



# Local Government Act 1948

## 1948 CHAPTER 26

### PART VII

#### MISCELLANEOUS.

#### **120 Provisions as to precepts.**

- (1) Subsections (2) to (4) of section nine of the Rating and Valuation Act, 1925 (which relate to precepts by county councils) shall, with the modifications specified in subsection (2) of this section, extend to London.
- (2) The said modifications are as follows, that is to say—
  - (a) in subsection (2), for the words "nineteen hundred and twenty-nine", there shall be substituted the words "nineteen hundred and forty-eight"; and
  - (b) in sub-paragraph (i) of paragraph (b) of subsection (2), for the references to the general rate there shall, in relation to the City of London, be substituted references to the poor rate; and
  - (c) sub-paragraph (ii) of the said paragraph, (b) (which contains transitional provisions inapplicable in the case of London) shall be deemed to be omitted; and
  - (d) the reference in subsection (3) of that section to the commencement of that Act shall be construed as a reference to the date of the passing of this Act; and
  - (e) the reference in paragraph (a) of subsection (4) to section eleven of that Act shall be construed as a reference to sections three and four of the Poor Rate Assessment and Collection Act, 1869.
- (3) It is hereby declared that it is not necessary for a county council, before issuing a precept to a rating authority under section one hundred and eighty-three of the Local Government Act, 1933, or section one hundred and seventeen of the London Government Act, 1939, to make any county rate, and the County Rates Act, 1852, is hereby repealed.
- (4) Nothing in this section shall affect the manner in which sums required for the purposes of the Metropolitan Police are raised.

**121 Provisions as to precepts for expenses of Metropolitan Police.**

- (1) No warrant under section twenty-three of the Metropolitan Police Act, 1829, shall be issued by the Commissioner of Police in respect of any period beginning on or after the first day of April, nineteen hundred and forty-eight, but, for the purpose of providing money for meeting such expenses as may be authorised by or under any enactment or by the Secretary of State to be paid out of the Metropolitan Police Fund, being expenses for which provision is not otherwise made, the Receiver for the Metropolitan Police District, may with the consent of the Secretary of State, issue precepts to rating authorities in accordance with the subsequent provisions of this section.
- (2) Except in relation to the expenses mentioned in the next succeeding subsection, precepts issued under this section shall be issued to all rating authorities with areas falling wholly or partly within the Metropolitan Police District, but where the area of a rating authority is only partly within that District, the precepts shall be so issued as to secure that the rate is levied only on that part of the area which is within that District.
- (3) In relation to expenses of and incidental to the metropolitan police courts and the probation system within the metropolitan police court area respectively, precepts issued under this section shall be issued to all rating authorities with areas falling wholly or partly within the metropolitan police court area :

Provided that where only part of the area of a rating authority is within the metropolitan police court area, the precepts shall, except in any case where the Minister, on the application of the rating authority, by order directs that this proviso shall not apply, be so issued as to secure that the rate is levied only on that part.

- (4) Subsections (2), (4) and (5) of section nine of the Rating and Valuation Act, 1925 (which relate to precepts by county councils), shall, both within and outside London, apply in relation to any such precept, but with the following modifications, that is to say—
  - (a) for any reference to councils of counties there shall be substituted a reference to the Receiver ; and
  - (b) in subsection (2), for the words " twenty-nine " there shall be substituted the words " forty-eight "; and
  - (c) sub-paragraph (ii) of paragraph (b) of the said subsection - (2) shall be deemed to be omitted; and
  - (d) the reference in paragraph (a) of subsection (4) to section eleven of that Act shall, in relation to rating authorities with areas in London, be construed as a reference to sections three and four of the Poor Rate Assessment and Collection Act, 1869.
- (5) Notwithstanding anything in the preceding provisions of this section, one precept may be issued in respect of all the expenses mentioned in subsection (1) of this section, including as separate items contributions to each of the classes of expenses mentioned in subsections (2) and (3) of this section, and the preceding provisions of this section and the provisions of section nine of the Rating and Valuation Act, 1925, shall, with the necessary adaptations, have effect accordingly.
- (6) The receipts of and incidental to the metropolitan police courts and the probation system within the metropolitan police court area respectively shall enure for the benefit of the rating authorities mentioned in subsection (3) of this section to the exclusion of those not so mentioned, and the precepts to be issued under this section shall be issued accordingly.

- (7) Where the receipts of and incidental to the metropolitan police courts or the probation system within the metropolitan police court area respectively exceed the expenses of those courts or, as the case may be, of that system, effect may, notwithstanding subsection (2) of section nine of the Rating and Valuation Act, 1925, be given to the provisions of the last preceding subsection by means of the issue of a precept under this section requiring a rate to be levied in the areas mentioned in the said subsection (3) or in a part of such an area of a lower amount in the pound than in the areas not so mentioned, or as the case may be, than in the other parts of that area.
- (8) In respect of the year 1948-49, this section shall have effect as if in subsection (2) thereof the words "Except in relation to the expenses mentioned in the next succeeding subsection ", subsection (3) thereof and the three last preceding subsections were omitted.
- (9) In this section the expression " metropolitan police court area " means the area consisting of the police court divisions for the time being constituted under the Metropolitan Police Courts Acts, 1839 and 1840.

**122 Amendment of Rating and Valuation Act, 1925, s. 11.**

Section eleven of the Rating and Valuation Act, 1925, (which relates to the rating of and the collection of rates by owners) shall have effect and shall be deemed always to have had effect as if it provided that the allowance to be made to owners under subsection (1) thereof shall be at the rate of ten per cent. of the amount payable, or such greater percentage not exceeding fifteen per cent. of that amount as the rating authority may by resolution of general application determine ; and subsection (1) of section three of the Rating and Valuation Act, 1928, '(which provides temporarily for such an increase in the said allowance) shall cease to have effect.

**123 Explanation of " rating area " in relation to London.**

It is hereby declared that any reference in any Act to a rating area is, in the case of any part of London outside the City of London, the Inner Temple and the Middle Temple, a reference to the whole of the metropolitan borough and not a reference to the parish, and subsection (2) of section seven of the Rating and Valuation (Apportionment) Act, 1928, shall be construed accordingly.

**124 Subjects to be valued by Assessor of Public Undertakings - (Scotland).**

- (1) It shall be the duty of the Assessor of Public Undertakings (Scotland) (hereinafter referred to as " the Assessor ") to ascertain and fix the value of all lands and heritages belonging to or leased by—
- (a) the British Transport Commission, other than lands and heritages—
    - (i) which by virtue of Part V of this Act, are not liable to be rated : or
    - (ii) which are occupied as a dwelling-house, hotel or place of public refreshment ; or
    - (iii) which are so let out as to be capable of separate assessment; and
  - (b) any company, corporation or local authority and forming part of a tramway undertaking.

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- (2) The Assessor shall, on or before such date in each year as may be prescribed by the Secretary of State, inquire into and fix in cumulo the gross annual, net annual and rateable values of—
- (a) the lands and heritages of which the Assessor is required by the last foregoing subsection to ascertain and fix the value; and
  - (b) the lands and heritages of any company, corporation, trustees or local authority, with the valuation of which the Assessor is charged in pursuance of section twenty-three of the Lands Valuation (Scotland) Act, 1854,
- and shall fix the proportions of such cumulo values to be assigned to each county, burgh or district in which the lands and heritages or any part thereof are situated.
- (3) The Assessor shall make up each year a valuation roll in which he shall enter therein in accordance with the Lands Valuation (Scotland) Act, 1854, the values fixed by him under the last foregoing subsection, and any reference in any enactment to the valuation roll made up by the Assessor under the last-mentioned Act shall be construed as a reference to the valuation roll to be made up under this section, and the provisions of the said Act shall apply accordingly.

## **125 Transfer of stock issued by certain authorities.**

- (1) The Minister may, by regulations, provide that stock issued, whether before or after the passing of this Act, by any authority to which this section applies, other than—
- (a) stock which by virtue of any statutory provision contained in or made under a private or local Act and passed or made after the passing of the Government and other Stocks (Emergency Provisions) Act, 1939, and before the making of the regulations, is transferable by deed and in no other manner ; and
  - (b) stock in respect of which a stock certificate to bearer is for the time being outstanding, or any other bearer security,
- shall be transferable in law by instrument in writing and in no other manner . .
- (2) Regulations made under this section may contain any incidental, supplementary or transitional provisions, and in particular—
- (a) provisions as to the keeping of the registers relating to the holders of the stock and as to the matters to be entered therein, and provisions enabling those registers to be closed for such periods and in such circumstances as may be prescribed by the regulations ;
  - (b) provision for striking the balance for a dividend on the stock ;
  - (c) provisions as to the issue of documents of title relating to the stock and as to evidence of title thereto, and as to the manner in which a transfer of stock is to be completed ;
  - (d) provisions varying, revoking or repealing any statutory provision passed or made before the making of the regulations and inconsistent therewith, being a statutory provision which is contained in or made under a local or private Act or made under section thirty of the Local Loans Act, 1875 (which enables a local authority to make rules as to securities issued by them under that Act) or section two hundred and four of the Local Government Act, 1933 (which relates to stock issued under that Act) ; and
  - (e) provision enabling the Minister by order to exempt from the operation of all or any of the provisions of the regulations such stock as may be specified in the order.

- (3) Regulations made under this section varying or revoking any regulations made under the said section two hundred and four may, so far as they relate to stock to which that section applies, be varied or revoked by further regulations made under that section.
- (4) The power to make regulations under this section shall be exercisable by statutory instrument, and a draft of any such instrument shall be laid before Parliament.
- (5) This section applies to any authority who—
  - (a) are, within the meaning of the Local Loans Act, 1875, an authority having power to levy a rate ; or
  - (b) are a body which, under any enactment relating to harbours, are entitled to levy tolls or dues, being a body who are neither statutory undertakers carrying on business for profit nor a company within the meaning of the Companies Act, 1929.
- (6) For the purposes of this section, the expression " stock " includes debenture stock and annuity certificates.
- (7) In the application of this section to Scotland—
  - (a) for any reference to the Minister there shall be substituted a reference to the Secretary of State ; and
  - (b) for any reference to section two hundred and four of the Local Government Act, 1933, there shall be substituted a reference to section two hundred and seventy-one of the Local Government (Scotland) Act, 1947.

## **126 Contributions by county councils to expenses of county district councils.**

- (1) Without prejudice to any power conferred, or duty imposed, upon the council of a county by any other Act, if in the case of any county district in England or Wales it appears to the council of the county in which that district lies that it is reasonable so to do, having regard to the resources of the district and to the other circumstances of the case, the council of the county may, with the consent of the Minister given either generally or specially, agree to contribute a sum equal to the whole or any part of any expenses incurred by the council of that district.
- (2) For the purposes of the preceding subsection, contributions by the council of a county district towards the expenses of a joint board shall be deemed to be expenses incurred by the contributing council.
- (3) Where an amount equal to the expenses towards which any contribution is made under this section falls to be debited to the Housing Revenue Account of the council of the county district, the council of the county district shall carry to the credit of the account, in addition to the amounts which they are required to carry to the credit of that account under section one hundred and twenty-nine of the Housing Act, 1936, amounts equal to the contribution payable under this section, and any contribution in respect of those expenses by the council of the district required by paragraph (e) of subsection (1) of the said section one hundred and twenty-nine to be carried to the credit of that account shall be correspondingly reduced.
- (4) After the coming into operation of this section.—
  - (a) no undertaking shall be given under subsection (2) of section eight of the Housing (Financial and Miscellaneous Provisions) Act, 1946 (which relates

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to the power of county councils to make contributions in respect of houses provided by county district councils); and

- (b) any undertaking given under the said subsection (2) or under subsection (4) of section one hundred and fifteen of the Housing Act, 1936 (which relates to the power of county councils to make contributions in respect of houses provided by rural district councils) shall be treated in respect of any period falling after the passing of this Act as if it were an agreement made with the consent of the Minister in pursuance of the power conferred by this section.

#### **127 Transfer to county councils of property and liabilities relating to county roads.**

Where by virtue of Part III of the Local Government Act, 1929 (which relates to the vesting, repair and maintenance of county roads) and whether before or after the passing of this Act—

- (a) any road within the area of a borough or urban district council has, since the appointed day for the purposes of the said Part of the said Act, become a county road and the council have not, within the time specified in the said Act, claimed to exercise the functions of maintenance and repair with respect to that road; or
- (b) a borough or urban district council, having or being deemed to have claimed as aforesaid with respect to a county road in their area, have since the said appointed day relinquished the aforesaid functions with respect thereto,

the borough or urban district council and the county council may agree for the transfer to the county council of such property and liabilities of the borough or urban district council relating to the road upon such terms and conditions as may be specified in the agreement.

#### **128 Provisions as to finance committees.**

In subsection (2) of section eighty-six of the Local Government Act, 1933 (which provides, subject as there stated, that no costs, debt or liability exceeding fifty pounds shall be incurred by a county council except upon a resolution of the council passed on an estimate submitted by the finance committee), and in subsection (3) of section sixty of the London Government Act, 1939 (which makes similar provision in relation to county and borough councils in London) for the word ".fifty " there shall be substituted the words " one hundred ".

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

The council of a county, county borough, metropolitan borough, county district or rural parish may pay reasonable subscriptions, whether annually or otherwise, to the funds—

- (a) of any association of local authorities formed 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 such associations of officers of local authorities, being associations formed for the purposes aforesaid, as may be approved by the Minister.

**130 Insurance by local authorities against accidents to members.**

- (1) A local authority may enter into a contract with any person whereby, in consideration of payments by the authority by way of premium or otherwise, that person undertakes to pay to the authority such sums as may be provided in the contract in the event of any member of the authority meeting with a personal accident, whether fatal or not, while he is 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 Life Assurance Act, 1774, shall not apply to any such contract, but any such contract shall be deemed for the purposes of the Assurance Companies Acts, 1909 to 1946, to be a policy of insurance upon the happening of personal accidents.
- (4) In the application of this section to Scotland, the expression " local authority " means a county, town or district council.

**131 Disability of members of local authorities for voting on account of interest in contracts, etc.**

- (1) The following amendments shall be made in section seventy-six of the Local Government Act, 1933 (which relates to the disability of members of local authorities who have a pecuniary interest, direct or indirect, in any contract or proposed contract or other matter, for voting on any question with respect thereto).
- (2) After subsection (2) of the said section seventy-six there' shall be inserted the following subsection—

“(2A) Where a member of a local authority has indirectly a pecuniary interest in a contract or other matter and would not fall to be treated as having such an interest but for the fact that he has a beneficial interest in shares of a company or other body, then, if the total nominal value of those shares does not exceed two hundred pounds or one hundredth of the total nominal value of the issued share capital of the company or body, whichever is the less, so much of subsection (1) of this section as prohibits him from taking part in the consideration or discussion of, and from voting on any question with respect to, the contract or other matter shall not apply to him, without prejudice, however, to the duty of disclosure imposed by the said subsection (1) :

Provided that where the share capital of the company or other body is of more than one class, this subsection shall not apply if the total nominal value of all the shares of any one class in which he has a beneficial interest exceeds one hundredth part of the total issued share capital of that class of the company or other body”.

- (3) In the proviso to subsection (2) of section seventy-six the words " or stock " shall be omitted, and at the end of the said section there shall be inserted the following subsection—
- “(10) In this section, the expression ' shares ' includes stock and the expression ' share capital' shall be construed accordingly.”

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- (4) In the said section seventy-six and in section one hundred and twenty-three of the said Act of 1933 (which relates to the disclosure by officers of local authorities of interest in contracts), references to a local authority shall be construed as including references to a divisional executive constituted under the Education Acts, 1944 and 1946, or the National Health Service Act, 1946, and, for the purposes of the said section one hundred and twenty-three, an officer of a local authority who carries out any duties under the control of such an executive shall be deemed, in relation to those duties, to be an officer of that executive.
- (5) The preceding provisions of this section shall apply in relation to London as if for references to section seventy-six of the Local Government Act, 1933, there were substituted references to section fifty-two of the London Government Act, 1939.
- (6) The provisions of subsections (1) to (3) of this section shall apply to Scotland with the substitution for references to section seventy-six of the Local Government Act, 1933, of references to section seventy-three of the Local Government (Scotland) Act, 1947.

### **132 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 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) any purpose incidental to the matters aforesaid, including the provision, in connection with the giving of any entertainment or the holding of any dance, of refreshments or programmes and the advertising of any such entertainment or dance :

Provided that the powers conferred on a local authority by this subsection shall not be exercised in relation to any entertainment or dance held in any place outside the area of that authority, or in relation to a theatre, concert hall, dance hall or other premises situate in any place outside that area, unless—

- (i) that place is convenient for residents in the area of that authority;
  - (ii) the local authority for the area within which that place is situate consent.
- (2) Without prejudice to the generality of the provisions of the preceding subsection, 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 not exceeding one acre or one-tenth of the area of the park or pleasure ground whichever is the greater ;
  - (b) may permit any theatre, concert hall, dance hall or other premises provided by them for the purposes of the preceding subsection 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 or dance held by them and for any refreshment or programmes supplied at any such entertainment or dance :



Provided that nothing in this subsection shall 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.

- (3) The expenditure of a local authority under this section (excluding capital expenditure, but including loan charges) shall not in any year exceed the product of a rate of sixpence in the pound, plus the net amount of any receipts of the authority from any such charges or payments as are referred to in the last preceding subsection :

Provided that where a local authority exercise any powers under any statutory provision other than this Act for the provision by them of entertainments or the holding by them of dances, any expenditure incurred by them under those powers (excluding capital expenditure but including loan charges) less the net amount of the receipts, if any, of the authority in respect of the exercise of those powers shall, for the purpose of determining whether any, and if so what, expenditure may be incurred in any year under this subsection, be taken into account as if it was expenditure under this section.

- (4) A local authority who propose to borrow money for any of the purposes authorised under this section shall, before applying to the Minister for his consent to the borrowing, publish in such local newspapers, and in such other ways, if any, as appear to them best suited for bringing the matter to the attention of persons concerned, notice of their proposal, specifying the amount which and the purposes for which they propose to borrow and the time (not being less than twenty-eight days from the publication of the notice) within which any objection to the proposal may be made to the Minister.
- (5) Where any such objection as is mentioned in the last preceding subsection is made to the Minister within the time specified in the notice aforesaid and is not withdrawn, the Minister shall not, unless in his opinion the objection is frivolous, consent to the borrowing of any money for the purposes in question until he has caused a public local inquiry to be held into the proposal, and, in considering whether or not to give his consent to the borrowing of any money for those purposes, he shall consider the report of the person by whom the inquiry was held.
- (6) 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 intoxicating liquor or tobacco.
- (7) In this section, the expression " local authority " means the council of a county borough, metropolitan borough or county district or the common council of the City of London.
- (8) The following enactments are hereby repealed, that is to say, paragraph (3) of section forty-four of the Burgh Police (Scotland) Act, 1903 ; paragraphs (d), (e) and (h) of subsection (1) of section seventy-six of the Public Health Acts Amendment Act, 1907 ; subsections (1) to (4) of section fifty-six and the proviso to subsection (1) of section seventy of the Public Health Act, 1925 ; the proviso to subsection (1) of section two hundred and twenty-six of the Public Health Act, 1936 ; the proviso to subsection (1) of section one hundred and seventy-two of the Public Health (London) Act, 1936 ; in subsection (5) of section ten of the Physical Training and Recreation Act, 1937, the words from " Provided that," to the end of the subsection ; and in subsection (5) of

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section seventy-four of the Local Government (Scotland) Act, 1947, the words from " so however," to the end of the subsection.

- (9) Nothing in this section shall have effect so as to extend the powers of the council of a county or of a parish under section seventy of the Public Health Act, 1925 (which relates to the use of the offices of an authority for entertainments) as applied to those councils by section four of the Physical Training and Recreation Act, 1937, and accordingly the following proviso shall be inserted at the end of subsection (2) of the said section four, that is to say—

“Provided that the following restrictions shall have effect with respect to any concert or other entertainment provided by the council of a county or of a parish by virtue of this section, that is to say—

- (i) no stage play shall be performed; and
- (ii) the concert or other entertainment shall not include any performance in the-nature of a variety entertainment ; and
- (iii) no cinematograph film other than a film illustrative of questions relating to health or disease shall be shown ; and
- (iv) no scenery, theatrical costumes or scenic or theatrical accessories shall be used.”

- (10) In the application of this section to Scotland—

- (a) no money shall be borrowed for the purposes authorised under this section except with the consent of the Secretary of State ;
- (b) for any reference to the Minister there shall be substituted a reference to the Secretary of State ;
- (c) the expression " local authority " means a county, town or district council ;
- (d) for any reference to a rate of sixpence in the pound there shall be substituted a reference to a rate of four and four-fifths pence in the pound ;
- (e) expenditure incurred by a district council under this section shall not be taken into account in calculating the limit imposed on the district rate by section two hundred and twenty-six of the Local Government (Scotland) Act, 1947.

- (11) No certificate shall be granted under the Licensing (Scotland) Acts, 1903 to 1934 for the sale of exciseable liquor in- any premises provided under this section in Scotland, but nothing in this subsection shall render it unlawful to grant under section forty of the Licensing (Scotland) Act, 1903, a special permission for an entertainment in any such premises.

### **133 War memorials.**

- (1) In section one of the War Memorials (Local Authorities' Powers) Act, 1923 (which enables local authorities, as defined in that Act, to incur reasonable expenditure in the maintenance, repair and protection of war memorials in their district which are vested in them) for the words " which may be vested in them," there shall be substituted the words " whether vested in them or not. "
- (2) The matters on which expenditure may be incurred under the said section one shall include the alteration of any memorial to which that section applies so as to make it serve as a memorial in connection with any war subsequent to that in connection with which it was erected and the correction of any error or omission in the inscription on any such memorial.

- (3) The War Memorials (Local Authorities' Powers) Act, 1923, as amended by the foregoing provisions of this section shall extend to Scotland subject to the following modifications—
- (i) sections two and four shall not apply ; and
  - (ii) the expression " local authority " means a county, town or district council.

**134 Information centres.**

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 or by Government departments, and other information as to local government matters affecting the area.

**135 Instruction, lectures, &c, on questions relating to local government.**

- (1) Subject to such conditions and restrictions, if any, as the Minister may by regulations prescribe, a local authority may—
- (a) arrange for the publication within their area of information on questions relating to local government ; and
  - (b) arrange for the delivery of lectures and addresses, and the holding of discussions, on such questions ; and
  - (c) arrange for the display of pictures, cinematograph films or models or the holding of exhibitions relating to such questions ; 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.
- (2) In the application of this section to Scotland, for the reference to the Minister there shall be substituted a reference to the Secretary of State.

**136 Assistance by local authorities to other bodies.**

A local authority in England or Wales may, with the consent of the Minister given either generally or specially, contribute towards the expenses of any body carrying on activities within the area of that authority, being activities for the purpose of furthering the development of trade, industry or commerce therein, or of giving advice, information or other assistance to persons resident therein, or otherwise for the benefit of that area or those persons.

**137 Amendment of Health Resorts and Watering Places Act, 1936, s. 1.**

- (1) In subsection one of section one of the Health Resorts and Watering Places Act, 1936, (which authorises the expenditure by the council of a borough or urban district on advertising the advantages and amenities of the borough or district as a health resort or watering place of a sum not exceeding the amount which would be produced by a rate of one penny and one-third of a penny in the pound), for the words " one penny and one-third of a penny " there shall be substituted the words " three pence ".
- (2) In the application of this section to Scotland, for the reference to subsection (1) of section one of the Health Resorts and Watering Places Act, 1936, there shall be

substituted a reference to paragraph (g) of subsection (3) of section one hundred and ninety-one of the Local Government (Scotland) Act, 1947.

**138 Power to assist in performance of transferred functions.**

- (1) Where, by or under the Electricity Act, 1947, or any Act passed during the present Session providing for the establishing of public ownership of the gas industry, any undertaking theretofore carried on by a local authority is transferred to any other body, the authority may enter into an agreement with the body for the performance by the authority, as agent for the body, for such period as may be specified in the agreement, of such of the functions of the body as may be so specified.
- (2) No agreement shall be made for the performance of functions by a local authority under this section for a period ending later than twelve months after the transfer of the undertaking in question except with the approval—
  - (a) in the case of an undertaking in the North of Scotland District transferred by or under the Electricity Act, 1947, of the Secretary of State ; or
  - (b) in any other case, of both the Minister or, as the case may be, the Secretary of State and the Minister of Fuel and Power.

**139 Amendment of Local Government (Scotland) Act, 1947, s. 211.**

Section two hundred and eleven of the Local Government (Scotland) Act, 1947 (which relates to the expenses of local authorities) shall have effect as if in the proviso after the word " undertakings " there were inserted the words " (other than an undertaking relating to the provision of water) ".