

SCHEDULE 2

Consequential amendments to primary legislation

Local Government Act 2000

62. In section 78B (English case tribunal decisions: supplementary)—

- (a) in the heading for “English case tribunal decisions:” substitute “Section 78A.”;
- (b) in subsection (3) for “an English case tribunal adjudicates on any matter” substitute “the First-tier Tribunal adjudicates on any matter under this Act”;
- (c) in subsection (4)—

- (i) for “an English case tribunal” substitute “the First-tier Tribunal”;

- (ii) for “the High Court” substitute “the Upper Tribunal”; and

- (iii) at the end insert “(unless the decision is set aside under section 9 of the Tribunals, Courts and Enforcement Act 2007)”; and

- (d) for subsection (5) substitute—

- “(5) An appeal may not be brought under subsection (4) on a point of law (as to which see instead section 11 of the Tribunals, Courts and Enforcement Act 2007).

- “(6) An appeal may be brought under subsection (4) only if, on an application made by the person concerned, the First-tier Tribunal or Upper Tribunal has given its permission for the appeal to be brought.

- “(7) In any case where the Upper Tribunal is determining an appeal under subsection (4), section 12(2) to (4) of the Tribunals, Courts and Enforcement Act 2007 (proceedings on appeal to the Upper Tribunal) apply.”.