



# Local Government, Planning and Land Act 1980

## 1980 CHAPTER 65

### PART XIX

#### MISCELLANEOUS AND SUPPLEMENTARY

##### *Honorary Freemen*

#### **180 Honorary freemen**

In section 249(5) of the Local Government Act 1972 after " royal borough " where it first occurs insert " or any parish or community having by grant under the royal prerogative the status of city and any parish or community entitled by such grant to be called and styled a royal town ", and after the further references to " royal borough " in that subsection and in section 249(6) insert " or parish or community as aforesaid. ".

##### *Land Drainage*

#### **181 Precepts on local authorities for land drainage**

- (1) In subsection (5) of section 46 of the Land Drainage Act 1976 (by virtue of which the aggregate amount for which precepts in respect of the expenses of a local land drainage district may be issued for any one financial year to a local authority may not, unless special consent has been obtained, exceed 1.7 times the estimated penny rate product for the relevant area of the authority for that year) for the words from "1-7" to the end there shall be substituted the words " the amount calculated by multiplying the estimated penny rate product for the relevant area of the authority for that year by such number as the Ministers may specify by order made for the purposes of this subsection ".
- (2) In subsection (6) of that section (effect of special resolution) for the words from " 1-7 " to " area " there shall be substituted the words " the amount calculated by multiplying

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the estimated penny rate product for the relevant area of that authority for that year by such number as the Ministers may specify by order made for the purposes of this subsection ".

- (3) Accordingly, in section 109 of that Act (regulations and orders)—
- (a) in subsection (2), after the words "under section" there shall be inserted the words " 46 or " ; and
  - (b) in subsection (3), after the word " 27," there shall be inserted the word " 46, ".
- (4) The amendments made by this section shall have effect in relation to every rate period, within the meaning of the General Rate Act 1967, beginning with such rate period as the Ministers may by order made by statutory instrument specify.
- (5) An order under subsection (4) above shall not specify a rate period beginning before 1st April 1981.

## **182 Rateable values**

Subsection (8) of section 65 of the Land Drainage Act 1976 (by virtue of which the rateable value of any land shall be construed, where that value differs from the net annual value, as referring to the net annual value) shall cease to have effect.

### *Social Services*

## **183 Relaxation of Ministerial controls over social services**

- (1) The following section shall be substituted for section 3 of the Local Authority Social Services Act 1970 (under which no matter, other than a matter which by virtue of section 2 of that Act stands referred to a local authority's social services committee may be referred to or dealt with by the committee except with the consent of the Secretary of State): —

### **“3 Business of Social Services Committee.**

- (1) A local authority may delegate to their social services committee any of their functions matters relating to which stand referred to the committee by virtue of section 2 of this Act (hereafter in this Act referred to as " social services functions ") and, before exercising any of those functions themselves, the authority shall (unless the matter is urgent) consider a report of the committee with respect to the matter in question.
  - (2) Nothing in section 2 of this Act prevents a local authority from referring to a committee other than their social services committee a matter which by virtue of that section stands referred to the social services committee and which in the authority's opinion ought to be referred to the other committee on the ground that it relates to a general service of the authority; but before referring any such matter the authority shall receive and consider a report of the social services committee with respect to the subject matter of the proposed reference.”.
- (2) The following section shall be inserted after that section: —

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### **“3A Power of local authority to refer or delegate to social services committee.**

A local authority may refer to their social services committee any matter which in their view may appropriately be referred to that committee, but which would not otherwise stand referred to that committee by virtue of this Act, and may delegate to that committee any of their functions relating to a matter so referred.”.

- (3) Section 6(3) and (4) of that Act (which give the Secretary of State power to make regulations prescribing the qualifications requisite for a person's appointment as a local authority's director of social services and make provision for his concurrence in such appointments, until regulations are made) shall cease to have effect.

### *Commissioners for Local Administration*

#### **184 Disclosure of information to Commissioners etc.**

- (1) In subsection (3) of section 32 of the Local Government Act 1974 (which empowers a Minister of the Crown or an authority subject to investigation to give notice to a Local Commissioner that in the opinion of the Minister or authority disclosure of certain documents or information would be contrary to the public interest and which prevents any person from communicating any such document or information to any other person, or for any purpose) for the words " any person " there shall be substituted the words " the Local Commissioner or any member of the staff of a Commission who is allocated to assist him ".
- (2) In subsection (3) of section 30 of the Local Government (Scotland) Act 1975 (which makes similar provision for Scotland) for the words " any person " there shall be substituted the words " the Commissioner or any member of his staff ".

### *Pleasure Boats*

#### **185 Pleasure boats**

- (1) Subject to the provisions of this section, any of the following authorities, namely—
- (i) a district council;
  - (ii) a London borough council;
  - (iii) the Common Council of the City of London,
- may make byelaws—
- (a) for regulating the numbering and naming of pleasure boats and vessels which are let for hire to the public and the mooring places for such boats and vessels; and
  - (b) for fixing the qualifications of the boatmen or other persons in charge of such boats or vessels ; and
  - (c) for securing their good and orderly conduct while in charge.
- (2) No authority mentioned in subsection (1) above shall have power to make byelaws under that subsection in relation to pleasure boats or vessels operating—
- (a) on any water owned or managed by the British Water ways Board;

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- (b) on any inland waters, as defined in section 135(1) of the Water Resources Act 1963, in respect of which a water authority may make byelaws under section 79 of that Act;
  - (c) subject to subsection (3) below, on any canal or other inland navigation which a navigation authority, as defined in section 135(1) of the Water Resources Act 1963, are required or empowered to manage or maintain under any enactment; or
  - (d) on any harbour maintained or managed by a harbour authority, as defined in section 57(1) of the Harbours Act 1964.
- (3) Subsection 2(c) above does not preclude a local authority making byelaws under subsection (1) above in relation to pleasure boats or vessels operating on any canal or inland navigation which they themselves are required or empowered to manage or maintain.

**186 Amendment of s. 94 of the Public Health Acts (Amendment) Act 1907**

The following subsections shall be added at the end of section 94 of the Public Health Acts (Amendment) Act 1907—

- “(8) No licence under this section shall be required in respect of pleasure boats and pleasure vessels on any canal owned or managed by the British Waterways Board.
- (9) In subsections (1) and (3) of this section " let for hire " means let for hire to the public.”.

*Miscellaneous*

**187 Amendment of s. 127 of Highways Act 1959**

In section 127 of the Highways Act 1959 the words " or a gipsy " shall be omitted.

**188 Removal of Ministerial control of crematoria**

So much of section 1(1) of the Cremation Act 1952 as requires that the site and plans of a crematorium shall be approved by the Secretary of State shall cease to have effect.

**189 Abolition of Clean Air Councils**

Section 23 of the Clean Air Act 1956 (which provides for the appointment of the Clean Air Council and the Clean Air Council for Scotland) shall cease to have effect and the Councils shall cease to exist accordingly.

**190 Removal of restrictions on publicity for Greater London**

Section 73(2) of the London Government Act 1963 and section 144(3) of the Local Government Act 1972 (which restrict the powers of local authorities in Greater London to give publicity to its commercial and industrial advantages) shall cease to have effect.

## **191 Amendments of Inner Urban Areas Act 1978**

- (1) The following subsection shall be substituted for subsection (3) of section 6 of the Inner Urban Areas Act 1978 (which limits the amount of a grant under that section for converting or improving a building to 50 per cent, of the cost of carrying out the works or a fixed amount for each job which, in the opinion of the authority making the grant, is likely to be created or preserved as a result of the carrying out of the works, whichever is the less): —

“(3) The amount of a grant under this section shall not exceed 50 per cent, of the cost of carrying out the works.”.

- (2) The following sub-paragraph shall be substituted for paragraph 2(1) of the Schedule to that Act (Secretary of State's notification that all or part of an improvement area is no longer to be such an area): —

“2 (1) If the area declared to be an improvement area by a resolution under paragraph 1(1) above is wholly or partly included in an area of land designated as an urban development area by an order under section 134 of the Local Government, Planning and Land Act 1980, the Secretary of State, if it appears appropriate to him—

- (a) may at any time before the resolution takes effect send to the authority a notification that the land included in the urban development area is not to be or to be included in the improvement area by virtue of the resolution; and
- (b) may at any time after the resolution takes effect, send them a notification that the land included in the urban development area is no longer to be or to be included in the improvement area by virtue of it.”.

### *Supplementary*

## **192 Finance-general**

There shall be paid out of money provided by Parliament any increase in money so payable under any other Act which is attributable to the provisions of this Act.

## **193 Minor and consequential amendments**

The enactments specified in Schedule 33 to this Act shall have effect subject to the amendments specified in that Schedule, being minor amendments and amendments consequential on the foregoing provisions of this Act.

## **194 Repeals**

The enactments specified in Schedule 34 to this Act (which include enactments which were obsolete or unnecessary before the passing of this Act) are repealed to the extent specified in the third column of that Schedule.

## **195 Scotland**

- (1) Parts IV, V, IX, XII, XIV, XV and XVII of this Act apply to Scotland to the extent specified in sections 27, 47, 92, 111, 125, 133 and 178 respectively.

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(2) Parts VI, VIII and X of this Act do not apply to Scotland.

(3) In this Part of this Act sections 180, 181, 183, 185, 186 and 190 do not extend to Scotland.

#### **196 Northern Ireland**

The following provisions of this Act extend to Northern Ireland, that is to say—  
section 101;  
section 123 ; in Schedule 17, so much of paragraph 5 as relates to section 123 ;  
in Schedule 22, paragraph 15 ;  
in Schedule 26, paragraph 18 ;  
so much of Part XI of Schedule 34 as repeals any enactment which extends to Northern Ireland ;

but except as aforesaid, and except so far as it relates to the commencement of those provisions, this Act does not extend to Northern Ireland.

#### **197 Citation**

This Act may be cited as the Local Government, Planning and Land Act 1980.