonging to the council.”; and
- (b) in subsection (2) for the words from " Greater London " to "Council" there shall be substituted the words " their area which is required in connection with an order under section 6 or 9 of this Act, it shall be the duty of the council of a London borough and of the Common Council of the City of London" .
- (27) In section 74(1) for the words "Greater London" there shall be substituted the words " their area " , and the words "the Greater London Council or " and " , as the case may be," shall be omitted.
- (28) In section 78(2), after the word "county" in the first place where it occurs, there shall be inserted the words " or metropolitan district" .
- (29) In section 91—
- (a) in paragraph (a) for the words " the Greater London Council" there shall be substituted the words " the council of the London borough or the Common Council of the City of London" ; and
- (b) in paragraph (b), after the word "county" , there shall be inserted the words " or metropolitan district " .
- (30) For section 94 there shall be substituted—

“94 Bollards and other obstructions in Greater London.

- (1) Where an order under section 6 or 9 of this Act is made or proposed to be made by the Secretary of State, he may, to such extent as he considers necessary in connection with the order, authorise or require any person who is responsible for the maintenance of any road in Greater London which is not a trunk road—
- (a) to place on the carriageway such bollards or other obstructions as the Secretary of State may consider appropriate for preventing the passage of vehicles, or vehicles of any class, at any point at which their passage (whether in any direction or in one direction only) is prohibited by any such order, and to maintain and tight those obstructions; or
- (b) to remove any obstruction placed by that person in pursuance of an authorisation or a requirement under this subsection.
- (2) Where an order under section 6 or 9 of this Act is made or proposed to be made by the council of a London borough, they may, to such extent as they

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consider necessary in connection with the order, authorise or require any person who is responsible for the maintenance of any road in their area which is not a trunk road and for which they are not the highway authority—

- (a) to place on the carriageway such bollards or other obstructions as they may consider appropriate for preventing the passage of vehicles, or vehicles of any class, at any point at which their passage (whether in any direction or in one direction only) is prohibited by any such order, and to maintain and light those obstructions; or
 - (b) to remove any obstruction placed by that person in pursuance of an authorisation or a requirement under this subsection.
- (3) Subsections (2) and (3) of section 92 of this Act shall apply in relation to the placing of bollards or other obstructions under subsection (1) or (2) above, as if for any reference in them to subsection (1) of that section there were substituted a reference to subsection (1) or (2) above.
- (4) To such extent as the Secretary of State or, as the case may be, the council of a London borough may consider necessary in connection with an order under section 6 or 9 of this Act, whether made or proposed to be made by the Secretary of State or that council—
- (a) the Secretary of State may do with respect to any trunk road anything which he might under subsection (1)(a) above require to be done with respect to any other road ; and
 - (b) the council of the London borough may do with respect to any road in their area which is not a trunk road and for which they are the highway authority anything which they might under subsection (2) (a) above require to be done with respect to a road for which they are not the highway authority.
- (5) If a person fails to comply with a requirement to carry out any work under subsection (1) or (2), above, the Secretary of State or, as the case may be, the council of the London borough may carry out the work, and the expenses incurred by the Secretary of State or that council in doing so shall be recoverable summarily as a civil debt from that person.
- (6) Section 79 of this Act shall apply in relation to any such obstruction as is mentioned in subsection (1) or (2) above as it applies in relation to traffic signs; and the power of the Secretary of State under that section to make advances towards expenses incurred in relation to traffic signs shall be exercisable with respect to any expenses incurred by the council of a London borough by virtue of subsection (4) above.
- (7) In this section references to the council of a London borough include references to the Common Council of the City of London.”.
- (31) In section 100—
- (a) in subsection (2), before the word "district" in the first place where it occurs, there shall be inserted the word " non-metropolitan" ; and
 - (b) in subsection (5X«) for the words "the Greater London Council or the council of a county " there shall be substituted the words " the council of a county, metropolitan district or London borough or the Common Council of the City of London" .

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- (32) In section 102(6) for the words from " by " in the first place where it occurs to " district" in the first place where it occurs there shall be substituted the words " by the council of a non-metropolitan district" .
- (33) In section 106(8)—
- (a) in paragraph (a) for the words " the Greater London Council " there shall be substituted the words " the council of the London borough or the Common Council of the City of London" ; and
 - (b) in paragraph (b), after the word " county " , there shall be inserted the words " or metropolitan district" .
- (34) In section 122(1) for the words " the Greater London Council and of every other " there shall be substituted the word " every" .
- (35) In section 125(4), after the word "county," there shall be inserted the words " metropolitan district," .
- (36) In section 129(4) for the words " the Greater London Council or any other " there shall be substituted the word " a " ; and the words " council or " shall be omitted.
- (37) In section 142(1), in paragraph (a) of the definition of " highway authority " , the words " (subject to section 73(4) of this Act) " shall be omitted, and for the words from " the Common Council "to " the Greater London Council" there shall be substituted the words " metropolitan district or London borough or the Common Council of the City of London" .
- (38) In Schedule 4—
- (a) in paragraph 1—
 - (i) for the words " the Council" in each place where they occur there shall be substituted the words " the local authority" ; and
 - (ii) the words from " and to each "to " controlled area " shall be omitted;
 - (b) in paragraphs 2 to 6 for the words " the Council" in each place where they occur there shall be substituted the words " the local authority" ;
 - (c) in paragraph 8 for the words " Greater London " there shall be substituted the words " their area" ;
 - (d) in paragraphs 15, 19 and 20(a) for the words " the Council" there shall be substituted the words " the local authority" .
- (39) In Schedule 9—
- (a) for paragraph 1 there shall be substituted—
 - “1 Subject to paragraphs 8 and 26 of this Schedule, the Secretary of State, after consultation with a local authority having power to make an order under or by virtue of any of the following provisions of this Act, namely, sections 1, 6, 9, 19, 32, 35, 37, 38, 45, 46, 49(2) and (4), 53, 83(2) and 84 (in this Part of this Schedule referred to as an " authorised authority ") may give to that authority a direction under paragraph 2 below with respect to any of those provisions.”;
 - (b) in paragraph 4, for the words " the Greater London Council" in sub-paragraph (a) mere shall be substituted the words " the council of a London borough or the Common Council of the City of London under section 6, 9, 45, 46, 49(2) or (4), 83(2) or 84 of this Act " , and the words " the Council

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- or, as the case may be," in that sub-paragraph and the words " Council or " in sub-paragraph (b) shall be omitted;
- (c) in paragraph 5(1) for the words " the Greater London Council " there shall be substituted the words " the council of a London borough or the Common Council of the City of London" , and for the words " Greater London" in both places where they occur there shall be substituted the words " their area" ;
 - (d) in paragraph 6(1)(c) for the number " 50 " in the first place where it occurs there shall be substituted the number " 49 " , and the words " , or on the application of," and the words after " authority " shall be omitted.
 - (e) in paragraph 12(a), after the words " county council" , there shall be inserted the words " or metropolitan district council" ;
 - (f) in paragraph 13(1) for the words " the Greater London Council " there shall be substituted the words " the council of a London borough and the Common Council of the City of London" ;
 - (g) in paragraph 14 for the words " the Greater London Council " there shall be substituted the words " the council of a London borough or the Common Council of the City of London " , and the number " 50." shall be omitted ;
 - (h) in paragraph 20(1) for the words "the Greater London Council or any other " there shall be substituted the word " a " , and the number " 50," shall be omitted ;
 - (i) in paragraph 21 for the words " the Greater London Council" there shall be substituted the words " the council of a London borough and the Common Council of the City of London" ; and
 - (j) in paragraph 23(1) for the words " the Greater London Council" there shall be substituted the words " the council of a London borough or the Common Council of the City of London" , and for the words "that Council" in both places where they occur there shall be substituted the words " that council" .

PART II

SUPPLEMENTARY PROVISIONS RELATING TO ROAD TRAFFIC

Designation of roads in Greater London

- 5 (1) For the purpose of facilitating the movement of traffic in Greater London the Secretary of State may by order designate a road in that area under this paragraph; but before doing so he shall consult—
- (a) the council of the London borough in which the road is;
 - (b) the council of any other London borough or of any county where there is a road which the Secretary of State considers likely to be affected by the designation ; and
 - (c) any other body which the Secretary of State thinks it expedient to consult.
- (2) Where the council of a London borough proposes to exercise a power to which this paragraph applies, it shall give notice of its proposal to the Secretary of State in such manner as he may require; and the council shall not exercise that power unless—
- (a) it has given such notice; and
 - (b) either—
 - (i) the Secretary of State has approved the proposal; or

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- (ii) one month from the date of his receipt of the notice has expired without his having objected to the proposal.
- (3) Subject to sub-paragraphs (4) and (5) below, this paragraph applies to any power to prohibit, restrict or otherwise regulate traffic or any class of traffic or the use of any parking place or class of parking place—
 - (a) on a designated road ; or
 - (b) on any other road if its use directly affects—
 - (i) traffic or any class of traffic using a designated road ; or
 - (ii) the use of any parking place or class of parking place on a designated road.
- (4) The Secretary of State may by an instrument in writing exclude any power from the application of this paragraph to the extent specified in the instrument, and any such instrument may in particular exclude a power—
 - (a) as respects one or more than one London borough ;
 - (b) as respects all traffic or parking places or any class of traffic or parking place;
 - (c) as respects all designated roads or one or more of them.
- (5) In relation to a road falling within sub-paragraph (3)(b) above, this paragraph does not apply to a power under section 14 or sections 32 to 38 of the 1984 Act.
- (6) If, contrary to the provisions of sub-paragraph (2) above, the council of a London borough places a traffic sign or carries out other works on or near a road, the Secretary of State may take such steps as he considers appropriate to remove the sign or reverse or modify the effect of the works; and any expenses reasonably incurred by him in doing so shall be recoverable by him from the council summarily as a civil debt.
- (7) In this paragraph references to a designated road are to a road designated under this paragraph.

Guidance as to exercise of traffic powers in Greater London and metropolitan counties

- 6 (1) For the purpose of ensuring that the exercise by a council in Greater London or a metropolitan county of the traffic powers specified below in relation to councils of its class does not have an adverse effect on traffic or any class of traffic or parking places or any class of parking place in any part of Greater London or, as the case may be, that county, other than the area of that council, the Secretary of State may issue guidance as to the manner in which, in relation to roads other than trunk roads—
 - (a) the councils of London boroughs should exercise their powers to make, vary or revoke orders under or by virtue of sections 6, 9, 45, 46, 49(2) and (4), 83(2) and 84 of the 1984 Act; and
 - (b) the councils of metropolitan districts should exercise their powers to make, vary or revoke orders under or by virtue of sections 1, 9, 19, 32, 35, 37, 38, 45, 46, 49(2) and (4), 53, 83(2) and 84 of that Act.
- (2) Before issuing any such guidance the Secretary of State shall consult—
 - (a) the chief officers of police for the areas to which the guidance relates; and
 - (b) any association of London borough councils or district councils which the Secretary of State considers appropriate.

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- (3) The council of a London borough shall, before exercising any power specified in sub-paragraph (1)(a) above, and the council of a metropolitan district shall, before exercising any power specified in sub-paragraph (1)(b) above—
- (a) have regard to any guidance issued to it under this paragraph ;
 - (b) have regard to any direct effect which the proposed exercise would have on traffic or any class of traffic—
 - (i) on a trunk road ; or
 - (ii) on any other road in the area of another local authority;
 - (c) if the proposed exercise would have such an effect, consult the Secretary of State in the case of a trunk road, or the other local authority in the case of any other road; and
 - (d) comply with procedures prescribed by regulations made by the Secretary of State.
- (4) Where the council of a London borough or metropolitan district takes any action which, in the opinion of the Secretary of State-
- (a) is contrary to any guidance issued to the council under this paragraph ; and
 - (b) has or is likely to have an adverse effect on traffic or any class of traffic or parking places or any class of parking place in any part of Greater London or, as the case may be, that county, other than the area of that council,
- the Secretary of State may, after consulting the council, direct it to take such steps within a period specified by him as may be necessary to conform with that guidance.
- (5) If, in the opinion of the Secretary of State, a council fails to comply with a direction under sub-paragraph (4) above, he may exercise any of its powers for the purpose of giving effect to the direction; and any expenses reasonably incurred by him in doing so shall be recoverable by him from the council summarily as a civil debt.
- (6) Where, in the opinion of the Secretary of State—
- (a) the council of a London borough or metropolitan district fails to act in accordance with any guidance issued to it under this paragraph ; and
 - (b) that failure has or is likely to have such an adverse effect as is mentioned in sub-paragraph (4)(b) above,
- the Secretary of State, after consulting the council, may exercise any of its powers for the purpose of conforming with that guidance; and any expenses reasonably incurred by him in doing so (including any expenses reasonably incurred in maintaining any traffic signs placed, or in continuing or maintaining any works commenced, by virtue of this sub-paragraph) shall be recoverable by him from the council summarily as a civil debt.

Procedures and objections

- 7 (1) The power of the Secretary of State to make regulations under paragraph 21 or 23 of Schedule 9 to the 1984 Act (procedure as to certain orders) shall include power to make regulations for the purpose of sub-paragraph (3) of paragraph 6 above; and any such regulations for that purpose shall include provision by which a local authority required to be consulted under that sub-paragraph in connection with a proposed exercise of power may object to that exercise.
- (2) Where such a local authority objects in accordance with regulations under the said paragraph 21 or 23 to a proposed exercise of power by the council of a London

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borough or metropolitan district, that council shall notify the Secretary of State of its proposal and of the objection, unless either of them is withdrawn, and shall give him such particulars of them as he may require.

- (3) Upon receipt of a notification under sub-paragraph. (2) above, the Secretary of State shall determine whether the proposal in question should be abandoned or implemented, with or without modifications; and the council making the proposal shall comply with any such determination.
- (4) To assist him in making a determination the Secretary of State may consult such persons or bodies as he thinks fit and may hold an inquiry; and the provisions of section 129(1) to (3) of the 1984 Act shall apply in relation to an inquiry held under this paragraph as they apply to an inquiry held under that Act.

Application of Part VI of Schedule 9 to the 1984 Act

- 8 Part VI of Schedule 9 to the 1984 Act (validity of certain orders) shall apply to an order made by the Secretary of State by virtue of paragraph 6(5) or (6) above and falling within paragraph 34(1) of that Part as it applies to an order made by him by virtue of paragraph 3 of Part I of that Schedule.

Supplementary

- 9 In exercising any power under or by virtue of paragraph 6 or 7 above in relation to a council the Secretary of State shall have regard to the duty of that council under section 122 of the 1984 Act; and in the event of any conflict between that duty and any provision of those paragraphs, that provision shall prevail.

Reserve powers of the Secretary of State as to traffic control systems in Greater London and metropolitan counties

- 10 (1) Where the Secretary of State is not satisfied in the case of Greater London or a metropolitan county that all the local authorities in that area have made joint arrangements for the exercise of such of their functions under Part V of the 1984 Act as are necessary to secure the control, management, development and extension of any system of traffic control which relates to two or more of those authorities, he may make an order under this paragraph.
- (2) An order under this paragraph may transfer to the Secretary of State such functions of the local authorities in question under that Part of that Act as he considers necessary to enable him to secure the control, management, development and extension of that system.
 - (3) The Secretary of State may delegate, with or without restrictions, the exercise of any function transferred to him under this paragraph to the local authority from which it was transferred.
 - (4) Before exercising any function transferred to him under this paragraph, the Secretary of State shall consult any local authority appearing to him to be likely to be affected unless it appears to him that the exercise of the function will only have a temporary effect on the system of traffic control in question; and any local authority from which a function has been so transferred shall consult the Secretary of State before exercising any function under the 1984 Act in any manner which may affect the exercise by the Secretary of State of any function so transferred.

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- (5) Any expenses reasonably incurred by the Secretary of State in exercising the functions transferred by an order under this paragraph may be recovered by him from the local authorities from which the functions were transferred in such proportions as may be agreed between the local authorities or, in default of agreement, as may be determined by him.
- (6) A sum recoverable by the Secretary of State under sub-paragraph (5) above may be recovered by him summarily as a civil debt.
- (7) The Secretary of State shall revoke an order made under this paragraph in relation to a system of traffic control in operation in Greater London or a metropolitan county if at any time he is satisfied that all the local authorities in that area have made joint arrangements for the exercise of such of their functions under Part V of the 1984 Act as are necessary to secure the control, management, development and extension of the system.
- (8) An order under this paragraph may contain such supplementary and transitional provisions as the Secretary of State thinks necessary or expedient, including provisions for the transfer of property, staff, rights and liabilities and provision amending any enactment or any instrument made under any enactment.

Information

- 11 The council of a London borough or metropolitan district shall furnish the Secretary of State with such information as he may request for the purpose of exercising his powers under paragraphs 6(4), (5) and (6) and 10 above ; and if any such information is not furnished by the council within a time specified by the Secretary of State, he may take such steps as he considers necessary or expedient to obtain the information himself and may recover from the council summarily as a civil debt any expenses reasonably incurred by him in doing so.

Transitional provisions concerning certain orders under the 1984 Act

- 12 (1) After the passing of this Act a metropolitan county council or the Greater London Council shall obtain the consent of the Secretary of State before making any order to which this paragraph applies if an objection to the council's proposal to make the order has been duly made by a successor authority (whether before or after the passing of this Act) and has not been withdrawn; and for the purposes of this provision an objection is not duly made unless it is made in accordance with regulations made or having effect as if made under paragraph 21 or, as the case may be, 23 of Schedule 9 to the 1984 Act.
- (2) The orders to which this paragraph applies are—
- (a) in the case of a metropolitan county council those made under or by virtue of section 1, 9, 19, 32, 35, 37, 38, 45, 46, 49(2) or (4), 53, 83(2) or 84 of the 1984 Act; and
 - (b) in the case of the Greater London Council, those made under or by virtue of section 6, 9, 35, 38, 46, 49(2) or (4), 50, 83(2) or 84 of that Act.
- (3) In this paragraph " successor authority " means—
- (a) in relation to the Greater London Council, the council of a London borough to which the order in question relates ; and

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- (b) in relation to a metropolitan county council, the council of a metropolitan district to which the order relates.
- (4) In relation to any order to which Part VI of Schedule 9 to the 1984 Act (validity of orders) applies the requirements of this paragraph shall be included amongst the requirements which are the relevant requirements for the purposes of that Part.

Interpretation

- 13 In this Part of this Schedule—
- (a) "the 1984 Act" means the Road Traffic Regulation Act 1984 ;
 - (b) " parking place " , " traffic sign " and " road " have the meanings assigned to them respectively by sections 32(4)(b), 64(1) and 142(1) of the 1984 Act;
 - (c) " local authority " means the council of a metropolitan district or London borough ; and
 - (d) references to a London borough include references to the City and references to the council of a London borough include references to the Common Council.

Commencement

- 14 Any power conferred on the Secretary of State by this Schedule may be exercised at any time after the passing of this Act so as to take effect on or after the abolition date.

SCHEDULE 6

Section 9.

WASTE REGULATION AND DISPOSAL

The London Government Act 1963

- 1 For paragraph 4 of Part II of Schedule 11 to the London Government Act 1963 there shall be substituted—
- “4 Byelaws with respect to the construction and use of incinerators for the disposal of refuse in inner London boroughs and the City (being incinerators which are, or are in the nature of, buildings or structures or which form part of a building or structure) shall be made by the councils of those boroughs or the Common Council, as the case may be”.

The Local Government Act 1972

- 2 In Schedule 14 to the Local Government Act 1972—
- (a) in paragraph 5, in sub-paragraph (1) for the words "in a county" there shall be substituted the words " in a non-metropolitan county " and in sub-paragraph (2) for the words " a county council " there shall be substituted the words " the council of a non-metropolitan county " ;
 - (b) in paragraph 6(1) after the words " a local authority " there shall be inserted the words " in a non-metropolitan county " .

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The Control of Pollution Act 1974

- 3 (1) The Control of Pollution Act 1974 shall be amended as follows.
- (2) In sections 2(3)(a)(ii) and (4), 12(2), (6) and (8) and 13(4) for the words "English disposal authority" there shall be substituted the words " English county disposal authority" .
- (3) In section 5(4)(a) for the words " and any collection authority " there shall be substituted the words " , and in the case of an English county disposal authority any collection authority," .
- (4) In section 1 1(3)(c) for the words " and collection authority" there shall be substituted the words " , and in the case of an English county disposal authority each collection authority," .
- (5) In section 30(1) in the definition of " English collection authority " for the words " of which the area is in England " there shall be substituted the words " of which the area is in the area of an English county disposal authority " and for the definitions of " disposal authority" , "English disposal authority" and "relevant disposal authority " there shall be substituted—
- “disposal authority' means the council of a county or metropolitan district in England, the council of a district in Wales, the council of a London borough and the Common Council of the City of London, 'English county disposal authority' means the council of a county in England and ' relevant disposal authority', in relation to an English collection authority, means the English county disposal authority whose area includes that of the collection authority ;”.

The Refuse Disposal (Amenity) Act 1978

- 4 (1) The Refuse Disposal (Amenity) Act 1978 shall be amended as follows.
- (2) In section 1(7) for the definition of "local authority" there shall be substituted—
- “ local authority' means, in relation to England, the council of a county, metropolitan district or London borough and the Common Council, and”.
- (3) In section 3(7) for the words " a district in England " there shall be substituted the words " a non-metropolitan district in England" .
- (4) For section 4(8) there shall be substituted—
- “(8) In this section ' local authority' means, in relation to England, the council of a county, metropolitan district or London borough or the Common Council.”
- (5) In section 5(4) for the definition of ' the appropriate authority' there shall be substituted—
- “ the appropriate authority' means—
- (a) in the case of a vehicle removed in pursuance of section 3(1) above by a local authority in England other than the council of a non-metropolitan district, or by a local authority in Wales, the local authority ; and
- (b) in the case of a vehicle so removed by the council of a non-metropolitan district in England, the county council; and”.
- (6) In section 5(5)(b) for the words " a district in England " there shall be substituted the words " a non-metropolitan district in England" .

The Litter Act 1983

- 5 (1) In subsection (1)(a) of section 4 of the Litter Act 1983 for the words " the council of each county " there shall be substituted the words " the council of each non-metropolitan county " and for subsection (2) of that section there shall be substituted—
- “(2) Subsection (1) above shall apply to a metropolitan county with the omission, as respects consultation, of references to the council of the county and as if the duty with respect to the statement mentioned in that subsection were a duty imposed jointly on the councils of the metropolitan districts comprised in the county ; and that subsection shall apply to Greater London as if it were a county with the like omissions and as if that duty were imposed jointly on the councils of the London boroughs and the Common Council of the City of London.”
- (2) In section 6(1) of that Act after the words " A county council" there shall be inserted the words " and a metropolitan district council" .

SCHEDULE 7

Section 11.

LAND DRAINAGE

- 1 The Land Drainage Act 1976 shall be amended as follows.
- 2 In sections 2(6), 5(8) and 16(5) after the words " the council of any county" there shall be inserted the words " , metropolitan district" .
- 3 In section 24(4) for the words from the beginning to " Common Council); " there shall be substituted " In relation to a watercourse which is not part of a main river, the reference in subsection (2) above to the drainage authority in whose area the watercourse, bridge or drainage work is situated shall be construed—
- “(a) in relation to a watercourse situated in a London borough as a reference to the council of that borough;
- (b) in relation to a watercourse situated in the City or in the Inner Temple or in the Middle Temple, as a reference to the Common Council;”.
- 4 In section 28(12) for paragraphs (a) and (b) there shall be substituted—
- (a) in relation to a watercourse situated in a London borough, as a reference to the council of that borough;
- (b) in relation to a watercourse situated in the City or in the Inner Temple or the Middle Temple, as a reference to the Common Council." .
- 5 In section 45(3), in the definition of " relevant local authorities " , after the word " county" , there shall be inserted the words " , metropolitan district" .
- 6 In section 98—
- (a) in subsection (5), before the word " district" in the first place where it occurs, there shall be inserted the word " non-metropolitan" ;
- (b) after that subsection there shall be inserted—
- “(5A) Where the powers under section 17(1) above conferred by this section on a metropolitan district council or London borough council or the Common Council are not exercised by that council

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they may be exercised by the water authority for the area concerned—

- (a) at the request of the council; or
- (b) after not less than 6 weeks' notice given in writing by the water authority to the council;

but where the council, before the expiry of a notice given under paragraph (b) of this subsection, appeal against the notice to the Secretary of State and inform the water authority of the appeal, the powers shall not be exercised by the water authority in pursuance of the notice unless it is confirmed by the Secretary of State.”; and

- (c) at the end of subsection (6) there shall be inserted the words " ; and any expenses incurred by a water authority under subsection (5A) above shall be recoverable from the council concerned by the water authority summarily as a civil debt. "

7 In section 99 for the words from " county" to " London Council," there shall be substituted the words " county, metropolitan district or London borough and the Common Council" .

8 In section 110—

- (a) in subsection (2), before the word "London" , there shall be inserted the words " metropolitan district or " and, before the word "borough" in the second place where it occurs, there shall be inserted the words " district or" ; and
- (b) in subsection (3), after the word "county" in both places where it occurs, there shall be inserted the words " , metropolitan district" .

9 In section 116(1), in the definition of "local authority" , for the words " , the Common Council of the City of London, and the Greater London Council" there shall be substituted the words " and the Common Council of the City of London" .

SCHEDULE 8

Section 16.

MISCELLANEOUS FUNCTIONS

Public entertainments

1 (1) In Schedule 12 to the London Government Act 1963—

- (a) in paragraph 1(1) for the words "premises in Greater London” there shall be substituted the words " premises in a London borough or the City of London " and for the words from " the Greater London Council ' onwards there shall be substituted the words " the council of that borough or the Common Council, as the case may be, and that council or the Common Council is in this Schedule referred to as ' the Council " ;
- (b) in paragraph 2(1) the word "and" , where it first occurs, shall be omitted and after the words " in whose district the premises are situated " there shall be inserted the words " and to the London Fire and Civil Defence Authority (in this Schedule referred to as ' the fire authority)" ;
- (c) in paragraph 2(2) after the words " the Council" there shall be inserted the words " and the fire authority" ;

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- (d) in paragraph 5(1) the word "and" shall be omitted and after the words " are situated " there shall be inserted the words " and to the fire authority" ;
 - (e) in paragraph 5(2) after the words " the Council" there shall be inserted the words " and the fire authority" ;
 - (f) in paragraph 12(1) after the words " the Council" there shall be inserted the words " or the fire authority" .
- (2) In section 52(5) of the Offices, Shops and Railway Premises Act 1963 for the words " the Greater London Council" and " within Greater London" there shall be substituted respectively the words " each London borough council and the Common Council of the City of London " and " within the borough or the City, as the case may be," .
- (3) In section 21 of the Greater London Council (General Powers) Act 1966—
- (a) in subsection (1) for the words " the Council" there shall be substituted the words " the borough council in whose borough the premises are situate" ;
 - (b) in subsection (3)(a) the words "the Council" shall be omitted;
 - (c) for subsection (3)(b) there shall be substituted—
“(4) In this section "borough council" includes the Common Council and " borough" shall be construed accordingly.”,
and in section 22(1) and (2) of that Act for the words " the Council " there shall be substituted the words " a borough council or the Common Council," .
- (4) In section 5 of the Greater London Council (General Powers) Act 1978—
- (a) in subsection (1) for the words " Greater London" and " the Council" there shall be substituted respectively the words " a borough " and " the borough council" ;
 - (b) in subsection (4)(b) and (c) for the words "the Council" , wherever they occur, there shall be substituted the words " the borough council" ;
 - (c) after subsection (4) there shall be inserted—
“(5) In this section " borough" includes the City of London and "borough council" includes the Common Council.”

Private places of entertainment

- 2 (1) For the entries relating to a London borough and the City of London in Part I of the Schedule to the Private Places of Entertainment (Licensing) Act 1967 there shall be substituted—

“A London borough.	The council of the borough.	The council of the borough
The City of London.	—	The Common Council.”

- (2) Sub-paragraph (1) above is without prejudice to the continued application of the said Act of 1967 in any London borough or in the City of London by virtue of its adoption before the abolition date in accordance with the Schedule to that Act as then in force.

Theatres

- 3 (1) In section 18(1) of the Theatres Act 1968, for paragraph (a) of the definition of "licensing authority" there shall be substituted—

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“(a) as respects premises in a London borough or the City of London, the council of that borough or the Common Council, as the case may be;”.

- (2) Where an application for the renewal of a licence under Schedule 1 to the said Act of 1968 is made to the Greater London Council before that licence expires but has not been determined by that Council before the abolition date, the licence shall continue in force until the determination' or withdrawal of the application.

Cinemas

- 4 (1) In sections 17 and 18 of the Cinemas Act 1985 for the words " the Greater London Council " and " the Council " , wherever they occur, there shall be substituted respectively the words " a local authority in Greater London " and " the authority " .
- (2) In section 21(1) of that Act, in the definition of " local authority " , for the words " the Greater London Council" there shall be substituted the words " a London borough council, the Common Council of the City of London" .

Children's entertainments

- 5 In section 12(5)(a) of the Children and Young Persons Act 1933 for the words from "licensed by" where they first occur to " the Greater London Council" there shall be substituted the words " licensed by a local authority " and for the words " the council of the county or county borough in which the building is situated" there shall be substituted the words " that local authority" .

Tracks for betting

- 6 (1) For the purposes of Schedule 3 to the Betting, Gaming and Lotteries Act 1963 the licensing authorities in Greater London shall be the London borough councils and the Common Council instead of the Greater London Council and accordingly in that Schedule—
- (a) in paragraph 1 the words "elsewhere than in Greater London " shall be omitted ;
 - (b) in paragraphs 5(2)(a)(i) and 6(2)(b) the words "or London borough " shall be omitted ;
 - (c) in paragraphs 5(2)(a)(ii) and 6(2)(a) after " 1962 " there shall be inserted the words " (not being the licensing authority)" ; and
 - (d) in paragraph 6(2)(c) for the words " any district or London borough in which the track or any part thereof is situated " there shall be substituted the words " the area of the licensing authority" .
- (2) In this paragraph the reference to the Greater London Council includes a reference to any committee to which the Council have delegated their functions in pursuance of section 53(1) of the London Government Act 1963.

Sports grounds

- 7 (1) In the Safety of Sports Grounds Act 1975 the words " where the local authority is in Greater London or a metropolitan county, the fire authority or, in any other case," shall be inserted in sections 3(3) and 4(7) and (8) after the words " police and" , and

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those words shall also be inserted in sections 5(5), 10(4) and 11 before the words "the building authority" .

- (2) In subsection (1) of section 17 of that Act for the definition of " building authority " there shall be substituted—
- “ building authority' means—
- (a) in England outside Greater London and the metropolitan counties, or in Wales, the district council;
- (b) in Scotland, the local authority within the meaning of the Building (Scotland) Act 1959”.
- (3) In that subsection for the definition of " local authority " there shall be substituted—
- “ local authority' means—
- (a) in Greater London, the London borough council or the Common Council of the City of London ;
- (b) in England, in the metropolitan counties, the district council;
- (c) in England outside Greater London and the metropolitan counties, or in Wales, the county council;
- (d) in Scotland, the regional or islands council;”.

Town development and new towns

- 8 (1) In sections 4(1) and 10(3) of the Town Development Act 1952, for the words " the Greater London Council" there shall be substituted the words " London borough" .
- (2) In section 7(b) of that Act for the words " Greater London Council " there shall be substituted the words " council of a London borough" .
- 9 (1) In section 7(3) of the New Towns Act 1981—
- (a) after the words " district planning authority shall" there shall be inserted the words " , in relation to proposals for development of land in a metropolitan county, be construed as references to the local planning authority ; and" ;
- (b) after " 1972 " there shall be inserted the words " and which is of land in a non-metropolitan county" .
- (2) In section 45(a) of that Act, before the word " county " there shall be inserted the word " non-metropolitan" .

Commons

- 10 (1) In the first Schedule to the Metropolitan Commons Act 1866 for the first entry in the second column there shall be substituted " The council of the London borough within which the whole or part is situate or, where there are two or more boroughs within which parts are situate and the councils of those boroughs agree that one of them shall be the local authority in relation to the whole, that council." .
- (2) In section 2 of the Metropolitan Commons Act 1878 for the words from the beginning to " 1855 " there shall be substituted the words " A London borough shall, in respect of any common the whole or part of which is situate within the borough," .
- (3) In the Schedule to the Commonable Rights Compensation Act 1882 for the first entry in the second column there shall be substituted " The council of the London borough within which the land is situate" .

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- (4) In section 1(3) of the Commons Act 1908, after the word "comity " , there shall be inserted the words " or metropolitan district" .
- (5) In sections 193(1)(d)(ii) and 194(3)(b) of the Law of Property Act 1925, after the word " county " , there shall be inserted the words " or metropolitan district" .
- (6) In section 2(1) of the Commons Registration Act 1965—
 - (a) in paragraph (a), after the words " that county " , there shall be inserted the words " or, if the county is a metropolitan county, the council of the metropolitan district in which the land is situated" ; and
 - (b) in paragraph (b) for the words " Greater London Council" there shall be substituted the words " council of the London borough in which the land is situated" .

Gipsy encampments

- 11 (1) In section 6 of the Caravan Sites Act 1968—
 - (a) in subsection (1) for the words " the council of a county or London borough" there shall be substituted the words " the council of a county, metropolitan district or London borough" ;
 - (b) in subsection (2) for the words " metropolitan county " and " in each district in the county " there shall be substituted respectively the words " metropolitan district " and " the district" .
- (2) In section 12 of that Act—
 - (a) in subsection (1) for the words " a county council or London borough council" there shall be substituted the words " the council of a county, metropolitan district or London borough" ;
 - (b) after subsection (2) there shall be inserted—
 - “(2A) Subject to subsection (3) below, the Minister may by order made on the joint application of two or more metropolitan district councils designate the area of those councils as an area to which section 10 of this Act applies.”;
 - (c) in subsection (3) for the words " subsection (1) or (2) " there shall be substituted the words " subsection (1), (2) or (2A)" ; and
 - (d) in subsection (6) for the words " the London borough council" there shall be substituted the words " the metropolitan district council or councils or the London borough council" .
- (3) In relation to an order made under the said section 12 before the abolition date on the application of a metropolitan county council the references in subsections (4) and (6) of that section to the authority or authorities which made the original application and the council for the area in respect of which an order is made shall be construed as references to the metropolitan district council or councils whose area or areas constitute or include the area designated by the order.
- (4) Where by virtue of the Local Government Act 1972 a designation order made before 1st April 1974 under the said section 12 (and not revoked) relates to part only of the area of a metropolitan district, any order which is made on the application of the council of that district under subsection (1) or (2A) of that section shall be made to extend only to an area which does not include the area designated before that date.

Housing

- 12 (1) In section 189(2) of the Housing Act 1957 for the words after " City of London " there shall be substituted the words " and the council of a district or London borough." .
- (2) For section 23(4) of the London Government Act 1963 there shall be substituted—
- “(4) The Minister may at any time after 1st April 1965 require any London borough to submit to him a programme for any transfers of housing accommodation vested in that borough such as are mentioned in subsection (3)(b) of this section which they propose to make and have not yet made.”
- (3) In section 84 of the Housing Act 1974 for the definition of " local authority " there shall be substituted—
- “" local authority " means the council of a district or London borough or the Common Council of the City of London;”.
- (4) For section 118 of the Rent Act 1977 there shall be substituted—
- “**118** In this Part of this Act, except where the context otherwise requires, " local authority " means—
- (a) the council of a district or of a London borough ;
 - (b) the Common Council of the City of London ; or
 - (c) the Council of the Isles of Stilly.”.
- (5) For section 1(8)(a) of the Homes Insulation Act 1978 there shall be substituted—
- “(a) in Greater London, London borough councils and the Common Council of the City of London ;”.

Rent officers

- 13 (1) In subsection (1) of section 62 of the Rent Act 1977 for the words after " Act" there shall be substituted the words " are—
- (a) counties;
 - (b) London boroughs ; and
 - (c) the City of London." .
- (2) In subsection (2)(a) of that section the words " the area of the Common Council of " shall be omitted.
- (3) At the end of section 63 of that Act there shall be inserted—
- “(9) In the case of a registration area which is a metropolitan county this section shall apply as if—
- (a) the first reference to the local authority in subsection (1) were a reference to the council of each district in the county; and
 - (b) the second reference to the local authority in that subsection, the references to the local authority in subsection (2) and the reference to the local authority for whose area the scheme is made in subsection (3) were references to such one of the councils of the districts in that county as has been designated by the scheme.”
- (4) A scheme under the said section 63 as amended by subparagraph (3) above may be made at any time before the abolition date so as to come into operation on that date.

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

Building control

- 14 (1) Subject to any building regulations made under section 1 of the Building Act 1984 (whether before or after the passing of this Act) with respect to any of them, the functions—
- (a) of the Greater London Council under the London Building Acts 1930 to 1982 (including functions conferred on the Council by section 43 of the London Government Act 1963); and
 - (b) of district surveyors under those Acts,
- shall, so far as they relate to Greater London other than the outer London boroughs, become functions of the councils of the inner London boroughs and the Common Council in respect of their respective areas.
- (2) The functions conferred on the Greater London Council by section 43 of the said Act of 1963 shall, so far as they relate to the outer London boroughs, become functions of the councils of those boroughs in respect of their respective areas.
- (3) In section 146 of the Housing Act 1957 for the words "in Greater London other than the outer London boroughs, the Greater London Council" there shall be substituted the words " in its area, the council of an inner London borough and the Common Council of the City of London" .
- (4) In the Building Act 1984—
- (a) in section 126 for the definition of " local authority " there shall be substituted—

“ local authority' means the council of a district or London borough, the Common Council of the City of London, the Sub-Treasurer of the Inner Temple, the Under Treasurer of the Middle Temple or, for the purposes of Parts I and H above and of this Part so far as it relates to them, the Council of the Isles of Scilly ;” ; and
 - (b) in Schedule 3—
 - (i) in paragraph 4 for the words " the Greater London Council and any other local authority" there shall be substituted the words " any local authority" ;
 - (ii) in paragraph 10(1) for the words from the beginning to " inner London boroughs " there shall be substituted the words " The council of an inner London borough may make byelaws in relation to the demolition of buildings in the borough" ; and
 - (iii) for paragraph 11 there shall be substituted—

“11 The council of an inner London borough shall make byelaws with respect to sanitary conveniences, ashpits, cesspools and receptacles for dung and their accessories in connection with buildings (whenever erected) in the borough.”

Trading standards and related functions

- 15 (1) In section 201(2)(a) of the Local Government Act 1972 for the words " county and London borough, the council of that county " there shall be substituted the words " non-metropolitan county, metropolitan district and London borough, the council of that county, district" .

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

- (2) In section 71(a) of the Food Act 1984 for the words " county and London borough, the council of that county " there shall be substituted the words " non-metropolitan county, metropolitan district and London borough, the council of that county, district" .
- (3) In section 67(1) of the Agriculture Act 1970 after the words " the council of a county " there shall be inserted the words " , metropolitan district" .
- (4) The councils of the districts in a metropolitan county shall, not later than 1st September 1985, establish a joint committee of members of those councils whose duty it shall be from the abolition date to co-ordinate—
 - (a) the exercise by those councils of the enforcement functions conferred on them by virtue of this paragraph with a view to securing uniformity in the exercise of those functions throughout the county ; and
 - (b) the employment, provision or use by those councils for the purposes of those functions of staff, property and facilities.
- (5) Each joint committee established by virtue of sub-paragraph (4) above shall before the abolition date co-ordinate the making by the councils represented on the committee of preparations for the transfer of the functions which by virtue of sub-paragraphs (1) to (3) above will be exercisable by those councils from that date.
- (6) If after the abolition date it appears to the Secretary of State to be necessary or expedient to do so he may, after consultation with the councils of the districts in a metropolitan county, by order establish a single authority for the county to discharge from a date specified in the order the functions conferred on the councils by virtue of this paragraph.
- (7) An order under this paragraph may contain such supplementary and transitional provisions as the Secretary of State thinks necessary or expedient, including provisions for the transfer of property, staff, rights and liabilities and provisions amending any enactment or any instrument made under any enactment.

Poisons

- 16 In section 11(2) of the Poisons Act 1972, in the definition of " local authority " , after the word " county " there shall be inserted the words " metropolitan district" .

Animals

- 17 In section 5 of the Performing Animals (Regulation) Act 1925—
- (a) in subsection (1), in the definition of " local authority "—
 - (i) for the words " county borough " there shall be substituted the words " London borough" ; and
 - (ii) for the words " other area, the council of the county " there shall be substituted the words " county or metropolitan district, the council of the county or district" ; and
 - (b) in subsection (3) for the words after " defrayed " there shall be substituted the words " , in the case of the council of a county, out of the county fund, and in the case of the council of a metropolitan district or London borough, out of the general rate fund. "

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

18 In section 50(2) of the Animal Health Act 1981 for paragraph (b) there shall be substituted—

- “(b) as respects a non-metropolitan county, the county council,
(c) as respects a metropolitan district, the district council.”.

Fisheries

19 (1) The Sea Fisheries Regulation Act 1966 shall be amended as follows.

(2) In section 1(1) for the words " county council" , in both places where they occur, there shall be substituted the words " county or metropolitan district council" .

(3) In section 2(1) for the words " county council" and " county councils" there shall be substituted respectively the words " county or metropolitan district council " and " county or metropolitan district councils " .

(4) In section 3 for the words " county council" there shall be substituted the words " county or metropolitan district council " and for the words " inhabitants of the county " there shall be substituted the words " inhabitants of the county or district" .

(5) For section 17(1) there shall be substituted—

“(1) The expenses of a local fisheries committee, so far as payable by a county or metropolitan district council, shall according as the order constituting the committee provides, be general or special expenses of the council and if special expenses shall be chargeable on such part only of the council's area as may be directed by the order.”

(6) In section 19 for the words " county council" there shall be substituted the words " county or metropolitan district council" .

20 In paragraph 5(b) of Schedule 3 to the Salmon and Freshwater Fisheries Act 1975 for the words " county council" there shall be substituted the words " county or metropolitan district council" .

Weeds

21 In section 5 of the Weeds Act 1959 after the word "county " , in both places where it occurs, there shall be inserted the words " or metropolitan district" .

Archives and records

22 (1) For section 2(6) of the Local Government (Records) Act 1962 there shall be substituted—

“(6) Subsections (1) and (2) above apply to the council of every country, metropolitan district or London borough, to the Inner London Education Authority, to a joint authority established by Part IV of the Local Government Act 1985 and to the council of any non-metropolitan district specified in an order made in that behalf by the Secretary of State.”

(2) In section 226 of the Local Government Act 1972—

- (a) in subsection (4), before the word "London" , there shall be inserted the words " metropolitan district," ; and

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

- (b) in subsection (5) for the words "Every county council" there shall be substituted the words "The council of every county or metropolitan district", and after the word "meeting" in the first place where it occurs there shall be inserted the words "in their area".

Expenses of Commission for Local Administration in England

- 23 In paragraph 6 of Schedule 4 to the Local Government Act 1974 for the words "the Greater London Council" there shall be substituted the words "the councils of metropolitan districts and London boroughs, the Common Council of the City of London".

Notice of orders under Water Act 1945

- 24 (1) Paragraphs 3 and 12 of Schedule 1 to the Water Act 1945 shall be amended as follows.
- (2) In sub-paragraph (i) of each of those paragraphs for the words "county or district" there shall be substituted the word "area".
- (3) For the words following the sub-paragraphs in each of those paragraphs there shall be substituted—

“In sub-paragraph (i) above 'local authority' means the council of a county, district or London borough and the Common Council of the City of London; and any copy to be served under that sub-paragraph on a local authority other than the council of a non-metropolitan district shall have attached to it a copy of the draft order”.

Administrative functions transferred by Courts Act 1971

- 25 Any functions which by virtue of paragraph 1 of Schedule 8 to the Courts Act 1971 are exercisable by, or by the clerk to, a metropolitan county council shall be exercisable respectively by the council, or the proper officer of the council, of each metropolitan district comprised in the county.

Loan societies

- 26 The functions under section 4 of the Loan Societies Act 1840 which by virtue of section 62(5) of the London Government Act 1963 became exercisable by the Greater London Council and the clerk to that council shall—
- (a) as respects a society formed in a London borough, be functions of the council of that borough and the proper officer of that council; and
- (b) as respects a society formed in the City, be functions of the Common Council and the town clerk to the City.

Mines and quarries

- 27 In section 11(3) of the Mines and Quarries (Tips) Act 1969 after the word "county" there shall be inserted the words "metropolitan district".

SCHEDULE 9

Section 19.

INNER LONDON EDUCATION AUTHORITY: ELECTIONS AND ELECTORAL ARRANGEMENTS

PART I

ELECTIONS

- 1 (1) The Representation of the People Act 1983 shall be amended as follows.
- (2) After section 31(5) there shall be inserted—
- “(6) Any polling district formed for the purpose of the election of councillors for any ward of a London borough shall, if the ward is wholly included in the electoral area for the election of a member of the Inner London Education Authority, be a polling district for the election of a member of that Authority for that electoral area.
- (7) If the polling districts in an electoral area for the election of a member of the Inner London Education Authority or any part of such an area are not determined by subsection (6) above—
- (a) the council of the London borough which includes that electoral area, or
- (b) in the case of an electoral area which includes the City, the Inner Temple and the Middle Temple, the City of Westminster,
- may divide that area or, as the case may be, that part of that area, into polling districts, and may alter any polling district and subsection (3) above applies to any power conferred by this subsection.”
- (3) After section 35(3) there shall be inserted—
- “(3A) The returning officer at an election of members of the Inner London Education Authority shall be the proper officer of the borough which includes the electoral division for which the election is held or, in the case of the electoral division which includes the City, the Inner Temple and the Middle Temple, the proper officer of the City of Westminster.”;
- and in section 35(4) for " (3)" there shall be substituted " (3A);" .
- (4) In section 36—
- (a) after subsection (3A) there shall be inserted—
- “(3AA) Where the poll at an ordinary election of members of the Inner London Education Authority for an electoral division, or an election to fill a casual vacancy occurring in the office of member of that Authority for an electoral division, is to be held on the same date as the poll at an ordinary election of councillors for any ward of a London borough which is wholly included in that electoral division, or an election to fill a casual vacancy occurring in the office of councillor for such a ward, the polls at those elections shall be taken together.”; and
- (b) after subsection (4) there shall be inserted—
- “(4A) All expenditure properly incurred by a returning officer in relation to the holding of an election of members of the Inner London

Education Authority shall, in so far as it does not exceed any scale fixed for that election by the Authority, be paid by that Authority.”

(5) After section 39(1) there shall be inserted—

“(1A) Subsection (1) above shall apply in relation to an election of a member of the Inner London Education Authority with the substitution for the reference to the returning officer of a reference to the proper officer of the Authority, and in section 39(2) and (6)(a)(ii) after the words " Local Government Act 1972 " there shall be inserted the words " or Part III of the Local Government Act 1985" .”

(6) In section 40(2) for the words " and the Local Government Act 1972 " there shall be substituted the words " , the Local Government Act 1972 and Part III of the Local Government Act 1985" .

(7) In section 47(2) after the words "those Acts " there shall be inserted the words " or Part III of the Local Government Act 1985" .

(8) In section 76(2)(b) after paragraph (i) there shall be inserted—

“(ia) at an election to the Inner London Education Authority,, £620 together with an additional 3-7p. for every entry in the register of electors to be used at the election (as first published);”.

(9) In section 82(4)(a) after the words " Greater London Council" there shall be inserted the words " or the Inner London Education Authority" .

(10) In section 203(1)—

(a) before the definition of " electoral area " there shall be in inserted—

“ " council" includes the Inner London Education Authority and, ' councillors' includes members of that Authority ;”;

(b) in the definition of " local authority " after the words " a London borough council" there shall be inserted the words " the Inner London Education Authority" ;

(c) in the definition of " local government Act" after " 1972 "there shall be inserted the words " or Part III of the Local Government Act 1985" ;

(d) in the definition of " local government area " after the words " London borough " there shall be inserted the words " the Inner London Education Area

(11) In section 203(2) after the words " parliamentary elections " there shall be inserted the words " or of elections of members of the Inner London Education Authority" .

PART II

ELECTORAL ARRANGEMENTS

Amendments of the Local Government Act 1972

2 (1) The principal Act shall be amended as follows.

(2) In section 47(1)(i) after the words " any local government area " there shall be inserted the words " or the Inner London Education Area" .

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

- (3) In subsection (2) of section 50 after the words " every principal area in England " there shall be inserted the words " and the Inner London Education Area " and in subsection (3) of that section after the words " a principal area in England " there shall be inserted the words " or the Inner London Education Area " .
- (4) After section 60(7) there shall be inserted—
- “(8) In subsections (2) and (5) above references to the council of a local government area and to the principal council of an area include the Inner London Education Authority as respects the Inner London Education Area.”
- (5) After section 67(5) there shall be inserted—
- “(6) In subsection (5)(c) and (d) above references to councillors for an electoral area include references to members of the Inner London Education Authority and the reference to a local government area includes a reference to the Inner London Education Area.”
- (6) In section 78(1) after paragraph (b) of the definition of " electoral arrangements " there shall be inserted—
- “(c) in relation to the Inner London Education Area, the number of members of the Inner London Education Authority, the number and boundaries of the electoral divisions into which that Area is for the time being divided for the purpose of the election of members, the number of members to be elected for any electoral division in that Area and the name of any electoral division;”.
- (7) In section 78(2) for the words "in Schedule 11 to this Act" there shall be substituted the words " in paragraphs 1 to 4 of Schedule 11 to this Act; and in considering the electoral arrangements for the Inner London Education Area for the purposes of this Part of this Act the Secretary of State and the English Commission shall so far as is reasonably practicable comply with the rules set out in paragraph 5 of that Schedule. "
- (8) After paragraph 4 of Schedule 11 to the principal Act there shall be inserted—

“Inner London Education Area

- 5 (1) This paragraph applies to the consideration by the Secretary of State or the English Commission of the electoral arrangements for elections of members of the Inner London Education Authority.
- (2) The number of members shall be not less than forty-eight or more than fifty-eight.
- (3) The whole of the City and the Temples shall be included with part of the City of Westminster in the same electoral division.
- (4) Every other electoral division of the Inner London Education Area shall be wholly within a single inner London borough.
- (5) Having regard to any change in the number or distribution of the local government electors in that Area likely to take place within the period of five years immediately following the consideration, the number of local government electors shall be, as nearly as may be, the same in every electoral division in that Area.

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

- (6) Subject to the foregoing provisions in this paragraph, in considering the electoral arrangements referred to in sub-paragraph (1) above regard shall be had to—
- (a) the desirability of fixing boundaries which are and will remain easily identifiable;
 - (b) any local ties which would be broken by the fixing of any particular boundary ; and
 - (c) the boundaries of the wards of the inner London boroughs.”

Initial review of electoral arrangements

- 3 (1) As soon as practicable after the coming into force of this Schedule the English Commission shall review the electoral arrangements for the Inner London Education Area for the purpose of considering future electoral arrangements for that Area on the basis of its division into electoral divisions each returning one member and the Commission shall formulate proposals for those arrangements accordingly.
- (2) The provisions of Part IV of the principal Act shall apply to a review under this paragraph as they apply to a review under section 50 of that Act, but in its application to a review under this paragraph section 51 of that Act shall have effect as if it required—
- (a) the Commission to submit their report not later than two years after the coming into force of this Schedule ; and
 - (b) the Secretary of State to make an order under that section giving effect to the proposals of the Commission under this paragraph (whether as submitted to him or with modifications).

SCHEDULE 10

Section 29.

NUMBER OF MEMBERS OF JOINT AUTHORITIES

PART I

GREATER LONDON

Constituent council	Number of members of London Fire and Civil Defence Authority
The Common Council	1
Westminster	1
Camden	1
Islington	1
Hackney	1
Tower Hamlets	1
Greenwich	1

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

Constituent council	Number of members of London Fire and Civil Defence Authority
Lewisham	1
Southwark	1
Lambeth	1
Wandsworth	1
Hammersmith and Fulham	1
Kensington and Chelsea	1
Waltham Forest	1
Redbridge	1
Havering	1
Barking and Dagenham	1
Newham	1
Bexley	1
Bromley	1
Croydon	1
Sutton	1
Merton	1
Kingston upon Thames	1
Richmond upon Thames	1
Hounslow	1
Hillingdon	1
Ealing	1
Brent	1
Harrow	1
Barnet	1
Haringey	1
Enfield	1

PART II

GREATER MANCHESTER

Appointing body	Number of members of police authority	Number of members of fire and civil defence authority	Number of members of passenger transport authority
Constituent councils:			

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

Appointing body	Number of members of police authority	Number of members of fire and civil defence authority	Number of members of passenger transport authority
Bolton	3	3	3
Bury	2	2	2
Manchester	5	5	5
Oldham	3	3	3
Rochdale	2	2	2
Salford	3	3	3
Stockport	3	3	3
Tameside	3	3	3
Trafford	3	3	3
Wigan	3	3	3
Joint magistrates' committee	15	—	—

PART III

MERSEYSIDE

Appointing body	Number of members of police authority	Number of members of fire and civil defence authority	Number of members of passenger transport authority
Constituent councils:			
Knowsley	2	2	2
Liverpool	6	6	6
St. Helens	2	2	2
Sefton	4	4	4
Wirral	4	4	4
Joint magistrates' committee	9	—	—

PART IV

SOUTH YORKSHIRE

Appointing body	Number of members of police authority	Number of members of fire and civil defence authority	Number of members of passenger transport authority
Constituent councils:			

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

Appointing body	Number of members of police authority	Number of members of fire and civil defence authority	Number of members of passenger transport authority
Barnsley	2	2	2
Doncaster	3	3	3
Rotherham	2	2	2
Sheffield	5	5	5
Joint magistrates' committee	6	—	—

PART V

TYNE AND WEAR AND NORTHUMBERLAND

Appointing body	Number of members of police authority	Number of members of fire and civil defence authority	Number of members of passenger transport authority
Constituent councils:			
Gateshead	3	3	3
Newcastle upon Tyne	4	4	4
North Tyneside	2	2	2
South Tyneside	2	2	2
Sunderland	4	4	4
Northumberland	4	—	—
Magistrates:			
Joint magistrates' committee for Tyne and Wear	7	—	—
Magistrates' courts committee for Northumberland	2	—	—

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

PART VI

WEST MIDLANDS

Appointing body	Number of members of police authority	Number of members of fire and civil defence authority	Number of members of passenger transport authority
Constituent councils:			
Birmingham	10	10	10
Coventry	3	3	3
Dudley	3	3	3
Sandwell	3	3	3
Solihull	2	2	2
Walsall	3	3	3
Wolverhampton	3	3	3
Joint magistrates' committee	13	—	—

PART III

WEST YORKSHIRE

Appointing body	Number of members of police authority	Number of members of fire and civil defence authority	Number of members of passenger transport authority
Constituent councils:			
Bradford	5	5	5
Calderdale	2	2	2
Kirklees	4	4	4
Leeds	8	8	8
Wakefield	3	3	3
Joint magistrates' committee	11	—	—

SCHEDULE 11

Section 37.

POLICE AND FIRE SERVICES

Police

1 (1) For section 1(1) of the Police Act 1964 there shall be substituted—

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

- “(1) Subject to the provisions of this Act, a police force shall be maintained—
- (a) for every county in England and Wales which is not comprised in a combined area constituted by an amalgamation scheme or in the Northumbria police area;
 - (b) for every combined area constituted by an amalgamation scheme; and
 - (c) for the Northumbria police area.

(1A) For the purposes of this Act the Northumbria police area shall consist of the county of Tyne and Wear and the county of Northumberland.”

- (2) In subsection (1) of section 2 of that Act for the words " a police area consisting of a county " there shall be substituted the words " a police area consisting of a non-metropolitan county" .
- (3) In subsection (2) of that section—
- (a) for the words " a police area consisting of a county " there shall be substituted the words " a police area insisting of a non-metropolitan county" ;
 - (b) in paragraph (b) the words " in the case of a non-metropolitan county " shall be omitted ; and
 - (c) paragraph (c) shall be omitted.
- (4) After section 2 of that Act there shall be inserted—

“2A Police authorities for metropolitan counties and Northumbria police area.

The police authority for a police area consisting of a metropolitan county shall be the metropolitan county police authority constituted in accordance with the provisions of Part IV of the Local Government Act 1985; and the police authority for the Northumbria police area shall be the Northumbria Police Authority constituted in accordance with those provisions.”

- (5) In section 8(3) and (4) of that Act for the words " police area consisting of a county " there shall be substituted the words " police area consisting of a non-metropolitan county " and in section 8(3) for the words "the said Part VIII" there shall be substituted the words " the said Part III" .
- (6) In section 11 of that Act for the words "any county there shall be substituted the words " any non-metropolitan county " .
- (7) After section 31(1)(b) of that Act there shall be inserted—
- “(c) by the Northumbria police authority.”
- (8) In Schedule 8 to that Act for the entries relating to a county there shall be substituted—

“A non-metropolitan county The police committee The chief constable The county fund

A metropolitan county	The metropolitan county police authority	The chief constable	The general fund
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The Northumbria police area	The Northumbria Police Authority	The chief constable	The general fund”.
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Fire services

- 2 (1) The London Fire and Civil Defence Authority shall be the fire authority for Greater London; and the fire and civil defence authority established under Part IV of this Act for each metropolitan county shall be the fire authority for that county.
- (2) References in the Fire Services Acts 1947 to 1959 and in any other enactment to a fire authority, or to a fire authority constituted by or for the purposes of the Fire Services Act 1947, shall be construed in accordance with sub-paragraph (1) above.
- (3) In section 4 of the said Act of 1947 for the words " the council of every county" there shall be substituted the words " the council of every non-metropolitan county
- (4) In the Metropolitan Fire Brigade Act 1865 the references to the Metropolitan Board of Works (which, by virtue of section 48(3) of the London Government Act 1963, are to be construed as references to the Greater London Council) shall be construed as references to the London Fire and Civil Defence Authority.

Explosives, petroleum etc.

- 3 In paragraph (3) of section 67 of the Explosives Act 1875 (local authorities for the purposes of that Act) after the words " Outside Greater London " there shall be inserted the words " and a metropolitan county" . and after that paragraph there shall be inserted—
- “(3A) In a metropolitan county, the fire authority; and”.
- 4 In section 2(1) of the Petroleum (Consolidation) Act 1928 (local authorities granting petroleum licences) for paragraph (a) there shall be substituted—
- “(a) in Greater London or a metropolitan county, the fire authority;”.
- 5 The functions of a local authority under section 73 of the Public Health Act 1961 (derelict petroleum tanks) shall be functions—
- (a) in Greater London or a metropolitan county, of the fire authority;
- (b) elsewhere, of the county council,
- and references in that section, and in the provisions of that Act applied by it, to a local authority shall be construed accordingly.
- 6 In section 9 of the Celluloid and Cinematograph Film Act 1922 at the end of the definition of "local authority" there shall be inserted the words " and in a metropolitan county means the fire authority" .

SCHEDULE 12

Section 39.

PASSENGER TRANSPORT

- 1 In section 202(1) of the Local Government Act 1972 for the words " the county council" there shall be substituted the words " the metropolitan county passenger transport authority" .

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

- 2 (1) In their application to a passenger transport area which is coterminous with a metropolitan county the provisions of Part II of the Transport Act 1968 and Schedule 5 to that Act shall have effect without any of the modifications specified in Part II of Schedule 24 to the said Act of 1972 except those in paragraph 17(1) and (3) and—
- (a) any reference in those provisions to the councils of constituent areas shall be construed as references to the constituent councils of the metropolitan county passenger transport authority;
- (b) for section 13 there shall be substituted—

“13 Power to make grants.

The Authority shall have power to make grants to the Executive for any purpose.”;

- (c) paragraph 1 of Part II of Schedule 5 shall be omitted.
- (2) Only so much of section 9(1), (2) and (4) of the said Act of 1968 as relates to the Passenger Transport Executive shall apply to a passenger transport area which is coterminous with a metropolitan county; and in relation to any order under subsection (1) of that section varying or revoking so much of a previous order as relates to the Executive subsection (2) shall have effect as if the councils to be consulted were the constituent councils and as if in subsection (4) the reference to Part I of Schedule 5 were omitted.
- 3 (1) After section 56(6)(b) of the said Act of 1968 (assistance for capital expenditure on public transport facilities) there shall be inserted—
- “(bb) a metropolitan county passenger transport authority ; ””
- (2) A metropolitan county passenger transport authority shall have the same powers as a local authority under section 138 of that Act (travel concessions).
- 4 In section 16(1) of the Finance Act 1970 (computation of profits of Passenger Transport Executive) after the words " as set out in Part II of Schedule 24 to the Local Government Act 1972 " there shall be inserted the words " or Schedule 12 to the Local Government Act 1985 " .
- 5 (1) The Transport Act 1983 shall be amended as follows.
- (2) In section 1 for the definition of "Authority" there shall be substituted " ' Authority' means, in relation to any such Passenger Transport Executive, the metropolitan county passenger transport authority." .
- (3) Sections 3(5), 4(3)(b), (4), (5) and (6) and 5(2) shall be omitted.
- (4) In subsection (1) of section 6 for the words from " shall supply " onwards there shall be substituted the words " shall before preparing any plan under section 3 above consult the Authority" , subsections (3) and (4) of that section shall be omitted and in subsection (5) of that section after the words " shall inform the Executive " there shall be inserted the words " and the Secretary of State" .
- (5) This paragraph has effect from the abolition date except that it also applies (and shall be deemed always to have applied) in relation to any plan prepared before that date under section 3 of the said Act of 1983 for a period beginning on that date and to any determination to be made under section 4(1) of that Act in the light of any such plan.

SCHEDULE 13

Section 57(7).

RESIDUARY BODIES

Status

- 1 A residuary body shall not be regarded as acting on behalf of the Crown and neither that body nor its members, officers or servants shall be regarded as Crown servants.

Tenure of office of members

- 2 (1) Subject to the provisions of this paragraph, every member of a residuary body shall hold and vacate his office in accordance with the terms of his appointment.
- (2) Any member may resign by notice in writing to the Secretary of State, and the chairman or deputy chairman may by a like notice resign his office as such.
- (3) The Secretary of State may remove a member from office if that member—
- (a) has become bankrupt or made an arrangement with his creditors;
 - (b) is incapacitated by physical or mental illness;
 - (c) has been absent from meetings of the body for a period of three months otherwise than for a reason approved by the body; or
 - (d) is in the opinion of the Secretary of State otherwise unable or unfit to discharge the functions of a member.
- (4) If the chairman or deputy chairman ceases to be a member he shall also cease to be chairman or deputy chairman.

Remuneration etc. of members

- 3 (1) A residuary body shall pay to each member such remuneration and allowances (if any) as the Secretary of State may determine.
- (2) As regards any member of a residuary body in whose case the Secretary of State may so determine, the body shall pay or make provision for the payment of such sums by way of pension, allowances and gratuities to or in respect of him as the Secretary of State may determine.
- (3) Where a person ceases to be a member of a residuary body otherwise than on the expiration of his term of office and it appears to the Secretary of State that there are special circumstances which make it right for him to receive compensation, the body shall pay as compensation to that person such amount as the Secretary of State may determine.
- (4) Where an employee of a residuary body becomes a member of that body and immediately before becoming a member was by reference to his employment by that body participating in a superannuation scheme, the body may make provision for him to continue to participate in that scheme, on terms and conditions determined by the body with the consent of the Secretary of State, as if his service as a member were service as an employee; and any such scheme shall have effect subject to any provision made under this subparagraph.
- (5) Any determination by the Secretary of State under this paragraph shall require the consent of the Treasury.

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

House of Commons disqualification

- 4 In Part III of Schedule 1 to the House of Commons Disqualification Act 1975 (disqualifying offices) there shall be inserted at the appropriate place in alphabetical order—
- “Any member of a residuary body established by Part VII of the Local Government Act 1985 who is in receipt of remuneration”.

Proceedings

- 5 (1) A residuary body shall regulate its own proceedings.
- (2) The validity of any proceedings of a residuary body shall not be affected by any vacancy among its members or by any defect in the appointment of any of its members.
- 6 (1) The application of the seal of a residuary body shall be authenticated by the signature of the chairman or of some other member authorised either generally or specially by the body for that purpose.
- (2) Any document purporting to be a document duly executed under the seal of a residuary body shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

Acquisition and disposal of land

- 7 (1) A residuary body may with the consent of the Secretary of State acquire by agreement any land required by it for carrying out its functions.
- (2) A residuary body may dispose of any land held by it in such manner as it wishes and shall dispose of any land held by it which is not required by it for carrying out its functions but subject, in either case, to section 65 of this Act, to the same restrictions as those imposed by subsections (2), (2A) and (6) of section 123 of the principal Act in the case of disposals by a principal council under subsection (1) of that section and to any other restrictions to which it is subject by virtue of the subsequent provisions of this Schedule.

Provision of services

- 8 (1) A residuary body may by agreement with any relevant successor authority, and on such terms as to payment or otherwise as the parties consider appropriate, provide that authority with professional or technical services.
- (2) Each residuary body shall as soon as practicable after it is established—
- (a) review the professional and technical services provided by the Greater London Council or the relevant metropolitan county council, as the case may be, and the staff employed and property used by them in the provision of those services ; and
- (b) in the light of that review ascertain from each relevant successor authority whether it is likely to wish to enter into an agreement with the residuary body under this paragraph, being an agreement the performance of which by that body would make it desirable for any such staff or property to be transferred to that body.

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

- (3) If any relevant successor authority indicates to a residuary body that it is likely to wish to enter into such an agreement as is mentioned in sub-paragraph (2)(b) above that body shall forthwith make a report to that effect to the Secretary of State who shall take it into consideration and make such orders under sections 52 and 100 of this Act as appear to him to be appropriate unless he considers it inexpedient to do so.
- (4) In this paragraph "relevant successor authority" , in relation to a residuary body, means a successor authority exercising functions in the area for which that body is established and " successor authority" means a London borough council, the Common Council, a metropolitan district council, a new authority and any other body to which functions or property of the Greater London Council or a metropolitan county council are transferred by or under this Act or any other enactment.

Access to documents of councils

- 9 (1) Any person authorised in that behalf by the London Residuary Body or the residuary body established for a county shall be entitled on producing, if so required, evidence of his authority—
 - (a) at all reasonable times to inspect and make copies of any document belonging to or under the control of the Greater London Council or the council of that county, as the case may be ; and
 - (b) to require copies of any such document to be delivered to him.
- (2) Any person having custody of any such document who without reasonable excuse—
 - (a) obstructs a person in the exercise of his rights under subparagraph (1) above; or
 - (b) refuses or fails to comply with any requirement imposed under that subparagraph,shall be liable on summary conviction to a fine not exceeding the third level on the standard scale and to an additional fine not exceeding £40 for each day on which the offence continues after conviction thereof.
- (3) References in this paragraph to copies of a document include references to copies of any part of it.
- (4) In this paragraph " document" includes any record of information and, where the record is not in legible form, the rights conferred by sub-paragraph (1) above include the right to require the information to be made available in legible form for inspection or copying and to require copies of it in that form to be delivered.

Reports and information

- 10 (1) Each residuary body shall publish an annual report on the discharge of its functions.
- (2) Each residuary body shall send to the Secretary of State a copy of any report made by it under sub-paragraph (1) above and the Secretary of State shall lay copies of it before each House of Parliament.
- (3) Each residuary body shall furnish the Secretary of State with such information relating to the discharge of its functions as he may require, and for that purpose shall permit any person authorised by him to inspect and make copies of any accounts or other documents of the body and shall afford such explanation of them as that person or the Secretary of State may require.

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

Supervision by Parliamentary Commissioner

- 11 The residuary bodies shall be included among the authorities to which the Parliamentary Commissioner Act 1967 applies.

Application of local government provisions

- 12 A residuary body shall be treated as a local authority or, as the case may be, as a principal council for the purposes of the following provisions of the principal Act—
- (a) section 111 (subsidiary powers) ;
 - (b) sections 112 to 115 and 117 to 119 (staff);
 - (c) section 128(2) (protection of purchasers) ;
 - (d) sections 140, 140A and 140C (insurance of members etc.);
 - (e) section 146 (transfer of securities);
 - (f) section 223 (appearance in legal proceedings) ;
 - (g) sections 224, 225 and 229 to 233 (documents); and
 - (h) section 239 so far as it relates to opposing a local or personal Bill in Parliament and without the procedural requirements in subsection (2).
- 13 A residuary body shall be treated as a local authority for the purposes of—
- (a) the Landlord and Tenant Act 1954 ;
 - (b) the Local Government (Records) Act 1962 ;
 - (c) Part III of the Post Office Act 1969 ;
 - (d) section 215 of the Town and Country Planning Act 1971;
 - (e) section 13(7)(f) of the Employment Agencies Act 1973 ;
 - (f) section 28 of the Health and Safety at Work etc. Act 1974 ;
 - (g) sections 30, 38 and 41 of the Local Government (Miscellaneous Provisions) Act 1976;
 - (h) section 71 of the Race Relations Act 1976 ;
 - (i) section 64 of the Justices of the Peace Act 1979 ;
 - (j) section 41 of the Local Government (Miscellaneous Provisions) Act 1982;
 - (k) paragraph 7 of Schedule 1 to the Stock Transfer Act 1982; and
 - (l) section 60 of the County Courts Act 1984.
- 14 A residuary body shall be included among the authorities or bodies to which the following enactments apply—
- (a) section 11 of the Trustee Investments Act 1961 ;
 - (b) section 3(1) of the Employer's Liability (Compulsory Insurance) Act 1969 ;
 - (c) section 5(2) of the Rent (Agriculture) Act 1976 ; and
 - (d) section 140(1)(a) of the Housing Act 1980.
- 15 A residuary body shall be included among the bodies specified in section 99(4) of and Schedule 16 to the Local Government Planning and Land Act 1980.
- 16 The London Residuary Body shall be included among the authorities to which section 5(3) of the London Government Act 1963 applies.
- 17 A residuary body shall be included in the local authorities mentioned in section 28(5)(a) of the Leasehold Reform Act 1967 and sections 29(5) and 38(1) of that Act shall be construed accordingly.

- 18 Without prejudice to paragraph 8 above, a residuary body shall be treated as a local authority for the purposes of the Local Authorities (Goods and Services) Act 1970 and, for the purposes of that Act as it applies in relation to a residuary body, the Secretary of State shall be treated as a public body.
- 19 A residuary body shall be included among the councils mentioned in paragraph 1(3) of Schedule 20 to the Town and Country Planning Act 1971.
- 20 A residuary body shall be included among the bodies specified in section 144(2)(a) of the Road Traffic Act 1972.
- 21 A residuary body shall be included among the bodies to which section 14 of the Rent Act 1977 applies and section 19(5)(aa) of that Act and section 80(1)(c) of the Housing Act 1980 shall be construed accordingly.
- 22 A residuary body shall be treated as a county council for the purposes of Part I of and Schedule 19 to the Housing Act 1980 and Part I of the Housing and Building Control Act 1984.
- 23 A residuary body shall be a public sector authority for the purposes of the Housing Defects Act 1984.

SCHEDULE 14

Section 84.

NEW AUTHORITIES: APPLICATION OF LOCAL AUTHORITY PROVISIONS

PART I

AMENDMENTS OF LOCAL GOVERNMENT ACT 1972

Restriction on promotion of Bills for changing local government areas etc.

- 1 In section 70 for the words "No local authority" there shall be substituted the words "Neither a local authority or joint authority nor the Inner London Education Authority" and after the words "local government area" in both places where they occur there shall be inserted the words "or the Inner London Education Area".

Qualifications for election and holding office

- 2 At the end of section 79 there shall be inserted—
- “(3) In this section "local authority" includes the Inner London Education Authority and references to its area shall be construed as references to the Inner London Education Area.”

Disqualifications for election and holding office

- 3 (1) In subsections (1)(a) and (2)(b) of section 80 after the words "joint board" there shall be inserted the words ", joint authority".
- (2) After subsection (5) of that section there shall be inserted—

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

“(6) In this section " local authority" includes the Inner London Education Authority.”

Validity of acts done by unqualified persons

4 In section 82 after the words " elected to an office under this Act" there shall be inserted the words " or elected or appointed to an office under Part III or IV of the Local Government Act 1985. "

Declaration of acceptance of office

5 After section 83(3) there shall be inserted—

“(3A) Subsections (1) to (3) above shall apply also to a person elected to the office of member, or appointed to the office of chairman or vice-chairman, of the Inner London Education Authority and in relation to any such office the references in those provisions to the proper officer of the council and to members of the council shall be construed respectively as references to the proper officer of that Authority and to members of that Authority.”

Resignation

6 The provisions of section 84 shall become subsection (1) of that section and after those provisions there shall be inserted—

“(2) A person elected or appointed to an office under Part III or IV of the Local Government Act 1985 may at any time resign his office by written notice delivered to the proper officer of the authority of which he is a member and his resignation shall take effect upon the receipt of the notice by that officer.”

Failure to attend meetings

7 At the end of section 85 there shall be inserted—

“(4) In this section " local authority " includes a joint authority and the Inner London Education Authority.”

Declaration of vacancy

8 The provisions of section 86 shall become subsection (1) of that section and after those provisions there shall be inserted—

“(2) In this section "local authority" includes a joint authority and the Inner London Education Authority.”

Date of casual vacancies

9 At the end of section 87 there shall be inserted—

“(3) This section shall apply also in relation to a casual vacancy in any office for which an election is held, or to which an appointment is made, under Part III of the Local Government Act 1985, taking references to a local authority as references to the Inner London Education Authority.”

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

Filling of casual vacancies

- 10 (1) After section 88(2) there shall be inserted—
- “(2A) In subsections (1) and (2) above " council" includes the Inner London Education Authority.”
- (2) After section 89(3) there shall be inserted—
- “(3A) Subsections (1) to (3) above shall apply also in relation to a casual vacancy occurring in the office of member of the Inner London Education Authority, taking references to the council and the returning officer as references to the Authority and the proper officer of the Authority.”

Term of office of person filling casual vacancy

- 11 In section 90 after the word "Wales" there shall be inserted the words " or under Part III or IV of the Local Government Act 1985" , and after the words " he is elected " there shall be inserted the words " or appointed" .

Proceedings for disqualification

- 12 At the end of section 92 there shall be inserted—
- “(7) In this section " local authority " includes a joint authority and the Inner London Education Authority; and in relation to a joint authority the reference in subsection (1) above to a local government elector for the area concerned shall be construed as a reference to a local government elector for any local government area in the area for which the authority is established.”

Pecuniary interests

- 13 After section 98(1) there shall be inserted—
- “(1A) In sections 94 and 97 above " local authority " includes a joint authority and the Inner London Education Authority and in section 94(5)(a) above " principal council" includes any such authority.”

Meetings and proceedings

- 14 In section 99 after the words " local authorities " there shall be inserted the words " , joint authorities, the Inner London Education Authority" .

Discharge of functions

- 15 In section 101(13) after the words "the Middle Temple," there shall be inserted the words " any joint authority except a police authority, the Inner London Education Authority," .

Miscellaneous powers of local authorities

- 16 After section 146 there shall be inserted—

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

“146A Joint Authorities and Inner London Education Authority.

- (1) A joint authority and the Inner London Education Authority shall be treated—
- (a) as local authorities for the purposes of sections 111 to 119, 128 to 131, 135, 136, 139 (except subsections (1)(b) and (2)), 140, 140A, 140C, 143 and 146 above ; and
 - (b) as a principal council for the purposes of section 120 (except subsection (1)(b)) and sections 121 to 123 above.
- (2) The Inner London Education Authority may exercise any of the powers of a local authority under section 145 above so far as it considers it expedient to do so for the benefit of persons under the age of twenty-six.”

Application of capital money

17 After section 153(2) there shall be inserted—

“(3) In this section "local authority" includes a joint authority and the Inner London Education Authority.”

Allowances to members

18 After section 176(2) there shall be inserted—

“(3) In this section " local authority " includes a joint authority and the Inner London Education Authority.”

19 In section 177(1) after paragraph (a) there shall be inserted—

“(ab) the Inner London Education Authority ;
(ac) a joint authority ;”

20 After section 177A(4) there shall be inserted—

“(5) In this section references to a principal council and a councillor include references to a joint authority and the Inner London Education Authority and to any member of any such authority.”

Legal proceedings

21 In section 223(2) after the words " the Common Council" there shall be inserted the words " , a joint authority and the Inner London Education Authority. "

Documents and notices

22 The provisions of section 224 shall become subsection (1) of that section and after those provisions there shall be inserted—

“(2) This section applies to a joint authority and the Inner London Education Authority as it applies to a principal council.”

23 After section 225(2) there shall be inserted—

“(3) In this section " local authority " includes a joint authority and the Inner London Education Authority.”

- 24 After section 228(7) there shall be inserted—
- “(7A) This section shall apply to the minutes of proceedings and the accounts of a joint authority or the Inner London Education Authority as if that authority were a local authority and as if, in relation to a joint authority, references to a local government elector for the area of the authority were a reference to a local government elector for any local government area in the area for which the authority is established.”
- 25 At the end of section 229(8) there shall be inserted the words " and " local authority" includes a joint authority and the Inner London Education Authority."
- 26 The provisions of section 230 shall become subsection (1) of that section and after those provisions there shall be inserted—
- “(2) In this section " local authority " includes a joint authority and the Inner London Education Authority.”
- 27 After section 231(3) there shall be inserted—
- “(4) In this section " local authority " includes a joint authority and the Inner London Education Authority.”
- 28 After section 232(1) there shall be inserted—
- “(1A) In subsection (1) above " local authority " includes a joint authority and the Inner London Education Authority.”
- 29 After section 233(10) there shall be inserted—
- “(11) In this section " local authority " includes a joint authority and the Inner London Education Authority.”
- 30 After section 234(3) there shall be inserted—
- “(4) In this section " local authority " includes a joint authority and the Inner London Education Authority.”

Byelaws

- 31 (1) In section 236(1) for the words " or any other enactment, whenever passed and conferring on a local authority " there shall be substituted the words " and to byelaws made by a local authority, a metropolitan county passenger transport authority or the Inner London Education Authority under any other enactment and conferring on the authority. "
- (2) In section 238 after the words " a local authority" there shall be inserted the words " , a metropolitan county passenger transport authority or the Inner London Education Authority" .

Promoting and opposing local and personal Bills

- 32 (1) After subsection (4) of section 239 there shall be inserted—
- “(4A) The powers conferred on a local authority by subsection (1) above shall also be exercisable by a joint authority, and the Inner London Education Authority.”

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

- (2) In subsection (5) of that section for the words " a local authority " there shall be substituted the words " an authority" .

Computation of time

- 33 At the end of section 243(2) there shall be inserted the words " and applies also to sections 19, 31 and 32 of the Local Government Act 1985" .

Interpretation

- 34 In section 270(1) after the definition of " grouped " there shall be inserted—
 “‘ joint authority' means an authority established by Part IV of the Local Government Act 1985 ;”.

Meetings and proceedings

- 35 (1) Schedule 12 shall be amended as follows.
 (2) After Part I there shall be inserted—

“PART IA

JOINT AUTHORITIES AND INNER LONDON EDUCATION AUTHORITY

- 6A Paragraph 1 above shall apply to a joint authority as it applies to a principal council in a year in which there are no ordinary elections of councillors and that paragraph shall apply to the Inner London Education Authority as it applies to the council of a London borough.
- 6B The other provisions of Part I of this Schedule shall apply to an authority mentioned in paragraph 6A above as they apply to a principal council except that the number of members mentioned in paragraph 3(2) shall be three members in the case of a joint authority and ten members in the case of the Inner London Education Authority.”

- (3) After paragraph 45 there shall be inserted—

“46 In this Part of this Schedule " local authority " includes a joint authority and the Inner London Education Authority and in relation to any such authority the reference in paragraph 43 above to election shall include a reference to appointment.”

PART II

AMENDMENTS OF OTHER ENACTMENTS

- 36 In section 69(1) of the Landlord and Tenant Act 1954 at the end of the definition of "local authority" there shall be inserted the words " except that it includes the Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985" .
- 37 In the Schedule to the Public Bodies (Admission to Meetings) Act 1960 after paragraph 1(a) there shall be inserted—

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

- “(aa) joint authorities established by Part IV of the Local Government Act 1985 ;
- (ab) the Inner London Education Authority ;”.
- 38 In section 11(4)(a) of the Trustee Investments Act 1961 after the words " City of London" there shall be inserted the words " , the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985" .
- 39 In the Local Government (Records) Act 1962—
- (a) in section 2(6) after the words " London borough" there shall be inserted the words " to the Inner London Education Authority, to a joint authority established by Part IV of the Local Government Act 1985" ; and
- (b) in section 8(1), in the definition of " local authority " , after the words " county district" there shall be inserted the words " the Inner London Education Authority, or a joint authority established by Part IV of the Local Government Act 1985," .
- 40 In the London Government Act 1963—
- (a) in section 5(3) for the words "the following councils" and " those councils" there shall be substituted respectively the words " the following authorities " and " those authorities " and for the words " and the Common Council" there shall be substituted the words " , the Common Council, the Inner London Education Authority and the London Fire and Civil Defence Authority" ;
- (b) after section 75(3) there shall be inserted—
- “(4) This section shall apply to the Inner London Education Authority and the London Fire and Civil Defence Authority as it applies to the councils mentioned in subsection (1) of this section.”
- 41 After section 11(2) of the Local Government Act 1966 there shall be inserted—
- “(3) This section shall apply to the Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985 as it applies to a local authority.”
- 42 In the General Rate Act 1967—
- (a) in section 85(2), for the words " or the Common Council of the City of London" there shall be substituted the words " , the Common Council of the City of London, the Inner London Education Authority or a joint authority established by Part IV of the Local Government Act 1985" ;
- (b) in paragraph 15 of Schedule 1, in the definition of "local authority " , after the words "City of London " there shall be inserted the words " , the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985" .
- 43 In section 28(5)(a) of the Leasehold Reform Act 1967 after the words " district council," there shall be inserted the words " the Inner London Education Authority, any joint authority established by Part IV of the Local Government Act 1985," .
- 44 At the end of section 1(3) of the Local Government Grants (Social Need) Act 1969 there shall be inserted the words " except that in the application of this section to England and Wales " local authority " shall also include the Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985 " .

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

- 45 In section 86(1) of the Post Office Act 1969, in the definition of "local authority" , after the words " London borough " there shall be inserted the words " the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985" .
- 46 In section 3(2) of the Employers' Liability (Compulsory Insurance) Act 1969 after the words " any such council" there shall be inserted the words " the Inner London Education Authority, any joint authority established by Part IV of the Local Government Act 1985" .
- 47 In section 1(4) of the Local Authorities (Goods and Services) Act 1970, in the definition of " local authority" , after the words " combined authority " there shall be inserted the words " the Inner London Education Authority and any joint authority established by Part IV of the Local Government Act 1985" .
- 48 In the Town and Country Planning Act 1971—
- (a) in section 215(8) after the words " London borough " there shall be inserted the words " the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985" ;
 - (b) in paragraph 1(3) of Schedule 20 for the words " or a London borough council" there shall be substituted the words " a London borough council, the Inner London Education Authority or a joint authority established by Part IV of the Local Government Act 1985" .
- 49 In section 144(2)(a) of the Road Traffic Act 1972 after the words " London borough " there shall be inserted the words " , the Inner London Education Authority, a joint authority (other than a police authority) established by Part IV of the Local Government Act 1985" .
- 50 In section 13(7)(f) of the Employment Agencies Act 1973, after the words " local authority " , there shall be inserted the words " , the Inner London Education Authority or a joint authority established by Part IV of the Local Government Act 1985" .
- 51 In the Local Government Act 1974—
- (a) for section 25(1)(c) there shall be substituted—
 - “(c) any joint authority established by Part IV of the Local Government Act 1985 ;
 - (ca) any other police authority, except the Secretary of State ;
 - (cb) the Inner London Education Authority ; and” ; and
 - (b) for section 26(11) there shall be substituted—
 - “(11) In this section—
 - (a) references to a person aggrieved include references to his personal representatives ; and
 - (b) references to a member of an authority concerned include, in the case of a complaint relating to a joint authority established by Part IV of the Local Government Act 1985, references to a member of a constituent council of that authority.”.
- 52 For subsection (6) of section 28 of the Health and Safety at Work etc. Act 1974 there shall be substituted—

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

- “(6) References in subsections (3) and (5) above to a local authority include the Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985.”
- 53 In the Local Government (Miscellaneous Provisions) Act 1976—
- (a) after section 19(5) there shall be inserted—
- “(5A) Without prejudice to subsection (4) above, the Inner London Education Authority may exercise the powers of a local authority under subsections (1) to (3) above so far as it considers it expedient to do so for the benefit of persons under the age of twenty-six.”;
- (b) in section 44(1) for the definition of "local authority " there shall be substituted—
- “' local authority' means a county council, the Greater London Council, a district council, a London borough council, the Common Council, the Council of the Isles of Scilly and—
- (a) in sections 13 to 16, 29, 30, 38, 39 and 41 of this Act, the Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985 ;
- (b) in sections 1, 16, 19, 30, 36, 39 and 41 of this Act, a parish council and a community council.”
- 54 At the end of section 71 of the Race Relations Act 1976 there shall be inserted the words " ; and in this section " local authority " includes the Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985." .
- 55 After section 5(3)(b) of the Rent (Agriculture) Act 1976 there shall be inserted—
- “(ba) the Inner London Education Authority ;
- (bb) a joint authority established by Part IV of the Local Government Act 1985 ;”
- 56 After section 14(c) of the Rent Act 1977 there shall be inserted—
- “(ca) the Inner London Education Authority ;
- (cb) a joint authority established by Part IV of the Local Government Act 1985 ;”
- 57 In section 64 of the Justices of the Peace Act 1979—
- (a) in subsection (1) the words " within the meaning of the Local Government Act 1972 or the Local Government (Scotland) Act 1973 " shall be omitted ; and
- (b) after subsection (5) there shall be inserted—
- “(6) In this section " local authority " means a local authority within the meaning of the Local Government Act 1972 or the Local Government (Scotland) Act 1973, the Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985.”
- 58 In the Housing Act 1980—
- (a) in section 19(1), after the words " county council" , there shall be inserted the words " a joint authority established by Part IV of the Local Government Act 1985," ;
- (b) in section 28(4), after paragraph (ad), there shall be inserted—

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

- “(ab) the Inner London Education Authority ;
 - (ac) a joint authority established by Part IV of the Local Government Act 1985”;
 - (c) in section 110—
 - (i) in subsection (7)(b), after the words "the Greater London Council" , there shall be inserted the words " , the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985 " ; and
 - (ii) in subsection (15), after the words "City of London " , there shall be inserted the words " , the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985" ;
 - (d) in section 111(6), after the words "City of London" , there shall be inserted the words " , the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985" ;
 - (e) after section 140(2)(a) there shall be inserted—
 - “(aa) the Inner London Education Authority ;
 - (ab) a joint authority established by Part IV of the Local Government Act 1985 ;”;
 - (f) after paragraph 1(3)(a) of Schedule 1 there shall be inserted—
 - “(aa) the Inner London Education Authority ;
 - (ab) a joint authority established by Part IV of the Local Government Act 1985 ;”;
 - (g) in paragraph 9(2)(a) of Schedule 1A, after the words " county council," , there shall be inserted the words " the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985." ; and
 - (h) after paragraph 14(1)(b) of Schedule 19 there shall be inserted—
 - “(ba) the Inner London Education Authority,
 - (bb) a joint authority established by Part IV of the Local Government Act 1985.”.
- 59 (1) In the Local Government, Planning and Land Act 1980—
- (a) in section 2(1), at the end of paragraph (k) the word " and " shall be omitted and there shall be inserted—
 - “(ka) a joint authority established by Part IV of the Local Government Act 1985 ;”;
 - (b) in section 20(1), in the definition of " local authority " , after the words " City of London " there shall be inserted the words " the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985" ;
 - (c) in section 71(1) the word " and " at the end of paragraph (g) shall be omitted, and at the end of paragraph (h) there shall be inserted—
 - “(i) the Inner London Education Authority ; and
 - (j) a joint authority established by Part IV of the Local Government Act 1985.”;
 - (d) in subsection (1) of section 72 after the word " applies " there shall be inserted the words " by virtue of any paragraph of section 71(1) above other than paragraphs (f) and (J) " and at the end of that subsection there shall

be inserted the words " ; and the appropriate Minister may, if he thinks fit, specify an amount of prescribed expenditure for any year in relation to an authority to whom this Part of this Act applies by virtue of either of those paragraphs" ;

(e) after section 82(3) there shall be inserted—

“(3A) This section shall have effect in relation to a metropolitan county as if references to the council of the county were references to the metropolitan county passenger transport authority.”;

(f) after section 99(4)(d) there shall be inserted—

“(da) the Inner London Education Authority ;

(db) a joint authority established by Part IV of the Local Government Act 1985 ;”;

(g) in Schedule 16 after paragraph 5 there shall be inserted—

“5A The Inner London Education Authority.

5B A joint authority established by Part IV of the Local Government Act 1985.”.

60 In section 17(4) of the Acquisition of Land Act 1981, in the definition of " local authority " after the words " City of London " there shall be inserted the words " , the Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985" .

61 In the Local Government (Miscellaneous Provisions) Act 1982—

(a) in section 33(9)—

(i) in paragraph (a), after the words " City of London " there shall be inserted the words " the Inner London Education Authority or a joint authority established by Part IV of the Local Government Act 1985" ; and

(ii) at the end of paragraph (b) there shall be inserted the words " , in relation to the Inner London Education Authority means the Inner London Education Area, and in relation to such a joint authority means the area for which the authority was established" ; and

(b) at the end of the definition of " local authority " in section 41(13) there shall be inserted—

“and

(d) the Inner London Education Authority; and

(e) a joint authority established by Part IV of the Local Government Act 1985 ;”.

62 In paragraph 7(2)(a) of Schedule 1 to the Stock Transfer Act 1982 after the words " City of London " there shall be inserted the words " the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985" .

63 In section 60(3) of the County Courts Act 1984 after the words "London borough council" there shall be inserted the words " the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985. "

64 In the Housing and Building Control Act 1984—

(a) after section 18(3)(b) there shall be inserted—

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- “(ba) the Inner London Education Authority ;
 - (bb) a joint authority established by Part IV of the Local Government Act 1985 ;”;
 - (b) in section 20(5), in the definition of " local authority " , after the words " City of London " there shall be inserted the words " , the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985" ; and
 - (c) after paragraph 10(2)(b) of Schedule 4 there shall be inserted—
 - “(ba) the Inner London Education Authority,
 - (bb) a joint authority established by Part IV of the Local Government Act 1985,”.
- 65 In paragraph 1 of Schedule 4 to the Housing Defects Act 1984, after the words " City of London " , there shall be inserted the words " , the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985" .

SCHEDULE 15

Section 91.

SECTION 91: SUPPLEMENTARY PROVISIONS

PART I

RELEVANT ASSISTANCE

- 1 (1) In section 91 of this Act (" the principal section ") " relevant assistance" means assistance under any such enactment as is mentioned in sub-paragraph (2) below and consisting of a payment to or for the benefit of a local authority or—
- (a) the carrying out for a local authority of any works ;
 - (b) the supply to a local authority of any goods ;
 - (c) the provision for a local authority of administrative, professional or technical services; or
 - (d) the hiring to a local authority, or gratuitously making available to a local authority the use of, any vehicle, plant or apparatus of the Greater London Council or the metropolitan county council, as the case may be.
- (2) The enactments referred to in sub-paragraph (1) above are—
- (a) sections 101, 113(1) and 136 of the principal Act;
 - (b) section 5(1) and (3) of the London Government Act 1963 ;
 - (c) sections 7(1) and (6), 8, 273, 274 and 275 of the Highways Act 1980; and
 - (d) any other enactment (including a provision in a local Act or any instrument made under an Act) by virtue of which the Greater London Council or a metropolitan county council may agree or be required to discharge any functions of another local authority.

PART II

CONSEQUENCES OF CONTRAVENTION

- 2 (1) If in contravention of the principal section the Greater London Council or a metropolitan county council makes a grant to a local authority, enters into any agreement or arrangements for giving relevant assistance to a local authority or gives relevant assistance to a local authority—
- (a) the appropriate residuary body shall be entitled to recover from that local authority on demand—
 - (i) an amount equal to the grant or to the value of the relevant assistance given or to be given under the agreements or arrangements at any time after 24th July 1984 and before the abolition date ; and
 - (ii) interest on that amount; and
 - (b) any sums payable by that local authority (whether before, on or after the abolition date) in consequence of a demand under paragraph (a) above shall be treated for the purposes of section 54(5) of the Local Government, Planning and Land Act 1980 as relevant expenditure of the authority for the financial year ending on 31st March 1986.
- (2) A residuary body shall not make any demand for or take any steps to recover any amount payable under this paragraph unless directed to do so by the Secretary of State or otherwise than in accordance with his directions.
- (3) A contravention of the principal section shall have no consequences other than those specified in this paragraph and accordingly shall not affect the validity of any grant, agreement or arrangements or of anything done under any agreement or arrangements.
- 3 For the purpose of determining the amount recoverable under paragraph 2 above in respect of any relevant assistance, the value of that assistance shall be taken to be—
- (a) in the case of a payment, an amount equal to the payment;
 - (b) in a case within paragraph 1(1)(a), (b), (c) or (d) above, such amount as the local authority would have had to pay on the open market in order, at the material time, to secure the carrying out of the works, or to obtain the goods or services or the use of the vehicle, plant or apparatus in question.
- 4 The Secretary of State may direct a local authority from which an amount in respect of relevant assistance is recoverable under paragraph 2 above to determine the value of that assistance in accordance with paragraph 3 above ; and if the authority reports the result of its determination within such time as is specified in the direction and the Secretary of State is satisfied with that determination it shall be conclusive evidence of that value.
- 5 (1) Where the value of any relevant assistance is not conclusively determined under paragraph 4 above it shall be determined in accordance with paragraph 3 above by a person appointed for that purpose by the Secretary of State, being a person who is not in the service of the Crown and has such qualifications as appear to the Secretary of State to be appropriate ; and the determination of that person shall be conclusive evidence of that value.
- (2) The local authority by which the relevant assistance was received shall repay to the Secretary of State the amount of any fee payable by him to the person appointed under this paragraph to determine the value of that assistance ; and if any such amount is

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not paid the Secretary of State may direct the appropriate residuary body to recover it from the local authority and it shall be recoverable from that authority accordingly.

- 6 The interest recoverable under paragraph 2 above in respect of any grant made or relevant assistance given to a local authority shall accrue from the date on which the grant is made or, as the case may be, the assistance or any part of it is first received by the authority and shall be at such rate as the Secretary of State may determine ; and different rates may be determined in respect of interest accruing at different periods.

PART III

FAILURE TO FURNISH INFORMATION

- 7 Where under section 230 of the principal Act a local authority to which the Greater London Council or a metropolitan county council has power to make a grant or to give relevant assistance is required by the Secretary of State to furnish him with any information for the purposes of the principal section and that information is not furnished within a reasonable time, the Secretary of State may exercise his power under paragraph 2(2) above to direct the appropriate residuary body to demand and recover from the authority an amount determined by him on such assumptions as to the making of grants or the giving of relevant assistance to the authority as he thinks appropriate and that amount, together with interest thereon from such date as he may determine, shall be recoverable under paragraph 2 above accordingly.

SCHEDULE 16

Section 102.

CONSEQUENTIAL AMENDMENTS

The London Government Act 1963 (c.33)

- 1 In section 73(1) of the London Government Act 1963 for the words before paragraph (a) there shall be substituted the words " Any of the London borough councils and the Common Council may, for the purpose of giving publicity to the amenities and advantages of their respective areas—" , and in paragraph (d) for the words " Greater London " there shall be substituted the words " their respective areas" .

The Local Government Act 1972 (c.70)

- 2 In sections 2(1) and 6(2)(a) of the Local Government Act 1972 before the word " county " there shall be inserted the word " non-metropolitan" .
- 3 In section 7(2) of that Act for the words " a year of election of county councillors " there shall be substituted the words " 1977 and every fourth year thereafter" .
- 4 For section 47(4) of that Act there shall be substituted—
- “(4) For the purposes of subsection 1(b) and (c) above metropolitan and non-metropolitan districts are areas of a like description.”
- 5 In section 48(1) of that Act, in paragraph (a) before the word " counties " there shall be inserted the word " non-metropolitan " and in paragraph (b) after the word " it" ,

- in the second place where it occurs, there shall be inserted the words " and between each of the metropolitan counties and the non-metropolitan counties adjoining it" .
- 6 At the end of section 62 of that Act there shall be inserted—
- “(9) In the case of the boundary between a metropolitan county and a county in Wales the references in subsection (1) above to the councils of both counties and in subsection (7) above to the county councils concerned shall be treated as references to the council of the metropolitan district and the council of the county in Wales between which the boundary lies.”
- 7 In section 141(1) of that Act for the words " The council of a county" there shall be substituted the words " The council of a non-metropolitan county" .
- 8 In section 270(1) of that Act—
- (a) at the end of the definition of " county " there shall be inserted the words " , but in the expressions ' county council', ' council of a county', ' county councillor' and ' councillor of a county' means, in relation to England, a non-metropolitan county only ;" ;
- (b) in the definition of " principal area " for the words " county, Greater London " there shall be substituted the words " non-metropolitan county" .

The Local Government, Planning and Land Act 1980 (c.65)

- 9 In section 56(3) of the Local Government, Planning and Land Act 1980 for the words " the appropriate authorities " there shall be substituted the words " the councils of districts in the county" .

The Representation of the People Act 1983 (c.2)

- 10 In section 22(3) of the Representation of the People Act 1983—
- (a) in paragraph (a) for the words " electoral division of Greater London" there shall be substituted the words " constituency in Greater London or in a metropolitan county" ;
- (b) in paragraph (b) for the word " county" there shall be substituted the words " non-metropolitan county" .
- 11 In section 35(1) of that Act for the words "every county council" there shall be substituted the words " every non-metropolitan county council" .

SCHEDULE 17

Section 102.

REPEALS

Chapter	Short Title	Extent of Repeal
29 & 30 Vict, c. 122.	The Metropolitan Commons Act 1866.	In section 25, the words from " , and the " to " authority)," . In the first Schedule, the third column.

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Chapter	Short Title	Extent of Repeal
61 & 62 Vict. c. 43.	The Metropolitan Commons Act 1898.	The whole Act.
8 Edw. 7. c. 36.	The Small Holdings and Allotments Act 1908.	In section 61(1), the definition of " county " .
15 & 16 Geo. 5. c. 21.	The Land Registration Act 1925.	Section 100(5).
20 & 21 Geo.5. c. 43.	The Road Traffic Act 1930.	In section 121, the definition of " Highway authority " .
26 Geo. 5 & 1 Edw. 8. c. 49.	The Public Health Act 1936.	Section 32(4). In section 87(1), the words " the Greater London Council " .
5 & 6 Eliz. 2. c. 56.	The Housing Act 1957.	In section 93(3), the words " the Greater London Council and of" . In section 166(2). paragraph (b) of the proviso.
6 & 7 Eliz. 2. c. 33.	The Disabled Persons (Employment) Act 1958.	In section 3(5) the words " other than a metropolitan county " .
6 & 7 Eliz. 2. c. 49.	The Trading Representations (Disabled Persons) Act 1958.	In section 1(5) the words " the Greater London Council" .
7 & 8 Eliz. 2. c. lii.	The London County Council (General Powers) Act 1959.	Section 31.
8 & 9 Eliz. 2. c. 64.	The Radioactive Substances Act 1960.	In section 19(1), in the definition of " local authority " , the words " or the Greater London Council" .
9 & 10 Eliz. 2. c. 33.	The Land Compensation Act 1961.	In Schedule 2. paragraph 2(1) (f)
9 & 10 Eliz. 2. c. 50.	The Rivers (Prevention of Pollution) Act 1961.	Section 14(3).
9 & 10 Eliz. 2. c. 62.	The Trustee Investments Act 1961.	In section 11, in subsection (1) the words " or by the Greater London Council " and in subsection (4)(a) the words " the Greater London Council" .
9 & 10 Eliz. 2. c. 64.	The Public Health Act 1961.	In section 81, the words " or by the Greater London Council" .

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

Chapter	Short Title	Extent of Repeal
10 & 11 Eliz. 2. c. 56.	The Local Government (Records) Act 1962.	In section 8(1), in the definition of " local authority" , the words " or the Greater London Council" .
10 & 11 Eliz. 2. c. 58. 1963 c. 2.	The Pipe-lines Act 1962. The Betting, Gaming and Lotteries Act 1963.	Section 18, In Schedule 3, in paragraph 1 the words " elsewhere than in Greater London" and in paragraphs 5(2)(a)(i) and 6(2)(b) the words " or London borough " .
1963 c. 33.	The London Government Act 1963.	Section 2(4). In section 4(1) the words " (and in particular any provision conferring functions on the Greater London Council)" . In section 5, subsection (1) and in subsection (3) the words " the Greater London Council," . Section 7. Section 9(1), (2), (4) and (5). Section 19(2). In section 21, subsections (4) to (7), (9) and (11). Section 22. In section 23, subsection (1), and in subsection (3), paragraph (a), and in paragraph (b) the words " the Greater London Council or" , "(not being the Greater London Council) " and " , in the case of the council of a London borough," . Section 30(1) to (5) except so much of subsection (1) as precedes paragraph (b). In section 31(6) the words " by virtue of section 30(1) of this Act" and " or are to become " .

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Chapter	Short Title	Extent of Repeal
		<p>In section 40(2) the words from " and in particular" to " other matters " .</p> <p>Section 43(3) and (4).</p> <p>Section 47(4).</p> <p>In section 48, subsections (1) and (2) and in subsection (3) the words " references to the Metropolitan Board of Works were references to the Greater London Council and " .</p> <p>Section 49.</p> <p>In section 50, subsection (2) and in subsection (3) the words " and (2)" .</p> <p>In section 51(1) the words " and the Greater London Council shall have the functions of the London County Council under that Act" and paragraph (b) together with the word " and " immediately preceding it.</p> <p>Section 53(1).</p> <p>Section 55(2).</p> <p>Section 57(2).</p> <p>In section 58(1), the words "and the Greater London Council" .</p> <p>In section 59, subsection (1) and in subsection (2) paragraphs (b) and (d) and in paragraph (c) the words from " if that" to "case " .</p> <p>In section 60, in subsection (5) the words after the semicolon and subsection (6).</p> <p>Section 62(5).</p> <p>In section 66, subsection (3) and in subsection (5) the words " and the Greater London Council" .</p>

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Chapter	Short Title	Extent of Repeal
		<p>Sections 71 and 72.</p> <p>In section 75(1) the words " the Greater London Council," .</p> <p>Section 78.</p> <p>In section 81(9)(a) the words " the Greater London Council and to" , " Greater London or, as the case may be," and " Council or, as the case may be " and the words from " and, for the purposes " onwards.</p> <p>Section 82.</p> <p>In section 83(2)(a) the words " or the Greater London Council" and " , or to the council of," .</p> <p>Section 85(5).</p> <p>Section 87(2) to (7).</p> <p>In section 89(1) the definitions of " Inner London Education Area " and " Inner London Education Authority " .</p> <p>Schedule 2.</p> <p>In Schedule 3, paragraphs 22 to 24.</p> <p>In Schedule 8, paragraphs 5, 6 and 8 to 11, 14(c), 15, 16(6) and 17.</p> <p>In Schedule 9, in Part IX paragraph 5.</p> <p>In Schedule 11, in Part I, paragraphs 14(3), 19, 28, 38 and 40 and in Part II, in paragraph 6 the words in brackets.</p> <p>In Schedule 14, in paragraph 10(6) the words " the Greater London Council" .</p> <p>In Schedule 17, paragraph 27(a), and in paragraph 28 subparagraph (6) and in</p>

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Chapter	Short Title	Extent of Repeal
1964 c. 42.	The Administration of Justice Act 1964.	subparagraph (c) the words "5 and " . Section 37(3).
1964 c. 48.	The Police Act 1964.	In section 2(2), in paragraph (6) the words " in the case of a non-metropolitan county " and paragraph (c).
1964 c. 56.	The Housing Act 1964.	Section 106(5).
1965 c. 17.	The Museum of London Act 1965.	Section 1(2)(c) and the word " and " immediately preceding it. In section 9(4), the words " and the Greater London Council" . In the Schedule— in paragraph 2, in subparagraph (1) the words from " , not" to " Council " , and subparagraph (2); in paragraph 3, in subparagraph (1) the words " , except in the case of the first chairman" , and subparagraph (2).
1965 c. 36.	The Gas Act 1965.	In section 28(1), in the definition of " local planning authority " the words " but does not include the Greater London Council" .
1965 c. 64.	The Commons Registration Act 1965.	In section 22(1), in the definition of " local authority" , the words " the Greater London Council," .
1966 c. 42.	The Local Government Act 1966.	In section 41(1), in the definition of " local authority" the words " the Greater London Council," , and in the definition of " rating " authority " the words " and the Greater London Council" .

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Chapter	Short Title	Extent of Repeal
1967 c. 9.	The General Rate Act 1967.	<p>In section 12(1), the words " the Greater London Council" .</p> <p>In section 38(4), the words " the Greater London Council," .</p> <p>In section 44(2)(b), the words " the Greater London Council," .</p> <p>In section 85(2), the words " the Greater London Council," .</p> <p>In section 94(1), the words " , the Greater London Council" .</p> <p>In Schedule 1, in the definition of " local authority " in paragraph 15, the words "the Greater London Council," .</p>
1967 c. 19.	The Private Places of Entertainment (Licensing) Act 1967.	In Part II of the Schedule, paragraph 2 and in paragraph 4 the words from " and of the fact" onwards except as respects any consent given before the abolition date.
1967 c. 88.	The Leasehold Reform Act 1967.	In section 28(5)(a), the words " the Greater London Council," .
1968 c. 41.	The Countryside Act 1968.	In section 6(2)(b) the words " the Greater London Council" .
1968 c. 46.	The Health Services and Public Health Act 1968.	<p>In section 63(2)(a) the words " or the Greater London Council" .</p> <p>In section 65(1), the words after " provided " .</p>
1968 c. 65.	The Gaming Act 1968.	In section 44(3), the words " the Greater London Council" .
1968 c. 73.	The Transport Act 1968.	In section 63(6), in paragraph (a) of the definition of " local authority " the words " the Greater London Council" .

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Chapter	Short Title	Extent of Repeal
1968 c. xxxix.	The Greater London Council (General Powers) Act 1968.	In section 115(3)(a) the words " the Greater London Council " . In section 123(2), the words " , the Greater London Council " . In section 124(4), the words " , the Greater London Council " . In section 47(1), in paragraph (i)(B) of the definition of " night cafe " the words " by the Council " . In section 49(4)(i) the words after " this section " .
1969 c. 33.	The Housing Act 1969.	In section 39, the words " Subject to section 40 of this Act, " . Section 40.
1969 c. 35.	The Transport (London) Act 1969.	Section 30.
1969 c. 48.	The Post Office Act 1969.	In section 86(1), in the definition of " local authority " the words " the Greater London Council " .
1969 c. 57.	The Employers' Liability (Compulsory Insurance) Act 1969.	In section 3(2) the words " the Greater London Council " .
1970 c. 39.	The Local Authorities (Goods and Services) Act 1970.	In section 1(4), in the definition of " local authority " the words " the Greater London Council " .
1970 c. 40.	The Agriculture Act 1970.	Section 38(a).
1971 c. 56.	The Pensions (Increase) Act 1971.	In Schedule 2, paragraph 67.
1971 c. 78.	The Town and Country Planning Act 1971.	Section 5. In section 92A(3), paragraph (c) together with the word " and " immediately preceding it. In section 100(1), the words in brackets.

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Chapter	Short Title	Extent of Repeal
1972 c. 47.	The Housing Finance Act 1972.	<p>In the Schedule, in section 1(5) as there set out the words " the Greater London Council" .</p> <p>In section 104(1), in the definition of " general rate fund " the words " in relation to the Greater London Council, means the general fund of the Greater London Council, and " ; and in the definition of " local authority" the words " the Greater London Council" .</p>
1972 c. 60.	The Gas Act 1972.	<p>In section 39(3), in paragraph (a) of the definition of " local authority " the words " the Greater London Council" .</p>
1972 c. 70.	The Local Government Act 1972.	<p>In section 8(1) the words " the Greater London Council or " .</p> <p>Section 47(1)(d) and (3).</p> <p>In section 68(6)(a)(i) and (iii) the words " , the general fund of the Greater London Council" .</p> <p>Section 77.</p> <p>Section 81(3) and (4)(b).</p> <p>In section 83(1) the words " or the Greater London Council or deputy chairman of the Greater London Council" .</p> <p>In section 89(2) the words after " returning officer " .</p> <p>Section 93.</p> <p>Section 101(9)(b) and (11).</p> <p>Section 112(4)(a) and (e).</p> <p>In section 116, the words after " vice-chairman " .</p> <p>In section 140B(1), the words " and the Greater London Council" .</p>

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Chapter	Short Title	Extent of Repeal
		<p>Section 144(4).</p> <p>In section 148, in subsection (2) the words after " county fund " , and in subsection (4) the words " , the general fund in the case of the Greater London Council" .</p> <p>In section 149, in subsection (1) the words " and the Greater London Council" , in subsection (2) the words " or the Greater London Council" and (in paragraph (a)) "or Greater London, as the case may be" , and in subsection (4) the words " or the Greater London Council" .</p> <p>In section 177(1)(c) the words "joint authority" .</p> <p>Section 177A(2).</p> <p>In section 181(11) the definition of " the sewerage area of the Greater London Council" .</p> <p>In section 204(5) the words following paragraph (c).</p> <p>In section 206 the words " the Greater London Council" .</p> <p>Section 220(1)(b) and (6).</p> <p>Section 264.</p> <p>In section 270(1), in the definition of "local authority" the words " the Greater London Council," .</p> <p>In Schedule 2— paragraph 1(1); in paragraph 2, in subparagraph (1) the words " chairman of the Greater London Council and the " , in sub-paragraph (2) the words " chairman or " , in both places where</p>

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Chapter	Short Title	Extent of Repeal
		<p>they occur, in sub-paragraph (3) the words " chairman or " and in sub-paragraph (4) the words "The Greater London Council may pay the chairman, and" and " chairman or " ;</p> <p>in paragraph 3, in subparagraph (1) the words " chairman or " and " the Greater London Council or " and in sub-paragraph (2) the words " or paragraph 4(2) below " ;</p> <p>paragraph 4;</p> <p>in paragraph 6, in subparagraph (1) the words " Councillors of the Greater London Council and" , " Greater London or " and " as the case may be " ;</p> <p>in paragraph 7(1), paragraph (a) and the words " electoral division or " .</p> <p>In Schedule 11, paragraph 2.</p> <p>In Schedule 12—</p> <p>in paragraph 1, in subparagraph (2) the words "other than the Greater London Council" and subparagraph (3);</p> <p>in paragraph 3(2) the words " , in the case of the Greater London Council, by twenty members of the Council and in any other case" and " , in the case of the Greater London Council, any twenty members of the Council, and in any other case " ;</p>

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Chapter	Short Title	Extent of Repeal
		<p>in paragraph 5, in subparagraph (2)(a) the words "except in Greater London," , subparagraph (2) (b), in subparagraph (3) (a) the words " outside Greater London" and subparagraph (3)(b).</p> <p>In Schedule 13—</p> <p>in paragraph 1(b) the words "other than the Greater London Council" ;</p> <p>in paragraph 5(2)(a) the words " or the Greater London Council" ;</p> <p>in paragraph 10(2) the words " or, in the case of the Greater London Council, a purpose authorised by any local enactment" ;</p> <p>paragraph 17(1)(b), together with the word ' and' immediately preceding it;</p> <p>in paragraph 22(1), in the definition of " fixed period " the words after "State" , and in the definition of " revenue fund " the words " , the general fund of the Greater London Council" ;</p> <p>paragraph 27.</p> <p>In Schedule 14—</p> <p>in paragraph 5, in subparagraph (1) the words " and in Greater London by the Greater London Council" and (in both places where they occur) " or the Greater London Council, as the case may be," in subparagraph (2) the words " or the Greater London</p>

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Chapter	Short Title	Extent of Repeal
		<p>Council" (where they first occur), " and the Greater London Council" and " or the Greater London Council, as the case may be," and in subparagraph (3) the words "or the Greater London Council" ; in paragraph 6, in subparagraph (1) the words "or the Greater London Council, as the case may be " and " or the Greater London Council" and in sub-paragraph (2) the words "or the Greater London Council, as the case may be," and " or the Greater London Council" and in sub-paragraph (3) the words " or the Greater London Council" ; in paragraph 20 the words " and the Greater London Council" ; paragraph 43.</p> <p>In Schedule 16, paragraphs 14(2) and (4) and 50 and in paragraph 52 the figure " 50 " .</p> <p>In Schedule 27, paragraph 18.</p> <p>In Schedule 29, in paragraph 13(2) the words from "and in paragraph 6(2)(c)" onwards and paragraph 26(1).</p> <p>In Schedule 1, in paragraph 7 the words "chairman of the Greater London Council" .</p> <p>In section 43, in subsection (1) the words " other than a metropolitan county" and subsection (9).</p> <p>In section 44, in subsection (2) the words "</p>
1973 c. 15.	The Administration of Justice Act 1973.	In Schedule 1, in paragraph 7 the words "chairman of the Greater London Council" .
1973 c. 18.	The Matrimonial Causes Act 1973.	<p>In section 43, in subsection (1) the words " other than a metropolitan county" and subsection (9).</p> <p>In section 44, in subsection (2) the words "</p>

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Chapter	Short Title	Extent of Repeal
1973 c. 26.	The Land Compensation Act 1973.	other than a metropolitan county" and subsection (6). In section 39(7)(a), the words after " borough" in the second place where it occurs.
1973 c. 35.	The Employment Agencies Act 1973.	In section 13(1), in the definition of " local authority " the words " the Greater London Council" .
1973 c. 37.	The Water Act 1973.	In section 11(10) the words " or the Greater London Council" . In section 14(8) the words from " and, except" onwards. In section 16(11), in the definition of " local authority " the words "or the Greater London Council" . Section 25. In section 34(3) the words " and an order under section 25 above " . In section 38(1), in the definition of "local authority" the words " the Greater London Council" . In Schedule 8, paragraph 36(3).
1973 c. 62.	The Powers of Criminal Courts Act 1973.	Section 51(3A). In Schedule 3, paragraphs 15(4) and 19(2).
1973 c. xxx.	The Greater London Council (General Powers) Act 1973.	Section 22.
1974 c. 7.	The Local Government Act 1974.	Section 6(5)(a). In section 34(1), in the definition of " local authority" the words " the Greater London Council" .
1974 c. 37.	The Health and Safety at Work etc. Act 1974.	In section 53(1), in the definition of " local authority" the words " the Greater London Council" .

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Chapter	Short Title	Extent of Repeal
1974 c. 39.	The Consumer Credit Act 1974.	In Schedule 10, the entry relating to the Local Government Act 1972.
1974 c. 40.	The Control of Pollution Act 1974.	In section 189(1), in the definition of " local authority " the words " the Greater London Council " .
1974 c. 44.	The Housing Act 1974.	In section 36(1), the words " the Greater London Council " . In section 98, in paragraph (a) of the definition of " relevant authority " the words " the Greater London Council " . In sections 5(3)(b) and 30(8), the words " , the Greater London Council " . In section 43(7), the words " the Greater London Council and " . In section 49, in subsection (1), the words " Subject to subsection (2) below, " and subsections (2) and (3). In section 84, in the definition of " housing authority " , the words " , the Greater London Council, " . Section 99(6)(b). Section 121(8)(b). In Schedule 5, in Part II, paragraph 5.
1975 c. 6.	The Housing Rents and Subsidies Act 1975.	In section 16(1), in the definition of " general rate fund " the words " in relation to the Greater London Council, means the general fund of the Greater London Council, and " , and in the definition of " local authority " the words " , the Greater London Council " .

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Chapter	Short Title	Extent of Repeal
1975 c. 72.	The Children Act 1975.	In section 107(1), in the definition of " local authority " the words " (other than a metropolitan county)" .
1975 c. 78.	The Airports Authority Act 1975.	In section 23(1), in the definition of "local authority" the words " the Greater London Council" .
1976 c. 32.	The Lotteries and Amusements Act 1976.	In section 23(1), in paragraph (a) of the definition of " local authority " the words " the Greater London Council" .
1976 c. 57.	The Local Government (Miscellaneous Provisions) Act 1976.	In section 35(1), the words " and the Greater London Council" . In section 44(1), in the definition of "local authority" the words " the Greater London Council," .
1976 c. 70.	The Land Drainage Act 1976.	Section 2(7)(c). Section 3(7). In section 5(8), the words from " , and" in the first place where it occurs to "committee" in the second place where it occurs. In section 32(3), the words " or the London excluded area" and the words after " other authority " . In section 92, in subsection (1) the words " or the Greater London Council" and " or the Council, as the case may be," , and in subsection (3) the words " or the Greater London Council" and " or, as the case may be, the Council" . Section 97(2). Section 98(4) and (9). Section 101. Section 110(4) to (6).

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Chapter	Short Title	Extent of Repeal
1976 c. 71.	The Supplementary Benefits Act 1976.	In Schedule 5, in paragraph 2(2), the words " , other than metropolitan counties," .
1976 c. 80.	The Rent (Agriculture) Act 1976.	In section 5(3)(b), the words " the Greater London Council," . In section 27(3)(a) the words after "borough" in the second place where it occurs.
1977 c. 42.	The Rent Act 1977.	In section 14(c), the words " the Greater London Council," . In section 145, in subsection (4), the words " Subject to subsection (5) below," , and subsection (5). In Schedule 16, in paragraph 7(a), the words after " borough" in the second place where it occurs.
1977 c. 48.	The Housing (Homeless Persons) Act 1977.	In section 9, subsection (1) (a)(ii), and in subsection (2) the words "and the Greater London Council" . In section 13, in subsections (2), (3) and (6), the words " or the Greater London Council" ; in subsection (4), the words " nor the Greater London Council" and " or the Greater London Council" ; in subsection (5), the words " or the Greater London Council, as the case may be " and the words " or the Greater London Council" in the second place where they occur; and in subsection (7), the words " or the Greater London Council, as the case may be," . In section 19(1), in the definition of " relevant authority " , paragraph (d) and the word " and " immediately preceding it.

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Chapter	Short Title	Extent of Repeal
1977 c. 49.	The National Health Service Act 1977.	In section 128(1), in the definition of " local authority " , and in Schedule 5, in paragraph 1(2)(a), the words " the Greater London Council," .
1978 c. 3.	The Refuse Disposal (Amenity) Act 1978.	In section 3, subsection (6) and in subsection (8) the words " or the Greater London Council" . Section 5(5)(a). Section 6(5). In section 7 the words " and the Greater London Council" .
1978 c. 27.	The Home Purchase Assistance and Housing Corporation Guarantee Act 1978.	In the Schedule, in paragraph 2(a), the words " the Greater London Council," .
1978 c. 55.	The Transport Act 1978.	Section 2(3)(c)(ii).
1979 c. 46.	The Ancient Monuments and Archaeological Areas Act 1979.	In section 61(1), in the definition of "local authority" , the words " the Greater London Council," .
1979 c. 55.	The Justices of the Peace Act 1979.	Section 2(2) and (3). Section 24(4). Section 57(2). Section 60. In section 64(1) the words " within the meaning of the Local Government Act 1972 or the Local Government (Scotland) Act 1973 " . In Schedule 2, paragraph 26.
1980 c. 51.	The Housing Act 1980.	In sections 50(1), 105 and 108(4), in the definition of " local authority " , the words " the Greater London Council" . In sections 110(7)(b) and (15) and 111(6) the words "the Greater London Council," .

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Chapter	Short Title	Extent of Repeal
1980 c. 65.	The Local Government Planning and Land Act 1980.	<p>In section 135(10), in the definition of "local authority", the words "the Greater London Council," .</p> <p>Section 2(1)(c).</p> <p>In section 5(1), in paragraph (a)(i) the words "Greater London Council and other" and paragraph (b).</p> <p>Section 16(6)(a).</p> <p>In section 20(1), in the definition of "local authority" the words "the Greater London Council" .</p> <p>Section 53(5)(b).</p> <p>Section 55(3)(b).</p> <p>In section 56, in subsection (2)(a), the words " , the Greater London Council or the Inner London Education Authority " ; subsection (4); and in subsection (5), the words " or the Greater London Council or the Inner London Education Authority " and " , Greater London or the Inner London Education Area, as the case may be " .</p> <p>Section 59(11)(a).</p> <p>Section 81.</p> <p>In section 86, subsections (7) and (9)(b) and in subsection (11) the definition of "the Greater London provisions " .</p> <p>Section 99(4)(c).</p> <p>In section 116(4)(a), the words " and the Greater London Council" .</p> <p>In section 165(9)(a), the words " the Greater London Council" .</p>

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Chapter	Short Title	Extent of Repeal
1980 c. 66.	The Highways Act 1980.	<p>In Schedule 13, paragraphs 1 to 8.</p> <p>In Schedule 14, in paragraph 13, sub-paragraph (1)(b) and (c) and in sub-paragraph (2) the words " (b), (c) and " .</p> <p>In Schedule 15, paragraph 24.</p> <p>In Schedule 16, paragraph 3.</p> <p>In Schedule 32, paragraph 23(3).</p> <p>In section 1(3), the words " for the time being metropolitan roads or " .</p> <p>In section 6, in subsection (1) the words after " below " and in subsection (6) the words after " arrangements " in the third place where it occurs.</p> <p>Section 7.</p> <p>In section 11(2)(b) and (c), the words in brackets.</p> <p>Section 15.</p> <p>In section 18(8), the words " the Greater London Council, " .</p> <p>In section 24, in subsection (2) paragraph (b), together with the word " or " immediately preceding it, and the words after " Minister" in the second place where it occurs, and subsection (3).</p> <p>In section 25(2)(b), the words " the Greater London Council, " .</p> <p>Section 38(5).</p> <p>Section 62(5).</p> <p>In section 64, subsection (4) and in subsection (5) the words after "Act" in the second place where it occurs.</p>

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Chapter	Short Title	Extent of Repeal
		<p>In section 67(5), the words " the Greater London Council," .</p> <p>Section 69(2)(b).</p> <p>In section 79(3), the words " the Greater London Council or " .</p> <p>In section 80(4), the words " the Greater London Council and"</p> <p>Section 90A(2).</p> <p>In section 90B(2), the words after " section"</p> <p>Section 95(1)(b).</p> <p>Section 115H(2).</p> <p>Section 116(2).</p> <p>In section 117, the words from " or" in the second place where it occurs to " highway " in the third place where it occurs.</p> <p>In section 144(6), in the definition of "local authority" , the words " the Greater London Council," .</p> <p>In section 151(1)(b), the words after " Common Council" .</p> <p>Section 156(6).</p> <p>Sections 157 to 159.</p> <p>In section 160, in subsection (1), the words " other than a metropolitan road" ; in subsection (4), the words " or, as the case may be, the Greater London Council " and " or, as the case may be, the Council" ; in subsection (5), the words " or, as the case may be, the Greater London Council" ; and in subsection (7), the words after " requirements"</p>

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Chapter	Short Title	Extent of Repeal
		<p>in the first place where it occurs.</p> <p>In section 170(3), in the definition of " local authority " , the words " the Greater London Council," .</p> <p>In section 219(4)(i)(ii), the words " , the Greater London Council" .</p> <p>In section 254(2)(a), the words "both" and "and by the Greater London Council" .</p> <p>Section 264(3)(b).</p> <p>Section 269.</p> <p>In section 271(1)(iii), the words " , and also the Greater London Council" .</p> <p>In section 285—</p> <p> in subsection (1), in paragraph (a) the words " or, as the case may be, the Council" , and in paragraph (6) those words in both places where they occur and the words " or them" ;</p> <p> in subsection (2), the words after " authority " ;</p> <p> in subsection (4), in paragraph (a) the words " or they " , in paragraph (6) the words "or they " in both places where they occur and the words " or their " , and in paragraph (c) the words " or they" ;</p> <p> in subsection (5), the words " or their " , " or them " , where the expenses are the Minister's," and " or, as the case may be, them " and the words "or the Council " in the second place where they occur ;</p>

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1981 c. 14.	The Public Passenger Vehicles Act 1981.	<p>in subsection (6), the words "or the Council" in the first, third and fourth places where they occur, and the words " or, as the case may be, the Council" and " or them" ;</p> <p>in subsection (7), the words " or the Council " in both places where they occur; and</p> <p>in subsection (8), the words " or, as the case may be, the Council " , " or the Council's" , " or them " and " or they " .</p> <p>In section 287(6), the words " the Greater London Council," .</p> <p>Section 298(2).</p> <p>Section 326(3) and (4).</p> <p>In section 329(1), in the definition of" council " the words " , the Greater London Council " and the definition of " metropolitan road " .</p> <p>In Schedule 1, in paragraph (ii) of the Table set out at the end of paragraph 3, the words after " that watercourse " .</p> <p>In Schedule 9, paragraph 3.</p> <p>In Schedule 23, in paragraph 1, the words " and section 7(1)" , " or, as the case may be, acquired by the Greater London Council in connection with a metropolitan road," and in the case of a Minister,"</p> <p>In section 31(5)(a), the words " the Greater London Council" .</p> <p>In section 35A(7) the words " the Greater London Council and " .</p>

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Chapter	Short Title	Extent of Repeal
1981 c. 36.	The Town and Country Planning (Minerals) Act 1981.	Section 2(2) and (3).
1981 c. 37.	The Zoo Licensing Act 1981.	In section 3(2)(e) the words " or the Greater London Council" .
1981 c. 67.	The Acquisition of Land Act 1981.	In section 17(4), in the definition of " local authority " the words " and the Greater London Council" .
1981 c. 68.	The Broadcasting Act 1981.	In section 18(6)(a) the words " the Greater London Council " .
1981 c. 69.	The Wildlife and Countryside Act 1981.	In section 27(1) in the definition of "local authority" the words " and the Greater London Council" . In section 36(7) in the definition of "local authority" the words " the Greater London Council" . Section 39(5)(b).
1982 c. 16.	The Civil Aviation Act Act 1982.	In section 105(1), in the definition of "local authority" the words " the Greater London Council," .
1982 c. 24.	The Social Security and Housing Benefits Act 1982.	In section 32(4)(a), the words " or the Greater London Council" . In section 34, in subsection (1), the words " and the Greater London Council " and " or Council" ; and in subsections (3)(b) and (c) and (4), the words " or the Greater London Council" . In section 35, in subsection (1), in the definition of " housing authority " the words " the Greater London Council," , and in the definition of " Housing Revenue Account rebate" the words " or the Greater London Council" and " or Council " ; and in

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Chapter	Short Title	Extent of Repeal
1982 c. 30.	The Local Government (Miscellaneous Provisions) Act 1982.	<p>subsection (2)(a) the words "the Greater London Council or " .</p> <p>In section 29, in subsection (4) the words " Subject to subsection (5) below, " , and subsection (5).</p> <p>In section 33(9)(e) the words " or the Greater London Council" .</p>
1982 c. 32.	The Local Government Finance Act 1982.	Section 5(2) and (3).
1982 c. 41.	The Stock Transfer Act 1982.	In Schedule 1, in paragraph 7(2)(a) the words "the Greater London Council" .
1982 c. 42.	The Derelict Land Act 1982.	In section 1(11), in paragraph (a) of the definition of "local authority " the words " the Greater London Council" .
1983 c. 2.	The Representation of the People Act 1983.	<p>In section 31, in subsection (1) the words in brackets and subsections (4) and (5).</p> <p>Section 35(2).</p> <p>In section 36(4) the words " Greater London " .</p> <p>In section 39(1) the words "(or, in the case of an election of a councillor of the Greater London Council, the proper officer of the Council)" .</p> <p>Section 76(2)(b)(i).</p> <p>In section 82(4)(a) the words " the Greater London Council or " .</p> <p>In section 203, in subsection (1) in the definition of "local authority " the words " the Greater London Council," , and in subsection (2) the words " or of elections of councillors of the Greater London Council" .</p>

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Chapter	Short Title	Extent of Repeal
1983 c. 10.	The Transport Act 1983.	<p>In Schedule 1, in rule 31(3) (a) the words " the Greater London Council," .</p> <p>Section 3(5).</p> <p>Section 4(3)(b), (4), (5) and (6).</p> <p>Section 5(2).</p> <p>Section 6(3) and (4).</p>
1983 c. 16.	The Level Crossings Act 1983.	<p>In section 1(11), in the definition of " local authority" , the words, " the Greater London Council" .</p>
1983 c. 25.	The Energy Act 1983.	<p>In section 26, in the definition of " local authority" the words " the Greater London Council" .</p>
1983 c. 35.	The Litter Act 1983.	Section 1(6).
1983 c. 55.	The Value Added Tax Act 1983.	<p>In section 20(6), the words " the Greater London Council" .</p>
1984 c. 12.	The Telecommunications Act 1984.	<p>In section 97(3)(a) the words " the Greater London Council" .</p>
1984 c. 22.	The Public Health (Control of Disease) Act 1984.	Section 8(2).
1984 c. 27.	The Road Traffic Regulation Act 1984.	<p>Section 23(4).</p> <p>In section 30, subsections (3) and (4), and in subsection (6) the words " and the confirmation of such orders" and " and confirmed " .</p> <p>In section 32(4)(a), the words " , the Greater London Council" .</p> <p>In section 39, subsection (2), and in subsection (4) the words " or Wales " .</p> <p>In section 43, in subsection (5)(a) the words " or by the Council " ; in subsection (6) the words " comprised within the area of a particular local authority " in paragraph (a) and the</p>

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Chapter	Short Title	Extent of Repeal
		<p>words after paragraph (c); in subsection (9) the words from " and the local authority " to " the said Parts m and IV" ; and in subsection (14) the definitions of " the Common Council" and " the Council" .</p> <p>In section 45(6), the words in brackets.</p> <p>In section 47(7), the words " or the Greater London Council" .</p> <p>Section 50.</p> <p>In section 51(1), the words " of the Greater London Council," and " or 50 " .</p> <p>In section 55, in subsection (6) the words " subsection (3) of section 50 or " , paragraph (a), and in paragraph (b) the words " in the case of a transfer under section 54(8), " ; and subsection (7).</p> <p>Section 73(3) to (5).</p> <p>In section 74, in subsection (1) the words "the Greater London Council or" and " , as the case may be," ; subsection (2); in subsection (4) the words " the Greater London Council or" and " , as the case may be," ; and in subsection (8) the words " the Greater London Council or " .</p> <p>Section 79(4).</p> <p>Section 100(1).</p> <p>In section 112(3), paragraph (a), and the words " the Greater London Council," in the second place where they occur.</p> <p>In section 122(2)(d"), the words " the Greater London</p>

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Chapter	Short Title	Extent of Repeal
		<p>Council or " and " , as the case may be," .</p> <p>Section 123.</p> <p>In section 129(4), the words " council or " .</p> <p>In section 142(1), in paragraph (a) of the definition of " highway authority " , the words " (subject to section 73(4) of this Act)" .</p> <p>In Schedule 4—</p> <ul style="list-style-type: none">in paragraph 1, the words from " and to each" to " controlled area " ;paragraph 17(2); andparagraph 22(6). <p>In Schedule 9—</p> <ul style="list-style-type: none">in paragraph 2, in subparagraph (a) the words " Greater London Council or" and " , as the case may be," , and in subparagraph (b) the words "Council or" ;in paragraph 3, in subparagraph (1) the words from " the Greater London Council" to " or conferred on " and the words " subparagraph (b), of" and " Council or " , and in subparagraph (2) the words " the Greater London Council or " and " Council or" ;in paragraph 4, in subparagraph (a) the words " the Council or, as the case may be, " , and in subparagraph (b) the words " Council or" ;in paragraph 6(1), the words " or 50 " , " (or, in the case of an order

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		<p>under section 50 of this Act, with the local authority or the Greater London Council)" and " or Council " , and in paragraph 6(1)(c), the words " , or on the application of, " and the words after " authority " ;</p> <p>in paragraph 7(1), the words " the Greater London Council or, as the case may be, to" and the words " sub-paragraph (a) or (b) of" ;</p> <p>in paragraph 8, the words " the Greater London Council or, as the case may be, of" and " Council or" ;</p> <p>in paragraphs 14 and 20(1), the number " 50, " ;</p> <p>in paragraph 28(c), the number " , 50 " and the words " or by the Greater London Council" ; and</p> <p>in paragraph 34(2)(a) and (b), the number " , 50 " .</p>
1984 c. 28.	The County Courts Act 1984.	In section 60(3), in the definition of " local authority " , the words " the Greater London Council," .
1984 c. 29.	The Housing and Building Control Act 1984.	In section 20(5), in the definition of "local authority" , the words " the Greater London Council," .
1984 c. 32.	The London Regional Transport Act 1984.	<p>Section 7(9)(a).</p> <p>In section 10(3) the words " Greater London Council" .</p> <p>Section 30(2)(a).</p> <p>In section 43, in subsection (4) the words " the Greater London Council</p>

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1984 c. 33.	The Rates Act 1984.	<p>and " and in subsection (5) the words "with the Greater London Council" .</p> <p>In section 50(8)(c) the words " the Greater London Council" .</p> <p>In section 1, in subsection (3) (b) the words " the Greater London Council" and subsection (5).</p> <p>In section 2(6), paragraph (a) and in paragraph (e) the word " and " .</p> <p>In section 5(5) the words " and (5)" .</p> <p>In section 6, in subsection (2) the words " or, in a case within section 1(5) above, for part of a precept" , part" and " or, as the case may be, of the relevant part of it" and in subsection (3) the words " or precept" in the second place where they occur.</p> <p>Section 7(5).</p>
1984 c. 46.	The Cable and Broadcasting Act 1984.	<p>In section 36(1), in the definition of " local authority" , the words " the Greater London Council," .</p>
1984 c. 53.	The Local Government (Interim Provisions) Act 1984.	<p>The whole Act, except sections 4, 6(3), 10, 11 and 13.</p>
1984 c. 55.	The Building Act 1984.	<p>In section 11(7)(b) the words " on the district surveyor " .</p> <p>In section 12(10)(b), the words " on the district surveyor " .</p> <p>In section 18(2), the words " on the district surveyor " and " or the Greater London Council, as the case may be," .</p> <p>In section 68(8)(a), the words " or the Greater London Council" .</p>

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Chapter	Short Title	Extent of Repeal
		<p>In section 88(3), the words " by the Greater London Council" .</p> <p>In section 91(2), the words after " above " .</p> <p>In section 126, in paragraph (b) of the definition of " authorised officer the words " or a district surveyor " ; and the definition of " district surveyor " .</p> <p>In Schedule 3, paragraphs 12 and 14.</p>