



2010 CHAPTER 7

PART 2

LOCAL GOVERNMENT REORGANISATION

CHAPTER 2

CONTROL OF DISPOSALS AND CONTRACTS OF
EXISTING COUNCILS^[F1] AND THEIR FINANCES]

Control of disposals and contracts of existing councils^[F1] and their finances]

10.—(1) The Department may direct that, with effect from a specified date, an existing council shall not, without the written consent of ^[F2]its successor council or]a specified statutory transition committee—

- (a) dispose of any land if the consideration for the disposal exceeds a specified sum;
- (b) enter into any capital contract—
 - (i) under which the consideration payable by the council exceeds a specified sum; or
 - (ii) which includes a term allowing the consideration payable by the council to be varied;
- (c) enter into any non-capital contract under which the consideration payable by the council exceeds a specified sum, where—
 - (i) the period of the contract extends beyond a specified date; or
 - (ii) under the terms of the contract, that period may be extended beyond that date.
- ^[F3](d) borrow any sum exceeding a specified sum (or any sums exceeding in total any specified sum);

Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010, Section 10. (See end of Document for details)

- (e) reduce any financial reserve of a specified description below a specified limit.]
- (2) In subsection (1)—
- “capital contract” means a contract as regards which the consideration payable by the council is capital expenditure;
- “capital expenditure” means expenditure which falls to be capitalised in accordance with proper practices (within the meaning of Article 6(3) of the Local Government (Northern Ireland) Order 2005 (NI 18));
- “non-capital contract” means a contract which is not a capital contract.
- (3) A direction under subsection (1)(b) or (c) may provide that the consent of [^{F4}a successor council or]a specified statutory transition committee is not required in relation to a contract of a specified description.
- (4) A direction—
- (a) shall be in writing;
- (b) may make different provision in relation to different matters for which consent is required;
- (c) may be varied or revoked by a subsequent direction.
- (5) In this Chapter—
- “direction” means a direction under this section;
- “specified”, in relation to a direction, means specified in the direction;
- “statutory transition committee” means a committee established under section 15.
- (6) References in this Chapter to disposing of land include references to—
- (a) dealing with land in any way mentioned in section 45(3) of the Interpretation Act (Northern Ireland) 1954 (c. 33);
- (b) entering into a contract to dispose of land;
- (c) granting an option to acquire land.

Textual Amendments

- F1** Words in s. 10 added (2.6.2014) by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\)](#), **ss. 116(3)(a)**, 129 (with s. 124(4)); S.R. 2014/153, art. 2, Sch. 1
- F2** Words in s. 10(1) added (2.6.2014) by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\)](#), **ss. 116(3)(b)**, 129 (with s. 124(4)); S.R. 2014/153, art. 2, Sch. 1
- F3** S. 10(1)(d)(e) added (2.6.2014) by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\)](#), **ss. 116(3)(c)**, 129 (with s. 124(4)); S.R. 2014/153, art. 2, Sch. 1
- F4** Words in s. 10(3) inserted (2.6.2014) by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\)](#), **ss. 116(3)(d)**, 129 (with s. 124(4)); S.R. 2014/153, art. 2, Sch. 1

Changes to legislation:

There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010, Section 10.