

SCHEDULE

Article 18

APPLICATION OF LOCAL GOVERNMENT PROVISIONS

1. The Residuary Body shall be treated as a local authority or, as the case may be, a principal council, for the purposes of the following provisions of the 1972 Act—

- (a) section 111 (subsidiary powers);
- (b) section 112 to 115 and 117 to 119 (staff);
- (c) section 128(2) (protection of purchasers);
- (d) section 223 (appearance in legal proceedings); and
- (e) section 224, 225 and 229 to 233 (documents).

2. The Residuary Body shall be treated as a local authority for the purposes of—

- (a) the Landlord and Tenant Act 1954(1); and
- (b) section 252 of the Town and Country Planning Act 1990 (procedure for making orders)(2).

3. The Residuary Body shall be included among the local authorities mentioned in section 28(5) (a) of the Leasehold Reform Act 1967 (retention or resumption of land required for public purposes)(3) and sections 29(5) (reservation of future rights to develop) and 38(1) (modification of right to possession under Landlord and Tenant Act 1954) of that Act shall be construed accordingly.

4. The Residuary Body shall be treated as a local authority for the purposes of the Local Authority (Goods and Services) Act 1970(4) and, for the purposes of that Act as it applies in relation to the Residuary Body, the Secretary of State shall be treated as a public body.

5. The Residuary Body shall be included among the councils mentioned in paragraph 1(3) of schedule 14 to the Town and Country Planning Act 1990 (which defines the councils on which notice of the making of a footpath or bridleway order must be served).

6. The Residuary Body shall be included among the bodies specified in section 144(2)(a) of the Road Traffic Act 1988 (exceptions from requirement of third-party insurance or security)(5).

7. The Residuary Body shall be included among the bodies to which section 14 of the Rent Act 1977 (circumstances where tenancy not a “protected tenancy”) applies(6).

8. The Residuary Body shall be treated as a local authority for the purpose of the following provisions of the Housing Act 1985(7)—

- (a) section 43 and 44 (consent required for certain disposals of houses);
- (b) section 45 to 51 (restrictions on recovery of service charges after disposal of house);
- (c) Parts IV and V (secure tenancies and right to buy);
- (d) Part XVI (assistance for owners of defective premises disposed of by local authorities and others).

9. The Residuary Body shall be treated as a local authority for the purposes of sections 84(5)(b) and 85(4) of the Housing Associations Act 1985 (consultation on forms of agreement and meaning of “relevant advance”)(8).

(1) 1954 c. 56.
(2) 1990 c. 8.
(3) 1967 c. 88.
(4) 1970 c. 39.
(5) 1988 c. 52.
(6) 1977 c. 42.
(7) 1985 c. 68.
(8) 1985 c. 69.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

10. The Residuary Body shall be treated as a local authority for the purposes of the following provisions of the Landlord and Tenant Act 1985⁽⁹⁾—

- (a) section 14(4) (exclusion of implied repairing obligations);
- (b) sections 18 to 30 (services charges); and
- (c) paragraph 9(1) of the Schedule (which provides that rights of tenants with respect to insurance do not apply to tenants of certain public bodies).

11. The Residuary Body shall be included among the bodies specified in section 58(1) of the Landlord and Tenant Act 1987 (meaning of “exempt landlord” for the purposes of the Act)⁽¹⁰⁾.

12. The Residuary Body shall be included among the public authorities to which section 17 of the Local Government Act 1988 (public supply or works contracts; exclusion of non-commercial considerations) applies⁽¹¹⁾.

⁽⁹⁾ 1985 c. 70.

⁽¹⁰⁾ 1987 c. 31.

⁽¹¹⁾ 1988 c. 9.