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STATUTORY INSTRUMENTS

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**1997 No. 128**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

**WALES**

**The Local Government Act 1988 (Competition)  
(Supervision of Parking, Management of Vehicles  
and Security Work) (Wales) Regulations 1997**

*Made* - - - - *28th January 1997*  
*Laid before Parliament* *31st January 1997*  
*Coming into force* - - *21st February 1997*

The Secretary of State for Wales, in exercise of the powers conferred on him by sections 6(3), 8(1) and 15(6) of the Local Government Act 1988(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation, commencement, interpretation and application**

1.—(1) These Regulations may be cited as the Local Government Act 1988 (Competition) (Supervision of Parking, Management of Vehicles and Security Work) (Wales) Regulations 1997 and shall come into force on 21st February 1997.

(2) In these Regulations, “the Act” means the Local Government Act 1988.

(3) These Regulations apply only in relation to the following defined authorities(2) in Wales—

- (a) a local authority(3);
- (b) a combined fire authority;
- (c) a National Park authority(4); and
- (d) a joint committee which falls to be treated as a defined authority by section 1(4) of the Act and which is appointed only by two or more defined authorities within paragraph (a), (b) or (c) above.

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(1) 1988 c. 9. Section 6(3) was amended by paragraph 12 of Schedule 1 to the Local Government Act 1992 (c. 19).

(2) For the meaning of “defined authority”, see section 1 of the Act.

(3) For the meaning of “local authority”, see section 1(2A) of the Act which was inserted by the Local Government Reorganisation (Wales) (Consequential Amendments) Order 1995 (S.I.1995/115).

(4) See section 1(1)(aa) of the Act which was inserted by paragraph 8(2) of Schedule 8 to the Environment Act 1995 (c. 25).

### **Application of section 6**

2. Section 6 of the Act (functional work: restrictions) shall apply to functional work within section 2(2)(ff) (supervision of parking), section 2(2)(gg) (management of vehicles) or section 2(2)(i) (security work)<sup>(5)</sup> if it is proposed to be carried out on or after 1st January 1998 by a defined authority.

### **Specified periods**

3.—(1) The second condition shall not be treated as fulfilled as respects—

- (a) the supervision of parking,
- (b) management of vehicles, or
- (c) security work,

if the stated period is less than 3 years or more than 5 years.

(2) In the preceding paragraph—

“the second condition” means the condition set out in section 7(3)(c) of the Act; and

“the stated period”, in relation to any work, means the period stated in the detailed specification of that work pursuant to section 7(3)(c).

Signed by authority of the Secretary of State for Wales

*Gwilym Jones*  
Parliamentary Under Secretary of State Welsh  
Office

28th January 1997

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(5) Paragraphs (ff), (gg) and (i) of section 2(2) of the Act were substituted or, as the case may be, inserted by article 2(1) of the Local Government Act 1988 (Competition) (Defined Activities) Order 1994 (S.I. [1994/2884](#)).

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

The Regulations make provision under the competitive tendering requirements in Part I of the Local Government Act 1988 (“the Act”) in respect of the defined activities of the supervision of parking, management of vehicles and security work. Regulation 1(3) applies the Regulations only to certain defined authorities in Wales, namely, local authorities (that is, county councils, county borough councils and community councils), combined fire authorities, National Park authorities and joint committees of such authorities.

Regulation 2 applies section 6 of the Act (functional work: restrictions) to the said defined activities from 1st January 1998 so that those defined authorities must compete for such work in accordance with the requirements of the Act if they wish to carry it out themselves.

Regulation 3 specifies the minimum and maximum periods for which those defined authorities may resolve to undertake these activities.