
STATUTORY INSTRUMENTS

1995 No. 1161

**LOCAL GOVERNMENT,
ENGLAND AND WALES WALES**

**The Local Government Reorganisation (Wales)
(Transitional Provisions No. 3) Order 1995**

<i>Made</i>	- - - -	<i>1st May 1995</i>
<i>Laid before Parliament</i>		<i>2nd May 1995</i>
<i>Coming into force</i>	- -	<i>4th May 1995</i>

The Secretary of State for Wales, in exercise of the powers conferred upon him by section 54(1) of the Local Government (Wales) Act 1994⁽¹⁾, hereby makes the following Order:

1. This Order may be cited as the Local Government Reorganisation (Wales) (Transitional Provisions No. 3) Order 1995 and shall come into force on 4th May 1995.

2. In this Order—

“the 1994 Act” means the Local Government (Wales) Act 1994;

“new authority” means a county or county borough council established under the 1994 Act;

“old authority” means a county or district council which will cease to exist as a result of the 1994 Act;

“operative date” has the meaning given in section 51(2) of the 1994 Act⁽²⁾.

3. Where, on or after the operative date, an old authority requires to dispose of any land or buildings or enter into any contract, for which the consent of any new authority is required under section 51 of the 1994 Act, such consent shall be deemed to have been obtained provided that—

(a) any such new authority whose consent is required has not held its first meeting⁽³⁾; and

(b) it is the opinion of the old authority that it cannot properly perform its statutory functions if the disposal or, as the case may be, the entering into of the contract is delayed until that new authority has held its first meeting.

(1) 1994 c. 19.

(2) In accordance with section 51(2) of the 1994 Act the operative date is 4th May 1995. This is the date fixed by order under paragraph 1 of Schedule 5 to the Local Government Act 1972 (c. 70) (as substituted by section 3 of, and Schedule 3 to, the 1994 Act); S.I.1994/2843.

(3) Under paragraph 5(1) of Schedule 5 to the Local Government Act 1972 (as substituted by section 3 of, and Schedule 3 to, the 1994 Act) each new authority is required to hold its first meeting within 21 days immediately following the day of election, which is 4th May 1995.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

1st May 1995

John Redwood
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Order)

Section 51 of the Local Government (Wales) Act 1994 prevents district and county councils in Wales which will cease to exist as a result of the 1994 Act from carrying out certain disposals of land or buildings or entering into certain contracts after 4th May 1995 without the consent of relevant successor councils which will come into existence on that date. This Order makes supplemental provision with respect to the period from 4th May until the new councils hold their first meetings which are required to be held within 21 days. This Order provides that if, during that period, an old authority is satisfied that it cannot perform its statutory functions if a disposal or contract is delayed until the first meeting, the necessary consent of the successor council is to be deemed to have been obtained.