

Status: Point in time view as at 01/10/2015.

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SCHEDULES

SCHEDULE 13

Section 59

OTHER MEASURES RELATING TO ANIMALS, FOOD AND THE ENVIRONMENT

PART 1

DESTRUCTIVE IMPORTED ANIMALS

Destructive Imported Animals Act 1932 (c. 12)

- 1 (1) Section 10 of the Destructive Imported Animals Act 1932 (power to extend provisions of Act to other destructive non-indigenous animals) is amended as follows.
- (2) In subsection (1), after “and to destroy any which may be at large” insert “ or keep under review whether any which may be at large should be destroyed ”.
- (3) After subsection (1) insert—
- “(1A) The power in subsection (1) (like the power in subsection (1) of section one of this Act) includes power to revoke or amend an order made under that subsection.”

Grey Squirrels (Prohibition of Importation and Keeping) Order 1937 (S.I. 1937/478)

- 2 (1) Article 1 of the Grey Squirrels (Prohibition of Importation and Keeping) Order 1937 is amended as follows.
- (2) The existing text becomes paragraph (1).
- (3) After that paragraph insert—
- “(2) In the application of the Destructive Imported Animals Act 1932 in relation to animals of that species, there shall be omitted—
- (a) section 5(2), and
- (b) in section 6(1), paragraph (f) and the reference to a penalty in the case of an offence under paragraph (f).”

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PART 2

FARRIERS

Constitution of Farriers Registration Council

- 3 In Part 1 of Schedule 1 to the Farriers (Registration) Act 1975 (constitution of the Farriers Registration Council), in paragraph 1(f)—
- (a) for “The Jockey Club” substitute “ The British Horseracing Authority Limited ”;
 - (b) for “The Council for Small Industries in Rural Areas” substitute “ Lantra (the company registered in England and Wales with the company registration number 2823181) ”.

PART 3

JOINT WASTE AUTHORITIES

Removal of power to establish joint waste authorities in England

- 4 In the Local Government and Public Involvement in Health Act 2007, in Part 11 (joint waste authorities), omit sections 205 to 208 (provisions relating to the establishment of joint waste authorities in England).

Commencement Information

I1 Sch. 13 para. 4 in force at 26.5.2015 by S.I. 2015/994, art. 6(g)

- 5 The provisions repealed by paragraph 4 continue to have effect for the purposes of the exercise by the Welsh Ministers of the power conferred on them by section 210 of the Local Government and Public Involvement in Health Act 2007 (power by order to make provision in relation to Wales applying any provisions of sections 205 to 208 with modifications).

Commencement Information

I2 Sch. 13 para. 5 in force at 26.5.2015 by S.I. 2015/994, art. 6(g)

- 6 (1) The following amendments are made in consequence of paragraph 4.
- (2) In the Landlord and Tenant Act 1954, in section 69(1), in the definition of “local authority”, omit the words from “an authority” to “(joint waste authorities)”.
 - (3) In the Trustee Investments Act 1961, in section 11(4)(a), omit the words from “, an authority” to “(joint waste authorities)”.
 - (4) In the Leasehold Reform Act 1967, in section 28(5)(a), omit the words from “any authority” to “(joint waste authorities)”.
 - (5) In the Employers' Liability (Compulsory Insurance) Act 1969, in section 3(2)(b), omit the words from “an authority” to “(joint waste authorities)”.

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- (6) In the Local Authorities (Goods and Services) Act 1970, in section 1(4), in the definition of “local authority”, omit the words from “, any authority” to “(joint waste authorities)”.
- (7) In the Local Government Act 1972—
- (a) in section 70(1) and (3), for “, combined authority or joint waste authority” substitute “ or combined authority ”;
 - (b) in section 80(2)(b), omit “, joint waste authority”;
 - (c) in section 85(4), for “, a combined authority and a joint waste authority” substitute “ and a combined authority ”;
 - (d) in section 86(2), for “, a combined authority and a joint waste authority” substitute “ and a combined authority ”;
 - (e) in section 92, omit subsections (7A) and (7B);
 - (f) in section 100J—
 - (i) in subsection (1), omit paragraph (ba);
 - (ii) in subsection (2), omit “(ba),”;
 - (iii) in subsection (2B), omit paragraph (a);
 - (iv) in subsection (3), omit “(ba),”;
 - (v) in subsection (4)(a), omit “, a joint waste authority”;
 - (g) in section 101(13), omit “a joint waste authority,”;
 - (h) in section 146A(1), omit “a joint waste authority,”;
 - (i) in section 175(3B), omit “, a joint waste authority”;
 - (j) in section 176(3), omit “, a joint waste authority”;
 - (k) in section 223(2), omit “a joint waste authority,”;
 - (l) in section 224(2), for “, combined authority or joint waste authority” substitute “ or combined authority ”;
 - (m) in section 225(3), for “, a combined authority and a joint waste authority” substitute “ and a combined authority ”;
 - (n) in section 228, omit subsection (7B);
 - (o) in section 229(8), omit “, a joint waste authority”;
 - (p) in section 230(2), for “, a combined authority and a joint waste authority” substitute “ and a combined authority ”;
 - (q) in section 231(4), omit “, a joint waste authority”;
 - (r) in section 232(1A), omit “, a joint waste authority”;
 - (s) in section 233(11), omit “, a joint waste authority”;
 - (t) in section 234(4), omit “, a joint waste authority”;
 - (u) in section 239(4A), for “, a combined authority and a joint waste authority” substitute “ and a combined authority ”;
 - (v) in section 270(1), omit the definition of “joint waste authority”.
- (8) In the Employment Agencies Act 1973, in section 13(7), omit paragraph (fza).
- (9) In the Local Government Act 1974—
- (a) in section 25(1), omit paragraph (cd);
 - (b) in section 26C(6), omit paragraph (d).
- (10) In the Health and Safety at Work etc. Act 1974, in section 28(6), omit the words from “, an authority” to “(joint waste authorities)”.

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- (11) In the Local Government (Miscellaneous Provisions) Act 1976, in section 44(1), in the definition of “local authority”—
- (a) in paragraph (a), omit the words from “, an authority” to “(joint waste authorities)”;
 - (b) in paragraph (c), omit the words from “an authority” (in the second place where it occurs) to “(joint waste authorities),”.
- (12) In the Rent (Agriculture) Act 1976, in section 5(3), omit paragraph (bba).
- (13) In the Rent Act 1977, in section 14(1), omit paragraph (cba).
- (14) In the Local Government, Planning and Land Act 1980—
- (a) in section 2(1), omit paragraph (kaa);
 - (b) in section 98(8A), omit paragraph (ea) (but not the “and” following it);
 - (c) in section 99(4), omit paragraph (dba);
 - (d) in section 100(1)(a), for the words from “, a combined authority” to “(joint waste authorities)” substitute “ or a combined authority established under section 103 of that Act ”;
 - (e) in Schedule 16, omit paragraph 5BA.
- (15) In the Acquisition of Land Act 1981, in section 17(4), in paragraph (a) of the definition of “local authority”, for the words from “, a combined authority” to the end of the paragraph substitute “ or a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009 ”.
- (16) In the Local Government (Miscellaneous Provisions) Act 1982—
- (a) in section 33(9)(a), for the words from “, a combined authority” to “(joint waste authorities)” substitute “ or a combined authority established under section 103 of that Act ”;
 - (b) in section 33(9)(b), for “, combined authority or joint waste authority” substitute “ or combined authority ”;
 - (c) in section 41(13), in the definition of “local authority”, omit paragraph (ea) (but not the “and” following it).
- (17) In the Stock Transfer Act 1982, in Schedule 1, in paragraph 7(2)(a), omit the words from “, an authority” to “(joint waste authorities)”.
- (18) In the County Courts Act 1984, in section 60(3), in the definition of “local authority”, omit the words from “an authority” to “(joint waste authorities),”.
- (19) In the Housing Act 1985, in section 4—
- (a) in subsection (1)(e), omit “, a joint waste authority” (in both places it occurs);
 - (b) in subsection (2), omit the definition of “joint waste authority”.
- (20) In the Landlord and Tenant Act 1985, in section 38, in the definition of “local authority”, omit the words from “, an authority” to “(joint waste authorities)”.
- (21) In the Local Government Act 1988, in Schedule 2, omit the entry relating to an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007.
- (22) In the Housing Act 1988, in Schedule 1, in paragraph 12(1), omit paragraph (fa).

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- (23) In the Road Traffic Act 1988, in section 144(2)(a)(i), omit the words from “an authority” to “(joint waste authorities),”.
- (24) In the Local Government and Housing Act 1989—
- (a) in section 21(1), omit paragraph (ga);
 - (b) in section 152(2), omit paragraph (ia).
- (25) In the Environmental Protection Act 1990, in section 52(1A), omit the words from “or any authority” to the end of the subsection.
- (26) In the Local Government (Overseas Assistance) Act 1993, in section 1(10), omit paragraph (da).
- (27) In the Deregulation and Contracting Out Act 1994, in section 79A, omit paragraph (p).
- (28) In the Housing Grants, Construction and Regeneration Act 1996, in section 3(2), omit paragraph (ja).
- (29) If paragraph 4 comes into force before the coming into force of the repeal of the Audit Commission Act 1998 by section 1(2) of the Local Audit and Accountability Act 2014, Schedule 2 to the Act of 1998 is to have effect (until the repeal comes into force) as if, in paragraph 1, paragraph (ma) were omitted.
- (30) In the Local Government Act 1999, in section 1(1), omit paragraph (ga).
- (31) In the Freedom of Information Act 2000, in Schedule 1, omit paragraph 15A.
- (32) In the Local Government Act 2003—
- (a) in section 23(1), omit paragraph (ka);
 - (b) in section 33(1), omit paragraph (ja).
- (33) In the Waste and Emissions Trading Act 2003, in section 24—
- (a) in subsection (5), for the words before “ “waste disposal authority”” substitute “ In this Chapter ”;
 - (b) omit subsections (6) and (7).
- (34) In the Local Government and Public Involvement in Health Act 2007—
- (a) in section 104(2), omit paragraph (g);
 - (b) omit sections 209 and 211 and Schedule 13;
 - (c) in section 240(6), omit “, 207”.
- (35) In the Local Democracy, Economic Development and Construction Act 2009—
- (a) in section 35(2), omit paragraph (m);
 - (b) in section 123(2), omit paragraph (f).
- (36) In the Energy Act 2013, in Part 3 of Schedule 9, in the definition of “local authority” in paragraph 14(3), omit paragraph (b).
- (37) In the Local Audit and Accountability Act 2014, in Schedule 2, omit paragraph 25.

Commencement Information

I3 Sch. 13 para. 6 in force at 26.5.2015 by S.I. 2015/994, art. 6(g)

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PART 4

AIR QUALITY

Removal of duty to conduct further air quality assessments

- 7 In the Environment Act 1995, in section 84 (duties of local authorities in relation to designated areas)—
- (a) omit subsection (1) (duty of local authority to cause further assessment to be made in relation to air quality in designated air quality management area);
 - (b) in subsection (2), for the words from the beginning to “to” at the beginning of paragraph (b) substitute “ Where an order under section 83 above comes into operation, the local authority which made the order shall ”.
- 8 (1) The following amendments are made in consequence of paragraph 7.
- (2) In the Environment Act 1995—
- (a) in section 86(2)(b), omit “or 84”;
 - (b) in section 91(1), in the definition of “action plan”, for “84(2)(b)” substitute “ 84(2) ”;
 - (c) in Schedule 11, in paragraphs 1(1)(b) and 4(2)(b), omit “or 84”.

PART 5

NOISE ABATEMENT ZONES

Removal of power of local authorities to designate area as noise abatement zone

- 9 Part 3 of the Control of Pollution Act 1974 (noise) is amended in accordance with paragraphs 10 to 14.

Commencement Information

I4 Sch. 13 para. 9 in force at 1.10.2015 by S.I. 2015/1732, art. 2(f)

- 10 Omit section 57 (local authority duty to conduct periodical inspections to decide how to exercise powers concerning noise abatement zones).

Commencement Information

I5 Sch. 13 para. 10 in force at 1.10.2015 by S.I. 2015/1732, art. 2(f)

- 11 Omit sections 63 to 67 (noise abatement zones).

Commencement Information

I6 Sch. 13 para. 11 in force at 1.10.2015 by S.I. 2015/1732, art. 2(f)

- 12 Omit section 69 (execution of works by local authority).

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Commencement Information

I7 Sch. 13 para. 12 in force at 1.10.2015 by S.I. 2015/1732, art. 2(f)

- 13 In section 73 (interpretation and other supplementary provisions)—
- (a) in subsection (1), omit the definitions of “noise abatement order”, “noise abatement zone”, “noise level register”, “noise reduction notice” and “person responsible”;
 - (b) in subsection (2), for “sections 62 to 67” (in both places where it occurs) substitute “ section 62 ”.

Commencement Information

I8 Sch. 13 para. 13 in force at 1.10.2015 by S.I. 2015/1732, art. 2(f)

- 14 Omit Schedule 1 (provisions applying to coming into operation of noise abatement orders).

Commencement Information

I9 Sch. 13 para. 14 in force at 1.10.2015 by S.I. 2015/1732, art. 2(f)

- 15 (1) The following repeals are made in consequence of paragraphs 11 and 14.
- (2) In the Control of Pollution Act 1974, in section 104(1), omit the words from “(except sections” to “65(6))”.
 - (3) In the Local Government, Planning and Land Act 1980, in Schedule 2, omit paragraphs 14 and 18.
 - (4) In the Environmental Protection Act 1990, in Schedule 15, omit paragraph 15(4).

Commencement Information

I10 Sch. 13 para. 15 in force at 1.10.2015 by S.I. 2015/1732, art. 2(f)

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