



# Local Government Act 1972

## 1972 CHAPTER 70

### PART VII

#### MISCELLANEOUS POWERS OF LOCAL AUTHORITIES

##### *Miscellaneous*

#### **136 Contributions towards expenditure on concurrent functions.**

Two or more local authorities may make arrangements for defraying any expenditure incurred by one of them in exercising any functions exercisable by both or all of them.

##### **Modifications etc. (not altering text)**

- C1** S. 136 restricted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 91, [Sch. 15 para. 1\(2\)\(a\)](#)  
S. 136: certain functions transferred (*temp.* from 4.5.1995 to 31.3.1996) by [S.I. 1995/1042](#), [art. 3\(3\)](#)  
S. 136 extended (19.9.1995) by [1995 c. 25](#), ss. 65, 125(2), [Sch. 8 para. 3\(1\)\(c\)](#) (with ss.7(6), 115, 117, [Sch. 8 para. 7](#))  
S. 136: power conferred to make provisions about matters of the kind dealt with in this section (1.9.1997) by [1997 c. 50](#), s. 44(1), [Sch. 4\(a\)\(ix\)](#); [S.I. 1997/1930](#), [art. 2\(1\)\(2\)\(m\)](#)
- C2** S. 136 modified (22.7.2004) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1777\)](#), [art. 29\(1\)\(c\)](#)  
S. 136 modified (22.7.2004) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1778\)](#), [art. 29\(1\)\(c\)](#)

#### **[<sup>F1</sup>137 Power of local authorities to incur expenditure for certain purposes not otherwise authorised.**

- (1) A local authority may, subject to the provisions of this section, incur expenditure which in their opinion is in the interests of, and will bring direct benefit to, their area or any part of it or all or some of its inhabitants, but a local authority shall not, by virtue of this subsection, incur any expenditure—

*Status: Point in time view as at 23/12/2016.*

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- (a) for a purpose for which they are, either unconditionally or subject to any limitation or to the satisfaction of any condition, authorised or required to make any payment by or by virtue of any other enactment; nor
- (b) unless the direct benefit accruing to their area or any part of it or to all or some of the inhabitants of their area will be commensurate with the expenditure to be incurred.

(1A) In any case where—

- (a) by virtue of paragraph (a) of subsection (1) above, a local authority are prohibited from incurring expenditure for a particular purpose, and
- (b) the power or duty of the authority to incur expenditure for that purpose is in any respect limited or conditional (whether by being restricted to a particular group of persons or in any other way),

the prohibition in that paragraph shall extend to all expenditure to which that power or duty would apply if it were not subject to any limitation or condition.

(2) It is hereby declared that the power of a local authority to incur expenditure under subsection (1) above includes power to do so by contributing towards the defraying of expenditure by another local authority in or in connection with the exercise of that other authority’s functions.

<sup>F2</sup>(2A) .....

(2C) A local authority may incur expenditure under subsection (1) above on publicity only by way of assistance to a public body or voluntary organisation where the publicity is incidental to the main purpose for which the assistance is given; but the following provisions of this section apply to expenditure incurred by a local authority under section 142 below on information as to the services provided by them under this section, or otherwise relating to their functions under this section, as they apply to expenditure incurred under this section.

<sup>F3</sup>(a) .....

(2D) In subsection (2C) above—

“publicity” means any communication, in whatever form, addressed to the public at large or to a section of the public; and

“voluntary organisation” means a body which is not a public body but whose activities are carried on otherwise than for profit.

(3) A local authority may, subject [<sup>F4</sup>, in the case of a parish or community council,] to the following provisions of this section, incur expenditure on contributions to any of the following funds, that is to say—

- (a) the funds of any charitable body in furtherance of its work in the United Kingdom; or
- (b) the funds of any body which provides any public service (whether to the public as a whole or to any section of it) in the United Kingdom otherwise than for the purposes of gain; or
- (c) any fund which is raised in connection with a particular event directly affecting persons resident in the United Kingdom on behalf of whom a public appeal for contributions has been made by the Lord Mayor of London or the chairman of a principal council or by a committee of which the Lord Mayor of London or the chairman of a principal council is a member or by such a person or body as is referred to in section 83(3)(c) of the Local Government (Scotland) Act 1973.

*Status: Point in time view as at 23/12/2016.*

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- (4) The expenditure of a local authority under this section in any financial year shall not exceed the amount produced by multiplying—
- (a) such sum as is for the time being appropriate to the authority under [<sup>F5</sup>Schedule 12B to this Act], by
  - (b) the relevant population of the authority's area.
- (4AA) <sup>F6</sup>.....
- (4AB) For the purposes of subsection (4)(b) above the relevant population of a local authority's area shall be determined in accordance with regulations made by the Secretary of State; and a statutory instrument containing such regulations shall be subject to annulment in pursuance of a resolution of the House of Commons.
- (4A) For the purpose of determining whether a local authority have exceeded the limit set out in subsection (4) above, their expenditure in any financial year under this section shall be taken to be the difference between their gross expenditure under this section for that year and the aggregate of the amounts specified in subsection (4B) below.
- (4B) The amounts mentioned in subsection (4A) above are—
- (a) the amount of any expenditure which forms part of the authority's gross expenditure for that year under this section and in respect of which any grant has been or is to be paid under any enactment by a Minister of the Crown, within the meaning of the Ministers of the Crown Act 1975 (whether or not the grant covers the whole of the expenditure);
  - (b) the amount of any repayment in that year of the principal of a loan for the purpose of financing expenditure under this section in any year;
  - (c) so much of any amount raised by public subscription as is spent in that year for a purpose for which the authority are authorised by this section to incur expenditure;
  - (d) any grant received by the authority for that year out of the European Regional Development Fund or the Social Fund of the European Economic Community, in so far as the grant is in respect of an activity in relation to which the authority incurred expenditure in that year under this section;
  - (e) the amount of any repayment in that year of a loan under this section made by the authority in any year; and
  - (f) the amount of any expenditure—
    - (i) which is incurred by the authority in that year in circumstances specified in an order made by the Secretary of State; or
    - (ii) which is incurred by the authority in that year and is of a description so specified; or
    - (iii) which is defrayed by any grant or other payment to the authority which is made in or in respect of that year and is of a description so specified.
- (4C) <sup>F7</sup>.....
- (5) A statutory instrument containing an order under this section may apply to all local authorities or may make different provision in relation to local authorities of different descriptions.
- (6) Any such instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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(7) The accounts of a local authority by whom expenditure is incurred under this section shall include a separate account of that expenditure<sup>F8</sup> . . . .

[ In relation to England, [<sup>F10</sup>section 25 of the Local Audit and Accountability Act<sup>F9</sup>(7A) 2014 (inspection of statements of accounts etc)] applies in relation to a separate account included in a local authority’s accounts by virtue of subsection (7) above as it applies in relation to a statement of accounts prepared by the authority pursuant to [<sup>F11</sup>section 3(3)] of that Act.

(7B) In relation to Wales, section 29 of the Public Audit (Wales) Act 2004 (rights of inspection) applies in relation to a separate account included in a local authority’s accounts by virtue of subsection (7) above as it applies in relation to a statement of accounts prepared by the authority pursuant to regulations under section 39 of that Act.]

<sup>F12</sup>(8) . . . . .

[ Subject to subsection (10) below, in this section “local authority”<sup>F14</sup> means—  
<sup>F13</sup>(9) (a) a parish council which is not an eligible parish council for the purposes of [<sup>F15</sup>Chapter 1 of Part 1 of the Localism Act 2011 (general power of competence) ], or  
(b) a community council]

(10) In subsection (3) above “local authority” means—  
(a) in relation to England, a county council, a district council, a London borough council, the Common Council or a parish council,  
(b) in relation to Wales, a county council, a county borough council or a community council.]]

#### Textual Amendments

- F1** S. 137 amended by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1, 2\)](#), **s. 36(2)-(8)** and has effect as set out in Sch. 2 to that Act
- F2** S. 137(2A)(2B) (which were inserted by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), **s. 44(a)**) repealed by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), **s. 36(4)**
- F3** S. 137(2C)(a) (which was inserted by [Local Government Act 1986 \(c. 10, SIF 81:1\)](#), **ss. 3, 6**) repealed by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), **s. 36(4)**
- F4** Words in s. 137(3) inserted (1.4.2004) by [Local Government Act 2003 \(c. 26\)](#), **ss. 127(1), 128, Sch. 7 para. 4**; [S.I. 2003/2938, art. 7\(a\)](#) (subject to art. 8, Sch.); [S.I. 2003/3034, art. 2\(2\)](#), Sch. 1 Pt. II
- F5** Words in s. 137(4)(a) substituted (27.11.2003 for W. and 1.4.2004 for E.) by [Local Government Act 2003 \(c. 26\)](#), **ss. 118(1), 128**; [S.I. 2003/3034, art. 2\(1\)](#), Sch. 1 Pt. I; [S.I. 2003/2938, art. 7\(a\)](#) (subject to art. 8, Sch.)
- F6** S. 137(4AA) repealed (27.11.2003 for W. and otherwise prosp.) by [Local Government Act 2003 \(c. 26\)](#), **ss. 127(2), 128, Sch. 8 Pt. 1**; [S.I. 2003/3034, art. 2\(1\)](#), Sch. 1 Pt. I
- F7** S. 137(4C) repealed (27.11.2003) by [Local Government Act 2003 \(c. 26\)](#), **ss. 127(2), 128, Sch. 8 Pt. 1**; [S.I. 2003/3034, art. 2\(1\)](#), Sch. 1 Pt. I
- F8** Words in s. 137(7) repealed (1.4.2005) by [Public Audit \(Wales\) Act 2004 \(c. 23\)](#), **ss. 66, 72, 73, Sch. 2 para. 1(1)(2)**, **Sch. 4**; [S.I. 2005/558, art. 2\(1\)](#) Sch. 1 (subject to Sch. 2)
- F9** S. 137(7A)(7B) inserted (1.4.2005) by [Public Audit \(Wales\) Act 2004 \(c. 23\)](#), **ss. 66, 73, Sch. 2 para. 1(1)(2)(3)**; [S.I. 2005/558, art. 2\(1\)](#), Sch. 1 (subject to Sch. 2)

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- F10** Words in s. 137(7A) substituted (1.4.2015) by [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), [Sch. 12 para. 7\(a\)](#); S.I. 2015/841, art. 3(x)
- F11** Words in s. 137(7A) substituted (1.4.2015) by [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), [Sch. 12 para. 7\(b\)](#); S.I. 2015/841, art. 3(x)
- F12** S. 137(8) repealed by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), s. 36(6)(b)
- F13** S. 137(9)(10) substituted for s. 137(9) (18.10.2000 (E.) and 9.4.2001 (W.)) by 2000 c. 22, s. 8; S.I. 2000/2836, [art. 2\(a\)](#); S.I. 2001/1471, [art. 2](#)
- F14** Words in s. 137(9) substituted (31.12.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. 101, 245, [Sch. 5 para. 7\(2\)](#); S.I. 2008/3110, {art. 3(c)}
- F15** Words in s. 137(9)(a) substituted (4.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 1 para. 1](#); S.I. 2012/1008, [art. 2\(b\)](#) (with arts. 7, 8)

**Modifications etc. (not altering text)**

- C3** S. 137 excluded by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 48(12)
- C4** S. 137 amended by [Local Authorities \(Expenditure Powers\) Act 1983 \(c. 52, SIF 81:1, 2\)](#), s. 1 (which amending Act was repealed (1.7.1990) by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), ss. 194(4), 195(2), [Sch. 12 Pt. II](#); S.I. 1990/1274, [art. 3](#))
- C5** S. 137(1)(a) restricted (retrospective to 1.4.1990) by 1985 c. 68, s. 11A (as inserted (retrospective to 1.4.1990) by 1993 c. 28, s. 126, 188(2)(b)).
- C6** S. 137(4B)(d) amended (28.11.1994) by S.I. 1994/2825, [reg. 14\(1\)\(a\)](#)
- C7** S. 137(4B)(f)(iii) amended (28.11.1994) by S.I. 1994/2825, [reg. 14\(1\)\(b\)](#)
- C8** S. 137(7) amended (28.11.1994) by S.I. 1994/2825, [reg. 14\(2\)](#)

**[<sup>F16</sup>137A] Financial assistance to be conditional on provision of information.**

- (1) If in any financial year a local authority provides financial assistance—
- (a) to a voluntary organisation, as defined in subsection (2D) of section 137 above, or
- (b) to a body or fund falling within subsection (3) of that section,
- and the total amount so provided to that organisation, body or fund in that year equals or exceeds the relevant minimum, then, as a condition of the assistance, the authority shall require the organisation, body or fund, within the period of twelve months beginning on the date when the assistance is provided, to furnish to the authority a statement in writing of the use to which that amount has been put.
- (2) In this section “financial assistance” means assistance by way of grant or loan or by entering into a guarantee to secure any money borrowed and, in relation to any financial assistance,—
- (a) any reference to the amount of the assistance is a reference to the amount of money granted or lent by the local authority or borrowed in reliance on the local authority’s guarantee; and
- (b) any reference to the date when the assistance is provided is a reference to the date on which the grant or loan is made or, as the case may be, on which the guarantee is entered into.
- (3) The relevant minimum referred to in subsection (1) above is £2,000 or such higher sum as the Secretary of State may by order specify.
- (4) It shall be a sufficient compliance with a requirement imposed by virtue of subsection (1) above that there is furnished to the local authority concerned an annual report or accounts which contain the information required to be in the statement.

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- (5) A statement (or any report or accounts) provided to a local authority in pursuance of such a requirement shall be deposited with the proper officer of the authority.
- (6) In this section “local authority” includes the Common Council.]

**Textual Amendments**

**F16** S. 137A inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1, 2\)](#), [s. 37](#)

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**Modifications etc. (not altering text)**

**C9** S. 137A amended (28.11.1994) by [S.I. 1994/2825, reg. 15](#)

**138 Powers of principal councils with respect to emergencies or disasters.**

- (1) Where an emergency or disaster involving destruction of or danger to life or property occurs or is imminent or there is reasonable ground for apprehending such an emergency or disaster, and a principal council are of opinion that it is likely to affect the whole or part of their area or all or some of its inhabitants, the council may—
  - (a) incur such expenditure as they consider necessary in taking action themselves (either alone or jointly with any other person or body and either in their area or elsewhere in or outside the United Kingdom) which is calculated to avert, alleviate or eradicate in their area or among its inhabitants the effects or potential effects of the event; and
  - (b) make grants or loans to other persons or bodies on conditions determined by the council in respect of any such action taken by those persons or bodies.

(1A) <sup>F17</sup> .....

<sup>F18</sup>(2) .....

- (3) [<sup>F19</sup>Nothing in this section authorises] a local authority to execute—
  - (a) any drainage or other works in any part of a main river, [<sup>F20</sup>within the meaning of Part IV 'of the Water Resources Act 1991], or of any other watercourse which is treated for the purposes of any of the provisions of that Act as part of a main river, or
  - (b) any works which local authorities have power to execute under [<sup>F20</sup>sections 14 to 17, 62(2) and (3) and 66 of the Land Drainage Act 1991],
 but subject to those limitations, [<sup>F21</sup>the powers conferred by subsections [<sup>F22</sup>subsection (1) above] are] in addition to, and not in derogation of, any power conferred on a local authority by or under any other enactment, including any enactment contained in this Act.

(4) In this section “principal council” includes the Common Council and, until 1st April 1974, the council of an existing county, county borough or county district.

[<sup>F23</sup>(5) With the consent of the Secretary of State, a metropolitan county fire and civil defence authority and the [<sup>F24</sup>London Fire and Emergency Planning Authority] may incur expenditure in co-ordinating planning by principal councils in connection with their functions under subsection (1) above.

(6) In this section “contingency planning” means the making, keeping under review and revising of plans and the carrying out of training associated with the plans.]

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#### Textual Amendments

- F17** S. 138(1A) repealed (14.11.2005) by [Civil Contingencies Act 2004 \(c. 36\)](#), ss. 32, 34, Sch. 2 Pt. 1 para. 7(a), [Sch. 3](#); S.I. 2005/2040, [art. 3\(q\)\(r\)](#)
- F18** S. 138(2) repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 194, [Sch. 34 Pt. I](#)
- F19** Words substituted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), [ss. 156\(2\)\(a\)](#)
- F20** Words in s. 138 (3)(a)(b) substituted (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 2(1), 4(2), [Sch. 1 para. 22\(2\)](#).
- F21** Words substituted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), [ss. 156\(2\)\(b\)](#)
- F22** Words in s. 138(3) substituted (14.11.2005) by [Civil Contingencies Act 2004 \(c. 36\)](#), ss. 32, 34, [Sch. 2 Pt. 1 para. 7\(b\)](#); S.I. 2005/2040, [art. 3\(q\)](#)
- F23** S. 138(5)(6) inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), [s. 156\(3\)](#)
- F24** Words in s. 138 substituted (3.7.2000) by 1999 c. 29, s. 328(8), [Sch. 29 Pt. I para. 16](#) (with Sch. 12 para. 9(1)); S.I. 2000/1094, [art. 4\(a\)\(h\)](#)

#### Modifications etc. (not altering text)

- C10** S. 138 excluded by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 1(1), [Sch. 1](#)

### [<sup>F25</sup>138A Prayers and other observances

- (1) The business at a meeting of a local authority in England may include time for—
  - (a) prayers or other religious observance, or
  - (b) observance connected with a religious or philosophical belief.
- (2) Subsection (1) also applies in relation to meetings of—
  - (a) a committee of a local authority in England,
  - (b) a joint committee of two or more such authorities, whether appointed or established under Part 6 of this Act or any other enactment, or
  - (c) a sub-committee of such a committee or joint committee.
- (3) Subsections (1) and (2) do not limit other powers.

#### Textual Amendments

- F25** Ss. 138A, 138B inserted (26.5.2015) by [Local Government \(Religious etc. Observances\) Act 2015 \(c. 27\)](#), [ss. 1, 3\(2\)](#)

#### Modifications etc. (not altering text)

- C11** S. 138A modified by 1995 c. 25, Sch. 8 para. 3(1A) (as inserted (26.5.2015) by [Local Government \(Religious etc. Observances\) Act 2015 \(c. 27\)](#), [ss. 2\(3\), 3\(2\)](#))

### 138B Involvement with religious events and events connected with a belief

- (1) A local authority in England may support or facilitate, or make arrangements to be represented at, any of the following—
  - (a) a religious event,
  - (b) an event with a religious element,
  - (c) an event connected with a religious or philosophical belief, or

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- (d) an event with an element connected with such a belief.
- (2) Subsection (1) does not limit other powers.
- (3) Any powers of a local authority in England that are given otherwise than under subsection (1) may be exercised—
  - (a) for the purpose of supporting or facilitating any event mentioned in subsection (1), or
  - (b) for purposes that include that purpose.
- (4) Subsection (3) does not limit the generality of those powers.]

#### Textual Amendments

**F25** Ss. 138A, 138B inserted (26.5.2015) by [Local Government \(Religious etc. Observances\) Act 2015 \(c. 27\), ss. 1, 3\(2\)](#)

#### Modifications etc. (not altering text)

**C12** S. 138B modified by 1995 c. 25, Sch. 8 para. 3(1A) (as inserted (26.5.2015) by [Local Government \(Religious etc. Observances\) Act 2015 \(c. 27\), ss. 2\(3\), 3\(2\)](#))

### [<sup>F26</sup>138C Application of sections 138A and 138B to other authorities

- (1) Each of the following is (subject to the limitations set out) to be treated as a local authority for the purposes of sections 138A and 138B—
  - (a) the London Assembly, but only for the purposes of section 138A;
  - (b) the Greater London Authority, but only for the purposes of section 138B;
  - (c) the Mayor's Office for Policing and Crime, but only for the purposes of section 138B;
  - (d) the London Fire and Emergency Planning Authority;
  - (e) Transport for London;
  - (f) a Mayoral development corporation;
  - (g) the Common Council in its capacity as a local authority or police authority or port health authority, but only for the purposes of section 138B(3);
  - (h) the Sub-Treasurer of the Inner Temple or the Under Treasurer of the Middle Temple, in that person's capacity as a local authority, but only for the purposes of section 138B(3);
  - (i) the Council of the Isles of Scilly;
  - (j) a parish meeting;
  - (k) charter trustees constituted—
    - (i) under section 246,
    - (ii) by the Charter Trustees Regulations 1996 (S.I. 1996/263), or
    - (iii) under Part 1 of the Local Government and Public Involvement in Health Act 2007;
  - (l) a joint authority;
  - (m) an economic prosperity board;
  - (n) a combined authority;
  - (o) a joint waste authority;
  - (p) a fire and rescue authority constituted by a scheme—



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- (i) under section 2 of the Fire and Rescue Services Act 2004, or
    - (ii) to which section 4 of that Act applies;
  - (q) the Passenger Transport Executive of an integrated transport area in England;
  - (r) an executive body established, in relation to an Integrated Transport Authority, by virtue of section 79(1)(a) or 84(2)(d) of the Local Transport Act 2008;
  - (s) a joint committee constituted to be a local planning authority by an order under section 29 of the Planning and Compulsory Purchase Act 2004;
  - (t) a joint board continued in existence by section 263(1);
  - (u) a joint board constituted a port health authority under section 2(4)(b) of the Public Health (Control of Disease) Act 1984;
  - (v) a riparian authority within section 2(2)(b) of the Public Health (Control of Disease) Act 1984 (conservators or commissioners etc) in its capacity as a port health authority, but only for the purposes of section 138B(3);
  - (w) an internal drainage board for a district neither wholly nor partly in Wales;
  - (x) a police and crime commissioner, but only for the purposes of section 138B;
  - (y) a police and crime panel established and maintained in accordance with Part 2 or 3 of Schedule 6 to the Police Reform and Social Responsibility Act 2011, but only for the purposes of section 138B.
- (2) Section 138A(2)(a), (b) and (c) apply—
- (a) as if a police and crime panel established and maintained in accordance with Part 3 of Schedule 6 to the Police Reform and Social Responsibility Act 2011 were a joint committee of the kind mentioned in section 138A(2)(b),
  - (b) as if a committee of a police and crime panel established and maintained in accordance with Part 2 or 3 of that Schedule, and any sub-committee of such a committee, were a sub-committee of the panel,
  - (c) as if a sub-committee of a joint committee constituted to be a local planning authority by an order under section 29 of the Planning and Compulsory Purchase Act 2004 were a committee of that joint committee, and
  - (d) as if a committee appointed as mentioned in section 35(3) of the Localism Act 2011 (standards committee of the Greater London Authority) were a joint committee of the kind mentioned in section 138A(2)(b).
- (3) Section 138B applies in relation to the Greater London Authority as follows—
- (a) the powers conferred on the Authority by section 138B(1) are exercisable on behalf of the Authority by the Mayor of London, or by the London Assembly, or by the Mayor and Assembly acting jointly, and
  - (b) section 138B(3), so far as it refers to powers of the Authority, refers to powers of the Authority whether exercisable by the Mayor, by the Assembly or by the Mayor and Assembly acting jointly.
- (4) The Common Council may make payments out of the City fund for the purpose of supporting or facilitating, or making arrangements for the Corporation of the City to be represented at, any event mentioned in section 138B(1).
- (5) The Sub-Treasurer of the Inner Temple or the Under Treasurer of the Middle Temple may, out of funds derived from any precept issued under Part 1 of the Local Government Finance Act 1992, make payments for the purpose of supporting or facilitating, or making arrangements for the Temple concerned to be represented at, any event mentioned in section 138B(1).
- (6) Subsections (4) and (5) do not limit other powers.

*Status: Point in time view as at 23/12/2016.*

**Changes to legislation:** Local Government Act 1972, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 11 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (7) An internal drainage board for a district partly but not wholly in Wales is to be treated as a local authority in England—
- (a) for the purposes of section 138A, but only in relation to meetings held otherwise than in Wales, and
  - (b) for the purposes of section 138B, but only in relation to events that are to take place otherwise than in Wales.]

#### Textual Amendments

**F26** S. 138C inserted (26.5.2015) by [Local Government \(Religious etc. Observances\) Act 2015 \(c. 27\)](#), **ss. 2(1), 3(2)**

### 139 Acceptance of gifts of property.

- (1) Subject to the provisions of this section a local authority may accept, hold and administer—
- (a) for the purpose of discharging any of their functions, gifts of property, whether real or personal, made for that purpose; or
  - (b) for the benefit of the inhabitants of their area or of some part of it, gifts made for that purpose;
- and may execute any work (including works of maintenance or improvement) incidental to or consequential on the exercise of the powers conferred by this section.
- (2) Where any such work is executed in connection with a gift made for the benefit of the inhabitants of the area of a local authority or of some part of that area, the cost of executing the work shall be added to any expenditure under section 137 above in computing the limit imposed on that expenditure by subsection (4) of that section.
- (3) This section shall not authorise the acceptance by a local authority of property which, when accepted, would be held in trust for an ecclesiastical charity or for a charity for the relief of poverty.
- (4) Nothing in this section shall affect any powers exercisable by a local authority under or by virtue of [<sup>F27</sup>the Education Act 1996].

#### Textual Amendments

**F27** Words in s. 139(4) substituted (1.11.1996) by [1996 c. 56, ss. 582\(1\), 583\(2\)](#), **Sch. 37 Pt. 1 para. 24** (with s. 1(4))

#### Modifications etc. (not altering text)

- C13** S. 139 extended (19.9.1995) by [1995 c. 25, ss. 65\(7\), 125\(2\)](#), **Sch. 8 para. 3(1)(d)** (with ss. 7(6), 115, 117, [Sch. 8 para. 7](#))  
S. 139: certain functions transferred (*temp.* from 4.5.1995 to 31.3.1996) by [S.I. 1995/1042, art. 3\(3\)](#)
- C14** S. 139 modified (22.7.2004) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(2004/1777\)](#), {art. 29(1)(d)}  
S. 139 modified (22.7.2004) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(2004/1778\)](#), {art. 29(1)(d)}

*Status: Point in time view as at 23/12/2016.*

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## 140 Insurance by local authorities against accidents to members.

- [<sup>F28</sup>(1) A local authority may enter into a contract of [<sup>F29</sup>accident insurance] against risks of any member of the authority meeting with a personal accident, whether fatal or not, while engaged on the business of the authority.]
- (2) Any sum received by the authority under any such contract shall, after deduction of any expenses incurred in the recovery thereof, be paid by them to, or to the personal representatives of, the member of the authority in respect of an accident to whom that sum is received.
- (3) The provisions of the <sup>M1</sup>Life Assurance Act 1774 shall not apply to any such contract,  
<sup>F30</sup> . . .
- [<sup>F31</sup>(3A) References to accident insurance must be read with—
- (a) section 22 of the Financial Services and Markets Act 2000;
  - (b) any relevant order under that section; and
  - (c) Schedule 2 to that Act.]
- (4) In this section, the expression <sup>F32</sup> . . . “member of the authority” includes a member of a committee or sub-committee of the authority who is not a member of that authority.

### Textual Amendments

- F28** S. 140(1) substituted by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), **s. 39(1)(a)**
- F29** Words in s. 140(1) substituted (1.12.2001) by [S.I. 2001/3649](#), **arts. 1, 282(2)**
- F30** Words repealed by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), s. 39(1)(b), **Sch. 7 Pt. XVI**
- F31** S. 140(3A) inserted (1.12.2001) by [S.I. 2001/3649](#), **arts. 1, 282(3)**
- F32** Words repealed by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), **ss. 71(3)(b), 72(7)**, Sch. 7

### Modifications etc. (not altering text)

- C15** S. 140 extended by [City of London \(Various Powers\) Act 1977 \(c. xv\)](#), **s. 19**
- C16** S. 140 amended by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 57(7), **Sch. 13 para. 12(d)**
- C17** S. 140 modified (07.08.1991) by [S.I. 1991/1773](#), art. 8(2), **Sch. 2**.  
S. 140: certain functions transferred (07.08.1991) by [S.I. 1991/1773](#), art. 8, **Sch. 2**.
- C18** S. 140 modified (10.01.1992) by [S.I. 1991/2913](#), art. 8(2), **Sch. 2**.  
S. 140: certain functions transferred (10.01.1992) by [S.I. 1991/2913](#), art. 8, **Sch. 2**.  
S. 140 extended (5.7.1994) by [1994 c. 19](#), ss. 39(2), 66(2)(b), **Sch. 13 para. 19(d)** (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#))  
S. 140: certain functions transferred (*temp.* from 4.5.1995 to 31.3.1996) by [S.I. 1995/1042](#), **art. 3(3)**  
S. 140 extended (19.9.1995) by [1995 c. 25](#), ss. 65(7), 125(2), **Sch. 8 para. 3(1)(e)** (with ss.7(6), 115, 117, [Sch. 8 para. 7](#))  
S. 140 applied (with modifications) (8.1.1996) by [1995 c. x](#), ss. 1(3), 44, **Sch. Pt. I**  
S. 140 applied (4.3.1996) by [S.I. 1996/263](#), **reg. 16(3)**  
S. 140: power conferred to make provisions about matters of the kind dealt with in this section (1.9.1997) by [1997 c. 50](#), s. 44(1), **Sch. 4(a)(x)**; [S.I. 1997/1930](#), **art. 2(1)(2)(m)**
- C19** S. 140 modified (22.7.2004) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(2004/1777\)](#), {art. 29(1)(e)}  
S. 140 modified (22.7.2004) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(2004/1778\)](#), {art. 29(1)(e)}
- C20** S. 140 applied (1.4.2009) by [The Charter Trustees Regulations 2009 \(S.I. 2009/467\)](#), **reg. 14(1)**

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**C21** S. 140 applied (with modifications) (E.) (24.3.2011) by [The Hull and Goole Port Health Authority Order 2011 \(S.I. 2011/939\)](#), arts. 1(1), 7, **Sch. 1**

#### Marginal Citations

**M1** 1774 c. 48.

### [<sup>F33</sup>140A Insurance of voluntary assistants of local authorities.

(1) A local authority may enter into a contract of insurance of a relevant class against risks of any voluntary assistant of the authority meeting with a personal accident, whether fatal or not, while engaged as such, or suffering from any disease or sickness, whether fatal or not, as the result of being so engaged.

(2) In this section

“local authority” includes—

- (a) a board constituted in pursuance of [<sup>F34</sup>section 2 of the Town and Country Planning Act 1990]. . . ;
- (b) the Common Council of the City of London; and
- (c) the Council of the Isles of Scilly; and

“voluntary assistant” means a person who, at the request of the local authority or an authorised officer of the local authority, performs any service or does anything otherwise than for payment by the local authority (except by way of reimbursement of expenses), for the purposes of, or in connection with, the carrying out of any of the functions of the local authority.]

#### Textual Amendments

**F33** Ss. 140A–140C inserted by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), **s. 39(2)**

**F34** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, **Sch. 2 para. 28(2)**

#### Modifications etc. (not altering text)

**C22** Ss. 140A, 140C amended by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 57(7), **Sch. 13 para. 12(d)**

S. 140A extended (5.7.1994) by 1994 c. 19, ss. 39(2), 66(2)(b), **Sch. 13 para. 19(d)** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**)

S. 140A: certain functions transferred (*temp.* from 4.5.1995 to 31.3.1996) by [S.I. 1995/1042](#), **art. 3(3)**

S. 140A extended (19.9.1995) by 1995 c. 25, ss. 65(7), 125(2), **Sch. 8 para. 3(1)(e)** (with ss.7(6), 115, 117, **Sch. 8 para. 7**)

**C23** S. 140A modified (22.7.2004) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1777\)](#), **art. 29(1)(e)**

S. 140A modified (22.7.2004) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1778\)](#), **art. 29(1)(e)**

### [<sup>F35</sup>140B Insurance of voluntary assistants of probation committee.

(1) A county council <sup>F36</sup>. . . may enter into a contract of insurance of a relevant class against risks of any voluntary assistant of a relevant probation committee meeting with

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a personal accident, whether fatal or not, while engaged as such, or suffering from any disease or sickness, whether fatal or not, as the result of being so engaged.

(2) In this section—

“relevant probation committee” means—

- (a) in relation to a county council, a probation committee for a probation area wholly or partly within the county; and
- (b) in relation to Greater London, a probation committee for a probation area wholly or partly within an outer London borough (within the meaning of section 1 of the 1963 Act); and

“voluntary assistant” means a person who, at the request of an authorised officer of the probation committee, performs any service or does anything otherwise than for payment by the committee (except by way of reimbursement of expenses), for the purposes of, or in connection with, the carrying out of any of the functions of the committee.]

[<sup>F37</sup>(3) In relation to Wales—

- (a) subsections (1) and (2)(a) above shall have effect as if they referred to a principal council; and
- (b) subsection (2)(a) above shall have effect as if it referred to the area of the principal council.]

#### Textual Amendments

**F35** Ss. 140A–140C inserted by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\), s. 39\(2\)](#)

**F36** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\), ss. 1, 102, Sch. 17](#)

**F37** S. 140B(3) added (1.4.1996) by [1994 c. 19, s. 66\(5\), Sch. 15 para. 31](#) (with [ss. 54\(5\)\(7\), 55\(5\), Sch. 17 para. 22\(1\), 23\(2\)](#)); [S.I. 1996/396, art. 4, Sch. 2](#)

#### Modifications etc. (not altering text)

**C24** S. 140B: certain functions transferred (*temp.* from 4.5.1995 to 31.3.1996) by [S.I. 1995/1042, art. 3\(3\)](#)

[<sup>F38</sup>**140C** Provisions supplementary to sections 140A, 140B.

(1) The relevant classes of contracts of insurance for the purposes of sections 140A and 140B above are—

- [<sup>F39</sup>(a) contracts of permanent health insurance; and
- (b) contracts of accident insurance.]

[ Subsection (1) must be read with—

- <sup>F40</sup>(1A) (a) section 22 of the Financial Services and Markets Act 2000;
- (b) any relevant order under that section; and
- (c) Schedule 2 to that Act.]

(2) Any sum received under a contract of insurance made by virtue of section 140A or 140B above shall, after deduction of any expenses incurred in the recovery thereof, be paid by the authority receiving it to, or to the personal representatives of, the voluntary assistant who suffered the accident, disease or sickness in respect of which the sum is received or to such other person as the authority consider appropriate having regard

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to the circumstances of the case; and a sum paid to any person other than the assistant or his personal representatives shall be applied by that person in accordance with any directions given by the authority for the benefit of any dependant of the voluntary assistant.

- (3) The provisions of the Life Assurance Act 1774 shall not apply to any such contract.
- (4) Section 119 above shall apply to any sum which is due by virtue of subsection (2) above and does not exceed the amount for the time being specified in section 119(1) above.]

#### Textual Amendments

- F38** Ss. 140A–140C inserted by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\), s. 39\(2\)](#)
- F39** S. 140C(1)(a)(b) substituted (1.12.2001) by [S.I. 2001/3649, arts. 1, 283\(2\)](#)
- F40** S. 140C(1A) inserted (1.12.2001) by [S.I. 2001/3649, arts. 1, 283\(3\)](#)

#### Modifications etc. (not altering text)

- C25** Ss. 140A, 140C amended by [Local Government Act 1985 \(c. 51, SIF 81:1\), ss. 1, 57\(7\), Sch. 13 para. 12\(d\)](#)
- S. 140C extended (5.7.1994) by [1994 c. 19, ss. 39\(2\), 66\(2\)\(b\), Sch. 13 para. 19\(d\)](#) (with [ss. 54\(5\)\(7\), 55\(5\), Sch. 17 paras. 22\(1\), 23\(2\)](#))
- S. 140C: certain functions transferred (*temp.* from 4.5.1995 to 31.3.1996) by [S.I. 1995/1042, art. 3\(3\)](#)
- S. 140C extended (19.9.1995) by [1995 c. 25, ss. 65\(7\), 125\(2\), Sch. 8 para. 3\(1\)\(e\)](#) (with [ss. 7\(6\), 115, 117, Sch. 8 para. 7](#))
- C26** S. 140C modified (22.7.2004) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1777\), art. 29\(1\)\(e\)](#)
- S. 140C modified (22.7.2004) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1778\), art. 29\(1\)\(e\)](#)

## 141 Research and the collection of information.

- (1) [<sup>F41</sup>The council of a non-metropolitan county] may conduct, or assist in the conducting of, investigations into, and the collection of information relating to, any matters concerning the county or any part of the county and may make, or assist in the making of, arrangements whereby any such information and the results of any such investigation are made available to any other local authority in the county, any government department or the public.
- (2) The appropriate Minister with respect to any matter may require the council of a county to provide him with any information with respect to that matter which is in the possession of, or available to, that council or any other local authority in the county in consequence of the exercise of any power conferred by or under any enactment; and where such requirement is made in respect of any information which is in the possession of, or available to, any other local authority in the county, but not the county council, the county council may require that other authority to furnish them with that information.
- [<sup>F42</sup>(3) This section shall have effect in relation to Wales—
- (a) as if any reference to a council were a reference to a principal council; and
  - (b) as if any reference to a county were a reference to a principal area.]

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### Textual Amendments

- F41** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 16 para. 7](#)
- F42** S. 141(3) added (1.4.1996) by [1994 c. 19, s. 66\(5\)](#), [Sch. 15 para. 32](#) (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); [S.I. 1996/396](#), art. 4, [Sch. 2](#)

### Modifications etc. (not altering text)

- C27** S. 141: certain functions transferred (*temp.* from 4.5.1995 to 31.3.1996) by [S.I. 1995/1042](#), [art. 3\(3\)](#)
- C28** S. 141 modified (22.7.2004) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1777\)](#), [art. 29\(1\)\(f\)](#)  
S. 141 modified (22.7.2004) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1778\)](#), [art. 29\(1\)\(f\)](#)
- C29** S. 141(2) amended (1.7.1999) by [S.I. 1999/672](#), art. 2, [Sch. 1](#)

## 142 Provision of information, etc., relating to matters affecting local government.

(1) A local authority may make, or assist in the making of, arrangements whereby the public may on application readily obtain, either at premises specially maintained for the purpose or otherwise, information concerning the services available within the area of the authority provided either by the authority or by other authorities [<sup>F43</sup>mentioned in subsection (1B) below] or by government departments or by charities and other voluntary organisations, and other information [<sup>F44</sup>relating to the functions of the authority].

[<sup>F45</sup>(1A) A local authority may arrange for the publication within their area of information as to the services available in the area provided by them or by other authorities mentioned in subsection (1B) below.

[ A local authority may—  
<sup>F46</sup>(1AA) (a) for the purpose of broadcasting or distributing information falling within subsection (1AB), provide an electronic communications network or electronic communications service, or  
(b) arrange with the provider of such a network or service for the broadcasting or distribution of such information by means of the network or service.

(1AB) Information falls within this subsection, in relation to a local authority, if it is one or both of the following—

- (a) information concerning the services within the area of the authority that are provided either by the authority themselves or by other authorities mentioned in subsection (1B) below;
- (b) information relating to the functions of the authority.

(1AC) Nothing in subsection (1AA) entitles a local authority to do anything in contravention of a requirement or restriction imposed by or under—

- (a) [<sup>F47</sup>Part 2 of the Wireless Telegraphy Act 2006],
- (b) the Broadcasting Act 1990,
- (c) the Broadcasting Act 1996, or
- (d) the Communications Act 2003,

and in that subsection “electronic communications network” and “electronic communications service” each has the same meaning as in the Communications Act 2003.]

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(1B) The other authorities referred to above are any other local authority, . . . <sup>F48</sup> a joint authority established by Part IV of the Local Government Act 1985 [<sup>F49</sup>, an economic prosperity board, a combined authority] and any authority, board or committee which discharges functions which would otherwise fall to be discharged by two or more local or other such authorities.]

(2) A local authority may—

- (a) arrange for the publication within their area of information [<sup>F50</sup>relating to the functions of the authority]; and
- (b) arrange for the delivery of lectures and addresses and the holding of discussions on such matters; and
- (c) arrange for the display of pictures, cinematograph films or models or the holding of exhibitions relating to such matters; and
- (d) prepare, or join in or contribute to the cost of the preparation of, pictures, films, models or exhibitions to be displayed or held as aforesaid.

[<sup>F51</sup>(2A) A local authority may assist voluntary organisations to provide for individuals—

- (a) information and advice concerning those individuals' rights and obligations; and
- (b) assistance, either by the making or receiving of communications or by providing representation to or before any person or body, in asserting those rights or fulfilling those obligations.]

(3) In this section “local authority” includes the Common Council and “voluntary organisation” means a body which is not a public body but whose activities are carried on otherwise than for profit.

[<sup>F52</sup>(4) This section shall have effect as if any reference to a local authority included a reference to the London Fire and Emergency Planning Authority.]

#### Textual Amendments

- F43** Words inserted by [Local Government Act 1986 \(c. 10, SIF 81:1, 2\)](#), [s. 3\(1\)\(a\)](#)
- F44** Words substituted by [Local Government Act 1986 \(c. 10, SIF 81:1, 2\)](#), [s. 3\(1\)\(a\)](#)
- F45** S. 142(1A)(1B) inserted by [Local Government Act 1986 \(c. 10, SIF 81:1, 2\)](#), [s. 3\(1\)\(b\)\(2\)](#)
- F46** S. 142(1AA)-(1AC) inserted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), [ss. 349\(2\)](#), [411\(2\)\(3\)](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), [art. 3](#), [Sch. 1](#)
- F47** Words in s. 142(1AC) substituted (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), [ss. 123](#), [126](#), [Sch. 7 para. 5](#)
- F48** Words repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), [ss. 231\(7\)](#), [235\(6\)](#), [237\(2\)](#), [Sch. 13 Pt. I](#)
- F49** Words in s. 142(1B) inserted (17.12.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), [ss. 119](#), [148\(6\)](#), [Sch. 6 para. 20](#); [S.I. 2009/3318](#), [art. 2\(e\)](#)
- F50** Words substituted by [Local Government Act 1986 \(c. 10, SIF 81:1\)](#), [s. 3\(1\)\(c\)](#)
- F51** S. 142(2A) inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), [s. 38\(2\)](#)
- F52** S. 142(4) added (3.7.2000) by [1999 c. 29, s. 328\(8\)](#), [Sch. 29 Pt. I para. 17](#) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/1094](#), [art. 4\(a\)\(h\)](#)

#### Modifications etc. (not altering text)

- C30** S. 142 amended by [S.I. 1990/1765](#), [art. 4\(2\)](#)
- C31** S. 142 modified by [S.I. 1990/1765](#), [art. 4\(2\)\(b\)](#)
- C32** S. 142: certain functions transferred (*temp.* from 4.5.1995 to 31.3.1996) by [S.I. 1995/1042](#), [art. 3\(3\)](#)



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- S. 142 extended (19.9.1995) by 1995 c. 25, ss. 70, 125(2), **Sch. 9 para. 6** (with ss. 7(6), 115, 117, Sch. 8 para. 7)
- C33** S. 142 modified (22.7.2004) by The Cotswolds Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1777), **art. 29(1)(f)**  
S. 142 modified (22.7.2004) by The Chilterns Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1778), **art. 29(1)(f)**
- C34** S. 142(2) modified (1.4.2011) by The Greater Manchester Combined Authority Order 2011 (S.I. 2011/908), arts. 1, **11(a)**
- C35** S. 142(2) modified (1.4.2014) by The Halton, Knowsley, Liverpool, St Helens, Sefton and Wirral Combined Authority Order 2014 (S.I. 2014/865), arts. 1, **14(a)** (with art. 8(4))
- C36** S. 142(2) modified (1.4.2014) by The West Yorkshire Combined Authority Order 2014 (S.I. 2014/864), arts. 1(2), **11(a)**
- C37** S. 142(2) modified (1.4.2014) by The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority Order 2014 (S.I. 2014/863), arts. 1, **11(a)**
- C38** S. 142(2) modified (15.4.2014) by The Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority Order 2014 (S.I. 2014/1012), arts. 1, **13(a)**
- C39** S. 142(2) modified (1.4.2016) by The Tees Valley Combined Authority Order 2016 (S.I. 2016/449), arts. 1(a), **8(b)**
- C40** S. 142(2) modified (17.6.2016) by The West Midlands Combined Authority Order 2016 (S.I. 2016/653), arts. 1(2), **11(a)**

### **143 Subscriptions to local government associations.**

- (1) A local authority may pay reasonable subscriptions, whether annually or otherwise, to the funds—
- (a) of any association of local authorities formed (whether inside or outside the United Kingdom) for the purpose of consultation as to the common interests of those authorities and the discussion of matters relating to local government, or
  - (b) of any association of officers or members of local authorities which was so formed.
- (2) In this section “local authority” includes the Common Council.

#### **Modifications etc. (not altering text)**

- C41** S. 143 modified (7.8.1991) by S.I. 1991/1773, art. 8(2), **Sch. 2**.  
S. 143: certain functions transferred (7.8.1991) by S.I. 1991/1773, art. 8, **Sch.2**.
- C42** S. 143 modified (10.1.1992) by S.I. 1991/2913, art. 8(2), **Sch. 2**.  
S. 143: certain functions transferred (10.1.1992) by S.I. 1991/2913, art. 8, **Sch. 2**.  
S. 143: certain functions transferred (*temp.* from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 3(3)**  
S. 143 extended (19.9.1995) by 1995 c. 25, ss. 65(7), 125(2), **Sch. 8 para. 3(1)(f)** (with ss. 7(6), 115, 117, Sch. 8 para. 7)  
S. 143: power conferred to make provisions about matters of the kind dealt with in this section (1.9.1997) by 1997 c. 50, s. 44(1), **Sch. 4(a)(xi)**; S.I. 1997/1930, **art. 2(1)(2)(m)**
- C43** S. 143 applied (with modifications) (E.) (24.3.2011) by The Hull and Goole Port Health Authority Order 2011 (S.I. 2011/939), arts. 1(1), 7, **Sch. 1**

### **144 Power to encourage visitors and provide conference and other facilities.**

- (1) A local authority may (either alone or jointly with any other person or body)—

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- (a) encourage persons, by advertisement or otherwise, to visit their area for recreation, for health purposes, or to hold conferences, trade fairs and exhibitions in their area; and
- (b) provide, or encourage any other person or body to provide, facilities for<sup>F53</sup> . . . , conferences, trade fairs and exhibitions or improve, or encourage any other person or body to improve, any existing facilities for those purposes.
- (2) Without prejudice to subsection (1) above, a local authority may contribute to any organisation approved by the Secretary of State for the purposes of this subsection and established for the purpose of encouraging persons to visit the United Kingdom or any part thereof.

<sup>F54</sup>(3) . . . . .

<sup>F55</sup>(4) . . . . .

- (5) In this section “local authority” includes the Common Council.

#### Textual Amendments

**F53** Word repealed by [Local Government \(Miscellaneous Provisions\) Act 1976 \(c. 57, SIF 81:1\)](#), s. 81, [Sch. 2](#)

**F54** S. 144(3) repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 194, [Sch. 34 Pt. XVI](#)

**F55** S. 144(4) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)

#### Modifications etc. (not altering text)

**C44** S. 144 excluded by [Greater London Council \(General Powers\) Act 1978 \(c. xiii\)](#), [s. 8](#)  
S. 144 extended (19.9.1995) by [1995 c. 25](#), ss. 70, 125(2), [Sch. 9 para. 6](#) (with ss. 7(6), 115, 117, [Sch. 8 para. 7](#))

**C45** S. 144 modified (22.7.2004) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1777\)](#), [art. 29\(1\)\(g\)](#)  
S. 144 modified (22.7.2004) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1778\)](#), [art. 29\(1\)\(g\)](#)

**C46** S. 144: functions made exercisable concurrently (1.4.2011) by [The Greater Manchester Combined Authority Order 2011 \(S.I. 2011/908\)](#), arts. 1, 10, [Sch. 3 para. 1](#)

**C47** S. 144: functions made exercisable concurrently (1.4.2014) by [The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority Order 2014 \(S.I. 2014/863\)](#), art. 1, [Sch. 2 para. 2](#)

**C48** S. 144: functions made exercisable concurrently (1.4.2014) by [The Halton, Knowsley, Liverpool, St Helens, Sefton and Wirral Combined Authority Order 2014 \(S.I. 2014/865\)](#), art. 1, [Sch. 2 para. 2](#) (with art. 8(4))

**C49** S. 144: functions made exercisable concurrently (15.4.2014) by [The Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority Order 2014 \(S.I. 2014/1012\)](#), arts. 1, 12(1), [Sch. 2 para. 2](#)

**C50** S. 144: functions made exercisable concurrently (1.4.2016) by [The Tees Valley Combined Authority Order 2016 \(S.I. 2016/449\)](#), arts. 1(a), 7, [Sch. 2 para. 2](#)

**C51** S. 144: functions made exercisable concurrently (17.6.2016) by [The West Midlands Combined Authority Order 2016 \(S.I. 2016/653\)](#), art. 1(2), [Sch. 3 para. 2](#)

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## 145 Provision of entertainments.

- (1) A local authority may do, or arrange for the doing of, or contribute towards the expenses of the doing of, anything (whether inside or outside their area) necessary or expedient for any of the following purposes, that is to say—
  - (a) the provision of an entertainment of any nature or of facilities for dancing;
  - (b) the provision of a theatre, concert hall, dance hall or other premises suitable for the giving of entertainments or the holding of dances;
  - (c) the maintenance of a band or orchestra;
  - (d) the development and improvement of the knowledge, understanding and practice of the arts and the crafts which serve the arts;
  - (e) any purpose incidental to the matters aforesaid, including the provision of refreshments or programmes and the advertising of any entertainment given or dance or exhibition of arts or crafts held by them.
- (2) Without prejudice to the generality of the provisions of subsection (1) above, a local authority—
  - (a) may for the purposes therein specified enclose or set apart any part of a park or pleasure ground belonging to the authority or under their control;
  - (b) may permit any theatre, concert hall, dance hall or other premises provided by them for the purposes of subsection (1) above and any part of a park or pleasure ground enclosed or set apart as aforesaid to be used by any other person, on such terms as to payment or otherwise as the authority think fit, and may authorise that other person to make charges for admission thereto;
  - (c) may themselves make charges for admission to any entertainment given or dance or exhibition of arts or crafts held by them and for any refreshment or programmes supplied thereat.
- (3) Subsection (2) above shall not authorise any authority to contravene any covenant or condition subject to which a gift or lease of a public park or pleasure ground has been accepted or made without the consent of the donor, grantor, lessor or other person entitled in law to the benefit of the covenant or condition.
- (4) Nothing in this section shall affect the provisions of any enactment by virtue of which a licence is required for the public performance of a stage play or the public exhibition of cinematograph films, or for boxing or wrestling entertainments or for public music or dancing, or for the sale of [<sup>F56</sup>alcohol] .
- (5) In this section, the expression “local authority” includes the Common Council.

### Textual Amendments

**F56** Word in s. 145(4) substituted (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), ss. 198, 201(2), [Sch. 6 para. 59](#) (with ss. 2(3), 15(2), 195); [S.I. 2005/3056](#), [art. 2\(2\)](#)

### Modifications etc. (not altering text)

**C52** S. 145 amended and certain functions transferred by [S.I. 1989/304](#), [art. 5\(3\)\(h\)\(4\)](#)

**C53** S. 145: functions made exercisable concurrently (23.12.2016) by [The Greater Manchester Combined Authority \(Functions and Amendment\) Order 2016 \(S.I. 2016/1267\)](#), arts. 1(2), [13](#)

**C54** S. 145(1) applied (16.7.1998) by [1998 c. ii](#), [s. 5\(1\)\(a\)](#)

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## 146 Transfer of securities on alteration of area, etc.

- (1) Where any securities are standing in the books of a company in the name of a local authority, the following provisions shall have effect—
- (a) if the name of the authority is changed, then at the request of the authority and on production of a statutory declaration by the proper officer of the authority specifying the securities and verifying the change of name and identity of the authority, the company shall enter the securities in the new name of the local authority in like manner as if the securities had been transferred to the authority under that name;
  - (b) if by virtue of anything done under any provision of this Act or the 1963 Act or any enactment similar to any such provision (whenever passed), any other local authority have become entitled to the securities or any dividends or interest thereon, as the case may be, a certificate of the proper officer of the council of the county in which the area of that other authority is situated, or the scheme, order or award under which that other authority have become so entitled, shall be a sufficient authority to the company to transfer the securities into the name of the local authority specified in that behalf in the certificate, or in the scheme, order or award, as the case may be, and to pay the dividends or interest to that authority;
  - (c) if in any other case any other local authority have become entitled to the securities or any dividends or interest thereon, as the case may be, the court may on application make an order vesting in that other authority the right to transfer the securities or to receive the dividends or interest, as the case may be, and the <sup>M2</sup>Trustee Act 1925 shall apply in like manner as if the vesting order were made under section 51 of that Act.

[<sup>F57</sup>(1A) In relation to Wales, subsection (1)(b) above shall have effect as if the reference to a county council were a reference to a principal council.]

- (2) In this section, the expression—

“company” includes the Bank of England and any company or person keeping books in which any securities are registered or inscribed;

“local authority” means a local authority within the meaning of the 1933 Act, the <sup>M3</sup>London Government Act 1939 or this Act or a joint board on which, or a joint committee on which, a local authority or parish meeting are represented, a burial board, a joint burial board or the parish trustees of a parish;

[<sup>F58</sup>“securities” has the meaning given in section 98(1) above]

- (3) The jurisdiction of the court under this section may be exercised by the High Court or, in cases in which [<sup>F59</sup>the county court] would have jurisdiction if the application were an application made under the <sup>M4</sup>Trustee Act 1925, by that court.

### Textual Amendments

**F57** S. 146(1A) inserted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 33** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**

**F58** Definition substituted by Financial Services Act 1986 (c. 60, SIF 69), s. 212(2), **Sch. 16 para. 8(b)**

**F59** Words in s. 146(3) substituted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 52**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

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**Modifications etc. (not altering text)**

- C55** S. 146 applied (28.3.2008) by [The Bedfordshire \(Structural Changes\) Order 2008 \(S.I. 2008/907\)](#), **art. 20(6)**
- C56** S. 146 applied (5.3.2008) by [The Cheshire \(Structural Changes\) Order 2008 \(S.I. 2008/634\)](#), **art. 9(8)**
- C57** S. 146 amended by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 57(7), **Sch. 13 para. 12(e)**  
S. 146 applied (12.4.1994) by [S.I. 1994/867](#), **reg. 11(6)**  
S. 146 extended (5.7.1994) by [1994 c. 19](#), ss. 39(2), 66(2)(b), **Sch. 13 para. 19(e)** (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#))  
S. 146 applied (*temp.* from 4.5.1995 to 31.3.1996) by [S.I. 1995/1042](#), **art. 4(1)**  
S. 146 extended (19.9.1995) by [1995 c. 25](#), ss. 65(7), 125(2), **Sch. 8 para. 4** (with ss.7(6), 115, 117, [Sch. 8 para. 7](#))
- C58** S. 146(1)(b) extended (19.9.1995) by [1995 c. 25](#), ss. 65(7), 125(2), **Sch. 8 para. 4** (with ss.7(6), 115, 117, [Sch. 8 para. 7](#))

**Marginal Citations**

- M2** [1925 c. 19](#).
- M3** [1939 c. 40](#).
- M4** [1925 c. 19](#).

**[<sup>F60</sup>146A] Joint Authorities and Inner London Education Authority.**

- (1) [<sup>F61</sup>Subject to [<sup>F62</sup>subsections (1ZA), (1ZB) [<sup>F63</sup>, (1ZC)] [<sup>F64</sup>, (1ZD) or (1ZE)] below,] a joint authority, [<sup>F65</sup>an economic prosperity board, a combined authority,]<sup>F66</sup>... [<sup>F67</sup>and] [<sup>F68</sup>the London Fire and Emergency Planning Authority]<sup>F69</sup>...<sup>F70</sup>... [<sup>F71</sup> shall each be] treated—
  - (a) as [<sup>F72</sup>a local authority] for the purposes of sections 111 to 119, 128 to 131, 135, 136, 139 (except sub-sections (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.

[ In its application by virtue of subsection (1) to an economic prosperity board,<sup>F73</sup>(1ZA) section 111 has effect as if it did not permit the borrowing of money.

(1ZB) In its application by virtue of subsection (1) to a combined authority, section 111 has effect as if it permitted the borrowing of money for the purposes of the exercise by the authority of its transport functions only.]

[ Neither a metropolitan county fire and rescue authority, nor the London Fire and<sup>F74</sup>(1ZC) Emergency Planning Authority, is to be treated as a local authority for the purposes of section 111 above (but see section 5A of the Fire and Rescue Services Act 2004).]

[ An Integrated Transport Authority is not to be treated as a local authority for the<sup>F75</sup>(1ZD) purposes of section 111 above (but see section 102B of the Local Transport Act 2008).

(1ZE) Neither an economic prosperity board, nor a combined authority, is to be treated as a local authority for the purposes of section 111 above (but see section 113A of the Local Democracy, Economic Development and Construction Act 2009).]

<sup>F76</sup>(1A) .....

<sup>F76</sup>(1AA) .....

<sup>F76</sup>(1B) .....

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F76(1C) .....

F77(2) .....]

### Textual Amendments

- F60** S. 146A inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 84, [Sch. 14 para. 16](#)
- F61** Words in s. 146A(1) inserted (1.10.1994 for specified purposes otherwise 1.4.1995) by 1994 c. 29, s. 43, [Sch. 4 para. 11\(2\)\(a\)](#); S.I. 1994/2025, [art. 6](#); S.I. 1994/3265, arts. 4, 5, [Sch.](#)
- F62** Words in s. 146A(1) substituted (17.12.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), ss. 119, 148(6), [Sch. 6 para. 21\(2\)\(a\)](#); S.I. 2009/3318, [art. 2\(c\)](#)
- F63** Words in s. 146A(1) inserted (18.2.2012) by [Localism Act 2011 \(c. 20\)](#), [ss. 9\(8\)\(a\)](#), 240(2); S.I. 2012/411, [art. 2\(c\)](#)
- F64** Words in s. 146A(1) substituted (18.2.2012) by virtue of [Localism Act 2011 \(c. 20\)](#), [ss. 14\(1\)\(a\)](#), 240(2); S.I. 2012/411, [art. 2\(e\)](#)
- F65** Words in s. 146A(1) inserted (17.12.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), ss. 119, 148(6), [Sch. 6 para. 21\(2\)\(b\)](#); S.I. 2009/3318, [art. 2\(c\)](#)
- F66** Words in s. 146A(1) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), [Sch. 13 para. 6\(7\)\(h\)](#); S.I. 2015/994, [art. 6\(g\)](#)
- F67** Word in s. 146A(1) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 108\(2\)\(a\)](#); S.I. 2011/3019, [art. 3](#), [Sch. 1](#) (with [Sch. 2 para. 29](#))
- F68** Words in s. 146A(1) inserted (3.7.2000) by 1999 c. 29, [s. 333](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/1094, [art. 4\(f\)](#)
- F69** Word in s. 146A(1) repealed (3.7.2000) by virtue of 1999 c. 29, s. 423, [Sch. 34 Pt. VII](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/1648, [art. 2](#), [Sch.](#)
- F70** Words in s. 146A(1) omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 108\(2\)\(b\)](#); S.I. 2011/3019, [art. 3](#), [Sch. 1](#) (with [Sch. 2 para. 29](#))
- F71** Words in s. 146A(1) substituted (31.10.1997) by 1997 c. 50, s. 88, [Sch. 6 para. 6\(2\)\(b\)](#); S.I. 1997/2390, [art. 2\(2\)\(v\)](#)
- F72** Words substituted by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237(1), [Sch. 12 Pt. II para. 43](#)
- F73** S. 146A(1ZA)(1ZB) inserted (17.12.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), ss. 119, 148(6), [Sch. 6 para. 21\(3\)](#); S.I. 2009/3318, [art. 2\(c\)](#)
- F74** S. 146A(1ZC) inserted (18.2.2012) by [Localism Act 2011 \(c. 20\)](#), [ss. 9\(8\)\(b\)](#), 240(2); S.I. 2012/411, [art. 2\(c\)](#)
- F75** S. 146A(1ZD)(1ZE) inserted (18.2.2012) by [Localism Act 2011 \(c. 20\)](#), [ss. 14\(1\)\(b\)](#), 240(2); S.I. 2012/411, [art. 2\(e\)](#)
- F76** Ss. 146A(1A)-(1C) omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 108\(3\)](#); S.I. 2011/3019, [art. 3](#), [Sch. 1](#)
- F77** S. 146A(2) repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237(2), [Sch. 13 Pt. I](#)

### Modifications etc. (not altering text)

- C59** S. 146A(1) amended by [S.I. 1985/1884](#), [art. 10](#), [Sch. 3 para. 1\(j\)](#)
- C60** S. 146A(1) modified by [S.I. 1987/2110](#), [art. 2\(2\) Sch. 1 para. 3\(j\)](#)

**Status:**

Point in time view as at 23/12/2016.

**Changes to legislation:**

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