

---

STATUTORY INSTRUMENTS

---

**2018 No. 1128**

**The Local Government (Boundary Changes) Regulations 2018**

**PART 10**

Miscellaneous transitional provisions

**Housing finance**

**28.**—(1) The relevant provisions shall have effect, in relation to functions falling to be discharged by or in relation to a shadow authority under those provisions before the reorganisation date and as regards a financial year beginning on or after the reorganisation date, as if the shadow authority were a local housing authority within the meaning of those provisions.

(2) In relation to functions falling to be discharged as mentioned in paragraph (1), the relevant provisions shall have effect as if a predecessor council were not a local housing authority.

(3) In this regulation “the relevant provisions” means—

- (a) Part 6 of the 1989 Act (housing finance); and
- (b) sections 171, 172, 173 (insofar as that section relates to a determination under section 171) and 175 of the Localism Act 2011 (limits on indebtedness).

**Community right to challenge**

**29.**—(1) This regulation applies in relation to an expression of interest received by a predecessor council under Chapter 2 of Part 5 of the Localism Act 2011<sup>(1)</sup> (“the 2011 Act”) (community right to challenge) where the predecessor council has not considered the expression of interest in accordance with that chapter before the beginning of the transitional period.

(2) The predecessor council may resolve that consideration of the expression of interest be undertaken by the successor council after the reorganisation date.

(3) Where a resolution is made under paragraph (2)—

- (a) except for the references in sections 81(1)(a), 82 and 84(6), Chapter 2 of Part 5 of the 2011 Act has effect as if the references to relevant authority were references to the successor council;
- (b) sections 81(1)(a) and 82(1), (2) and (3) of the 2011 Act have effect as if the references to relevant authority were references to the predecessor council;
- (c) section 82(4) of the 2011 Act has effect as if the reference to the relevant authority—
  - (i) before the reorganisation date were reference to the predecessor council; and
  - (ii) after the reorganisation date were reference to the successor council; and
- (d) section 84 of the 2011 Act has effect as if—
  - (i) in subsection (3)(a) the reference to the date on which the relevant authority receives an expression of interest were reference to the reorganisation date;

- (ii) in subsection (6)—
  - (aa) the reference to a relevant authority receiving an expression of interest were reference to the predecessor council receiving such an expression of interest; and
  - (bb) the reference to a relevant authority notifying the relevant body in writing were reference to the successor council so notifying the relevant body; and
- (iii) in subsection (7) each time it occurs reference to the period of 30 days were reference to the period of 30 days beginning with the reorganisation date.

### **Honorary titles**

**30.**—(1) Section 249(1)(2) of the 1972 Act (honorary titles) shall have effect in relation to a predecessor council as if, for the words from “as past members” to the end, there were substituted “as past or serving members of the council”.

(2) Where, by virtue of a section 10 order, a local government area is abolished on the reorganisation date, any person who, immediately before that date, is an honorary alderman or alderwoman of the predecessor council for that area shall, on that date become an honorary alderman or alderwoman of the successor council.

(3) In relation to a person to whom paragraph (2) applies, references in section 249(2) and (4) of the 1972 Act which, immediately before the reorganisation date, fall to be construed as references to the predecessor council shall, on and after that date, be construed as references to the successor council.

(4) A person who, before the reorganisation date, has been admitted as an honorary freeman or freewoman of a local government area that is abolished by a section 10 order (an “abolished area”) shall, on that date, be treated as having been admitted as an honorary freeman or freewoman of the area which, on the reorganisation date, comprises or includes the abolished area.