
STATUTORY INSTRUMENTS

1997 No. 2169

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Local Government Changes for England
(Direct Labour Organisations) (East Riding
of Yorkshire District Council) Order 1997**

Made - - - - *4th September 1997*
Laid before Parliament *9th September 1997*
Coming into force - - *30th September 1997*

The Secretary of State, in exercise of the powers conferred on him by sections 17 and 26 of the Local Government Act 1992(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Local Government Changes for England (Direct Labour Organisations) (East Riding of Yorkshire District Council) Order 1997 and shall come into force on 30th September 1997.

(2) In this Order—

“the Act” means the Local Government, Planning and Land Act 1980(2);

“annual cost”, in relation to any work and any relevant year, means the amount estimated by the authority as the amount which, if the authority were to undertake the work, would fall to be credited in pursuance of section 12 of the Act to the account kept in respect of that work and that year;

“the authority” means the council of the district of the East Riding of Yorkshire;

“building work” means functional work consisting of building work involved in the improvement, maintenance or repair of buildings;

“functional work” means functional work within the meaning in section 20 of the Act;

“relevant year”, in relation to any work, means any financial year during which the work is to be undertaken; and

(1) 1992 c. 19.

(2) 1980 c. 65. Part III is amended by Schedule 6 to the Local Government Act 1988 (c. 9) and Schedule 1 to the Local Government Act 1992 (c. 19).

“the supplementary reorganisation period” means the period beginning on 1st October 1997 and ending with 31st March 1998.

Functional work: tendering requirements applying to the authority

2.—(1) This article applies to building work of the authority undertaken in the supplementary reorganisation period, other than work to be undertaken under a single arrangement—

- (a) which is to be completed in a period of less than a year, or
- (b) which has an annual cost in any relevant year of less than £200,000.

(2) Subject to the following provisions of this article, nothing in section 9 of the Act shall require the authority to have complied with the conditions in subsection (4) of that section in relation to work to which this article applies.

(3) But the authority shall, in relation to work to which this article applies, draw up the conditions which would have been specified by them for the purposes of section 9(4)(a) of the Act but for paragraph (2).

(4) Nothing in this article shall be construed as preventing the Secretary of State from serving a notice under section 19A(1)(b) of the Act informing the authority that it appears to him—

- (a) that they have estimated the annual cost of work to amount to £200,000 or more, but that the work is functional work which could most economically and efficiently be undertaken in more than one arrangement at least one of which would have an estimated annual cost of less than £200,000; or
- (b) that the work is to be or was undertaken in a period of a year or more, but that it appears to him that it could most economically and efficiently be or have been undertaken in a period of less than a year;

and that it therefore appears to him that the provisions of section 9(4)(aaaa) of the Act have not been complied with as regards that work.

Signed by authority of the Secretary of State

Nick Raynsford
Parliamentary Under-Secretary of
State, Department of the Environment, Transport
and the Regions

4th September 1997

EXPLANATORY NOTE

(This note is not part of the Order)

Part II of the Local Government Changes for England (Direct Labour and Service Organisations) Regulations 1994 (S.I.1994/3167) provided, in respect of local authorities affected by a structural change under the Local Government Act 1992, for a period during which the tendering requirements of Part III of the Local Government, Planning and Land Act 1980 were disapplied. The Regulations provided for the period to end 18 months after the date on which the structural change took place. In the case of the council of the district of the East Riding the period thus ends on 30th September 1997. This Order provides, in relation to building work (defined in the Order), for a supplementary period of six months during which the tendering requirements are disapplied.