

1988 No. 1373

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Local Government Act 1988 (Defined Activities)
(Specified Periods) (England) Regulations 1988**

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|-------------------------------|---------------------------|
| <i>Made</i> | <i>29th July 1988</i> |
| <i>Laid before Parliament</i> | <i>8th August 1988</i> |
| <i>Coming into force</i> | <i>1st September 1988</i> |

The Secretary of State for the Environment in exercise of the powers conferred by sections 8(1) and 15(6) of the Local Government Act 1988^(a) and all other powers enabling him in that behalf hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Local Government Act 1988 (Defined Activities) (Specified Periods) (England) Regulations 1988 and shall come into force on 1st September 1988.

Application

2. These Regulations apply only to work to be carried out in England.

Specified Periods

3.—(1) In the case of an authority mentioned or described in Part I of Schedule 1 hereto, the second condition, set out in section 7(3) of the Local Government Act 1988, shall not be treated as fulfilled as respects an activity mentioned in the first column of Part II of that Schedule if the period stated in the detailed specification by virtue of section 7(3)(c) is less than the period mentioned in the second column of that Part or exceeds the period mentioned in the third column.

(2) In the case of an authority mentioned or described in Part I of Schedule 2 hereto, the said condition shall not be treated as fulfilled as respects an activity mentioned in the first column of Part II of that Schedule if the period so stated is less than the period mentioned in the second column of that Part or exceeds the period mentioned in the third column.

29th July 1988

Nicholas Ridley
Secretary of State for the Environment

PART I

AUTHORITIES

- A county council
- A metropolitan district council
- The Council of the Isles of Scilly
- An outer London borough
- A joint education committee established by an order under paragraph 3 of Part II of Schedule 1 to the Education Act 1944(a).

PART II

SPECIFIED PERIODS

| <i>Activity</i> | <i>Minimum period</i> | <i>Maximum period</i> |
|---|----------------------------|----------------------------|
| <i>(1)</i> | <i>years</i> <i>(2)</i> | <i>years</i> <i>(3)</i> |
| Collection of refuse | 5 | 7 |
| Cleaning of buildings | 3 | 4 |
| Other cleaning | 4 | 6 |
| Catering for purposes of schools and welfare | 4 | 5 |
| Other catering | 4 | 6 |
| Maintenance of ground | 3 | 4 |
| Repair and maintenance of vehicles | 4 | 6 |

PART I

AUTHORITIES

- A parish council
- A district council other than a metropolitan district council
- An inner London borough
- The Common Council of the City of London in its capacity as local authority or police authority
- An urban development corporation established by an order under section 135 of the Local Government, Planning and Land Act 1980(b)
- A police authority constituted under section 2 of the Police Act 1964(c) or as mentioned in section 3(1) of that Act or established by section 24 or 25 of the Local Government Act 1985(d)
- A fire authority constituted by a combination scheme and a metropolitan county fire and civil defence authority
- The London Fire and Civil Defence Authority
- A metropolitan county passenger transport authority
- An authority established by an order under section 10(1) of the Local Government Act 1985
- A joint committee which falls to be treated as a defined authority by section 1(4) of the Local Government Act 1988 and of which at least one of the members is a local authority which has functions in England.

(a) 1944 c.31. (b) 1980 c.65. (c) 1964 c.48. (d) 1985 c.51.

PART II

SPECIFIED PERIODS

| <i>Activity</i> <i>(1)</i> | <i>Minimum period</i> <i>years</i> <i>(2)</i> | <i>Maximum period</i> <i>years</i> <i>(3)</i> |
|--|---|---|
| Collection of refuse | 5 | 7 |
| Cleaning of buildings | 4 | 6 |
| Other cleaning | 4 | 6 |
| Catering for purposes of school and welfare | 4 | 6 |
| Other catering | 4 | 6 |
| Maintenance of ground | 4 | 6 |
| Repair and maintenance of vehicles | 4 | 6 |

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations specify the minimum and maximum periods for which certain authorities may invite offers to carry out work in respect of activities which must be open to competition under Part I of the Local Government Act 1988.

Section 6 of the 1988 Act provides restriction on functional work (as defined in that Act) to be carried out by certain authorities after a specified date. The Local Government Act 1988 (Defined Activities) (Competition) (England) Regulations 1988 (S.I. 1988/1371) specify, in respect of certain types of work in relation to certain authorities, various dates, the earliest of which is 1st August 1989. These Regulations related to conditions to be met from the dates specified in those regulations.