



# Local Government Act 1985

## 1985 CHAPTER 51

### PART V

#### THE ARTS, RECREATION AND VOLUNTARY ORGANISATIONS

#### **43 Museum of London**

- (1) The persons who immediately before the abolition date are members of the Board of Governors of the Museum of London by virtue of appointments made by the Greater London Council under paragraph (c) of subsection (2) of section 1 of the Museum of London Act 1965 shall cease to be members on that date; and as from that date the number of members to be appointed by the Prime Minister under paragraph (a) of that subsection shall be increased from six to twelve.
- (2) Of the six additional members first appointed by the Prime Minister, two shall be appointed to hold office for the period beginning with the abolition date and ending on the first occasion on which other members of the Board are due to retire after that date, two shall be appointed to hold office for the period beginning with that date and ending on the second such occasion and two shall be appointed to hold office for the period beginning with that date and ending on the third such occasion.
- (3) In sections 9(1) and (3), 14(1) and (2) and 15(1) and (2) of that Act (functions of Corporation and Greater London Council) for the words "the Corporation and the Greater London Council" , wherever they occur, there shall be substituted the words " and the Corporation" .
- (4) In section 15(3) of that Act (payment of Corporation's expenses in respect of the Museum as to one-third out of moneys provided by Parliament and one-third by the Greater London Council) for the words " the Secretary of State, out of moneys provided by Parliament, and the Greater London Council shall each pay to the Corporation a sum equal to one-third " there shall be substituted the words " the Secretary of State shall pay to the Corporation out of moneys provided by Parliament a sum equal to two-thirds " and for the words " the Corporation, the Secretary of State and the Greater London Council " there shall be substituted the words " the Corporation and the Secretary of State" .

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*Status: This is the original version (as it was originally enacted).*

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- (5) In paragraph 4 of the Schedule to that Act (resignation and vacation of office)—
- (a) in sub-paragraph (1) for the words " or (c) thereof, to the body by whom he was appointed " there shall be substituted the words " thereof, to the Corporation" ;
  - (b) in sub-paragraph (2) for the words from " or (c)" to " was appointed " there shall be substituted the words " of this Act who is, at the time of his appointment, a member of the Common Council of the City of London" .
- (6) Subsections (3) to (5) above shall have effect from the abolition date.

#### **44 Historic House Museums**

The Historic House Museums, that is to say, Kenwood House, Marble Hill House and Ranger's House, together with such land of the Greater London Council adjacent to Kenwood House and such other property of that Council as may be specified by an order made by the Secretary of State, shall on the abolition date vest in the Historic Buildings and Monuments Commission for England; and the functions of the Greater London Council by virtue of—

- (a) the Iveagh Bequest (Kenwood) Act 1929;
- (b) Part IV of the London County Council (General Powers) Act 1902 (which relates to the Marble Hill Estate); and
- (c) section 21 of the London County Council (General Powers) Act 1900, section 22 of the London County Council (General Powers) Act 1952 and section 6 of the Greater London Council (General Powers) (No. 2) Act 1978 (which relate to Ranger's House),

shall on that date become functions of the Commission.

#### **45 Horniman and Geffrye museums**

The Horniman and Geffrye museum, together with such adjacent land and other property of the Greater London Council as may be specified by an order made by the Secretary of State, shall on the abolition date vest in the Authority established by section 18 above; and the functions of the Greater London Council by virtue of—

- (a) section 46 of the London County Council (General Powers) Act 1901 (which relates to the Horniman museum); and
- (b) section 29 of the London County Council (General Powers) Act 1959 (which relates to the Geffrye museum),

shall on that date become functions of that Authority.

#### **46 Metropolitan county museums**

- (1) If it appears to the Minister that any collection of works of art or of objects of historical or scientific interest belonging to a metropolitan county council is of such national importance that on the abolition date it should be vested in a body of trustees appointed by him and supported by moneys provided by Parliament he may make a recommendation to that effect to Her Majesty in Council and Her Majesty may then by Order in Council constitute such a body and make such further provision as appears to Her Majesty to be necessary or expedient for giving effect to the recommendation.
- (2) In this section " the Minister " means the Chancellor of the Duchy of Lancaster.

#### **47 The South Bank**

- (1) The Royal Festival Hall, the Queen Elizabeth Hall, the Purcell Room, the National Theatre, the National Film Theatre and the Hayward Gallery, together with such adjacent land and other property of the Greater London Council as may be specified by an order made by the Secretary of State, shall on the abolition date vest in the Arts Council of Great Britain.
- (2) The Council shall furnish the Minister with such information relating to the property vested in them by or under this section and the manner in which they are discharging or intend to discharge their responsibilities in respect of it as he may require and shall make to him, as soon as may be after 31st March in each year following that in which the abolition date falls, a report on their discharge of those responsibilities since the abolition date or, as the case may be, since the end of the period covered by their last report under this subsection; and each report shall include particulars of so much of the Council's accounts for the period covered by the report as relates to that property.
- (3) The Minister shall lay before Parliament a copy of each report made to him under subsection (2) above.
- (4) In this section " the Minister " has the same meaning as in section 46 above.

#### **48 Grants to voluntary organisations**

- (1) A scheme for the making of grants to eligible voluntary organisations may be made for Greater London or a metropolitan county by the constituent councils, that is to say—
  - (a) in relation to Greater London, the London borough councils and the Common Council; and
  - (b) in relation to a metropolitan county, the councils of the metropolitan districts comprised in the county.
- (2) Any such scheme shall provide—
  - (a) for the grants to be made by one of the constituent councils designated for that purpose by the scheme; and
  - (b) for the other constituent councils to contribute as provided by subsection (3) below to the expenditure incurred by the designated council in making the grants or otherwise in discharging its functions under the scheme.
- (3) The constituent councils shall be required to contribute to any expenditure of the designated council which has been incurred with the approval of at least two-thirds of the constituent councils; and the amounts of the contributions shall be determined so that the expenditure in respect of which they are payable is borne by the constituent councils in proportion to the populations of their respective areas.
- (4) For the purposes of subsection (3) above the population of any area shall be taken to be the number estimated by the Registrar General and certified by him to the Secretary of State by reference to such date as the Secretary of State may from time to time determine.
- (5) The total expenditure incurred under a scheme by a designated council in Greater London or a metropolitan county in any financial year (including the amounts recoverable under the scheme from other councils) shall not exceed such amount as is for the time being prescribed for that area by an order made by the Secretary of State.

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- (6) A scheme shall not provide for the making of grants before the beginning of the financial year after that in which the scheme is made and shall continue in force until the end of at least two financial years after that in which it is made.
- (7) A scheme may, in the absence of agreement between all the constituent councils, be made by a majority of those councils so as to be binding on all of them; but a council shall not be designated by a scheme except with its consent.
- (8) A scheme may contain such supplementary provisions as the councils making the scheme think necessary or expedient and, subject to subsection (6) above, may be revoked by those councils (or, in the absence of agreement between all of them, by a majority of those councils) with effect from the end of any financial year after that in which the decision to revoke the scheme is made.
- (9) The council designated by a scheme may by giving not less than twelve months notice to the other constituent councils withdraw its consent to act as designated council with effect from the end of any financial year not earlier than the second financial year after that in which the scheme was made; and in that event the scheme shall terminate when the withdrawal takes effect.
- (10) Each constituent council in Greater London or a metropolitan county shall exercise its functions under this section, and under any scheme made under this section, with due regard to the needs of the whole of Greater London or that county, as the case may be, and each scheme shall provide for those needs to be kept under review.
- (11) In this section "voluntary organisation" means a body the activities of which are carried on otherwise than for profit but does not include any public or local authority and "eligible voluntary organisation" means, in relation to Greater London or a metropolitan county, a voluntary organisation whose activities will directly or indirectly benefit either the whole of Greater London or that county or any part of it extending beyond the area of any particular constituent council.
- (12) The powers conferred by this section shall not be regarded as restricting those conferred by section 137 of the principal Act (power to incur expenditure for purposes not authorised by any other enactment) and accordingly the reference to any other enactment in subsection (1) of that section shall not include a reference to this section.
- (13) As respects expenditure incurred before the abolition date subsection (3) shall have effect with the substitution for the reference to two-thirds of the constituent councils of a reference to a majority of those councils.

#### **49 Grants by residuary bodies**

- (1) The Secretary of State may by order provide for the making of grants to eligible charities out of money received from the disposal of land by the residuary bodies established by Part VII of this Act.
- (2) In this section "eligible charity" means, in relation to a residuary body, a body of persons or trust established for charitable purposes only, being purposes which are wholly or primarily for the benefit of the area for which the residuary body is established.