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STATUTORY INSTRUMENTS

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**1997 No. 849**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

**The Local Authorities (Goods and Services) (Public Bodies) (Trunk Roads) (Amendment) Order 1997**

<i>Made</i>	- - - -	<i>14th March 1997</i>
<i>Laid before Parliament</i>		<i>18th March 1997</i>
<i>Coming into force</i>	- -	<i>8th April 1997</i>

The Secretary of State for Transport and the Secretary of State for Wales, acting jointly in relation to England and Wales, in exercise of the powers conferred by section 1(5) and (6) of the Local Authorities (Goods and Services) Act 1970<sup>(1)</sup> (in this Order referred to as “the Act”) hereby make the following Order:

**1.** This Order may be cited as the Local Authorities (Goods and Services) (Public Bodies) (Trunk Roads) (Amendment) Order 1997 and shall come into force on 8th April 1997.

**2.—(1)** The Local Authorities (Goods and Services) (Public Bodies) (Trunk Roads) Order 1996<sup>(2)</sup> shall be amended in accordance with the following paragraphs of this article.

(2) In the definition of “DBFO contractor” in article 2, insert at the end “and includes a sub-contractor of such person”.

(3) In paragraph (c) of article 5, insert at the beginning “unless the agreement is entered into on or before 30th June 1997 and is substantially identical in form including its termination date to one purporting to subsist between a DBFO contractor and a local authority immediately prior to 8th April 1997”.

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(1) 1970 c. 39. The power conferred on the Minister of Housing and Local Government is exercisable by the Secretary of State: paragraphs 2(1) and 5(2) of S.I. 1970/1681.  
(2) S.I. 1996/342.

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**Status:** This is the original version (as it was originally made).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

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Signed by authority of the Secretary of State for Transport

12th March 1997

*John Watts*  
Minister of State,  
Department of Transport

Signed by authority of the Secretary of State for Wales

14th March 1997

*Gwilym Jones*  
Parliamentary Under Secretary of State, Welsh  
Office

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## EXPLANATORY NOTE

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

This Order amends the Local Government (Goods and Services) (Public Bodies) (Trunk Roads) Order 1996 (S.I.1996/342) [“the 1996 Order”].

Article 2(2) of the Order widens the definition of “DBFO contractor” in the 1996 Order to include a sub-contractor of the person who enters into a DBFO contract with the Secretary of State.

Article 2(3) of the Order provides that where a local highway authority (DBFO) agreement as defined in the 1996 Order has been entered into prior to the coming into force of this Order and is replaced on or before 30th June 1997 by such an agreement in substantially similar form it shall not be necessary to comply upon such replacement with the competition requirement contained in article 5(c) of the 1996 Order.