



Local Government Act 1985

CHAPTER 51

LOCAL GOVERNMENT ACT 1985

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SCHEDULES**SCHEDULE 1 — Development Plans****PART I — UNITARY DEVELOPMENT PLANS***Survey of planning areas*

- 1 (1) The local planning authority— (a) shall keep under review...

Preparation of unitary development plan

2 (1) The local planning authority shall, after the coming into...

Publicity in connection with preparation of unitary development plan

3 (1) When preparing a unitary development plan for their area...

Withdrawal of unitary development plan

4 (1) A unitary development plan may be withdrawn by the...

Adoption of unitary development plan by local planning authority

5 (1) After the expiry of the period afforded for making...

Local inquiries and hearings prior to adoption

6 (1) For the purpose of considering objections to a unitary...

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

7 (1) At any time after a copy of a unitary...

Approval of unitary development plan by Secretary of State

8 (1) Subject to paragraph 9 below, the Secretary of State...

Local inquiry, public examination and consultation by Secretary of State

9 (1) Subject to sub-paragraph (3) below, before deciding whether or...

Alteration of unitary development plan

10 (1) A local planning authority may at any time, and...

Disregard of certain representations

11 Notwithstanding anything in the foregoing provisions of this Part of...

Joint unitary development plans

12 (1) A joint unitary development plan may be prepared by...

Default powers

13 (1) Where, by virtue of any of the foregoing provisions...

Regulations and directions

14 (1) Without prejudice to the foregoing provisions of this Part...

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

15 (1) For the purposes of the Town and Country Planning...

Consequential amendments

16 (1) In section 192(1) of the Town and Country Planning...

17 (1) In paragraphs (bb) and (bc) of section 192(1) of...

PART II — TRANSITIONAL PROVISIONS

Continuation of structure plans, local plans and old development plans

- 18 (1) Subject to paragraphs 19 and 20 below—

Revocation of structure plan

- 19 (1) Where under Part I of this Schedule the Secretary...

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...

Incorporation of current local plan in unitary development plan

- 21 (1) A unitary development plan shall include any local plan...

Publicity in connection with local plan

- 22 In determining the steps to be taken by a local...

Pending proposals by GLC or metropolitan county council

- 23 (1) Any proposals for the alteration, or for the repeal...

SCHEDULE 2 — Listed Buildings, Conservation Areas and Ancient Monuments

Listed buildings and conservation areas

- 1 (1) The Town and Country Planning Act 1971 shall be...

Ancient monuments

- 2 (1) The Ancient Monuments and Archaeological Areas Act 1979 shall...

Other functions

- 3 (1) The Historic Buildings and Monuments Commission for England
(in...
4 The Commission may in Greater London, and a London borough...

SCHEDULE 3 — National Parks and Countryside Functions

Byelaws for country parks etc.

- 1 The land in respect of which a metropolitan district council,...

Joint planning boards for National Parks

- 2 (1) If immediately before the abolition date there is a...

Functions of local planning authorities in National Parks

- 3 (1) In section 182(4) and (5) of the Local Government...
4 In paragraphs 54(2) and 55(2) of Schedule 16 to the...
5 (1) Schedule 17 to the said Act of 1972 shall...

Grants for expenditure on National Parks

6 In section 7 of the Local Government Act 1974—

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

7 (1) The Wildlife and Countryside Act 1981 shall be amended...

SCHEDULE 4 — Highways

PART I — AMENDMENTS OF THE HIGHWAYS ACT 1980

- 1 In section 1— (a) in subsection (2), after the word...
- 2 In section 2, in paragraph (a), after the word "...
- 3 In section 4(3), before the word " district" , there...
- 4 In section 6— (a) in subsection (1)—
- 5 At the end of section 8(4) there shall be inserted...
- 6 In section 20(8) for the words " sections 156 and...
- 7 In sections 31(7), 36(6), 40, 172(1), 188(1), 190(1), 191(1) and...
- 8 In section 34, after the words " county council," there...
- 9 In section 35, in subsections (1)(a) and (b) and 3(d)...
- 10 In section 39, after the words " county council" ,...
- 11 In section 42(1) and (3), before the word "district" in...
- 12 In section 43(2), before the word " district" , there...
- 13 In section 45— (a) in subsections (4) and (6) for...
- 14 In section 50, in subsection (2), before the word "...
- 15 In section 61, before the word " district" in each...
- 16 In section 64(5) for the words " subsections (1) to...
- 17 In section 66(6), after the word " county" in both...
- 18 In section 79(3), before the word "district" there shall be...
- 19 In sections 80(4), 195(1)(b), 254(2)(b) and 271(1)(ii) and paragraph 1...
- 20 In section 95(1), in paragraph (a), after the word "county"...
- 21 At the end of section 100(6) there shall be inserted...
- 22 In section 114(1), (3) and (4), after the words "county...
- 23 In section 115H, in subsection (1) for the words "subsections...
- 24 In section 116— (a) in subsection (1) for the word...
- 25 In sections 134(7) and (10)(a), 143(1)(a), 146(2)(a) and (5)(b). 147(1)
(a),...
- 26 In section 151(1)(a) for the words after "also" there shall...
- 27 In section 154(1)(b) for the words after " also "...
- 28 In section 160(2) for the words from "the Greater London...
- 29 In section 186— (a) in subsection (1) for the words...
- 30 In section 189(1) for the words " a London" there...
- 31 In section 196(8)(a), after the word "council" there shall be...
- 32 In section 197(1) for the word " the " in...
- 33 In section 203(3) in the definition of " street works...
- 34 In sections 205(5) and 210(2) for the words after "also"...
- 35 In sections 220(2) and 223(6), before the word " district"...
- 36 In section 230(7), after the word "concerned" , there shall...
- 37 In section 263(5), before the word " district" in the...
- 38 In section 264— (a) in subsection (1), after the word...
- 39 In section 285— (a) in subsection (1) for the words...
- 40 In section 298(1), before the word "district" , there shall...
- 41 In section 330(1), after the words "county council" in both...
- 42 In paragraph 1 of Schedule 7, before the words "district...
- 43 In paragraph 1(d) of Schedule 12 for the words from...

- 44 In paragraph 1 of Schedule 23 for the words "...
 PART II — AMENDMENTS OF OTHER ENACTMENTS
- 45 In section 26 of the Highways and Locomotives (Amendment) Act...
- 46 In section 35 of the Electricity (Supply) Act 1926—
- 47 In section 21 of the Public Health Act 1936, after...
- 48 In sections 1(1) and 3(1) of the Agriculture (Improvement of...
- 49 In section 5(1) of the Parish Councils Act 1957, in...
- 50 In the Town and Country Planning Act 1971—
- 51 In section 19(1) of the Land Compensation Act 1973—
 PART III — SUPPLEMENTARY PROVISIONS
- 52 Where by virtue of this Act the functions of a...
- 53 (1) All such highways or proposed highways as immediately before...
- 54 (1) Where a bridge carries a highway for which the...
- 55 In the foregoing provisions of this Part of this Schedule...
- 56 (1) Subject to the following provisions of this paragraph—
- 57 The Secretary of State may by order provide that any...

SCHEDULE 5 — 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...

The Road Traffic Act 1972

- 2 (1) The Road Traffic Act 1972 shall be amended as...

The Public Passenger Vehicles Act 1981

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

The Road Traffic Regulation Act 1984

- 4 (1) The Road Traffic Regulation Act 1984 shall be amended...

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...

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

- 6 (1) For the purpose of ensuring that the exercise by...

Procedures and objections

- 7 (1) The power of the Secretary of State to make...

Application of Part VI of Schedule 9 to the 1984 Act

- 8 Part VI of Schedule 9 to the 1984 Act (validity...

Supplementary

- 9 In exercising any power under or by virtue of paragraph...

*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...

Information

11 The council of a London borough or metropolitan district shall...

Transitional provisions concerning certain orders under the 1984 Act

12 (1) After the passing of this Act a metropolitan county...

Interpretation

13 In this Part of this Schedule— (a) "the 1984 Act"...

Commencement

14 Any power conferred on the Secretary of State by this...

SCHEDULE 6 — Waste Regulation and Disposal

The London Government Act 1963

1 For paragraph 4 of Part II of Schedule 11 to...

The Local Government Act 1972

2 In Schedule 14 to the Local Government Act 1972—

The Control of Pollution Act 1974

3 (1) The Control of Pollution Act 1974 shall be amended...

The Refuse Disposal (Amenity) Act 1978

4 (1) The Refuse Disposal (Amenity) Act 1978 shall be amended...

The Litter Act 1983

5 (1) In subsection (1)(a) of section 4 of the Litter...

SCHEDULE 7 — 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 "...

3 In section 24(4) for the words from the beginning to...

4 In section 28(12) for paragraphs (a) and (b) there shall...

5 In section 45(3), in the definition of "relevant local...

6 In section 98— (a) in subsection (5), before the word...

7 In section 99 for the words from "county" to...

8 In section 110— (a) in subsection (2), before the word...

9 In section 116(1), in the definition of "local authority" ,...

SCHEDULE 8 — Miscellaneous Functions

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

Public entertainments

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

Private places of entertainment

- 2 (1) For the entries relating to a London borough and...

Theatres

- 3 (1) In section 18(1) of the Theatres Act 1968, for...

Cinemas

- 4 (1) In sections 17 and 18 of the Cinemas Act...

Children's entertainments

- 5 In section 12(5)(a) of the Children and Young Persons Act...

Tracks for betting

- 6 (1) For the purposes of Schedule 3 to the Betting,...

Sports grounds

- 7 (1) In the Safety of Sports Grounds Act 1975 the...

Town development and new towns

- 8 (1) In sections 4(1) and 10(3) of the Town Development...

- 9 (1) In section 7(3) of the New Towns Act 1981—...

Commons

- 10 (1) In the first Schedule to the Metropolitan Commons Act...

Gipsy encampments

- 11 (1) In section 6 of the Caravan Sites Act 1968—...

Housing

- 12 (1) In section 189(2) of the Housing Act 1957 for...

Rent officers

- 13 (1) In subsection (1) of section 62 of the Rent...

Building control

- 14 (1) Subject to any building regulations made under section 1...

Trading standards and related functions

- 15 (1) In section 201(2)(a) of the Local Government Act 1972...

Poisons

- 16 In section 11(2) of the Poisons Act 1972, in the...

Animals

- 17 In section 5 of the Performing Animals (Regulation) Act 1925—...
18 In section 50(2) of the Animal Health Act 1981 for...

Fisheries

- 19 (1) The Sea Fisheries Regulation Act 1966 shall be amended...
20 In paragraph 5(b) of Schedule 3 to the Salmon and...

Weeds

- 21 In section 5 of the Weeds Act 1959 after the...

Archives and records

- 22 (1) For section 2(6) of the Local Government (Records) Act...

Expenses of Commission for Local Administration in England

- 23 In paragraph 6 of Schedule 4 to the Local Government...

Notice of orders under Water Act 1945

- 24 (1) Paragraphs 3 and 12 of Schedule 1 to the...

Administrative functions transferred by Courts Act 1971

- 25 Any functions which by virtue of paragraph 1 of Schedule...

Loan societies

- 26 The functions under section 4 of the Loan Societies Act...

Mines and quarries

- 27 In section 11(3) of the Mines and Quarries (Tips) Act...

SCHEDULE 9 — Inner London Education Authority: Elections and Electoral Arrangements

PART I — ELECTIONS

- 1 (1) The Representation of the People Act 1983 shall be...

PART II — ELECTORAL ARRANGEMENTS

Amendments of the Local Government Act 1972

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

Initial review of electoral arrangements

- 3 (1) As soon as practicable after the coming into force...

SCHEDULE 10 — NUMBER OF MEMBERS OF JOINT AUTHORITIES

PART I — GREATER LONDON

PART II — GREATER MANCHESTER

PART III — MERSEYSIDE

PART IV — SOUTH YORKSHIRE

PART V — TYNE AND WEAR AND NORTHUMBERLAND

PART VI — WEST MIDLANDS
PART III — WEST YORKSHIRE

SCHEDULE 11 — Police and Fire Services

Police

- 1 (1) For section 1(1) of the Police Act 1964 there...

Fire services

- 2 (1) The London Fire and Civil Defence Authority shall be...

Explosives, petroleum etc.

- 3 In paragraph (3) of section 67 of the Explosives Act...
4 In section 2(1) of the Petroleum (Consolidation) Act 1928 (local...
5 The functions of a local authority under section 73 of...
6 In section 9 of the Celluloid and Cinematograph Film Act...

SCHEDULE 12 — Passenger Transport

- 1 In section 202(1) of the Local Government Act 1972 for...
2 (1) In their application to a passenger transport area which...
3 (1) After section 56(6)(b) of the said Act of 1968...
4 In section 16(1) of the Finance Act 1970 (computation of...
5 (1) The Transport Act 1983 shall be amended as follows....

SCHEDULE 13 — Residuary Bodies

Status

- 1 A residuary body shall not be regarded as acting on...

Tenure of office of members

- 2 (1) Subject to the provisions of this paragraph, every member...

Remuneration etc. of members

- 3 (1) A residuary body shall pay to each member such...

House of Commons disqualification

- 4 In Part III of Schedule 1 to the House of...

Proceedings

- 5 (1) A residuary body shall regulate its own proceedings.
6 (1) The application of the seal of a residuary body...

Acquisition and disposal of land

- 7 (1) A residuary body may with the consent of the...

Provision of services

- 8 (1) A residuary body may by agreement with any relevant...

Access to documents of councils

- 9 (1) Any person authorised in that behalf by the London...

Reports and information

- 10 (1) Each residuary body shall publish an annual report on...

Supervision by Parliamentary Commissioner

- 11 The residuary bodies shall be included among the authorities to...

Application of local government provisions

- 12 A residuary body shall be treated as a local authority...
13 A residuary body shall be treated as a local authority...
14 A residuary body shall be included among the authorities or...
15 A residuary body shall be included among the bodies specified...
16 The London Residuary Body shall be included among the authorities...
17 A residuary body shall be included in the local authorities...
18 Without prejudice to paragraph 8 above, a residuary body shall...
19 A residuary body shall be included among the councils mentioned...
20 A residuary body shall be included among the bodies specified...
21 A residuary body shall be included among the bodies to...
22 A residuary body shall be treated as a county council...
23 A residuary body shall be a public sector authority for...

SCHEDULE 14 — 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...

Qualifications for election and holding office

- 2 At the end of section 79 there shall be inserted—...

Disqualifications for election and holding office

- 3 (1) In subsections (1)(a) and (2)(b) of section 80 after...

Validity of acts done by unqualified persons

- 4 In section 82 after the words " elected to an..."

Declaration of acceptance of office

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

Resignation

- 6 The provisions of section 84 shall become subsection (1) of...

Failure to attend meetings

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

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

Declaration of vacancy

8 The provisions of section 86 shall become subsection (1) of...

Date of casual vacancies

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

Filling of casual vacancies

10 (1) After section 88(2) there shall be inserted—

Term of office of person filling casual vacancy

11 In section 90 after the word "Wales" there shall be...

Proceedings for disqualification

12 At the end of section 92 there shall be inserted—...

Pecuniary interests

13 After section 98(1) there shall be inserted—

Meetings and proceedings

14 In section 99 after the words " local authorities "...

Discharge of functions

15 In section 101(13) after the words "the Middle Temple," there...

Miscellaneous powers of local authorities

16 After section 146 there shall be inserted— Joint Authorities and...

Application of capital money

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

Allowances to members

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

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

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

Legal proceedings

21 In section 223(2) after the words " the Common Council"...

Documents and notices

22 The provisions of section 224 shall become subsection (1) of...

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

24 After section 228(7) there shall be inserted—

25 At the end of section 229(8) there shall be inserted...

26 The provisions of section 230 shall become subsection (1) of...

27 After section 231(3) there shall be inserted—

28 After section 232(1) there shall be inserted—

- 29 After section 233(10) there shall be inserted—
30 After section 234(3) there shall be inserted—

Byelaws

- 31 (1) In section 236(1) for the words " or any...

Promoting and opposing local and personal Bills

- 32 (1) After subsection (4) of section 239 there shall be...

Computation of time

- 33 At the end of section 243(2) there shall be inserted...

Interpretation

- 34 In section 270(1) after the definition of " grouped "...

Meetings and proceedings

- 35 (1) Schedule 12 shall be amended as follows.
PART II — AMENDMENTS OF OTHER ENACTMENTS
36 In section 69(1) of the Landlord and Tenant Act 1954...
37 In the Schedule to the Public Bodies (Admission to Meetings)...
38 In section 11(4)(a) of the Trustee Investments Act 1961 after...
39 In the Local Government (Records) Act 1962—
40 In the London Government Act 1963— (a) in section 5(3)...
41 After section 11(2) of the Local Government Act 1966 there...
42 In the General Rate Act 1967— (a) in section 85(2),...
43 In section 28(5)(a) of the Leasehold Reform Act 1967 after...
44 At the end of section 1(3) of the Local Government...
45 In section 86(1) of the Post Office Act 1969, in...
46 In section 3(2) of the Employers' Liability (Compulsory Insurance)
Act...
47 In section 1(4) of the Local Authorities (Goods and Services)...
48 In the Town and Country Planning Act 1971—
49 In section 144(2)(a) of the Road Traffic Act 1972 after...
50 In section 13(7)(f) of the Employment Agencies Act 1973, after...
51 In the Local Government Act 1974— (a) for section 25(1)(c)...
52 For subsection (6) of section 28 of the Health and...
53 In the Local Government (Miscellaneous Provisions) Act 1976—
54 At the end of section 71 of the Race Relations...
55 After section 5(3)(b) of the Rent (Agriculture) Act 1976 there...
56 After section 14(c) of the Rent Act 1977 there shall...
57 In section 64 of the Justices of the Peace Act...
58 In the Housing Act 1980— (a) in section 19(1), after...
59 (1) In the Local Government, Planning and Land Act 1980—...
60 In section 17(4) of the Acquisition of Land Act 1981,...
61 In the Local Government (Miscellaneous Provisions) Act 1982—
62 In paragraph 7(2)(a) of Schedule 1 to the Stock Transfer...
63 In section 60(3) of the County Courts Act 1984 after...
64 In the Housing and Building Control Act 1984—
65 In paragraph 1 of Schedule 4 to the Housing Defects...

SCHEDULE 15 — Section 91: Supplementary Provisions

PART I — RELEVANT ASSISTANCE

1 (1) In section 91 of this Act (" the principal...

PART II — CONSEQUENCES OF CONTRAVENTION

2 (1) If in contravention of the principal section the Greater...

3 For the purpose of determining the amount recoverable under paragraph...

4 The Secretary of State may direct a local authority from...

5 (1) Where the value of any relevant assistance is not...

6 The interest recoverable under paragraph 2 above in respect of...

PART III — FAILURE TO FURNISH INFORMATION

7 Where under section 230 of the principal Act a local...

SCHEDULE 16 — Consequential Amendments

The London Government Act 1963 (c.33)

1 In section 73(1) of the London Government Act 1963 for...

The Local Government Act 1972 (c.70)

2 In sections 2(1) and 6(2)(a) of the Local Government Act...

3 In section 7(2) of that Act for the words "...

4 For section 47(4) of that Act there shall be substituted—...

5 In section 48(1) of that Act, in paragraph (a) before...

6 At the end of section 62 of that Act there...

7 In section 141(1) of that Act for the words "...

8 In section 270(1) of that Act— (a) at the end...

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

9 In section 56(3) of the Local Government, Planning and Land...

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

10 In section 22(3) of the Representation of the People Act...

11 In section 35(1) of that Act for the words "every...

SCHEDULE 17 — Repeals