
STATUTORY INSTRUMENTS

1991 No. 473

LOCAL GOVERNMENT ENGLAND AND WALES

The Local Government (Promotion of Economic Development) (Amendment) Regulations 1991

<i>Made</i>	- - - -	<i>6th March 1991</i>
<i>Laid before Parliament</i>		<i>11th March 1991</i>
<i>Coming into force</i>	- -	<i>1st April 1991</i>

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred upon them by sections 34(1) and (2) and 190 of the Local Government and Housing Act 1989⁽¹⁾, and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Local Government (Promotion of Economic Development) (Amendment) Regulations 1991 and shall come into force on 1st April 1991.

Amendment of Regulations

2. The Local Government (Promotion of Economic Development) Regulations 1990⁽²⁾ shall be amended in accordance with the following provisions of these Regulations.

Excluded activities

- 3.—(1) For paragraph (1) of regulation 5 there shall be substituted the following paragraph—
- “(1) There are specified for the purposes of section 34(1) of the Act—
- (a) subject to paragraph (2) below, in relation to every relevant authority, the steps listed in paragraph 1 of Schedule 2 to these Regulations; and
 - (b) in relation to every relevant authority other than the Common Council of the City of London (in its capacity as a local authority), the step mentioned in paragraph 2(1) of that Schedule.”.

(1) 1989 c. 42.

(2) S.I. 1990/763, to which there is an amendment not relevant to these Regulations.

(2) In paragraph (2) of regulation 5 for the words “Nothing in paragraph (1) or Schedule 2” there shall be substituted the words “Nothing in paragraph (1)(a) above or paragraph I of Schedule 2”.

4. In Schedule 2—

- (a) before the words “For the purposes”, there shall be inserted the numeral “1.”;
- (b) after the words “regulation 5(1)” there shall be inserted “(a)”; and
- (c) at the end there shall be inserted the following paragraph—

“2.—(1) For the purpose of regulation 5(1)(b), the step is the disposal of land otherwise than by way of a short tenancy—

- (a) for a consideration less than the best that can reasonably be obtained; or
- (b) where the disposal is pursuant to a consent given by the Secretary of State under section 123 (disposal of land by principal councils) of the Local Government Act 1972 (“the 1972 Act”), otherwise than in accordance with that consent.

(2) In sub-paragraph (1), “short tenancy” has the same meaning as it has for the purposes of section 123 of the 1972 Act.”(3).

Consultation with other authorities

5. For paragraph (2) of regulation 8 there shall be substituted the following paragraph—

“(2) The step mentioned in this paragraph is the provision, after 1st April 1991, by a relevant authority which is not a local education authority within the meaning of the Education Act 1944, to a person who is not a member, officer or other employee of that relevant authority, of training or education services otherwise than after consultation with the local education authority for the area in which the are to be provided.”(4) .

5th March 1991

Michael Heseltine
Secretary of State for the Environment

6th March 1991

David Hunt
Secretary of State for Wales

(3) 1972 c. 70; section 123 was amended by the Local Government, Planning and Land Act 1980 (c. 65), Schedule 23, paragraphs 14 and 15 and by the Local Government and Housing Act 1989, Schedule 12, Part I and S.I. 1990/431. Section 123 of the 1972 Act was applied to the Council of the Isles of Scilly by S.I. 1 978/1 844, article 6(2).

(4) 1944 c. 31. See also section 163(1) of the Education Reform Act 1988 (c. 40).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Government (Promotion of Economic Development) Regulations 1990.

The effect of the amendment to regulation 5 and Schedule 2 is that a relevant authority other than the Common Council of the City of London (a county, district or London borough council or the Council of the Isles of Scilly) may, for the purpose of promoting the economic development of its area, exercise a power to dispose of land (other than for a term of 7 years or less) only where the disposal is for the best consideration reasonably obtainable or, where the Secretary of State has consented to disposal for less than best consideration, in accordance with that consent.

The effect of the substituted regulation 8(2) is to permit a relevant authority which is not a local education authority to provide training or education services, in the promotion of the economic development of its area, only after consultation with the local education authority for the area in which the services are to be provided.