
STATUTORY INSTRUMENTS

1997 No. 2734

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Government Changes for England (Housing Management) (Miscellaneous Amendments) Regulations 1997

Made - - - - *17th November 1997*
Laid before Parliament *21st November 1997*
Coming into force - - *12th December 1997*

The Secretary of State for the Environment, in exercise of the powers conferred on him by sections 6 and 15(6) and (7) of the Local Government Act 1988⁽¹⁾ and sections 19 and 26(4) of the Local Government Act 1992⁽²⁾ and of 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 Changes for England (Housing Management) (Miscellaneous Amendments) Regulations 1997 and shall come into force on 12th December 1997.

Amendments to the Local Government Changes for England (Direct Labour and Service Organisations) Regulations 1994

2. The Local Government Changes for England (Direct Labour and Service Organisations) Regulations 1994⁽³⁾ are amended, in regulation 12 (interpretation etc.)—

- (a) by the omission, after “12.”, of “—(1)”;
- (b) by the substitution, for sub-paragraph (d), of the following—
 - “(d) “other housing work” means work falling within the defined activity in section 2(2)(h) (housing management) of the Act which is not excepted housing work;”;
- (c) by the addition, at the end, of the following—
 - “(e) “the reorganisation period”—

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

(2) 1992 c. 19.

(3) S.I.1994/3167. Relevant amending instruments are S.I. 1995/1326 (Part II), 1996/330 (regulation 3(1)) and 1996/1882 (construction of references to the order date in regulation 2 of S.I. 1994/3167).

Status: This is the original version (as it was originally made).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

- (i) where the reorganisation date is 1st April 1996 and the work in question is excepted housing work, means the period beginning on the order date and ending 24 months after the reorganisation date;
- (ii) where the reorganisation date is 1st April 1997 or 1st April 1998 and the work in question is excepted housing work, means the period beginning on the order date and ending 30 months after the reorganisation date;
- (iii) where the reorganisation date is 1st April 1997 or 1st April 1998 and the work in question is other housing work, means the period beginning on the order date and ending 24 months after the reorganisation date;
- (iv) in any other case, means the period of 18 months beginning on the reorganisation date.”

Amendment of the Local Government Act 1988 (Competition) (Housing Management) (England) Regulations 1994

3. The Local Government Act 1988 (Competition) (Housing Management) (England) Regulations 1994⁽⁴⁾ are amended, in regulation 3 (application of section 6), by the substitution, for “Section 6”, of “Subject to regulation 14A (housing management: disapplication of competition provisions) of the Local Government Changes for England (Direct Labour and Service Organisations) Regulations 1994, section 6”⁽⁵⁾.

Signed by authority of the Secretary of State for the Environment

Hilary Armstrong
Minister of State,
Department of the Environment, Transport and
the Regions

17th November 1997

(4) S.I. [1994/2297](#), to which there are amendments not relevant to these Regulations. *See also* the Local Government Act 1988 (Defined Activities) (Housing Management and Security Work) (Exemptions) (England) Order 1997 (S.I. [1997/176](#)) and the Local Government Act 1988 (Defined Activities) (Housing Management and Security Work) (Exemptions) (England) (Amendment) Order 1997 (S.I. [1997/2733](#)).

(5) Regulation 14A was inserted by S.I. [1995/1326](#).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 12 of the Local Government Changes for England (Direct Labour and Service Organisations) Regulations 1994 (“the principal Regulations”) in respect of the defined activity of housing management, carried out by defined authorities in England, and make a consequential amendment to regulation 3 of the Local Government Act 1988 (Competition) (Housing Management) (England) Regulations 1994 (“the competition Regulations”).

The effect of the amendments to regulation 12 of the principal Regulations is to allow a defined authority which is subject to a boundary or structural change (changes resulting from the implementation of recommendations of the Local Government Commission for England) to postpone compliance with the requirements of the competition Regulations as regards the defined activity of housing management. The competition Regulations will have effect at the end of a period, known as the reorganisation period, which varies according to the type of housing management activity that is carried out (new paragraph (e) of regulation 12).

The consequential amendment to regulation 3 of the competition Regulations secures that that regulation (which specifies the proportion of housing management activity that is to be subject to competition) is subject to the special provisions of the principal Regulations in relation to housing authorities which are affected by structural change.