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STATUTORY INSTRUMENTS

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**1998 No. 2477**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

**The Local Government Act 1988 (Defined Activities) (Exemptions) (No. 3) Order 1998**

<i>Made</i>	- - - -	<i>6th October 1998</i>
<i>Laid before Parliament</i>		<i>13th October 1998</i>
<i>Coming into force</i>	- -	<i>3rd November 1998</i>

The Secretary of State, in exercise of the powers conferred on him by sections 2(9) and 15(5) of the Local Government Act 1988(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Local Government Act 1988 (Defined Activities) (Exemption) (No. 3) Order 1998 and shall come into force on 3rd November 1998.

**Exemption of catering for purposes of schools and welfare**

2. Catering for the purposes of schools and welfare(2) by the council of the London Borough of Ealing shall not be treated as a defined activity so long as it consists of the provision of hot meals and is carried out during the period beginning with 3rd November 1998 and ending on 31st March 1999.

**Exemptions of managing sports and leisure facilities**

3.—(1) The management of sports of leisure facilities(3) by the council of the borough of Harrogate shall not be treated as a defined activity so long as it is carried out within their district during the period beginning with 3rd November 1998 and ending on 1st April 2000.

(2) The management of sports and leisure facilities by the council of the borough of Tonbridge and Malling shall not be treated as a defined activity so long as it is carried out at the Angel Leisure Centre, Angel Lane, Tonbridge during the period beginning with 1st January 1999 and ending on 31st March 1999.

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(1) 1988 c. 9.

(2) See section 2(2)(d) of, and paragraph 4 of Schedule 1 to, the Local Government Act 1988.

(3) See section 2(2)(ee) of, and paragraph 8 of Schedule 1 to, the Local Government Act 1988. Subsection (2)(ee) and paragraph 8 were inserted by the [Local Government Act 1988 \(Competition in Sports and Leisure Facilities\) Order 1989 \(S.I. 1989 No. 2488\)](#).

(3) The management of sports and leisure facilities by the council of the city of Worcester shall not be treated as a defined activity so long as it is carried out at Worcester Racecourse, Pitchcroft, Worcester WR1 3EJ during the period beginning with 1st January 1999 and ending on 31st December 1999.

#### **Exemption of maintenance of ground**

4. The maintenance of ground(4) by the council of the London Borough of Merton shall not be treated as a defined activity so long as it is carried out at the sites in that borough listed in a contract known as PMO11 Grounds Maintenance Contract, Morden Area, during the period beginning with 1st January 1999 and ending on 31st March 2000.

#### **Exemptions of legal services**

5.—(1) The provision of legal services(5) by any of the county councils listed in paragraph (2) below shall not be treated as a defined activity so long as it is carried out during the period beginning with 1st October 1999 and ending on 31st March 2001.

(2) The councils mentioned in paragraph (1) above are—

Derbyshire County Council  
Leicestershire County Council  
Staffordshire County Council.

#### **Exemption of financial services**

6. The provision of financial services(6) by the council of the District of South Gloucestershire shall not be treated as a defined activity so long as it is carried out during the period beginning with 1st April 1999 and ending on 1st July 2000.

#### **Exemption of information technology services**

7. The provision of information technology services(7) by the council of the county of Dorset shall not be treated as a defined activity so long as it is carried out in respect of a finance-related system known as POLAR for and on behalf of North Dorset District Council during the period beginning with 3rd November 1998 and ending on 31st March 1999.

Signed by authority of the Secretary of State

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

6th October 1998

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(4) See section 2(2)(f) of, and paragraph 6 of Schedule 1 to, the Local Government Act 1988.

(5) See section 2(2)(j) of, and paragraph 11 of Schedule 1 to, the Local Government Act 1988, which were added by S.I. 1994/2888.

(6) See section 2(2)(1) of, and paragraph 13 of Schedule 1 to, the Local Government Act 1988, which were added by S.I. 1995/1915.

(7) See section 2(2)(m) of, and paragraph 14 of Schedule 1 to, the Local Government Act 1988, which were inserted by S.I. 1995/1915.

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## EXPLANATORY NOTE

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

Under Part I of the Local Government Act 1988 (competition), work falling within certain defined activities may be carried out by local authorities only if particular conditions are fulfilled.

Articles 2 to 7 of this Order exempt the following activities from the requirements of Part I: catering for the purposes of schools and welfare by the London Borough of Ealing (art. 2), management of sports and leisure facilities by Harrogate Borough Council, Tonbridge and Malling Borough Council, and Worcester City Council (art. 3), maintenance of ground by the London Borough of Merton (art. 4), provision of legal services by Derbyshire County Council, Leicestershire County Council, and Staffordshire County Council (art. 5), the provision of financial services by South Gloucestershire Council (art. 6), and the provision of information technology services by Dorset County Council (art. 7). In each case the exemption is limited to the period specified in the respective article, and the exemptions given by articles 2, 3(2) and (3), 4 and 7 are also subject to further limitations stated in those articles.