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## SCHEDULES

### SCHEDULE 1

Section 1.

#### COUNTIES AND METROPOLITAN DISTRICTS IN ENGLAND

##### Modifications etc. (not altering text)

**C1** By [The Uncertificated Securities \(Amendment\) \(Eligible Debt Securities\) Regulations 2003 \(S.I. 2003/1633\)](#), [reg. 15](#), [Sch. 2 para. 17](#) it is provided (24.6.2003) that the reference in Sch. 1 para. 6 to "other securities so transferable" shall include a reference to uncertificated units of eligible debt securities

SCHEDULE 1 COUNTIES AND METROPOLITAN DISTRICTS IN ENGLAND PART I METROPOLITAN COUNTIES AND METROPOLITAN DISTRICTS	
(1) Name of county	(2) Area by reference to existing administrative areas
Greater Manchester	<p><i>District (a)</i> The county borough of Wigan. In the administrative county of Lancaster— the borough of Leigh; the urban districts of Abram, Aspull, Atherton, Hindley, Ince-in-Makerfield, Orrell, Standish-with-Langtree and Tyllesley; the urban district of Ashton-in-Makerfield, except the ward in Merseyside; the urban district of Golborne, except the wards in Cheshire; in the urban district of Billinge-and-Winstanley, the Billinge Higher End ward and the Winstanley ward except the detached parts; in the rural district of Wigan, the parishes of Haigh, Stevington and Worthington.</p> <p><i>District (b)</i> The county borough of Bolton. In the administrative county of Lancaster— the borough of Farnworth; the urban districts of Blackrod, Horwich, Kearsley, Little Lever and Westhoughton; in the urban district of Turton, the Bradshaw North, Bradshaw South, Bromley Cross and Bagley wards and so much of the Egerton ward as lies south of the boundary referred to in paragraph 3 of Part III of this Schedule.</p> <p><i>District (c)</i> The county borough of Bury. In the administrative county of Lancaster— the boroughs of Prestwich and Radcliffe; the urban districts of Tottington and Whitefield; in the urban district of Ramsbottom, the Central, East, South and West wards.</p> <p><i>District (d)</i> The county borough of Rochdale. In the administrative county of Lancaster— the boroughs of Heywood and Middleton; the urban districts of Littleborough, Milnrow and Wardle.</p>

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(1) Name of county	(2) Area by reference to existing administrative areas
Greater Manchester— <i>cont.</i>	<p><i>District (e)</i> The county borough of Salford. In the administrative county of Lancaster— the boroughs of Eccles and Swinton and Pendlebury; the urban districts of Irlam and Worsley.</p> <p><i>District (f)</i> The county borough of Manchester. In the administrative county of Chester, in the rural district of Bucklow, the parish of Ringway.</p> <p><i>District (g)</i> The county borough of Oldham. In the administrative county of Lancaster, the urban districts of Chadderton, Crompton, Failsworth, Lees and Royton. In the administrative county of Yorkshire, West Riding, the urban district of Saddleworth.</p> <p><i>District (h)</i> In the administrative county of Chester— the boroughs of Altrincham and Sale; the urban districts of Bowdon and Hale; in the rural district of Bucklow, the parishes of Carrington, Dunham Massey, Partington and Warburton. In the administrative county of Lancaster— the borough of Stretford; the urban district of Urmston.</p> <p><i>District (j)</i> The county borough of Stockport. In the administrative county of Chester, the urban districts of Breckbury and Romiley, Cheadle and Gatley, Hazel Grove and Bramhall and Marple.</p> <p><i>District (k)</i> In the administrative county of Chester— the boroughs of Dukinfield, Hyde and Sialy- bridge; the urban district of Longdendale. In the administrative county of Lancaster— the boroughs of Ashton-under-Lyne and Mosley; the urban districts of Audenshaw, Denton and Droylsden.</p>

(1) Name of county	(2) Area by reference to existing administrative areas
Merseyside ...	<p><i>District (a)</i> The county boroughs of Bootle and Southport. In the administrative county of Lancaster— the borough of Crosby; the urban districts of Formby and Litherland; in the rural district of West Lancashire, the parishes of Aintree, Ince Blundell, Maghull, Melling, Netherton, Sefton and Thornton, so much of the parish of Altcar as lies west of the line for the time being of the centre of the Downholland Brook, and so much of the parish of Lydiate as lies south of the line for the time being of the centre of the Lydiate Brook, the north channel being taken where the Brook divides.</p> <p><i>District (b)</i> The county borough of Liverpool.</p> <p><i>District (c)</i> The county borough of St. Helens. In the administrative county of Lancaster— the urban districts of Haydock, Newton-le- Willows and Rainford; the urban district of Billings-and-Winstanley except the areas in Greater Manchester; in the urban district of Ashton-in-Makerfield, the South ward; in the rural district of Whiston, the parishes of Eccleston, Rainhill and Windle, and the parish of Bold, except the area in Cheshire.</p> <p><i>District (f)</i> In the administrative county of Lancaster— the urban districts of Huyton-with-Roby, Kirkby and Prescott; the rural district of Whiston except the areas in district (c) and Cheshire; in the rural district of West Lancashire, the parish of Simonswood.</p> <p><i>District (e)</i> The county boroughs of Birkenhead and Wallasey. In the administrative county of Chester— the borough of Bebington; the urban districts of Hoylake and Wirral.</p>
South Yorkshire ...	<p><i>District (a)</i> The county borough of Barnsley. In the administrative county of Yorkshire, West Riding— the urban districts of Cudworth, Darfield, Darton, Dearne, Dodworth, Hoyland Nether, Penistone, Reyston, Wombwell and Worsbrough; the rural district of Penistone; in the rural district of Hemsworth, the parishes of Billingley, Brierley, Great Houghton, Little Houghton and Shafton;</p>

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(1) Name of county	(2) Area by reference to existing administrative areas
South Yorkshire— cont.	<p>in the rural district of Wortley, the parishes of Tankersley and Wortley.</p> <p><i>District (b)</i> The county borough of Doncaster. In the administrative county of Yorkshire, West Riding— the urban districts of Adwick le Street, Bentley with Arksey, Conisbrough, Mexborough and Tickhill; the rural districts of Doncaster and Thorne. In the administrative county of Nottinghamshire— in the rural district of East Retford, the parish of Finningley; in the rural district of Worksop, in the parish of Harworth, the North ward, so much of the East ward as lies east and north of Ordnance Survey parcels 480, 4749, 5136 and 8630, and the detached part of the West ward which includes the hamlet of Hesley.</p> <p><i>District (c)</i> The county borough of Sheffield. In the administrative county of Yorkshire, West Riding— the urban district of Stocksbridge; in the rural district of Wortley, the parishes of Bradfield and Ecclesfield.</p> <p><i>District (d)</i> The county borough of Rotherham. In the administrative county of Yorkshire, West Riding— the urban districts of Maltby, Rawmarsh, Swinton and Wath upon Dearne; the rural districts of Kiveton Park and Rotherham.</p>
Tyne and Wear ...	<p><i>District (a)</i> The county borough of Newcastle upon Tyne. In the administrative county of Northumberland— the urban districts of Gosforth and Newburn; in the rural district of Castle Ward, the parishes of Brunswick, Dinnington, Hazlerigg, North Gosforth and Woollington; the Moot Hall and Precincts, Newcastle upon Tyne.</p> <p><i>District (b)</i> The county borough of Tynemouth. In the administrative county of Northumberland— the borough of Wallsend; so much of the borough of Whitley Bay as lies south of the boundary referred to in paragraph 4 of Part III of this Schedule; the urban district of Longbenton; in the urban district of Seaton Valley, the wards of Backworth, Earsdon and Shiremoor.</p>

(1) Name of county	(2) Area by reference to existing administrative areas
Tyne and Wear— cont.	<p><i>District (c)</i> The county borough of Gateshead. In the administrative county of Durham— the urban districts of Blaydon, Felling, Ryton and Whickham; in the rural district of Chester-le-Street, the parish of Lamesley and the parish of Birtley except the part in district (e).</p> <p><i>District (d)</i> The county borough of South Shields. In the administrative county of Durham— the borough of Jarrow; the urban districts of Boldon and Hebburn.</p> <p><i>District (e)</i> The county borough of Sunderland. In the administrative county of Durham— the urban districts of Hetton, Houghton-le-Spring and Washington; in the rural district of Chester-le-Street, so much of the parishes of Birtley, Harraton and South Biddick as lie within the designated area of Washington New Town and also so much of the said parish of Harraton as lies west of that designated area and north of the boundary referred to in paragraph 5 of Part III of this Schedule; in the rural district of Easington, the parishes of Barton and Warden Law.</p>
West Midlands ...	<p><i>District (a)</i> The county borough of Wolverhampton.</p> <p><i>District (b)</i> The county borough of Walsall. In the administrative county of Staffordshire, the urban district of Aldridge-Brownhills.</p> <p><i>District (c)</i> The county borough of Dudley. In the administrative county of Worcestershire, the boroughs of Halesowen and Stourbridge.</p> <p><i>District (d)</i> The county boroughs of Warley and West Bromwich.</p> <p><i>District (e)</i> The county borough of Birmingham. In the administrative county of Warwickshire, the borough of Sutton Coldfield.</p> <p><i>District (f)</i> The county borough of Solihull. In the administrative county of Warwickshire— in the rural district of Meriden, the parishes of Balsall, Barston, Berkswell, Bickenhill, Castle Bromwich, Chelmsley Wood, Fordridge, Hampton in Arden, Kingshurst and Meriden; in the rural district of Stratford-on-Avon, the parish of Hockley Heath.</p>

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(1) Name of county	(2) Area by reference to existing administrative areas
West Midlands —cont.	<i>District (g)</i> The county borough of Coventry. In the administrative county of Warwickshire, in the rural district of Meriden, the parishes of Allesley and Keresley.
West Yorkshire ...	<i>District (a)</i> The county borough of Bradford. In the administrative county of Yorkshire, West Riding— the borough of Keighley; the urban districts of Baildon, Bingley, Denholme, Ilkley, Shipley and Silsden; the urban district of Queensbury and Shelf, except the wards in district (c); in the rural district of Skipton, the parishes of Addingham, Kildwick and Steeton with Eastburn.  <i>District (b)</i> The county borough of Leeds. In the administrative county of Yorkshire, West Riding— the boroughs of Morley and Pudsey; the urban districts of Aireborough, Garforth, Hunsforth, Odsley and Rothwell; in the rural district of Ldceaster, the parishes of Aberford, Austerhorpe, Barwick in Elmet and Scholes, Great and Little Preston, Ledsam, Letchford, Letherington cum Aberford, Micklefield, Parlington, Sturton Grange and Swillington; in the rural district of Wetherby, the parishes of Bardsley cum Riggton, Boston Spa, Bramham cum Oglethorpe, Clifford, Collingham, East Keswick, Harewood, Scarcroft, Thornor, Thorp Arch, Walton, Wetherby and Wothersome; in the rural district of Wharfedale, the parishes of Arthington, Bramhope, Carlton and Pool.  <i>District (c)</i> The county borough of Halifax. In the administrative county of Yorkshire, West Riding— the boroughs of Brighouse and Todmorden; the urban districts of Elland, Hebden Royd, Ripponden and Sowerby Bridge; in the urban district of Queensbury and Shelf, the wards of Shelf East and Shelf West; the rural district of Hepton.  <i>District (d)</i> The county boroughs of Dewsbury and Huddersfield. In the administrative county of Yorkshire, West Riding— the boroughs of Batley and Spensborough;

(1) Name of county	(2) Area by reference to existing administrative areas
West Yorkshire— cont.	the urban districts of Colne Valley, Denby Dale, Heckmondwike, Holmfirth, Kirkburton, Melham and Mirfield.  <i>District (e)</i> The county borough of Wakefield. In the administrative county of Yorkshire, West Riding— the boroughs of Castleford, Ossett and Pontefract; the urban districts of Featherstone, Hensworth, Horbury, Knottingley, Normanton and Stanley; the rural district of Wakefield; the rural district of Hensworth, except the parishes in North Yorkshire and South Yorkshire; in the rural district of Osgoldcross, the parishes of Darrington and East Hardwick.

**PART II**  
**NON-METROPOLITAN COUNTIES**

(1) Name of county	(2) Area by reference to existing administrative areas
Avon ... ..	The county boroughs of Bath and Bristol. In the administrative county of Gloucestershire— the urban districts of Kingswood and Mangotsfield; the rural district of Warmley; the rural district of Sodbury, except the parish of Alderley; the rural district of Thornbury, except the parishes of Alkington, Berkeley, Ham and Stone, Hamfallow and Hinton. In the administrative county of Somerset— the borough of Weston-super-Mare; the urban districts of Clevedon, Keynsham, Norton-Radstock and Portishead; the rural districts of Bathavon and Long Ashton; in the rural district of Axbridge, the parishes of Banwell, Bleadon, Butcombe, Churchill, Congresbury, Hutton, Kewstoke, Locking, Puxton, Wick St. Lawrence, Winscombe and Wrington, so much of the parish of Loxton as lies north of the line for the time being of the centre of the river Axe and so much of the parishes of Blagdon and Burrington as lies north of the boundary referred to in paragraph 6 of Part III of this Schedule; in the rural district of Clutton, the parishes of Cameley, Chelwood, Chew Magna, Chew Stoke, Clutton, Farmborough, Farrington



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(1) Name of county	(2) Area by reference to existing administrative areas
Avon—cont.	Gurney, High Littleton, Hinton Blewett, Nempnett Turbwell, Norton Malgward, Paulton, Pablow, Stanton Drew, Stovey-Sutton and Tinsbury and so much of the parishes of East Harptree, West Harptree, Compton Martin and Ubley as lies north of the boundary referred to in paragraph 6 of Part III of this Schedule; the unannexed area adjacent to the urban district of Keynsham; Steep Holme Island.
Bedfordshire ...	The county borough of Luton. The administrative county of Bedford.
Berkshire ...	The county borough of Reading. The administrative county of Berkshire, except the areas in Oxfordshire. In the administrative county of Buckingham— the borough of Slough; the urban district of Eton; in the rural district of Eton, the parishes of Datchet, Harton and Wraybury, the Brixwell ward of the parish of Burnham and so much of the parish of Wexham as lies south of the boundary referred to in paragraph 7 of Part III of this Schedule.
Buckinghamshire...	The administrative county of Buckingham, except the areas in Berkshire.
Cambridgeshire ...	The administrative counties of Cambridgeshire and Isle of Ely and Huntingdon and Peterborough.
Cheshire ...	The county boroughs of Chester and Warrington. The administrative county of Chester, except the areas in Derbyshire, Greater Manchester and Merseyside. In the administrative county of Lancaster— the borough of Widnes; in the urban district of Golborne, the wards of Culbeth and Newchurch; the rural district of Warrington; in the rural district of Whiston, the parish of Hale and so much of the parish of Bold as lies within the designated area of Warrington New Town.
Cleveland ...	The county boroughs of Hartlepool and Teesside. In the administrative county of Durham, the rural district of Stockton. In the administrative county of Yorkshire, North Riding— the urban districts of Guisborough, Loftus, Saltburn and Marnock-by-the-Sea and Skelton and Brotton;

(1) Name of county	(2) Area by reference to existing administrative areas
Cleveland—cont.	in the rural district of Stokesley, the parishes of Castlelevington, Hilton, Ingleby Barwick, Kirklevington, Malby, Nunthorpe and Yarm.
Cornwall ...	The administrative county of Cornwall.
Cumbria ...	The county boroughs of Barrow-in-Furness and Carlisle. The administrative counties of Cumberland and Westmorland. In the administrative county of Lancaster— the urban districts of Dalton-in-Furness, Grange and Ulverston; the rural district of North Lonsdale. In the administrative county of Yorkshire, West Riding, the rural district of Sedburgh.
Derbyshire ...	The county borough of Derby. The administrative county of Derbyshire. In the administrative county of Chester, the rural district of Tintwistle.
Devon ...	The county boroughs of Exeter, Plymouth and Torbay. The administrative county of Devon.
Dorset ...	The county borough of Bournemouth. The administrative county of Dorset. In the administrative county of Hampshire— the borough of Christchurch; in the rural district of Ringwood and Fording-bridge, the parishes of Hurn and St. Leonards and St. Ives, so much of the parish of Christchurch East as lies west of the boundary referred to in paragraph 8 of Part III of this Schedule and so much of the parish of Sopley as lies west of the boundary referred to in paragraph 9 of Part III of this Schedule.
Durham ...	The county borough of Darlington. The administrative county of Durham, except the areas in Cleveland and Tyne and Wear. In the administrative county of Yorkshire, North Riding, the rural district of Sturtforth.
East Sussex ...	The county boroughs of Brighton, Eastbourne and Hastings. The administrative county of East Sussex, except the areas in West Sussex.
Essex ...	The county borough of Southend-on-Sea. The administrative county of Essex.
Gloucestershire ...	The county borough of Gloucester. The administrative county of Gloucestershire, except the areas in Avon.

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(1) Name of county	(2) Area by reference to existing administrative areas
Hampshire ...	The county boroughs of Portsmouth and Southampton. The administrative county of Hampshire, except the areas in Dorset.
Hereford and Worcester	The county borough of Worcester. The administrative county of Herefordshire. The administrative county of Worcestershire, except the boroughs in West Midlands.
Hertfordshire ...	The administrative county of Hertfordshire.
Humberside ...	The county boroughs of Grimsby and Kingston upon Hull. The administrative county of Yorkshire, East Riding, except the areas in North Yorkshire. In the administrative county of Lincoln, Parts of Lindsey— the boroughs of Cleethorpes and Scunthorpe; the urban districts of Barton-upon-Humber and Brigg; the rural districts of Glanford Brigg, Grimsby and Isle of Axholme; In the administrative county of Yorkshire, West Riding— the borough of Goole; the rural district of Goole.
Isle of Wight ...	The administrative county of Isle of Wight.
Kent ...	The county borough of Canterbury. The administrative county of Kent.
Lancashire ...	The county boroughs of Blackburn, Blackpool, Burnley and Preston. The administrative county of Lancaster, except the areas in Cheshire, Cumbria, Greater Manchester and Merseyside. In the administrative county of Yorkshire, West Riding— the urban districts of Barnoldswick and Earby; the rural district of Bowland; in the rural district of Skipton, the parishes of Bracewell, Brogden and Salterforth.
Leicestershire ...	The county borough of Leicester. The administrative counties of Leicestershire and Rutland.
Lincolnshire ...	The county borough of Lincoln. The administrative counties of Lincoln, Parts of Holland and Lincoln, Parts of Kesteven. The administrative county of Lincoln, Parts of Lindsey, except the areas in Humberside.

(1) Name of county	(2) Area by reference to existing administrative areas
Norfolk ...	The county boroughs of Great Yarmouth and Norwich. The administrative county of Norfolk. In the administrative county of East Suffolk, in the rural district of Lothingland, the parishes of Belton, Bradwell, Burgh Castle, Fritton and Hopton-on-Sea, so much of the parish of Herringfleet as lies north of the boundary referred to in paragraph 10 of Part III of this Schedule and so much of the parish of Cotton as lies north of the boundary referred to in paragraph 11 of that Part.
North Yorkshire ...	The county borough of York. The administrative county of Yorkshire, North Riding, except the areas in Cleveland and Durham. In the administrative county of Yorkshire, East Riding— the urban districts of Filey and Norton; the rural districts of Derwent and Norton; in the rural district of Bridlington, the parishes of Folkton, Hummanby, Muston and Beighton. In the administrative county of Yorkshire, West Riding— the boroughs of Harrogate and Ripon; the urban districts of Knaresborough, Selby and Skipton; the rural districts of Nidderdale, Ripon and Pateley Bridge, Selby and Settle; the rural districts of Osgoldcross, Tadcaster, Wetherby and Wharfedale, except the parishes in West Yorkshire; the rural district of Skipton, except the parishes in Lancashire and West Yorkshire; in the rural district of Hemsworth, the parishes of Kirk Smeaton, Little Smeaton and Walden Stubbs.
Northamptonshire	The county borough of Northampton. The administrative county of Northamptonshire.
Northumberland ...	The administrative county of Northumberland, except the areas in Tyne and Wear.
Nottinghamshire ...	The county borough of Nottingham. The administrative county of Nottinghamshire, except the areas in South Yorkshire.
Oxfordshire ...	The county borough of Oxford. The administrative county of Oxford. In the administrative county of Berkshire— the boroughs of Abingdon and Wallingford; the urban district of Wantage; the rural districts of Abingdon, Faringdon and Wallingford;

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(1) Name of county	(2) Area by reference to existing administrative areas
Oxfordshire— <i>cont.</i>	in the rural district of Wantage, the parishes of Ardington, Blewbury, Childrey, Chilton, Donchworth, East Challow, East Hanney, East Hendred, Grosey, Grove, Harwell, Letcombe Bassett, Letcombe Regis, Lockinge, Sparsholt, Upton, West Challow, West Hanney and West Hendred.
Salop ... ..	The administrative county of Salop.
Somerset ... ..	The administrative county of Somerset, except the areas in Avon.
Staffordshire ... ..	The county boroughs of Burton upon Trent and Stoke-on-Trent. The administrative county of Staffordshire, except the urban district in West Midlands.
Suffolk ... ..	The county borough of Ipswich. The administrative county of East Suffolk, except the areas in Norfolk. The administrative county of West Suffolk.
Surrey ... ..	The administrative county of Surrey, except the areas in West Sussex.
Warwickshire ... ..	The administrative county of Warwickshire, except the areas in West Midlands.
West Sussex ... ..	The administrative county of West Sussex. In the administrative county of East Sussex— the urban districts of Burgess Hill, Cuckfield and East Grinstead; the rural district of Cuckfield. In the administrative county of Surrey, in the rural district of Dorking and Horley, the parish of Charlwood, except the detached part, and so much of the parish of Horley as lies south of the boundary referred to in paragraph 12 of Part III of this Schedule.
Wiltshire ... ..	The administrative county of Wiltshire.

### PART III

#### RULES AS TO BOUNDARIES

- 1 The boundaries of the new local government areas shall be mered by Ordnance Survey.
- 2 Any such boundary defined on the map annexed to any order under Part VI of the 1933 Act or Part II of the <sup>M1</sup>Local Government Act 1958 or section 6 of the 1963 Act by reference to proposed works shall, if the works have not been executed at the time of the completion of the first survey made after the passing of this Act for a new edition of Ordnance Survey large-scale plans including that boundary, be mered as if the boundary had not been so defined.

#### Marginal Citations

**M1** 1958 c. 55.

- 3 The boundary dividing the Egerton ward of the urban district of Turton referred to in Part I of this Schedule shall be such as the Secretary of State may by order determine on or near the general line of Delph Brook to the end of the Reservoir Dam, thence to Blackburn Road north of Moss Cottages and thence north-eastwards to the ward boundary.
- 4 The boundary dividing the borough of Whitley Bay referred to in Part I of this Schedule shall be such as the Secretary of State may by order determine on or near the general line of the access road to Hartley West Farm, Hartley Lane, West End, the northern boundaries of Ordnance Survey parcels 0057, 2657 and 4156 and thence north-eastwards to the boundary of the borough.
- 5 The boundary in the parish of Harraton referred to in Part I of this Schedule shall be such as the Secretary of State may by order determine on or near the general line of the link road C8 between Western Highway and Vigo Lane.
- 6 The boundary dividing the parishes of East Harptree, West Harptree, Compton Martin, Ubley, Blagdon and Burrington referred to in Part II of this Schedule shall

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- be such as the Secretary of State may by order determine generally between the 500 ft. and 800 ft. contours on the northern slopes of the Mendip Hills to the vicinity of Burrington Camp and thence westwards to the boundary of the parish of Burrington.
- 7 The boundary dividing the parish of Wexham referred to in Part II of this Schedule shall be such as the Secretary of State may by order determine on or near the general line of the northern and eastern boundaries of Wexham Hospital, Wexham Park Lane, the eastern and southern boundaries of Ordnance Survey parcels 49, 48a, 31, 32, 33, 15, 14 and 13, Church Lane and Uxbridge Road south-westwards from Church Lane.
- 8 The boundary dividing the parish of Christchurch East referred to in Part II of this Schedule shall be such as the Secretary of State may by order determine on or near the general line from the neighbourhood of Barrett's Copse to the River Mude in the neighbourhood of Waterhouse Farm and thence along that river downstream to the parish boundary.
- 9 The boundary dividing the parish of Sopley referred to in Part II of this Schedule shall be such as the Secretary of State may by order determine on or near the general line of the River Avon.
- 10 The boundary dividing the parish of Herringfleet referred to in Part II of this Schedule shall be such as the Secretary of State may by order determine on or near the general line of Blocka Lane, Blocka Road, Herringfleet Road, the southern boundaries of Ordnance Survey parcels 105B, 80, 77 and 78, and thence to the parish boundary.
- 11 The boundary dividing the parish of Corton referred to in Part II of this Schedule shall be such as the Secretary of State may by order determine on or near the general line of an extension eastwards of the southern boundary of the parish of Hopton-on-Sea.
- 12 The boundary dividing the parish of Horley referred to in Part II of this Schedule shall be such as the Secretary of State may by order determine on or near the general line of the River Mole, Burstow Stream, the railway from Horley to Earlswood and Crossoak Lane.

## PART IV

### DIVIDED PARISHES

- 1 The following areas shall be parishes, that is to say—
- (a) the part of the existing parish of Altcar in Lancashire;
  - (b) the part of the existing parish of Altcar in Merseyside;
  - (c) the part of the existing parish of Birtley in district (c) in Tyne and Wear;
  - (d) the part of the existing parish of Blagdon in Avon;
  - (e) the part of the existing parish of Bold in Merseyside;
  - (f) the part of the existing parish of Burnham in Berkshire;
  - (g) the part of the existing parish of Burnham in Buckinghamshire;
  - (h) the part of the existing parish of Burrington in Avon;
  - (i) the parts of the existing parishes of Charlwood and Horley in Surrey;
  - (j) the part of the existing parish of Charlwood in West Sussex;
  - (k) the part of the existing parish of Christchurch East in Dorset;

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- (l) the part of the existing parish of Christchurch East in Hampshire;
  - (m) the part of the existing parish of Compton Martin in Avon;
  - (n) the part of the existing parish of Corton in Suffolk;
  - (o) the part of the existing parish of East Harptree in Avon;
  - (p) the part of the existing parish of Harraton in Durham;
  - (q) the part of the existing parish of Harworth in Nottinghamshire;
  - (r) the part of the existing parish of Herringfleet in Suffolk;
  - (s) the part of the existing parish of Horley in West Sussex;
  - (t) the part of the existing parish of Loxton in Avon;
  - (u) the part of the existing parish of Lydiate in Merseyside;
  - (v) the part of the existing parish of Sopley in Hampshire;
  - (w) the part of the existing parish of South Biddick in Durham;
  - (x) the part of the existing parish of Ubley in Avon;
  - (y) the part of the existing parish of West Harptree in Avon;
  - (z) the part of the existing parish of Wexham in Berkshire; and
  - (za) the part of the existing parish of Wexham in Buckinghamshire.
- 2 (1) The part of the existing parish of Bold in Cheshire shall be added to the parish of Great Sankey.
- (2) The parts of the existing parishes of Blagdon, Burrington, Compton Martin, East Harptree, Ubley and West Harptree in Somerset shall be added to the parish of Priddy.
- (3) The part of the existing parish of Corton in Norfolk shall be added to the parish of Hopton-on-Sea.
- (4) The part of the existing parish of Harworth in South Yorkshire shall be added to the parish of Bawtry.
- (5) The part of the existing parish of Herringfleet in Norfolk shall be added to the parish of Fritton.
- (6) The part of the existing parish of Loxton in Somerset shall be added to the parish of East Brent.
- (7) The part of the existing parish of Lydiate in Lancashire shall be added to the parish of Downholland.
- (8) The part of the existing parish of Sopley in Dorset shall be added to the parish of Hurn.
- 3 The parts of the existing parishes of Birtley, Harraton and South Biddick in district (e) in Tyne and Wear shall cease to be in any parish.
- 4 Paragraphs 1 to 3 above shall not prevent any existing rural parish from continuing to exist as such until 1st April 1974.

*Status: Point in time view as at 02/05/2006.*

*Changes to legislation: Local Government Act 1972 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**PART V**

CONSTITUTION OF PARISHES BY REFERENCE TO  
EXISTING URBAN DISTRICT AND BOROUGH BOUNDARIES

- 1 (1) The English Commission shall consult the councils of existing counties, boroughs and urban districts and the committees established under section 264(1)(b) above with a view to making proposals to the Secretary of State for the constitution of parishes each of which has a boundary coterminous with that of—
  - (a) an existing urban district or borough, the area of which is not divided by or under section 1 above between two or more districts, or
  - (b) so much of an existing urban district or borough, the area of which is so divided, as is wholly comprised in a single district,
 and for naming those parishes.
- (2) The Secretary of State may give the Commission directions for their guidance in making any such proposals.
- 2 (1) The Secretary of State shall by order give effect to any proposals under paragraph 1 above, either as made to him or with modifications, but except in so far as any such order specifies part of the boundary of a district as part of the boundary of a parish no such order may specify for a parish a boundary different from that of an existing urban district or borough.
- (2) A statutory instrument containing an order under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- 3 The constitution of an area as a parish under this Part of this Schedule shall not affect—
  - (a) the continued existence, subject to section 1(10) above, of the borough or urban district the area of which or of part of which is co-extensive with that of the parish, or
  - (b) the power to make changes in local government areas under Part IV above.
- 4 In this Part of this Schedule “borough” does not include a London borough or a borough which becomes a parish by virtue of section 1(9) above.

SCHEDULE 2

Section 8.

CONSTITUTION AND MEMBERSHIP OF GREATER  
LONDON COUNCIL AND LONDON BOROUGH COUNCILS

**PART I**

*Constitution*

- 1 <sup>F1</sup>(1) .....
- (2) For every London borough there shall be a council consisting of the mayor and councillors and the council shall exercise all such functions as are vested in the municipal corporation of the borough or in the council of the borough by this Act or otherwise.

*Status: Point in time view as at 02/05/2006.*

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**Textual Amendments**

**F1** Sch. 2 para. 1(1) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)

*Chairman and mayor*

- 2
- (1) The <sup>F2</sup> . . . mayor of a London borough shall be elected annually by the council from among the councillors.
  - (2) The <sup>F2</sup> . . . mayor shall, unless he resigns or becomes disqualified, continue in office until his successor becomes entitled to act as <sup>F2</sup> . . . mayor.
  - (3) During his term of office the <sup>F2</sup> . . . mayor shall continue to be a member of the council notwithstanding the provisions of this Schedule relating to the retirement of councillors.
  - (4) <sup>F2</sup> . . . a London borough council may pay the mayor, such allowance as the council think reasonable for the purpose of enabling the <sup>F2</sup> . . . mayor to meet the expenses of his office.
  - (5) The mayor of a London Borough shall have precedence in the borough, but not so as prejudicially to affect Her Majesty's royal prerogative.

**Textual Amendments**

**F2** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)

*Election of chairman and mayor*

- 3
- (1) The election of the <sup>F3</sup> . . . mayor shall be the first business transacted at the annual meeting of <sup>F3</sup> . . . a London borough council.
  - (2) If, apart from paragraph 2(3) above <sup>F3</sup> . . . , the person presiding at the meeting would have ceased to be a member of the council, he shall not be entitled to vote in the election except in accordance with sub-paragraph (3) below.
  - (3) In the case of an equality of votes the person presiding at the meeting shall give a casting vote in addition to any other vote he may have.

**Textual Amendments**

**F3** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)

<sup>F4</sup> . . . . .

**Textual Amendments**

**F4** Sch. 2 para. 4 repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)

*Status: Point in time view as at 02/05/2006.*

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*Power of mayor of London borough to appoint deputy*

- 5 (1) The mayor of a London borough may appoint a councillor of the borough to be deputy mayor, and the person so appointed shall, unless he resigns or becomes disqualified, hold office until a newly elected mayor becomes entitled to act as mayor (whether or not he continues until that time to be a councillor).
- (2) The appointment of a deputy mayor shall be signified to the council in writing and be recorded in the minutes of the council.
- (3) The deputy mayor may, if for any reason the mayor is unable to act or the office of mayor is vacant, discharge all functions which the mayor as such might discharge, except that he shall not take the chair at a meeting of the council unless specially appointed by the meeting to do so under paragraph 5 of Schedule 12 below.
- (4) A London borough council may pay the deputy mayor such allowance as the council think reasonable for the purpose of enabling him to meet the expenses of his office.

*<sup>F5</sup> Modifications of preceding provisions*

**Textual Amendments**

- F5** Sch. 2 paras. 5A-5I and cross heading inserted (26.10.2000) by 2000 c. 22, ss. 46, 108(4), Sch. 3 para. 13(1)(2); S.I. 2000/2849, art. 2(e)

- <sup>F6</sup>5A Where a London borough council are operating executive arrangements which involve a leader and cabinet executive—
- (a) paragraph 2 above shall have effect as if the following sub-paragraph were inserted after sub-paragraph (1)—
- “(1A) A member of the executive of a London borough council may not be elected as the mayor of the borough.”
- (b) paragraph 5 above shall have effect as if the following sub-paragraph were inserted after sub-paragraph (1)—
- “(1A) A member of the executive of a London borough council may not be appointed as the deputy mayor.”

**Textual Amendments**

- F6** Sch. 2 paras. 5A-5I and cross heading inserted (26.10.2000) by 2000 c. 22, ss. 46, 108(4), Sch. 3 para. 13(1)(2); S.I. 2000/2849, art. 2(e)

- <sup>F7</sup>5B Where a London borough council are operating executive arrangements which involve a mayor and cabinet executive or a mayor and council manager executive, the preceding provisions of this Schedule shall have effect with the modifications specified in paragraphs 5C to 5I below.

**Textual Amendments**

- F7** Sch. 2 paras. 5A-5I and cross heading inserted (26.10.2000) by 2000 c. 22, ss. 46, 108(4), Sch. 3 para. 13(1)(2); S.I. 2000/2849, art. 2(e)



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**F8**<sup>5C</sup> The council shall consist of an elected mayor, a chairman and councillors.

**Textual Amendments**

**F8** Sch. 2 paras. 5A-5I and cross heading inserted (26.10.2000) by 2000 c. 22, ss. 46, 108(4), Sch. 3 para. 13(1)(2); S.I. 2000/2849, art. 2(e)

**F9**<sup>5D</sup> Paragraphs 2(1) and 2(5) above shall have effect as if for the expression “mayor of a London borough” there were substituted “chairman of a London borough council”.

**Textual Amendments**

**F9** Sch. 2 paras. 5A-5I and cross heading inserted (26.10.2000) by 2000 c. 22, ss. 46, 108(4), Sch. 3 para. 13(1)(2); S.I. 2000/2849, art. 2(e)

**F10**<sup>5E</sup> Paragraph 2 above shall have effect as if the following sub-paragraph were inserted after sub-paragraph (1)—

(1A) A member of the executive of a London borough council may not be elected as the chairman of the council.

**Textual Amendments**

**F10** Sch. 2 paras. 5A-5I and cross heading inserted (26.10.2000) by 2000 c. 22, ss. 46, 108(4), Sch. 3 para. 13(1)(2); S.I. 2000/2849, art. 2(e)

**F11**<sup>5F</sup> Paragraphs 2(2) to (4) and 3 above shall have effect as if for any reference to “mayor” there were substituted “chairman”.

**Textual Amendments**

**F11** Sch. 2 paras. 5A-5I and cross heading inserted (26.10.2000) by 2000 c. 22, ss. 46, 108(4), Sch. 3 para. 13(1)(2); S.I. 2000/2849, art. 2(e)

**F12**<sup>5G</sup> Paragraph 2(5) above shall have effect as if it provided for the elected mayor to have precedence in the borough, but this paragraph shall not apply if the executive arrangements provide for it not to apply.

**Textual Amendments**

**F12** Sch. 2 paras. 5A-5I and cross heading inserted (26.10.2000) by 2000 c. 22, ss. 46, 108(4), Sch. 3 para. 13(1)(2); S.I. 2000/2849, art. 2(e)

**F13**<sup>5H</sup> Paragraph 5 above shall have effect as if for sub-paragraphs (1) to (3) there were substituted—

(1) A London borough council shall appoint a member of the council to be vice-chairman of the council.

(1A) A member of the executive of a London borough council may not be appointed as the vice-chairman of the council.

Status: Point in time view as at 02/05/2006.

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- (2) The vice-chairman shall, unless he resigns or becomes disqualified, hold office until immediately after the election of a chairman at the next annual meeting of the council and during that time shall continue to be a member of the council notwithstanding the provisions of this Schedule relating to the retirement of councillors.
- (3) Subject to any standing orders made by the council, anything authorised or required to be done by, to or before the chairman may be done by, to or before the vice-chairman.”

**Textual Amendments**  
**F13** Sch. 2 paras. 5A-5I and cross heading inserted (26.10.2000) by 2000 c. 22, ss. 46, 108(4), Sch. 3 para. 13(1)(2); S.I. 2000/2849, art. 2(e)

<sup>F14</sup>5J Paragraphs 5(4) above shall have effect as if for the expression “ deputy mayor” there were substituted “vice-chairman”.]

**Textual Amendments**  
**F14** Sch. 2 paras. 5A-5I and cross heading inserted (26.10.2000) by 2000 c. 22, ss. 46, 108(4), Sch. 3 para. 13(1)(2); S.I. 2000/2849, art. 2(e)

*Term of office and retirement of councillors*

- 6 (1) <sup>F15</sup>. . . London borough councillors shall be elected by the local government electors for <sup>F15</sup>. . . the borough, <sup>F15</sup>. . . , in accordance with this Act and Part I of the [<sup>F16</sup>Representation of the People Act 1983].
- <sup>F17</sup>(2) . . . . .
- (3) The ordinary election of London borough councillors shall take place in 1974 and [<sup>F18</sup>every fourth year] thereafter, their term of office shall be [<sup>F18</sup>four years] and they shall retire together in every [<sup>F18</sup>such fourth year] on the fourth day after the ordinary day of election of such councillors, and the newly elected councillors shall come into office on the day on which their predecessors retire.
- <sup>F19</sup>(4) . . . . .

**Textual Amendments**  
**F15** Words repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, Sch. 17  
**F16** Words substituted by Representation of the People Act 1983 (c. 2, SIF 42), s. 206, Sch. 8 para. 12  
**F17** Sch. 2 para. 6(2) repealed by Local Government (Interim Provisions) Act 1984 (c. 53, SIF 81:1), s. 2(4)  
**F18** Words substituted by S.I. 1976/213, art. 3  
**F19** Sch. 2 para. 6(4) repealed by Statute Law (Repeals) Act 1978 (c. 45), s. 1(1), Sch. 1 Pt. XII

**Modifications etc. (not altering text)**  
**C2** Sch. 1 para. 6 extended (24.6.2003) by The Uncertificated Securities (Amendment) (Eligible Debt Securities) Regulations 2003 (S.I. 2003/1633), reg. 15 {Sch. 2 para. 17}

*Status: Point in time view as at 02/05/2006.*

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*Electoral divisions and wards*

7 (1) Subject to the following provisions of this paragraph, for the purposes of the election of councillors—

<sup>F20</sup>(a) .....

(b) every London borough shall be divided into wards, each returning such number of councillors as is specified in any order made under [<sup>F21</sup>Part II of the Local Government Act 1992];

and there shall be a separate election for each <sup>F20</sup> . . . ward.

(2) Until provision is made as mentioned in sub-paragraph (1)(b) above by an order under [<sup>F21</sup>Part II of the Local Government Act 1992], the number of councillors for each ward in a London borough shall be such as is specified in the provision of the charter for the borough or, as the case may be, of an order under Part III of Schedule 1 to the 1963 Act amending that charter, which is in force on the coming into operation of Part IV of this Act.

<sup>F22</sup>(3) .....

**Textual Amendments**

**F20** Sch. 2 para. 7(1)(a) and words repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, Sch. 17

**F21** Words in Sch. 2 para. 7(1)(b)(2) substituted (31.10.1992) by Local Government Act 1992 (c. 19), s. 27(1), Sch. 3 para. 19(1)(2); S.I. 1992/2371, art.2

**F22** Sch. 2 paras. 7(3), 8 and Pt. II (paras. 9–14) repealed by Statute Law (Repeals) Act 1978 (c. 45), s. 1(1), Sch. 1 Pt. XII

<sup>F23</sup>g .....

**Textual Amendments**

**F23** Sch. 2 paras. 7(3), 8 and Pt. II (paras. 9–14) repealed by Statute Law (Repeals) Act 1978 (c. 45), s. 1(1), Sch. 1 Pt. XII

**PART II**

<sup>F24</sup>9–14 .....

**Textual Amendments**

**F24** Sch. 2 paras. 7(3), 8 and Pt. II (paras. 9–14) repealed by Statute Law (Repeals) Act 1978 (c. 45), s. 1(1), Sch. 1 Pt. XII

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SCHEDULE 3

ESTABLISHMENT OF NEW AUTHORITIES IN ENGLAND

*Division of non-metropolitan counties into districts*

- 1 (1) The English Commission shall as soon as practicable after the passing of this Act make proposals to the Secretary of State for the division of non-metropolitan counties into districts, for defining the areas of those districts and for naming them, and the Secretary of State may give the Commission directions for their guidance in making any such proposals.
- (2) The Secretary of State shall by order give effect to any proposals under this paragraph either as submitted to him or with modifications, but an order shall not be made under this paragraph defining the areas of non-metropolitan districts unless a draft of the order has been approved by resolution of each House of Parliament.
- (3) An order under this paragraph shall, notwithstanding that it applies only to one or some of the non-metropolitan counties, proceed in Parliament as if its provisions would, apart from this paragraph, require to be enacted by a public Bill.

*County and district councillors*

2 F25 .....

**Textual Amendments**  
**F25** Sch. 3 para. 2 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

- 3 (1) For the purpose of any election of such councillors before the relevant year of election each county or district shall be divided into such electoral areas as may be specified in an order made by the Secretary of State after carrying out either before or after the passing of this Act such consultations as he thinks appropriate.
- (2) An order under this paragraph for any area shall specify the number of councillors to be returned for each electoral area and there shall be a separate election of councillors for each electoral area; and section 6(2)(a) above shall not apply to any such election.
- (3) An order under this paragraph may contain such incidental, consequential, transitional or supplementary provision as may appear to the Secretary of State to be necessary or proper.

4 F26 .....

**Textual Amendments**  
**F26** Sch. 3 para. 4 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*First elections and meetings of new councils*

5 F27 .....

*Status: Point in time view as at 02/05/2006.*

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**Textual Amendments**

**F27** Sch. 3 paras. 4 - 9 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

6 **F28** .....

**Textual Amendments**

**F28** Sch. 3 paras. 4 - 9 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

7 **F29** .....

**Textual Amendments**

**F29** Sch. 3 paras. 4 - 9 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

8 **F30** .....

**Textual Amendments**

**F30** Sch. 3 paras. 4 - 9 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

9 **F31** .....

**Textual Amendments**

**F31** Sch. 3 paras. 4 - 9 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*Parish councillors*

- 10 (1) Until provision is made to the contrary under Part I [<sup>F32</sup> of this Act, Part II of the Local Government Act 1992 or Part II of the Local Government and Rating Act 1997]—
- (a) the number of councillors for a parish which immediately before the passing of this Act was a borough included in a rural district, not being a borough divided into wards, shall be the same as the number of councillors for that borough;
  - (b) where any such borough was immediately before the passing of this Act divided into wards for the purpose of elections to the council of the borough, the parish shall be divided into those wards for the purpose of elections of parish councillors and the number of councillors to be elected for each parish ward shall be the same as the number to be elected for the corresponding ward of the borough;

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- (c) the number of councillors for a parish which immediately before the passing of this Act was co-extensive with a rural district which is not divided into wards shall be the same as the number of councillors for that rural district; and
  - (d) where a rural district which is co-extensive with a parish was immediately before the passing of this Act divided into wards for the purpose of elections to the council of the rural district, the parish shall be divided into those wards for the purpose of elections of parish councillors and the number of councillors to be elected for each parish ward shall be the same as the number to be elected for the corresponding ward of the rural district.
- (2) Until provision is made to the contrary under Part I <sup>[F32]</sup> of this Act, Part II of the Local Government Act 1992 or Part II of the Local Government and Rating Act 1997], the provisions of this sub-paragraph shall have effect with respect to the number of councillors for a parish constituted under Part V of Schedule 1 above and having an area co-extensive with that of an existing borough or urban district, that is to say—
- (a) if the area of the parish is co-extensive with that of a borough not divided into wards, the number of councillors for the parish shall be the same as the total number of councillors and aldermen for the borough;
  - (b) if the area of the parish is co-extensive with that of a borough which is divided into wards, the parish shall be divided into the same wards for the purpose of elections of parish councillors and the number of councillors to be elected for each parish ward shall be four-thirds of the number of councillors for the corresponding ward of the borough;
  - (c) if the area of the parish is co-extensive with that of an urban district not divided into wards, the number of councillors for the parish shall be the same as the number of councillors for the urban district;
  - (d) if the area of the parish is co-extensive with that of an urban district which is divided into wards, the parish shall be divided into the same wards for the purpose of elections of parish councillors and the number of councillors to be elected for each parish ward shall be the same as the number of councillors for the corresponding ward of the urban district;
- and the numbers referred to in paragraphs (a) to (d) above shall be determined by reference to the electoral arrangements in the borough or urban district at the date on which the parish is constituted.
- (3) In the case of a parish constituted under Part V of Schedule 1 above and having an area co-extensive with part only of an existing borough or urban district, the Secretary of State shall by order make such provision with respect to—
- (a) the number of councillors for the parish as a whole,
  - (b) the division of the parish into wards, and
  - (c) if the parish is so divided, the number of councillors for each ward,
- as appears to him to correspond, in relation to the part of the existing borough or urban district concerned, to the provision made by paragraphs (a) to (d) of sub-paragraph (2) above in the case of a parish the area of which is co-extensive with that of the whole of an existing borough or urban district; and the provision made by any such order shall have effect until provision is made to the contrary under Part I <sup>[F32]</sup> of this Act, Part II of the Local Government Act 1992 or Part II of the Local Government and Rating Act 1997].

*Status: Point in time view as at 02/05/2006.*

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**Textual Amendments**

**F32** Words in [Sch. 3 para. 10\(1\)\(2\)\(3\)](#) substituted (19.5.1997) by [1997 c. 29, ss. 33\(1\), 34\(2\)](#), [Sch. 3 para. 10](#)

*Qualification for membership of local authority*

11 **F33** .....

**Textual Amendments**

**F33** [Sch. 3 para. 11](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), s. 1\(1\)](#), {[Sch. 1 Pt. 10 Group 1](#)}

*Suspension of elections*

12 (1) No election of councillors of an existing county, borough (other than a London borough or a borough included in a rural district) or urban or rural district other than a rural district which is co-extensive with a parish shall be held after the end of the year 1972 **F34** .....

(2) **F35** .....

(3) No election of parish councillors shall be held after the end of the year 1972 for any existing parish mentioned in paragraph 1 of Part IV of Schedule 1 to this Act.

(4) **F36** .....

(5) **F36** .....

(6) **F36** .....

(7) **F36** .....

(8) Any ordinary election of councillors of a borough included in a rural district or of a rural district which is co-extensive with a parish due (apart from this Act) to take place in May 1973 shall take place on the same day as the ordinary election in that year of councillors for the new district in which the borough or rural district is situated; and any councillor of any such borough or rural district who (apart from this Act) would ordinarily have retired on 20th May 1973 shall (unless he resigns his office or it otherwise becomes vacant) continue to hold office until the fourth day after the day on which the election of councillors takes place in pursuance of this sub-paragraph.

(9) The council of a borough included in a rural district shall, as from the date when the persons elected councillors of the borough in pursuance of sub-paragraph (8) above come into office, also be the council of the corresponding parish, and—

(a) the persons so elected shall also hold office as councillors of the corresponding parish and, in the case of a borough divided into wards, be deemed also to have been elected for the corresponding wards of the parish;

(b) **F37** .....

(c) **F37** .....

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- (10) Without prejudice to the continued operation, until its repeal by this Act, of section 43(3) of the 1933 Act (council of a rural district which is co-extensive with a parish to have the functions of, and to be deemed to be, the parish council) the council of a rural district which is co-extensive with a parish shall, as from the date when the persons elected councillors of the rural district in pursuance of sub-paragraph (8) above come into office, also be the council of the parish, and—
  - (a) the persons so elected shall also hold office as councillors of the parish and, in the case of a rural district divided into wards, be deemed also to have been elected for the corresponding wards of the parish;
  - (b) <sup>F38</sup> .....
  - (c) <sup>F38</sup> .....
- (11) <sup>F39</sup> .....
- (12) As respects an existing county or borough (other than a London borough)—
  - (a) no ordinary election of aldermen shall be held after the passing of this Act;
  - (b) <sup>F40</sup> .....
  - (c) <sup>F40</sup> .....
- (13) <sup>F41</sup> .....
- (14) The foregoing provisions of this paragraph shall have effect subject to the provisions of paragraphs 13 and 14 below.

<b>Textual Amendments</b>	
<b>F34</b>	Words in <a href="#">Sch. 3 para. 12(1)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}
<b>F35</b>	<a href="#">Sch. 3 para. 12(2)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}
<b>F36</b>	<a href="#">Sch. 3 para. 12(4)-(7)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}
<b>F37</b>	<a href="#">Sch. 3 para. 12(9)(b)(c)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}
<b>F38</b>	<a href="#">Sch. 3 para. 12(10)(b)(c)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}
<b>F39</b>	<a href="#">Sch. 3 para. 12(11)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}
<b>F40</b>	<a href="#">Sch. 3 para. 12(12)(b)(c)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}
<b>F41</b>	<a href="#">Sch. 3 para. 12(13)</a> repealed (22.7.2004) by <a href="#">Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)</a> , {Sch. 1 Pt. 10 Group 1}

- 13 (1) The provisions of this paragraph shall apply in relation to a parish constituted under Part V of Schedule 1 above and falling within paragraph 10(2) above and also in relation to the borough or urban district the area of which is co-extensive with that of the parish; and, in relation to such a parish,—
  - (a) references in this paragraph to the order are references to the order under the said Part V constituting the parish, and



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- (b) references in this paragraph to the borough or urban district are references to the borough or urban district the area of which is co-extensive with that of the parish.
- (2) As from the date specified in the order, the parish councillors shall be the aldermen and councillors for the time being of the borough or as the case may be, the councillors for the time being of the urban district, and, if the parish is divided into wards in accordance with paragraph 10(2) above—
- (a) the councillors of the borough or urban district, in their capacity as parish councillors, shall be treated as having been elected for the wards of the parish corresponding to the wards of the borough or urban district for which they were elected; and
  - (b) in the case of a borough, each of the aldermen shall be treated, in his capacity as a parish councillor, as having been elected for such ward of the parish as shall be determined at a meeting of the parish council held within fourteen days after the date specified in the order.
- (3) <sup>F42</sup> .....
- (4) <sup>F42</sup> .....
- (5) <sup>F42</sup> .....
- (6) Where this paragraph applies to a parish, sub-paragraph (12)(c) and (13) of paragraph 12 above shall not apply in relation to the borough or urban district, as the case may be; and in the case of a borough any person appointed to fill a casual vacancy in the office of alderman of the borough shall be treated, in his capacity as a parish councillor, as having been elected for the same ward of the parish as that for which his predecessor as alderman was treated as having been elected by virtue of sub-paragraph (2)(b) above or this sub-paragraph.

**Textual Amendments**

**F42** Sch. 3 para. 13(3)-(5) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

- 14 In the case of a parish constituted under Part V of Schedule 1 above and falling within paragraph 10(3) above, the Secretary of State shall by order make such provision in relation to the councillors of the parish, the chairman and vice-chairman of the parish council and the aldermen and councillors of the borough, or as the case may be the councillors of the urban district, concerned as appears to him to be appropriate to secure for the parish and that borough or urban district a result corresponding, so far as practicable, with that produced in the case of a parish falling within paragraph 10(2) above, by sub-paragraphs (2) to (6) of paragraph 13 above.

*Annual meetings*

- 15 <sup>F43</sup> .....

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**Textual Amendments**  
**F43** Sch. 3 paras. 15-17 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

16 F44 .....

**Textual Amendments**  
**F44** Sch. 3 paras. 15-17 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

17 F45 .....

**Textual Amendments**  
**F45** Sch. 3 paras. 15-17 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*Supplementary*

- 18 In this Schedule “relevant year of election” means—
- (a) in relation to county councillors, the first ordinary year of election of such councillors occurring after the making of the order constituting the new electoral divisions of the county as the result of the review of county electoral arrangements under Schedule 9 to this Act;
  - (b) in relation to district councillors, the first ordinary year of election of such councillors occurring after the making of the order constituting the new wards of the district in consequence of the review of district electoral arrangements under that Schedule.

SCHEDULE 4

Section 20.

LOCAL GOVERNMENT AREAS IN WALES

<sup>F46</sup>PART I

COUNTIES

**Textual Amendments**  
**F46** Sch. 4 Pt. I substituted (5.7.1994) by 1994 c. 19, ss. 1(2), 66(2)(b), Sch. 1 para. 1 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

**Name** **Area**

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Anglesey Sir Fôn	The district of Ynys Môn Isle of Anglesey.
Caernarfonshire and Merionethshire Sir Gaernarfon a Meirionnydd	The districts of Arfon, Dwyfor, and Meirionnydd.
Cardiff Caerdydd	The district of Cardiff, together with (from the district of Taff-Ely) the community of Pentyrch.
Cardiganshire Sir Aberteifi	The district of Ceredigion.
Carmarthenshire Sir Gaerfyrddin	The districts of Carmarthen, Llanelli and Dinefwr.
Denbighshire Sir Ddinbych	The district of Rhuddlan, together with (from the district of Glyndwjr) the communities of Aberwheeler, Cynwyd, Llandrillo, Henllan, Denbigh, Llandyrnog, Llangynhafal, Llanynys, Llanrhaeadr-yng-Nghinmeirch, Nantglyn, Cyffylliog, Ruthin, Llanbedr Dyffryn Clwyd, Llanferres, Clocaenog, Efenechtyd, Llandegla, Llanfair Dyffryn Clwyd, Llanarmon-yn-Iajl, Llanellidan, Derwen, Betws Gwerfil Goch, Gwyddelwern, Bryneglwys, Corwen, Llantysilio, Llangollen and Llangollen Rural with (from the district of Colwyn) the communities of Trefnant and Cefnmeiriadog.
Flintshire Sir y Fflint	The districts of Alyn and Deeside and Delyn.
Monmouthshire Sir Fynwy	The district of Monmouth together with (from the district of Blaenau Gwent) the community of Llanelly.
Pembrokeshire Sir Benfro	The districts of Preseli Pembrokeshire and South Pembrokeshire, together with Caldey Island and St Margaret's Island.
Powys Powys	The districts of Montgomeryshire, Radnorshire and Brecknock, together with (from the district of Glyndwjr) the communities of Llanrhaeadr-ym-Mochnant, Llansilin and Llangedwyn.
Swansea Abertawe	The district of Swansea, together with (from the district of Lliw Valley) the communities of Gowerton, Llchwyr, Gorseinon, Grovesend, Pontardulais, Mawr, Pont-Lliw, Penllergaer, Llangyfelach and Clydach.]

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## [<sup>F47</sup>PART II

### COUNTY BOROUGHES

#### Textual Amendments

**F47** Sch. 4 Pt. II substituted (5.7.1994) by 1994 c. 19, ss. 1(2), 66(2)(b), **Sch. 1 para. 2** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

Name	Area
Aberconwy and Colwyn Aberconwy a Cholwyn	The districts of Aberconwy and Colwyn, but excluding (from the district of Colwyn) the communities of Cefnmeiriadog and Trefnant.
Blaenau Gwent Blaenau Gwent	The district of Blaenau Gwent (excluding the community of Llanelly).
Bridgend Pen-y-bont ar Ogwr	The district of Ogwr, but excluding the communities of Wick, St Bride's Major and Ewenny.
Caerphilly Caerffili	The districts of Islwyn and Rhymney Valley.
Merthyr Tydfil Merthyr Tudful	The district of Merthyr Tydfil.
Neath and Port Talbot Castell-nedd a Phort Talbot	The districts of Neath and Port Talbot, together with (from the district of Lliw Valley) the communities of Pontardawe, Gwaun-Cae-Gurwen, Cwmllynfell, Ystalyfera and Cilybebyll.
Newport Casnewydd	The district of Newport.
Rhondda, Cynon, Taff Rhondda, Cynon, Taf	The districts of Rhondda, Cynon Valley, and Taff-Ely, but excluding (from the district of Taff-Ely) the community of Pentyrch.
Torfaen Tor-faen	The district of Torfaen.
The Vale of Glamorgan Bro Morgannwg	The district of Vale of Glamorgan, together with (from the district of Ogwr) the communities of Wick, St Bride's Major and Ewenny.
Wrexham Wrecsam	The district of Wrexham Maelor, together with (from the district of Glyndwjr) the communities of Chirk, Glyntraian, Llansantffraid Glyn Ceiriog, and Ceiriog Ucha.]

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### [<sup>F48</sup>PART III

#### THE PRESERVED COUNTIES AND THEIR AREAS

##### Textual Amendments

**F48** Sch. 4 Pt. III substituted (5.7.1994) by 1994 c. 19, ss. 1(2), 66(2)(b), **Sch. 1 para. 3** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

Name	Area
Clwyd	The county of Clwyd, but excluding the communities of Llanrhaeadr-ym-Mochnant, Llansilin and Llangedwyn.
Dyfed	The county of Dyfed.
Gwent	The county of Gwent.
Gwynedd	The county of Gwynedd.
Mid Glamorgan Morgannwg Ganol	The county of Mid Glamorgan, but excluding the communities of Wick, St Bride's Major, Ewenny and Pentyrch.
Powys	The county of Powys with the addition of the communities of Llanrhaeadr-ym-Mochnant, Llansilin and Llangedwyn from the county of Clwyd.
South Glamorgan De Morgannwg	The county of South Glamorgan with the addition of the communities of Wick, St Bride's Major, Ewenny and Pentyrch from the county of Mid Glamorgan.
West Glamorgan Gorllewin Morgannwg.	The county of West Glamorgan.]

### <sup>F49</sup>PART IV

##### Textual Amendments

**F49** Sch. 4 Pt. IV repealed (1.10.1995) by 1994 c. 19, s. 66(5)(8), Sch. 15 para. 58, **Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/2490, art. 5(1), **Sch. 3**

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## [<sup>F50</sup>SCHEDULE 5

### ESTABLISHMENT OF NEW PRINCIPAL COUNCILS

#### Textual Amendments

**F50** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

#### <sup>F51</sup>Election of councillors

#### Textual Amendments

**F51** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

<sup>F52</sup><sub>1</sub> The elections of councillors of the new principal councils which are to be held in 1995 shall be held on a date fixed by the Secretary of State by order.

#### Textual Amendments

**F52** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

#### <sup>F53</sup>Electoral divisions

#### Textual Amendments

**F53** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

- <sup>F54</sup><sub>2</sub>
- (1) For the purpose of any election of such councillors, each principal area shall be divided into electoral divisions specified in an order made by the Secretary of State after carrying out (either before or after the passing of the Local Government (Wales) Act 1994) such consultations as he thinks appropriate.
  - (2) An order under this paragraph for any area shall specify the number of councillors to be returned for each electoral division.
  - (3) There shall be a separate election of councillors for each electoral division.
  - (4) An order under this paragraph may contain such incidental, consequential, transitional or supplemental provision as the Secretary of State considers appropriate.

#### Textual Amendments

**F54** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

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*F55 First elections of new councils*

**Textual Amendments**

**F55** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

3 F56 .....

**Textual Amendments**

**F56** Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*F57 Declarations of acceptance of office*

**Textual Amendments**

**F57** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

4 F58 .....

**Textual Amendments**

**F58** Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*F59 First meetings of new principal councils*

**Textual Amendments**

**F59** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

5 F60 .....

**Textual Amendments**

**F60** Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

6 F61 .....

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**Textual Amendments**

**F61** Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

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F62

**Textual Amendments**

**F62** Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*F63 Qualification for membership*

**Textual Amendments**

**F63** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

8

F64

**Textual Amendments**

**F64** Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*F65 Suspension of elections*

**Textual Amendments**

**F65** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

9

F66

**Textual Amendments**

**F66** Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*F67 Appropriate transition committee*

**Textual Amendments**

**F67** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))



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10 F68 ..... ]

**Textual Amendments**

**F68** Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*Qualification for membership of local authority*

.....

*Suspension of elections*

.....

*Annual meetings*

.....

*Supplemental*

.....

**F69** SCHEDULE 6

.....

**Textual Amendments**

**F69** Sch. 6 repealed by Representation of the People Act 1983 (c. 2, SIF 42), s. 206, **Sch. 9 Pt. II**

**F70** SCHEDULE 7

.....

**Textual Amendments**

**F70** Sch. 7 repealed (31.10.1992) by Local Government Act 1992 (c. 19), s. 29(2), **Sch. 4 Pt. II**; S.I. 1992/2371, **art.2**

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## SCHEDULE 8

Section 53.

### CONSTITUTION AND PROCEEDINGS OF THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR WALES

- 1 (1) The Commission shall be a body corporate consisting of a chairman, a deputy chairman and not more than three other members.
- (2) At least one of the members of the Commission shall be a person able to speak the Welsh language.
- (3) The members of the Commission shall be appointed by the Secretary of State and shall hold and vacate office in accordance with the terms of their respective appointments.
- (4) The common seal of the Commission shall be authenticated by the signature of a member of the Commission or of some other person authorised in that behalf by the Commission.
- 2 There shall be paid to each member of the Commission such salary or fees and allowances as may from time to time be determined by the Secretary of State with the consent of the Minister for the Civil Service.
- 3 (1) The Secretary of State may appoint, to assist and advise the Commission in the exercise of the Commission's functions, such persons as he thinks fit, being persons having expert knowledge likely to be of value to the Commission.
- (2) There shall be paid to persons appointed under this paragraph such fees and allowances as may from time to time be determined by the Secretary of State with the consent of the Minister for the Civil Service.
- 4 At any meeting of the Commission two shall be the quorum.
- 5 All acts done at a meeting of the Commission shall, notwithstanding that it is afterwards discovered that there was a defect in the appointment of a person purporting to be a member of the Commission, be as valid as if the defect had not existed.
- 6 Subject to the preceding provisions of this Schedule and to the provisions of, and of any regulations made or directions given under, Part IV of this Act, the procedure of the Commission at and in connection with their meetings shall be such as they may from time to time determine.
- Officers and servants, remuneration and expenses*
- 7 (1) The Secretary of State may appoint a secretary to the Commission and such other officers and servants of the Commission as he may, with the approval of the Minister for the Civil Service, determine.
- (2) Before appointing a person to be a secretary to the Commission, the Secretary of State shall consult with the Commission.
- (3) The terms and conditions of appointment of any person appointed under this paragraph shall be determined by the Secretary of State with the approval of the Minister for the Civil Service.
- 8 The expenses of the Commission including—
- (a) the salaries, fees and allowances of its members,

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- (b) the remuneration and any expenses paid to an assistant commissioner, [<sup>F71</sup> and]
  - (c) the remuneration and any expenses paid to the secretary and other officers and servants of the Commission. <sup>F72</sup> . . .
  - <sup>F73</sup>(d) . . . . .
- together with the fees and allowances paid to persons appointed under paragraph 3 above, shall be defrayed out of moneys provided by [<sup>F74</sup>the National Assembly for Wales].

**Textual Amendments**

- F71** Word in Sch. 8 para. 8(b) added (1.10.1995) by 1994 c. 19, s. 66(5), **Sch. 15 para. 59(a)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/2490, art. 5, **Sch. 3**
- F72** Word in Sch. 8 para. 8(c) repealed (1.10.1995) by 1994 c. 19, s. 66(5)(8), Sch. 15 para. 59(b), **Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/2490, art. 5, **Sch. 3**
- F73** Sch. 8 para. 8(d) repealed (1.10.1995) by 1994 c. 19, s. 66(5)(8), Sch. 15 para. 59(b), **Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/2490, art. 5, **Sch. 3**
- F74** Words in Sch. 8 para. 8 substituted (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**

*Proof of documents*

- 9 (1) Every document purporting to be an instrument made or issued by the Commission and to be duly sealed with the seal of the Commission or to be signed by the secretary or any person authorised to act in that behalf shall be received in evidence and, unless the contrary is proved, shall be deemed to be an instrument made or issued by the Commission.
- (2) Prima facie evidence of any such instrument may in any legal proceedings be given by the production of a document purporting to be certified by or on behalf of the secretary of the Commission to be a true copy of the instrument.

<sup>F75</sup>SCHEDULE 9

**Textual Amendments**

- F75** Sch. 9 repealed (31.10.1992) by Local Government Act 1992 (c. 19), s. 29(2), **Sch. 4 Pt.II**; S.I. 1992/2371, **art. 2**

<sup>F76</sup>SCHEDULE 10

*Status: Point in time view as at 02/05/2006.*

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### Textual Amendments

**F76** Sch. 10 (paras. 1-15) repealed (1.10.1995) by 1994 c. 19, s. 66(5)(8), Sch. 15 para. 60, **Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/2490, art. 5, **Sch. 3**

## SCHEDULE 11

Section 78.

### RULES TO BE OBSERVED IN CONSIDERING ELECTORAL ARRANGEMENTS

### Modifications etc. (not altering text)

**C3** Sch. 11 applied (6.3.1992) by **Local Government Act 1992 (c. 19), s. 27(2)**

### *Counties*

- 1 (1) This paragraph applies to the consideration by <sup>F77</sup> . . . either of the Commissions of the electoral arrangements for elections of county councillors [<sup>F78</sup>but does not apply in relation to any county in Wales].
- (2) Having regard to any change in the number or distribution of the local government electors of the county likely to take place within the period of five years immediately following the consideration—
- (a) the number of local government electors shall be, as nearly as may be, the same in every electoral division of the county;
  - (b) every electoral division shall lie wholly within a single district;
  - (c) every ward of a parish <sup>F79</sup> . . . having a parish or community council (whether separate or common) shall lie wholly within a single electoral division; and
  - (d) every parish <sup>F80</sup> . . . which is not divided into parish or community wards shall lie wholly within a single electoral division.
- (3) Subject to sub-paragraph (2) above, in considering the electoral arrangements referred to in sub-paragraph (1) above regard shall be had to—
- (a) the desirability of fixing boundaries which are and will remain easily identifiable;
  - (b) any local ties which would be broken by the fixing of any particular boundary; and
  - (c) the boundaries of the wards of the districts in the county.

### Textual Amendments

**F77** Words in Sch. 11 para. 1(1) omitted (1.4.2002) by virtue of S.I. 2001/3962, art. 9, **Sch. 2 para. 2(2)**

**F78** Words in Sch. 11 para. 1(1) added (5.7.1994) by 1994 c. 19, **ss. 7(2)(a)**, 66(2)(a) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

**F79** Words in Sch. 11 para. 1(2)(c) omitted (5.7.1994) by virtue of 1994 c. 19, **ss. 7(2)(b)**, 66(2)(a) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)) (and expressed to be repealed (1.4.1996) by 1994 c. 19, s. 66(8), **Sch. 18**; S.I. 1996/396, art. 4, **Sch. 2**)

*Status: Point in time view as at 02/05/2006.*

*Changes to legislation: Local Government Act 1972 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**F80** Words in Sch. 11 para. 1(2)(d) omitted (5.7.1994) by virtue of 1994 c. 19, ss. 7(2)(b), 66(2)(a) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)) (and expressed to be repealed (1.4.1996) by 1994 c. 19, s. 66(8), Sch. 18; S.I. 1996/396, art. 4, Sch. 2)

*[<sup>F81</sup>Welsh counties and county boroughs]*

**Textual Amendments**

**F81** Sch. 11 para. 1A and preceding cross-heading inserted (5.7.1994) by 1994 c. 19, ss. 7(3), 66(2)(a) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

- <sup>F82</sup>1A (1) This paragraph applies to the consideration by the Secretary of State or the Welsh Commission of the electoral arrangements for elections of councillors for principal areas in Wales.
- (2) Subject to any direction under sub-paragraph (3) below, the Welsh Commission shall, when considering the arrangements for elections of councillors for any principal area in Wales, provide for there to be a single member for each electoral division.
  - (3) The Secretary of State may give a direction to the Welsh Commission requiring it to consider the desirability of providing for multi-member electoral divisions for the area to which the direction relates (which may be the whole or a specified part of a principal area in Wales).
  - (4) For the purposes of this paragraph, an electoral division is a multi-member division if the arrangements made for the elections of councillors provide for a specified number of councillors (greater than one) to be elected for that division.
  - (5) Having regard to any change in the number or distribution of the local government electors of the principal area likely to take place within the period of five years immediately following the consideration—
    - (a) subject to paragraph (b), the number of local government electors shall be, as nearly as may be, the same in every electoral division in the principal area;
    - (b) where there are one or more multi-member divisions, the ratio of the number of local government electors to the number of councillors to be elected shall be, as nearly as may be, the same in every electoral division in the principal area (including any that are not multi-member divisions);
    - (c) every ward of a community having a community council (whether separate or common) shall lie wholly within a single electoral division; and
    - (d) every community which is not divided into community wards shall lie wholly within a single electoral division.
  - (6) Subject to sub-paragraph (5) above, in considering the electoral arrangements referred to in sub-paragraph (1) above, regard shall be had to—
    - (a) the desirability of fixing boundaries which are and will remain easily identifiable; and
    - (b) any local ties which would be broken by the fixing of any particular boundary.]

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#### Textual Amendments

**F82** Sch. 11 para. 1A inserted (5.7.1994) by 1994 c. 19, **ss. 7(3), 66(2)(a)** (with **ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)**)

#### Modifications etc. (not altering text)

**C4** Sch. 11 para. 1A: power to transfer or modify functions conferred (30.11.2000 for specified purposes otherwise prosp.) by 2000 c. 41, **ss. 20(3)(b), 163(2)(3)(d)** (with **s. 156(6)**)

<sup>F83</sup>2 . . . . .

#### Textual Amendments

**F83** Sch. 11 para. 2 repealed by **Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, Sch. 17**

### *Districts and London boroughs*

- 3 (1) This paragraph applies to the consideration by <sup>F84</sup>. . . either of the Commissions of the electoral arrangements for elections of councillors of a district or London borough.
- (2) Having regard to any change in the number or distribution of the local government electors of the district or borough likely to take place within the period of five years immediately following the consideration—
- (a) the ratio of the number of local government electors to the number of councillors to be elected shall be, as nearly as may be, the same in every ward of the district or borough;
  - (b) in a district every ward of a parish <sup>F85</sup>. . . having a parish <sup>F85</sup>. . . council (whether separate or common) shall lie wholly within a single ward of the district;
  - (c) in a district every parish <sup>F86</sup>. . . which is not divided into parish <sup>F86</sup>. . . wards shall lie wholly within a single ward of the district.
- (3) Subject to sub-paragraph (2) above, in considering the electoral arrangements referred to in sub-paragraph (1) above, regard shall be had to—
- (a) the desirability of fixing boundaries which are and will remain easily identifiable; and
  - (b) any local ties which would be broken by the fixing of any particular boundary.

#### Textual Amendments

**F84** Words in **Sch. 11 para. 3(1)** omitted (1.4.2002) by virtue of S.I. 2001/3962, art. 9, **Sch. 2 para. 2(3)**

**F85** Words in **Sch. 11 para. 3(2)(b)** repealed (1.10.1995) by 1994 c. 19, s. 66(5)(8), **Sch. 15 para. 61, Sch. 18** (with **ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)**); S.I. 1995/2490, art. 5, **Sch. 3**

**F86** Words in **Sch. 11 para. 3(2)(c)** repealed (1.10.1995) by 1994 c. 19, s. 66(5)(8), **Sch. 15 para. 61, Sch. 18** (with **ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)**); S.I. 1995/2490, art. 5, **Sch. 3**

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*Parishes and communities*

- 4 (1) This paragraph applies to the consideration <sup>F87</sup> . . . , by either of the Commissions [<sup>F88</sup> by a Welsh principal council] or by a district council of the electoral arrangements for a parish or community having a parish or community council (whether separate or common).
- (2) In considering whether any such parish or community is to be divided into parish or community wards, regard shall be had to the questions whether—
- (a) the number or distribution of the local government electors for the parish or community is such as to make a single election of parish or community councillors impracticable or inconvenient; and
  - (b) it is desirable that any area or areas of the parish or community should be separately represented on the parish or community council.
- (3) Where it is decided to divide any such parish or community into parish or community wards, in considering the size and boundaries of the wards and in fixing the number of parish or community councillors to be elected for each ward, regard shall be had to—
- (a) any change in the number or distribution of the local government electors of the parish or community which is likely to take place within the period of five years immediately following the consideration;
  - (b) the desirability of fixing boundaries which are and will remain easily identifiable; and
  - (c) any local ties which will be broken by the fixing of any particular boundaries.
- (4) Where it is decided not to divide the parish or community into parish or community wards, in fixing the number of councillors to be elected for each parish or community regard shall be had to the number and distribution of the local government electors of the parish or community and any change in either which is likely to take place within the period of five years immediately following the fixing of the number of parish or community councillors.

**Textual Amendments**

**F87** Words in Sch. 11 para. 4(1) omitted (1.4.2002) by virtue of S.I. 2001/3962, art. 9, **Sch. 2 para. 2(4)**

**F88** Words in Sch. 11 para. 4 inserted (5.7.1994) by 1994 c. 19, **ss. 7(4), 66(2)(a)** (with **ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)**)

<sup>F89</sup>5 . . . . .

**Textual Amendments**

**F89** Sch. 11 para. 5 (inserted by **Local Government Act 1985 (c. 51, SIF 81:1), s. 19(5)(6), Sch. 9 Pt. II para. 2(8)**) repealed by **Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), Sch. 13 Pt. I**

*Status: Point in time view as at 02/05/2006.*

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## SCHEDULE 12

Section 99.

## MEETINGS AND PROCEEDINGS OF LOCAL AUTHORITIES

**Modifications etc. (not altering text)**

- C5** Sch. 12 modified (5.11.2008) by [The Local Elections \(Ordinary Day of Elections in 2009\) Order 2008 \(S.I. 2008/2857\)](#), [art. 6](#)
- C6** Sch. 12 excluded by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), [ss. 1](#), 86(9)
- C7** Sch. 12 modified by [S.I. 1987/2110](#), [art. 2\(2\)](#), [Sch. 1 para. 2\(4\)](#)
- C8** Sch. 12 applied with modifications by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), [s. 160\(2\)](#)
- Sch. 12: power conferred to make provisions about matters of the kind dealt with in this Schedule (1.9.1997) by [1997 c. 50](#), [s. 44\(1\)](#), [Sch. 4\(a\)\(ii\)](#); [S.I. 1997/1930](#), [art. 2\(1\)\(2\)\(m\)](#)

## PART I

## PRINCIPAL COUNCILS

**Modifications etc. (not altering text)**

- C9** Sch. 12 Pt.I applied (07.08.1991) by [S.I. 1991/1773](#), [arts. 6](#), 8, [Sch. 1](#).  
Sch. 12 Pt.I: certain functions transferred (subject to modifications) (07.08.1991) by [S.I. 1991/1773](#), [arts. 6](#), 8, [Sch. 1](#).
- C10** Sch. 12 Pt.I applied (10.01.1992) by [S.I. 1991/2913](#), [arts. 6](#), 8, [Sch. 1](#).  
Sch. 12 Pt.I: certain functions transferred (subject to modifications) (10.01.1992) by [S.I. 1991/2913](#), [arts. 6](#), 8, [Sch. 1](#).

- 1 (1) A principal council shall in every year hold an annual meeting.
- (2) The annual meeting of a principal council <sup>F90</sup> . . . shall be held—
- (a) in a year of ordinary elections of councillors to the council, on the eighth day after the day of retirement of councillors or such other day within the twenty-one days immediately following the day of retirement as the council may fix;
- [<sup>F91</sup>(aa) in a year of an election for the return of an elected mayor to the council, which is not a year of ordinary elections of councillors to the council, on the eighth day after the day of retirement of an elected mayor or such other day within the twenty-one days immediately following the day of retirement as the council may fix;]
- (b) in any other year, on such day in the month of March, April or May as the council may fix.
- <sup>F92</sup>(3) . . . . .
- (4) An annual meeting of a principal council shall be held at such hour as the council may fix, or if no hour is so fixed at twelve noon.

**Textual Amendments**

- F90** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), [ss. 1](#), 102, [Sch. 17](#)



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**F91** Sch. 12 para. 1(2)(aa) inserted (E.) (6.5.2002) by [The Local Authorities \(Executive Arrangements\) \(Modification of Enactments\) \(England\) Order 2002 \(S.I. 2002/1057\)](#), [art. 6](#)

**F92** Sch. 12 para. 1(3) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)

**Modifications etc. (not altering text)**

**C11** Sch. 12 para. 1 applied (with modifications) (1.5.2000 for specified purposes and otherwise 3.7.2000) by [1999 c. 29, s. 328](#), [Sch. 28](#), [para. 10\(1\)](#) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/1094](#), [arts. 3\(a\)\(b\)](#), [4\(a\)\(g\)](#)

**C12** Sch. 12 para. 1(2)(b) modified (10.4.2001 with effect for the year 2001) by [2001 c. 7, s. 1\(6\)](#)

- 2 (1) A principal council may in every year hold, in addition to the annual meeting, such other meetings as they may determine.
- (2) Those other meetings shall be held at such hour and on such days as the council may determine.

**Modifications etc. (not altering text)**

**C13** Sch. 12 paras. 2-5 applied (with modifications) (1.5.2000 for specified purposes otherwise 3.7.2000) by [1999 c. 29, s. 328](#), [Sch. 28 para. 10\(2\)](#) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/1094](#), [arts. 3\(a\)\(b\)](#), [4\(a\)\(g\)](#)

- 3 (1) An extraordinary meeting of a principal council may be called at any time by the chairman of the council.
- (2) If the chairman refuses to call an extraordinary meeting of a principal council after a requisition for that purpose, signed <sup>F93</sup> . . . by five members of the council, has been presented to him, or if, without so refusing, the chairman does not call an extraordinary meeting within seven days after the requisition has been presented to him, then <sup>F93</sup> . . . any five members of the council, on that refusal or on the expiration of those seven days, as the case may be, may forthwith call an extraordinary meeting of the council.

**Textual Amendments**

**F93** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)

**Modifications etc. (not altering text)**

**C14** Sch. 12 paras. 2-5 applied (with modifications) (1.5.2000 for specified purposes otherwise 3.7.2000) by [1999 c. 29, s. 328](#), [Sch. 28 para. 10\(2\)](#) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/1094](#), [arts. 3\(a\)\(b\)](#), [4\(a\)\(g\)](#)

- 4 (1) Meetings of a principal council shall be held at such place, either within or without their area, as they may direct.
- (2) Three clear days at least before a meeting of a principal council—
- (a) notice of the time and place of the intended meeting shall be published at the council's offices, and where the meeting is called by members of the council the notice shall be signed by those members and shall specify the business proposed to be transacted thereat; and
- (b) a summons to attend the meeting, specifying the business to be transacted thereat, and signed by the proper officer of the council, shall, subject to subparagraph (3) below, be left at or sent by post to the usual place of residence of every member of the council.

*Status: Point in time view as at 02/05/2006.*

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- (3) If a member of a principal council gives notice in writing to the proper officer of the council that he desires summonses to attend meetings of the council to be sent to him at some address specified in the notice other than his place of residence, any summons addressed to him and left at or sent by post to that address shall be deemed sufficient service of the summons.
- (4) Want of service of a summons on any member of a principal council shall not affect the validity of a meeting of the council.
- (5) Except in the case of business required by or under this or any other Act to be transacted at the annual meeting of a principal council and other business brought before that meeting as a matter of urgency in accordance with the council’s standing orders, no business shall be transacted at a meeting of the council other than that specified in the summons relating thereto.

**Modifications etc. (not altering text)**

- C15** Sch. 12 paras. 2-5 applied (with modifications) (1.5.2000 for specified purposes and 3.7.2000 otherwise) by 1999 c. 29, s. 328, **Sch. 28 para. 10(2)** (with Sch. 12 para. 9(1)); S.I. 2000/1094, **arts. 3(a)(b), 4(a)(g)**
- C16** Sch. 12 para. 4(2) excluded by **Local Government Act 1985 (c. 51, SIF 81:1), s. 86(9)**
- C17** Sch. 12 para. 4(2) restricted by **S.I. 1985/1884, art. 11(3)**

[<sup>F94</sup>4A (1) The Secretary of State may by order amend paragraph 4(2) above so as to substitute for the reference to three clear days such greater number of days as may be specified in the order.

(2) Any statutory instrument containing an order under sub-paragraph (1) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

**Textual Amendments**

- F94** Sch. 12 para. 4A inserted (1.10.2000 (E.) and 28.7.2001 (W.)) by 2000 c. 22, **ss. 98(1)(2), 108(4); S.I. 2000/2187, art. 3**

- 5 (1) At a meeting of a principal council the chairman, if present, shall preside.
- (2) If the chairman is absent from a meeting of a principal council, then—
  - (a) <sup>F95</sup> . . . , the vice-chairman of the council, if present, shall preside;
  - <sup>F96</sup>(b) . . . . .
  - (c) in the case of a London borough council, the deputy mayor, if at that time he remains a councillor <sup>F97</sup> . . . and is chosen for that purpose by the members of the council then present, shall preside.
- (3) If—
  - (a) in the case of a principal council <sup>F98</sup> . . . , both the chairman and vice-chairman of the council are absent from a meeting of the council;
  - <sup>F99</sup>(b) . . . . .
  - (c) in the case of a London borough council, the mayor and deputy mayor are so absent or the deputy mayor being present is not chosen;

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another member of the council chosen by the members of the council present shall preside.

[<sup>F100</sup>(4) A member of an executive of a principal council may not be chosen to preside under sub-paragraph (3) above.

<sup>F100</sup>(5) Sub-paragraphs (2)(c) and (3)(c) above do not apply where a London borough council are operating executive arrangements which involve a mayor and cabinet executive or a mayor and council manager executive. ”]

**Textual Amendments**

- F95** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**
- F96** Sch. 12 para. 5(2)(b) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**
- F97** Words repealed by [S.I. 1977/1710](#), **art. 3(c)**
- F98** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**
- F99** Sch. 12 para. (3)(b) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**
- F100** Sch. 12 para. 5(4)(5) inserted (26.10.2000 (E.) and 28.7.2001 (W.)) by [2000 c. 22](#), ss. 46, 108(4), **Sch. 3 para. 14(1)(2)**; [S.I. 2000/2849](#), **art. 2(e)**

**Modifications etc. (not altering text)**

- C18** Sch. 12 paras. 2-5 applied (with modifications)(1.5.2000 for specified purposes otherwise 3.7.2000) by [1999 c. 29](#), s. 328, **Sch. 28 para. 10(2)** (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/1094](#), **arts. 3(a)(b)**, 4(a)(g)

6 Subject to paragraph 45 below, no business shall be transacted at a meeting of a principal council unless at least one quarter of the whole number of members of the council are present.

**Modifications etc. (not altering text)**

- C19** Sch. 12 para. 6 applied (with modifications)(8.1.1996) by [1995 c. x](#), ss. 1(3), 44, **Sch. Pt. II**

[<sup>F101</sup>**PART IA**

JOINT AUTHORITIES AND INNER LONDON EDUCATION AUTHORITY

**Textual Amendments**

- F101** Sch. 12 Pt. IA inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 84, **Sch. 14 para. 35(2)**

[<sup>F102</sup>6A(1) Paragraph 1 above applies to a joint authority [<sup>F103</sup>or a police authority established under [<sup>F104</sup>section 3 of the Police Act 1996][<sup>F105</sup>or the Metropolitan Police Authority]. . . as it applies to a principal council, except that the annual meeting of the authority shall be held on such day between 1st March and 30th June (both inclusive) as the authority may fix.

<sup>F106</sup>(2) . . . . .]

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### Textual Amendments

- F102** Sch. 12 para. 6A substituted by [Local Government Act 1986 \(c. 10, SIF 81:1\), s. 10\(3\)](#)
- F103** Words in Sch. 12 para. 6A(1) inserted (1.4.1995) by [1994 c.29, s. 43, Sch. 4 Pt. I para. 15\(2\)](#); [S.I. 1994/3262, art. 4\(1\), Sch.](#)
- F104** Words in Sch. 12 para. 6A(1) substituted (22.8.1996) by [1996 c. 16, ss. 103\(1\), 104\(1\), Sch. 7 Pt. I para. 1\(2\)\(h\)](#)
- F105** Words in Sch. 12 para. 6A(1) inserted (3.7.2000) by [1999 c. 29, s. 325, Sch. 27 para. 36\(1\)\(2\)](#) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/1648, art. 2, Sch.](#)
- F106** Sch. 12 para. 6A(2) repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\), ss. 231\(7\), 235\(6\), 237\(2\), Sch. 13 Pt. I](#)

### Modifications etc. (not altering text)

- C20** Sch. 12 para. 6A amended by [S.I. 1985/1884, arts. 10, 11\(3\), Sch. 3 para. 1\(p\)](#)
- C21** Sch. 12 para. 6A modified by [S.I. 1987/2110, art. 2\(2\), Sch. 1 para. 3\(o\)](#)  
Sch. 12 para. 6A excluded (10.5.2000) by [S.I. 2000/1095, art. 5\(2\)](#)
- C22** Sch. 12 para. 6A(1) modified (25.5.2001 with effect for the year 2001) by [S.I. 2001/1630, art. 2](#)  
Sch. 12 para. 6A(1) modified (13.3.2004) by [S.I. 2004/222, art. 4\(2\)](#)

6B The other provisions of Part I of this Schedule shall apply to an authority mentioned in paragraph 6A above as they apply to a principal council except that

- <sup>F107</sup>(a) [ the number of members mentioned in paragraph 3(2) shall be three <sup>F108</sup>,  
and <sup>F109</sup> . . . ]
- <sup>F108</sup>(b) in the case of a police authority established under <sup>F110</sup>section 3 of the Police Act 1996<sup>F111</sup> and the Metropolitan Police Authority<sup>F112</sup>, . . . subparagraphs (2) and (3) of paragraph 5 shall not apply and if the chairman is absent from a meeting of such an authority <sup>F113</sup>the following person shall preside—
- (i) in a case in which only one vice-chairman is present at the meeting, that vice-chairman;
- (ii) in a case in which more than one vice-chairman is present at the meeting, the vice-chairman chosen by the members present; and
- (iii) in any other case, the member chosen by the members present;]. . .
- (c) <sup>F114</sup> . . . . .]

### Textual Amendments

- F107** Word in Sch. 12 para. 6B inserted (1.10.1994 for specified purposes otherwise 1.4.1995) by [1994 c. 29, s. 43, Sch. 4 Pt. I para. 15\(3\)\(a\)](#); [S.I. 1994/2025, art. 6](#); [S.I. 1994/3262, art. 4\(1\), Sch.](#)
- F108** Sch. 12 para. 6B(b) and preceding word substituted (1.10.1994 for specified purposes otherwise 1.4.1995) for words by [1994 c. 29, s. 43, Sch. 4 Pt. I para. 15\(3\)\(b\)](#); [S.I. 1994/2025, art. 6](#); [S.I. 1994/3262, art. 4\(1\), Sch.](#)
- F109** Words repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\), ss. 231\(7\), 235\(6\), 237\(2\), Sch. 13 Pt. I](#)
- F110** Words in Sch. 12 para. 6B(b) substituted (22.8.1996) by [1996 c. 16, ss. 103\(1\), 104\(1\), Sch. 7 Pt. I para. 1\(2\)\(h\)](#)
- F111** Words in Sch. 12 para. 6B inserted (3.7.2000) by [1999 c. 29, s. 325, Sch. 27 para. 36\(1\)\(3\)](#) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/1648, art. 2, Sch.](#)
- F112** Words in Sch. 12 para. 6B(b) repealed (1.4.2002) by [2001 c. 16, ss. 128, 137, 138\(2\)-\(4\), Sch. 6 para. 32\(b\)\(i\), Sch. 7 Pt. 5\(1\)](#); [S.I. 2002/344, art. 3\(j\)\(k\)\(m\)](#) (with transitional provisions in [art. 4](#))

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**F113** Words in Sch. 12 para. 6B(b) and Sch. 12 para. 6B(b)(i)-(iii) substituted (19.6.2001) by 2001 c. 16, s. 104(9); S.I. 2001/2223, art. 2(1)(b)

**F114** Sch. 12 para. 6B(c) and preceding word repealed (1.4.2002) by 2001 c. 16, ss. 128, 137, 138(2), Sch. 6 para. 32(b)(ii), Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(j)(k)(m) (with transitional provisions in art.4)

**Modifications etc. (not altering text)**

**C23** Sch. 12 para. 6B modified by S.I. 1985/1884, arts. 10, 11(3), Sch. 3 para. 3(c) and by S.I. 1987/2110, art. 2(2), Sch. 1 para. 3(o)

## PART II

### PARISH COUNCILS

- 7 (1) A parish council shall in every year hold an annual meeting.
- (2) In a year which is a year of ordinary elections of parish councillors, the annual meeting of a parish council shall be held on, or within fourteen days after, the day on which the councillors elected at that election take office, and in any other year the annual meeting shall be held on such day in May as the parish council may determine.
- (3) The annual meeting of a parish council shall be held at such hour as the council may fix or, if no hour is so fixed, 6 o'clock in the evening.

**Modifications etc. (not altering text)**

**C24** Sch. 12 para. 7(2) modified (25.5.2001 with effect for the year 2001) by S.I. 2001/1630, art. 3

- 8 (1) A parish council shall in every year hold, in addition to the annual meeting, such other meetings (not less than three) as they may determine.
- (2) Those other meetings shall be held at such hour and on such days as the council may determine.
- 9 (1) An extraordinary meeting of a parish council may be called at any time by the chairman of the council.
- (2) If the chairman refuses to call an extraordinary meeting of the council after a requisition for that purpose, signed by two members of the council, has been presented to him, or if, without so refusing, the chairman does not call an extraordinary meeting within seven days after such a requisition has been presented to him, any two members of the council, on that refusal or on the expiration of those seven days, as the case may be, may forthwith convene an extraordinary meeting of the council.
- 10 (1) Meetings of a parish council shall be held at such place, either within or without their area, as they may direct, but shall not be held in [<sup>F115</sup>premises which at the time of such a meeting may, by virtue of a premises licence or temporary event notice under the Licensing Act 2003, be used for the supply of alcohol (within the meaning of section 14 of that Act)] unless no other suitable room is available either free of charge or at a reasonable cost.
- (2) Three clear days at least before a meeting of a parish council—
- (a) notice of the time and place of the intended meeting shall be fixed in some conspicuous place in the parish and, where the meeting is called by members

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- of the council, the notice shall be signed by those members and shall specify the business proposed to be transacted at the meeting; and
- (b) a summons to attend the meeting, specifying the business proposed to be transacted at the meeting and signed by the proper officer of the council, shall be left at or sent by post to the usual place of residence of every member of the council.
- (3) Want of service of any such summons as is referred to in sub-paragraph (2)(b) above on any member of the parish council concerned shall not affect the validity of the meeting.

#### Textual Amendments

**F115** Words in Sch. 12 para. 10(1) substituted (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), ss. 198, 201(2), [Sch. 6 para. 61\(2\)\(a\)](#) (with ss. 2(3), 15(2), 195); S.I. 2005/3056, [art. 2\(2\)](#)

#### Modifications etc. (not altering text)

**C25** Sch. 12 para. 10 applied (4.3.1996) by [S.I. 1996/263](#), [reg. 8\(5\)](#)

**C26** Sch. 12 para. 10 applied (1.4.2009) by [The Charter Trustees Regulations 2009 \(S.I. 2009/467\)](#), regs. 8(5), 9(3)

- 11 (1) At a meeting of a parish council the chairman of the council, if present, shall preside.
- (2) If the chairman of the council is absent from a meeting of the council, the vice-chairman of the council, if present, shall preside.
- (3) If both the chairman and vice-chairman of the council are absent from a meeting of the council, such councillor as the members of the council present shall choose shall preside.
- 12 Subject to paragraph 45 below, no business shall be transacted at a meeting of a parish council unless at least one-third of the whole number of members of the council are present at the meeting; but, notwithstanding anything in that paragraph, in no case shall the quorum be less than three.
- 13 (1) Unless otherwise provided by the council's standing orders the manner of voting at meetings of a parish council shall be by a show of hands.
- (2) On the requisition of any member of the council the voting on any question shall be recorded so as to show whether each member present and voting gave his vote for or against that question.

#### Modifications etc. (not altering text)

**C27** Sch. 12 para. 13(1) applied (1.4.2009) by [The Charter Trustees Regulations 2009 \(S.I. 2009/467\)](#), regs. 8(5), 9(7)

### PART III

#### PARISH MEETINGS

- 14 (1) The parish meeting of a parish shall assemble annually on some day between 1st March and 1st June, both inclusive, in every year.



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- (2) Subject to sub-paragraph (1) above and to sub-paragraph (3) below, parish meetings shall be held on such days and at such times as may be fixed by the parish council or, if there is no parish council, by the chairman of the parish meeting.
- (3) In a parish which does not have a separate parish council the parish meeting shall, subject to any provision made by a grouping order, assemble at least twice in every year.
- (4) The proceedings at a parish meeting shall not commence earlier than 6 o'clock in the evening.
- (5) A parish meeting shall not be held in [<sup>F116</sup>premises which at the time of the meeting may, by virtue of a premises licence or temporary event notice under the Licensing Act 2003, be used for the supply of alcohol (within the meaning of section 14 of that Act)] , except in cases where no other suitable room is available for such a meeting either free of charge or at a reasonable cost.

#### Textual Amendments

**F116** Words in Sch. 12 para. 14(5) substituted (24.11.2005) by [Licensing Act 2003 \(c. 17\), ss. 198, 201\(2\), Sch. 6 para. 61\(3\)\(a\)](#) (with [ss. 2\(3\), 15\(2\), 195](#)); [S.I. 2005/3056, art. 2\(2\)](#)

#### Modifications etc. (not altering text)

**C28** Sch. 12 para. 14(1) modified (13.3.2004) by [The Local Elections \(Ordinary Day of Election 2004\) Order 2004 \(S.I. 2004/222\), art. 4\(3\)](#)

- 15 (1) A parish meeting may be convened by—
  - (a) the chairman of the parish council, or
  - (b) any two parish councillors for the parish, or
  - (c) where there is no parish council, the chairman of the parish meeting or any person representing the parish on the district council, or
  - (d) any six local government electors for the parish.
- (2) Not less than seven clear days, or, in a case falling within sub-paragraph (3) below, not less than fourteen clear days, before a parish meeting, public notice of the meeting shall be given, specifying the time and place of the intended meeting and the business to be transacted at the meeting, and signed by the person or persons convening the meeting.
- (3) The fourteen-day period of notice specified in sub-paragraph (2) above is applicable if any business proposed to be transacted at a parish meeting relates to—
  - (a) the establishment or dissolution of a parish council, or
  - (b) the grouping of the parish with another parish or parishes under a common parish council.
- (4) Public notice of a parish meeting shall be given—
  - (a) by posting a notice of the meeting in some conspicuous place or places in the parish, and
  - (b) in such other manner, if any, as appears to the person or persons convening the meeting to be desirable for giving publicity to the meeting.
- 16 The chairman of a parish council shall be entitled to attend a parish meeting for the parish (or, where a grouping order is in force, for any of the parishes comprised in

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- the group) whether or not he is a local government elector for the parish, but if he is not such an elector he shall not be entitled to give any vote at the meeting other than any casting vote which he may have by virtue of paragraph 18(3) below.
- 17 (1) In a parish having a separate parish council the chairman of the parish council, if present, shall preside at a parish meeting and if he is absent the vice-chairman (if any) shall, if present, preside.
- (2) In a parish which does not have a separate parish council the chairman chosen for the year in question under section 15(10) or 88(3) above, if present, shall preside.
- (3) If the chairman and the vice-chairman of the parish council or the chairman of the parish meeting, as the case may be, is absent from an assembly of the parish meeting, the parish meeting may appoint a person to take the chair, and that person shall have, for the purposes of that meeting, the powers and authority of the chairman.
- 18 (1) Subject to the provisions of this Act, each local government elector may, at a parish meeting or at a poll consequent thereon, give one vote and no more on any question.
- (2) A question to be decided by a parish meeting shall, in the first instance, be decided by the majority of those present at the meeting and voting thereon, and the decision of the person presiding at the meeting as to the result of the voting shall be final unless a poll is demanded.
- (3) In the case of an equality of votes, the person presiding at the meeting shall have a casting vote, in addition to any other vote he may have.
- (4) A poll may be demanded before the conclusion of a parish meeting on any question arising at the meeting; but no poll shall be taken unless either the person presiding at the meeting consents or the poll is demanded by not less than ten, or one-third, of the local government electors present at the meeting, whichever is the less.
- (5) A poll consequent on a parish meeting shall be a poll of those entitled to attend the meeting as local government electors, and shall be taken by ballot in accordance with rules made by the Secretary of State, and the provisions of the rules with respect to the elections of parish councillors under [F117 section 36 of the Representation of the People Act 1983 and of the enactments mentioned in section 187(1) of that Act] shall, subject to any adaptations, alterations or exceptions made by the first-mentioned rules, apply in the case of a poll so taken as if it were a poll for the election of parish councillors.
- (6) Rules made under sub-paragraph (5) above shall be laid before each House of Parliament as soon as may be after they are made.

#### Textual Amendments

F117 Words substituted by [Representation of the People Act 1983 \(c. 2, SIF 42\), s. 206, Sch. 8 para. 14](#)

- 19 (1) Minutes of the proceedings of a parish meeting, or a committee thereof, shall be drawn up and entered in a book provided for the purpose and shall be signed at the same or the next following assembly of the parish meeting, or, as the case may be, meeting of the committee, by the person presiding at the meeting, and any minute purporting to be so signed shall be received in evidence without further proof.
- (2) Until the contrary is proved, a parish meeting, or a meeting of a committee thereof, in respect of the proceedings of which a minute has been made and signed as mentioned



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- in sub-paragraph (1) above shall be deemed to have been duly convened and held, and all the persons present at the meeting shall be deemed to have been duly qualified, and where the proceedings are those of a committee, the committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.
- 20 (1) Subject to the provisions of this Act, in a parish having a separate parish council the parish council may make, vary and revoke standing orders for the regulation of proceedings and business at parish meetings for the parish.
- (2) In a parish which does not have a separate parish council, the parish meeting may, subject to the provisions of this Act, regulate their own proceedings and business.
- 21 (1) Any ballot boxes, fittings and compartments provided for parliamentary elections out of moneys provided by Parliament may on request be lent to the returning officer at a poll consequent on a parish meeting on such terms and conditions as the Treasury may determine.
- (2) Any ballot boxes, fittings and compartments provided by or belonging to a local authority shall, on request and if not required for immediate use by that authority, be lent as aforesaid on such terms and conditions as may be agreed.
- 22 If any person, in a poll consequent on a parish meeting—
- (a) fraudulently defaces or fraudulently destroys any ballot paper or the official mark; or
- (b) without due authority supplies a ballot paper to any person; or
- (c) fraudulently puts into a ballot box any paper other than the ballot paper which he is authorised by law to put in; or
- (d) fraudulently takes out of the polling station any ballot paper; or
- (e) without due authority destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the poll;
- he shall—
- (i) if he is a returning officer, or an authorised person appointed to assist in taking the poll or counting the votes, be liable on conviction on indictment to imprisonment for a term not exceeding two years; and
- (ii) in any other case, be liable, on conviction on indictment or summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding £50, or both.

## PART IV

### COMMUNITY COUNCILS

- 23 (1) A community council shall in every year hold an annual meeting.
- (2) In a year which is a year of ordinary elections of community councillors, the annual meeting of a community council shall be held on, or within fourteen days after, the day on which the councillors elected at that election take office, and in any other year the annual meeting shall be held on such day in May as the community council may determine.
- (3) The annual meeting of a community council shall be held at such hour as the council may fix or, if no hour is so fixed, 6 o'clock in the evening.

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#### Modifications etc. (not altering text)

**C29** Sch. 12 para. 23(2) modified (25.5.2001 with effect for the year 2001) by [S.I. 2001/1630](#), [art. 4](#)

- 24 (1) A community council may in every year hold, in addition to the annual meeting, such other meetings as the council may determine to hold for the transaction of their business.
- (2) Any of those other meetings shall be held at such hour and on such day as the council may determine.
- 25 (1) An extraordinary meeting of a community council may be called at any time by the chairman of the council.
- (2) If the chairman refuses to call an extraordinary meeting of the council after a requisition for that purpose, signed by two members of the council, has been presented to him, or if, without so refusing, the chairman does not call an extraordinary meeting within seven days after such a requisition has been presented to him, any two members of the council, on that refusal or on the expiration of those seven days, as the case may be, may forthwith convene an extraordinary meeting of the council.
- 26 (1) Meetings of the community council shall be held at such place, either within or without their area, as they may direct, but shall not be held in <sup>F118</sup>premises which at the time of such a meeting may, by virtue of a premises licence or temporary event notice under the Licensing Act 2003, be used for the supply of alcohol (within the meaning of section 14 of that Act) unless no other suitable room is available either free of charge or at a reasonable cost.
- (2) Three clear days at least before a meeting of a community council—
- (a) notice of the time and place of the intended meeting shall be fixed in some conspicuous place in the community and, where the meeting is called by members of the council, the notice shall be signed by those members and shall specify the business proposed to be transacted at the meeting; and
- (b) a summons to attend the meeting, specifying the business proposed to be transacted at the meeting and signed by the proper officer of the council, shall be left at or sent by post to the usual place of residence of every member of the council.
- (3) Want of service of any such summons as is referred to in sub-paragraph (2)(b) above on any member of the community council concerned shall not affect the validity of the meeting.

#### Textual Amendments

**F118** Words in Sch. 12 para. 26(1) substituted (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), ss. 198, 201(2), [Sch. 6 para. 61\(2\)\(b\)](#) (with ss. 2(3), 15(2), 195); [S.I. 2005/3056](#), [art. 2\(2\)](#)

- 27 (1) At a meeting of a community council the chairman of the council, if present, shall preside.
- (2) If the chairman of the council is absent from a meeting of the council, the vice-chairman of the council, if present, shall preside.

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- (3) If both the chairman and the vice-chairman of the council are absent from a meeting of the council, such councillor as the members of the council present shall choose shall preside.
- 28 Subject to paragraph 45 below, no business shall be transacted at a meeting of a community council unless at least one-third of the whole number of members of the council are present at the meeting; but, notwithstanding anything in that paragraph, in no case shall the quorum be less than three.
- 29 (1) Unless otherwise provided by the council's standing orders the manner of voting at meetings of a community council shall be by a show of hands.
- (2) On the requisition of any member of the council the voting on any question shall be recorded so as to show whether each member present and voting gave his vote for or against that question.

## PART V

### COMMUNITY MEETINGS

- 30 (1) A community meeting may be convened at any time—
- (a) in a case where there is a community council, by the chairman of the council or by any two councillors representing the community on the council, and
  - (b) in any case, by any six local government electors for the community.
- [<sup>F119</sup>(2) Except in a case falling within sub-paragraph (3) below, public notice of any community meeting shall be given not less than 7 clear days before the meeting.
- (3) Where any business proposed to be transacted at a community meeting relates to any of the matters mentioned in section 29B(4) of this Act, public notice of the meeting shall be given not less than 30 clear days before the meeting.
- (3A) The notice required by sub-paragraph (2) or (3) above shall—
- (a) specify the time and place of the intended meeting;
  - (b) specify the business to be transacted at the meeting; and
  - (c) be signed by the person or persons convening the meeting.]
- (4) Public notice of a community meeting shall be given—
- (a) by posting a notice of the meeting in some conspicuous place or places in the community, and
  - (b) in such other manner, if any, as appears to the person or persons convening the meeting to be desirable for giving publicity to the meeting.

#### Textual Amendments

**F119** Sch. 12 para. 30(2)(3)(3A) substituted (1.4.1996) for Sch. 12 para. 30(2)(3) by 1994 c. 19, s. 12(2); S.I. 1995/3198, art. 3, Sch. 1

- 31 The chairman of a community council shall be entitled to attend a community meeting for the community (or, where a grouping order is in force, for any of the communities comprised in the group) whether or not he is a local government elector for the community, but if he is not such an elector he shall not be entitled

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to give any vote at the meeting other than any casting vote which he may have by virtue of paragraph 34(3) below.

- 32 (1) The proceedings at a community meeting shall not commence earlier than 6 o'clock in the evening.
- (2) A community meeting shall not be held in [<sup>F120</sup>premises which at the time of the meeting may, by virtue of a premises licence or temporary event notice under the Licensing Act 2003, be used for the supply of alcohol (within the meaning of section 14 of that Act)], except in cases where no other suitable room is available for such a meeting either free of charge or at a reasonable cost.

#### Textual Amendments

**F120** Words in Sch. 12 para. 32(2) substituted (24.11.2005) by [Licensing Act 2003 \(c. 17\), ss. 198, 201\(2\), Sch. 6 para. 61\(3\)\(b\)](#) (with [ss. 2\(3\), 15\(2\), 195](#)); [S.I. 2005/3056, art. 2\(2\)](#)

- 33 (1) In a community for which there is a community council, the chairman of the council, if present, shall preside at a community meeting.
- (2) In any other case, a community meeting shall appoint a person to be chairman at that meeting.
- 34 (1) Subject to the provisions of this Act, each local government elector may, at a community meeting or at a poll consequent thereon, give one vote and no more on any question.
- (2) A question to be decided by a community meeting shall, in the first instance, be decided by the majority of those present at the meeting and voting thereon, and the decision of the person presiding at the meeting as to the result of the voting shall be final unless a poll is demanded.
- (3) In the case of an equality of votes, the person presiding at the meeting shall have a casting vote, in addition to any other vote he may have.
- (4) A poll may be demanded before the conclusion of a community meeting on any question arising at the meeting; but no poll shall be taken unless either the person presiding at the meeting consents or the poll is demanded by not less than ten, or one-third, of the local government electors present at the meeting, whichever is the less.
- (5) A poll consequent on a community meeting shall be a poll of those entitled to attend the meeting as local government electors, and shall be taken by ballot in accordance with rules made by the Secretary of State, and the provisions of the rules with respect to elections of community councillors under section 42 above and of the enactments mentioned in section 165(1) of the <sup>M3</sup>Representation of the People Act 1949 shall, subject to any adaptations, alterations or exceptions made by the first-mentioned rules, apply in the case of a poll so taken as if it were a poll for the election of community councillors.
- (6) Rules made under sub-paragraph (5) above shall be laid before each House of Parliament as soon as may be after they are made.

#### Marginal Citations

**M3** 1949 c. 68.

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- 35 (1) Minutes of the proceedings of a community meeting shall be drawn up and entered in a book provided for the purpose by the proper officer of the community council where there is one or, where there is not, the proper officer of the council of the [<sup>F121</sup>principal area] in which the community is situated and shall be signed at the conclusion of the community meeting by the person presiding at the meeting, and any minute purporting to be so signed shall be received in evidence without further proof.
- (2) Until the contrary is proved, a community meeting in respect of the proceedings of which a minute has been made and signed as mentioned in sub-paragraph (1) above shall be deemed to have been duly convened and held, and all the persons present at the meeting shall be deemed to have been duly qualified.

#### Textual Amendments

**F121** Words in Sch. 12 para. 35(1) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 62**; S.I. 1996/396, art. 4, **Sch. 2**

- 36 Subject to the provisions of this Act a community meeting may regulate their own proceedings and business.
- 37 (1) Any ballot boxes, fittings and compartments provided for parliamentary elections out of moneys provided by Parliament may on request be lent to the returning officer at a poll consequent on a community meeting on such terms and conditions as the Treasury may determine.
- (2) Any ballot boxes, fittings and compartments provided by or belonging to a local authority shall, on request and if not required for immediate use by that authority, be lent as aforesaid on such terms and conditions as may be agreed.
- 38 If any person, in a poll consequent on a community meeting—
- (a) fraudulently defaces or fraudulently destroys any ballot paper or the official mark; or
  - (b) without due authority supplies a ballot paper to any person; or
  - (c) fraudulently puts into a ballot box any paper other than the ballot paper which he is authorised by law to put in; or
  - (d) fraudulently takes out of the polling station any ballot paper; or
  - (e) without due authority destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the poll;
- he shall—
- (i) if he is a returning officer, or an authorised person appointed to assist in taking the poll or counting the votes, be liable on conviction on indictment to imprisonment for a term not exceeding two years; and
  - (ii) in any other case, be liable, on conviction on indictment or summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding £50, or both.

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## PART VI

### PROVISIONS RELATING TO LOCAL AUTHORITIES GENERALLY

#### Modifications etc. (not altering text)

- C30** Sch. 12 Pt. VI applied (10.01.1992) by S.I. 1991/2913, arts. 6, 8, **Sch. 1**.  
Sch. 12 Pt. VI: certain functions transferred (subject to modifications) (10.01.1992) by S.I. 1991/2913, arts. 6, 8, **Sch.1**.
- C31** Sch. 12 Pt. VI applied (07.08.1991) by S.I.1991/1773, art. 6, 8, **Sch. 1**.  
Sch. 12 Pt. VI: certain functions transferred (subject to modifications) (07.08.1991) by S.I.1991/1773, arts. 6, 8, **Sch. 1**.
- C32** Sch. 12 Pt. VI (paras. 39–45) applied with modifications by **Norfolk and Suffolk Broads Act 1988 (c. 4, SIF 81:1), ss. 1(7), 23(2), 27(2), Sch. 1 para. 4(8)**  
Sch. 12 Pt. VI (paras. 39-45) extended (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 12(1)(a)**  
Sch. 12 Pt. VI (paras. 39-45) applied (with modifications)(5.12.1995) by S.I. 1995/3127, art. 2, **Sch. para. 20(1)**; S.I. 1995/3132, art. 2, **Sch. para. 20(1)**; S.I. 1995/3133, art. 2, **Sch. para. 20(1)**  
Sch. 12 Pt. VI (paras. 39-45) applied (with modifications)(11.12.1995) by S.I. 1995/3218, art. 2, **Sch. para. 20(1)**; S.I. 1995/3229, art. 2, **Sch. para. 20(1)**; S.I. 1995/3230, art. 2, **Sch. para. 20(1)**  
Sch. 12 Pt. VI (paras. 39-45) applied (with modifications)(20.11.1996) by S.I. 1996/2912, art. 2, **Sch. para. 20(1)**; S.I. 1996/2916, art. 2, **Sch. para. 20(1)**; S.I. 1996/2917, art. 2, **Sch. para. 20(1)**; S.I. 1996/2918, art. 2, **Sch. para. 20(1)**; S.I. 1996/2919, art. 2, **Sch. para. 20(1)**; S.I. 1996/2920, art. 2, **Sch. para. 20(1)**; S.I. 1996/2921, art. 2, **Sch. para. 20(1)**; S.I. 1996/2922, art. 2, **Sch. para. 20(1)**; S.I. 1996/2923, art. 2, **Sch. para. 20(1)**; S.I. 1996/2924, art. 2, **Sch. para. 20(1)**  
Sch. 12 Pt. VI applied (1.5.2000 for specified purposes otherwise 3.7.2000) by 1999 c. 29, s. 328, **Sch. 28 para. 10(4)** (with Sch. 12 para. 9(1)); S.I. 2000/1094, arts. 3(a)(b), 4(a)(g)
- C33** Sch. 12 Pt. 6 applied (with modifications) (20.11.2006) by **The Devon and Somerset Fire and Rescue Authority (Combination Scheme) Order 2006 (S.I. 2006/2790), arts. 1(2), 2, Sch. para. 15**

- 39 (1) Subject to the provisions of any enactment (including any enactment in this Act) all questions coming or arising before a local authority shall be decided by a majority of the members of the authority present and voting thereon at a meeting of the authority.
- (2) Subject to those provisions in the case of an equality of votes, the person presiding at the meeting shall have a second or casting vote.

#### Modifications etc. (not altering text)

- C34** Sch. 12 paras. 39-43 applied (with modifications)(8.1.1996) by 1995 c. x, ss. 1(3), 44, **Sch. Pt. II**  
Sch. 12 paras. 39-44 applied (4.3.1996) by S.I. 1996/263, **reg. 8(9)**
- C35** Sch. 12 paras. 39-44 applied (1.4.2009) by **The Charter Trustees Regulations 2009 (S.I. 2009/467), regs. 8(5), 9(7)**
- C36** Sch. 12 paras. 39-43 applied (12.11.2009 for certain purposes and otherwise prosp.) by **Marine and Coastal Access Act 2009 (c. 23), ss. 151(7)(a), 324(1)(c)(3)** (with ss. 172(3), 185)
- C37** Sch. 12 para. 39(1) excluded (3.7.2000) by 1999 c. 29, s. 244(8)(b) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**

- 40 The names of the members present at a meeting of a local authority shall be recorded.

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#### Modifications etc. (not altering text)

- C38** Sch. 12 paras. 39-43 applied (with modifications)(8.1.1996) by 1995 c. x, ss. 1(3), 44, **Sch. Pt. II**  
Sch. 12 paras. 39-44 applied (4.3.1996) by S.I. 1996/263, **reg. 8(9)**
- C39** Sch. 12 paras. 39-44 applied (1.4.2009) by [The Charter Trustees Regulations 2009](#) (S.I. 2009/467), regs. 8(5), 9(7)
- C40** Sch. 12 paras. 39-43 applied (12.11.2009 for certain purposes and otherwise prosp.) by [Marine and Coastal Access Act 2009](#) (c. 23), **ss. 151(7)(a), 324(1)(c)(3)** (with ss. 172(3), 185)

- 41 (1) Minutes of the proceedings of a meeting of a local authority shall, subject to sub-paragraph (2) below, be drawn up and entered in a book kept for that purpose and shall be signed at the same or next [<sup>F122</sup>suitable] meeting of the authority by the person presiding thereat, and any minute purporting to be so signed shall be received in evidence without further proof.
- (2) Notwithstanding anything in any enactment or rule of law to the contrary, the minutes of the proceedings of meetings of a local authority may be recorded on loose leaves consecutively numbered, the minutes of the proceedings of any meeting being signed, and each leaf comprising those minutes being initialled, at the same or next [<sup>F122</sup>suitable] meeting of the authority, by the person presiding thereat, and any minute purporting to be so signed shall be received in evidence without further proof.
- (3) Until the contrary is proved, a meeting of a local authority a minute of whose proceedings has been made and signed in accordance with this paragraph shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified.
- [<sup>F123</sup>(4) For the purposes of sub-paragraphs (1) and (2) above the next suitable meeting of a local authority is their next following meeting or, where standing orders made by the authority in accordance with regulations under section 20 of the Local Government and Housing Act 1989 provide for another meeting of the authority to be regarded as suitable, either the next following meeting or that other meeting.]

#### Textual Amendments

- F122** Words in Sch. 12 para. 41(1)(2) substituted (8.5.1992) by [Local Government and Housing Act 1989](#) (c. 42, SIF 81:1), s. 194(1), **Sch. 11 para. 30**; S.I. 1992/760, **art.2**.
- F123** Sch. 12 para. 41(4) inserted (8.5.1992) by [Local Government and Housing Act 1989](#) (c. 42, SIF 81:1), s. 194(1), **Sch. 11 para. 30**; S.I. 1992/760, **art.2**.

#### Modifications etc. (not altering text)

- C41** Sch. 12 paras. 39-43 applied (with modifications)(8.1.1996) by 1995 c. x, ss. 1(3), 44, **Sch. Pt. II**  
Sch. 12 paras. 39-44 applied (4.3.1996) by S.I. 1996/263, **reg. 8(9)**
- C42** Sch. 12 paras. 39-44 applied (1.4.2009) by [The Charter Trustees Regulations 2009](#) (S.I. 2009/467), regs. 8(5), 9(7)
- C43** Sch. 12 paras. 39-43 applied (12.11.2009 for certain purposes and otherwise prosp.) by [Marine and Coastal Access Act 2009](#) (c. 23), **ss. 151(7)(a), 324(1)(c)(3)** (with ss. 172(3), 185)

- 42 Subject to the provisions of this Act, a local authority may make standing orders for the regulation of their proceedings and business and may vary or revoke any such orders.



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**Modifications etc. (not altering text)**

- C44** Sch. 12 paras. 39-43 applied (with modifications)(8.1.1996) by 1995 c. x, ss. 1(3), 44, **Sch. Pt. II**  
Sch. 12 paras. 39-44 applied (4.3.1996) by S.I. 1996/263, **reg. 8(9)**  
Sch. 12 para. 42 applied (10.5.2000) by S.I. 2000/1095, **art. 6(5)(d)**  
Sch. 12 para. 42: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, **reg. 2(1), Sch. 1**
- C45** Sch. 12 paras. 39-44 applied (1.4.2009) by **The Charter Trustees Regulations 2009** (S.I. 2009/467), **regs. 8(5), 9(7)**
- C46** Sch. 12 paras. 39-43 applied (12.11.2009 for certain purposes and otherwise prosp.) by **Marine and Coastal Access Act 2009** (c. 23), **ss. 151(7)(a), 324(1)(c)(3)** (with ss. 172(3), 185)

- 43 The proceedings of a local authority shall not be invalidated by any vacancy among their number or by any defect in the election or qualifications of any member thereof.

**Modifications etc. (not altering text)**

- C47** Sch. 12 paras. 39-43 applied (with modifications)(8.1.1996) by 1995 c. x, ss. 1(3), 44, **Sch. Pt. II**  
Sch. 12 paras. 39-44 applied (4.3.1996) by S.I. 1996/263, **reg. 8(9)**
- C48** Sch. 12 paras. 39-44 applied (1.4.2009) by **The Charter Trustees Regulations 2009** (S.I. 2009/467), **regs. 8(5), 9(7)**
- C49** Sch. 12 paras. 39-43 applied (12.11.2009 for certain purposes and otherwise prosp.) by **Marine and Coastal Access Act 2009** (c. 23), **ss. 151(7)(a), 324(1)(c)(3)** (with ss. 172(3), 185)

- 44 (1) Paragraphs 39 to 43 above (except paragraph 41(3)) shall apply in relation to a committee of a local authority (including a joint committee) or a sub-committee of any such committee as they apply in relation to a local authority.
- (2) Until the contrary is proved, where a minute of any meeting of any such committee or sub-committee has been made and signed in accordance with paragraph 41 above as applied by this paragraph, the committee or sub-committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minute, the meeting shall be deemed to have been duly convened and held and the members present at the meeting shall be deemed to have been duly qualified.

**Modifications etc. (not altering text)**

- C50** Sch. 12 para. 44 excluded by **Education (No. 2) Act 1986** (c. 61, SIF 41:1), ss. 26(4), 66, **Sch. 3 para. 15**  
Sch. 12 paras. 39-44 applied (4.3.1996) by S.I. 1996/263, **reg. 8(9)**  
Sch. 12 para. 44 excluded (1.11.1996) by 1996 c. 56, ss. 159, 583(2), **Sch. 16 para. 15(2)**  
Sch. 12 para. 44 excluded (1.11.1996) by 1996 c. 56, ss. 423, 583(2), **Sch.33 Pt. II para. 15(2)**
- C51** Sch. 12 paras. 39-44 applied (1.4.2009) by **The Charter Trustees Regulations 2009** (S.I. 2009/467), **regs. 8(5), 9(7)**

- 45 Where more than one-third of the members of a local authority become disqualified at the same time, then, until the number of members in office is increased to not less than two-thirds of the whole number of members of the authority, the quorum of the authority shall be determined by reference to the number of members of the authority remaining qualified instead of by reference to the whole number of members of the authority.



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[<sup>F124</sup>46 In this Part of this Schedule “local authority” includes a joint authority [<sup>F125</sup> and a police authority established under [<sup>F126</sup>section 3 of the Police Act 1996]] [<sup>F127</sup> and the Metropolitan Police Authority]. . . <sup>F128</sup> . . . and in relation to any such authority the reference in paragraph 43 above to election shall include a reference to appointment.]

#### Textual Amendments

**F124** Sch. 12 para. 46 inserted by [Local Government Act 1985 \(c. 51, SIF 81:1, 2\)](#), s. 84, **Sch. 14 Pt. I para. 35(3)**

**F125** Words in Sch. 12 para. 46 inserted (1.10.1994 for specified purposes otherwise 1.4.1995) by 1994 c. 29, s. 43, **Sch. 4 Pt. I para. 15(4)**; S.I. 1994/2025, **art. 6**; S.I. 1994/3236, art. 4(1), **Sch.**

**F126** Words in Sch. 12 para. 46 substituted (22.8.1996) by 1996 c. 16, ss. 103, 104(1), **Sch. 7 Pt. I para. 1(2)(h)**

**F127** Words in Sch. 12 para. 46 inserted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 36(1)(4)** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

**F128** Words repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**

#### Modifications etc. (not altering text)

**C52** Sch. 12 para. 46 extended by S.I. 1985/1884, arts. 10, 11(3), **Sch. 3 para. 1(p)**

**C53** Sch. 12 para. 46 modified by S.I. 1987/2110, art. 2(2), **Sch. 1 para. 3(o)**

## [<sup>F129</sup>SCHEDULE 12A

### ACCESS TO INFORMATION: EXEMPT INFORMATION

#### Textual Amendments

**F129** Sch. 12A substituted (1.3.2006) by [The Local Government \(Access to Information\) \(Variation\) Order 2006 \(S.I. 2006/88\)](#), art. 4, **Sch.**

## PART 1

### DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND

#### Modifications etc. (not altering text)

**C54** Sch. 12A Pts. 1-3 applied (with modifications) by S.I. 2001/2812, **reg. 7(4)** (as substituted (1.3.2006) by S.I. 2006/87, **reg. 2(b)**)

1 Information relating to any individual.

#### Modifications etc. (not altering text)

**C55** Sch. 12A paras. 1-11 applied (E.) (13.6.2007) by [The Luton and South Bedfordshire Joint Committee Order 2007 \(S.I. 2007/1412\)](#), art. 9, **Sch. para. 7(1)(c)**

**C56** Sch. 12A paras. 1-11 applied (with modifications) (1.7.2009) by [The Cambridge City Fringes Joint Committee Order 2009 \(S.I. 2009/1254\)](#), art. 9, **Sch. para. 7(1)(c)**

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**C57** Sch. 12A paras. 1-11 applied (with modifications) (12.10.2009) by [The Central Lincolnshire Joint Strategic Planning Committee Order 2009 \(S.I. 2009/2467\)](#), art. 9, **Sch. para. 7(c)**

2 Information which is likely to reveal the identity of an individual.

**Modifications etc. (not altering text)**

**C58** Sch. 12A paras. 1-11 applied (E.) (13.6.2007) by [The Luton and South Bedfordshire Joint Committee Order 2007 \(S.I. 2007/1412\)](#), art. 9, **Sch. para. 7(1)(c)**

**C59** Sch. 12A paras. 1-11 applied (with modifications) (1.7.2009) by [The Cambridge City Fringes Joint Committee Order 2009 \(S.I. 2009/1254\)](#), art. 9, **Sch. para. 7(1)(c)**

**C60** Sch. 12A paras. 1-11 applied (with modifications) (12.10.2009) by [The Central Lincolnshire Joint Strategic Planning Committee Order 2009 \(S.I. 2009/2467\)](#), art. 9, **Sch. para. 7(c)**

3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).

**Modifications etc. (not altering text)**

**C61** Sch. 12A paras. 1-11 applied (E.) (13.6.2007) by [The Luton and South Bedfordshire Joint Committee Order 2007 \(S.I. 2007/1412\)](#), art. 9, **Sch. para. 7(1)(c)**

**C62** Sch. 12A paras. 1-11 applied (with modifications) (1.7.2009) by [The Cambridge City Fringes Joint Committee Order 2009 \(S.I. 2009/1254\)](#), art. 9, **Sch. para. 7(1)(c)**

**C63** Sch. 12A paras. 1-11 applied (with modifications) (12.10.2009) by [The Central Lincolnshire Joint Strategic Planning Committee Order 2009 \(S.I. 2009/2467\)](#), art. 9, **Sch. para. 7(c)**

4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

**Modifications etc. (not altering text)**

**C64** Sch. 12A paras. 1-11 applied (E.) (13.6.2007) by [The Luton and South Bedfordshire Joint Committee Order 2007 \(S.I. 2007/1412\)](#), art. 9, **Sch. para. 7(1)(c)**

**C65** Sch. 12A paras. 1-11 applied (with modifications) (1.7.2009) by [The Cambridge City Fringes Joint Committee Order 2009 \(S.I. 2009/1254\)](#), art. 9, **Sch. para. 7(1)(c)**

**C66** Sch. 12A paras. 1-11 applied (with modifications) (12.10.2009) by [The Central Lincolnshire Joint Strategic Planning Committee Order 2009 \(S.I. 2009/2467\)](#), art. 9, **Sch. para. 7(c)**

5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

**Modifications etc. (not altering text)**

**C67** Sch. 12A paras. 1-11 applied (E.) (13.6.2007) by [The Luton and South Bedfordshire Joint Committee Order 2007 \(S.I. 2007/1412\)](#), art. 9, **Sch. para. 7(1)(c)**

**C68** Sch. 12A paras. 1-11 applied (with modifications) (1.7.2009) by [The Cambridge City Fringes Joint Committee Order 2009 \(S.I. 2009/1254\)](#), art. 9, **Sch. para. 7(1)(c)**

**C69** Sch. 12A paras. 1-11 applied (with modifications) (12.10.2009) by [The Central Lincolnshire Joint Strategic Planning Committee Order 2009 \(S.I. 2009/2467\)](#), art. 9, **Sch. para. 7(c)**

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- 6 Information which reveals that the authority proposes—
- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.

**Modifications etc. (not altering text)**

- C70** Sch. 12A paras. 1-11 applied (E.) (13.6.2007) by [The Luton and South Bedfordshire Joint Committee Order 2007 \(S.I. 2007/1412\)](#), art. 9, **Sch. para. 7(1)(c)**
- C71** Sch. 12A paras. 1-11 applied (with modifications) (1.7.2009) by [The Cambridge City Fringes Joint Committee Order 2009 \(S.I. 2009/1254\)](#), art. 9, **Sch. para. 7(1)(c)**
- C72** Sch. 12A paras. 1-11 applied (with modifications) (12.10.2009) by [The Central Lincolnshire Joint Strategic Planning Committee Order 2009 \(S.I. 2009/2467\)](#), art. 9, **Sch. para. 7(c)**

- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**Modifications etc. (not altering text)**

- C73** Sch. 12A paras. 1-11 applied (E.) (13.6.2007) by [The Luton and South Bedfordshire Joint Committee Order 2007 \(S.I. 2007/1412\)](#), art. 9, **Sch. para. 7(1)(c)**
- C74** Sch. 12A paras. 1-11 applied (with modifications) (1.7.2009) by [The Cambridge City Fringes Joint Committee Order 2009 \(S.I. 2009/1254\)](#), art. 9, **Sch. para. 7(1)(c)**
- C75** Sch. 12A paras. 1-11 applied (with modifications) (12.10.2009) by [The Central Lincolnshire Joint Strategic Planning Committee Order 2009 \(S.I. 2009/2467\)](#), art. 9, **Sch. para. 7(c)**

## PART 2

### QUALIFICATIONS: ENGLAND

**Modifications etc. (not altering text)**

- C76** Sch. 12A Pts. 1-3 applied (with modifications) by [S.I. 2001/2812](#), reg. 7(4) (as substituted (1.3.2006) by [S.I. 2006/87](#), reg. 2(b))

- 8 Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under—
- (a) the Companies Act 1985 <sup>F130</sup>;
  - (b) the Friendly Societies Act 1974 <sup>F131</sup>;
  - (c) the Friendly Societies Act 1992 <sup>F132</sup>;
  - (d) the Industrial and Provident Societies Acts 1965 to 1978 <sup>F133</sup>;
  - (e) the Building Societies Act 1986 <sup>F134</sup>; or
  - (f) the Charities Act 1993 <sup>F135</sup>.

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#### Textual Amendments

- F130** 1985 c. 6.  
**F131** 1974 c. 46.  
**F132** 1992 c. 40.  
**F133** 1965 c. 12, 1967 c. 48, 1975 c. 41 and 1978 c. 34.  
**F134** 1986 c. 53.  
**F135** 1993 c. 10.

#### Modifications etc. (not altering text)

- C77** Sch. 12A paras. 1-11 applied (E.) (13.6.2007) by [The Luton and South Bedfordshire Joint Committee Order 2007 \(S.I. 2007/1412\)](#), art. 9, **Sch. para. 7(1)(c)**

- 9 Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992 <sup>M4</sup>.

#### Modifications etc. (not altering text)

- C78** Sch. 12A paras. 1-11 applied (E.) (13.6.2007) by [The Luton and South Bedfordshire Joint Committee Order 2007 \(S.I. 2007/1412\)](#), art. 9, **Sch. para. 7(1)(c)**  
**C79** Sch. 12A paras. 1-11 applied (with modifications) (1.7.2009) by [The Cambridge City Fringes Joint Committee Order 2009 \(S.I. 2009/1254\)](#), art. 9, **Sch. para. 7(1)(c)**  
**C80** Sch. 12A paras. 1-11 applied (with modifications) (12.10.2009) by [The Central Lincolnshire Joint Strategic Planning Committee Order 2009 \(S.I. 2009/2467\)](#), art. 9, **Sch. para. 7(c)**

#### Marginal Citations

- M4** [S.I. 1992/1492](#).

- 10 Information which—
- (a) falls within any of paragraphs 1 to 7 above; and
  - (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above,
- is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

#### Modifications etc. (not altering text)

- C81** Sch. 12A paras. 1-11 applied (E.) (13.6.2007) by [The Luton and South Bedfordshire Joint Committee Order 2007 \(S.I. 2007/1412\)](#), art. 9, **Sch. para. 7(1)(c)**  
**C82** Sch. 12A paras. 1-11 applied (with modifications) (1.7.2009) by [The Cambridge City Fringes Joint Committee Order 2009 \(S.I. 2009/1254\)](#), art. 9, **Sch. para. 7(1)(c)**  
**C83** Sch. 12A paras. 1-11 applied (with modifications) (12.10.2009) by [The Central Lincolnshire Joint Strategic Planning Committee Order 2009 \(S.I. 2009/2467\)](#), art. 9, **Sch. para. 7(c)**

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### PART 3

#### INTERPRETATION: ENGLAND

##### Modifications etc. (not altering text)

**C84** Sch. 12A Pts. 1-3 applied (with modifications) by [S.I. 2001/2812](#), [reg. 7\(4\)](#) (as substituted (1.3.2006) by [S.I. 2006/87](#), [reg. 2\(b\)](#))

- 11 (1) In Parts 1 and 2 and this Part of this Schedule—
- “employee” means a person employed under a contract of service;
  - “financial or business affairs” includes contemplated, as well as past or current, activities;
  - “labour relations matter” means—
    - (a) any of the matters specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 <sup>M5</sup>(matters which may be the subject of a trade dispute, within the meaning of that Act); or
    - (b) any dispute about a matter falling within paragraph (a) above;
- and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority;
- “office-holder”, in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority;
- “registered” in relation to information required to be registered under the Building Societies Act 1986 <sup>M6</sup>, means recorded in the public file of any building society (within the meaning of that Act).
- (2) Any reference in Parts 1 and 2 and this Part of this Schedule to “the authority” is a reference to the principal council or, as the case may be, the committee or sub-committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined and includes a reference—
- (a) in the case of a principal council, to any committee or sub-committee of the council; and
  - (b) in the case of a committee, to—
    - (i) any constituent principal council;
    - (ii) any other principal council by which appointments are made to the committee or whose functions the committee discharges; and
    - (iii) any other committee or sub-committee of a principal council falling within sub-paragraph (i) or (ii) above; and
  - (c) in the case of a sub-committee, to—
    - (i) the committee, or any of the committees, of which it is a sub-committee; and
    - (ii) any principal council which falls within paragraph (b) above in relation to that committee.

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**Modifications etc. (not altering text)**

- C85** Sch. 12A paras. 1-11 applied (E.) (13.6.2007) by [The Luton and South Bedfordshire Joint Committee Order 2007 \(S.I. 2007/1412\)](#), art. 9, **Sch. para. 7(1)(c)**
- C86** Sch. 12A paras. 1-11 applied (with modifications) (1.7.2009) by [The Cambridge City Fringes Joint Committee Order 2009 \(S.I. 2009/1254\)](#), art. 9, **Sch. para. 7(1)(c)**
- C87** Sch. 12A paras. 1-11 applied (with modifications) (12.10.2009) by [The Central Lincolnshire Joint Strategic Planning Committee Order 2009 \(S.I. 2009/2467\)](#), art. 9, **Sch. para. 7(c)**

**Marginal Citations**

- M5** 1992 c. 52.  
**M6** 1986 c. 53.

**PART 4**

DESCRIPTIONS OF EXEMPT INFORMATION: WALES

- 12 Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder under, the authority.
- 13 Information relating to a particular employee, former employee or applicant to become an employee of, or a particular officer, former officer or applicant to become an officer appointed by—
- (a) a magistrates' court committee;
  - (b) a probation committee within the meaning of the Probation Service Act 1993 <sup>F136</sup>;
  - (c) a local probation board within the meaning of the Criminal Justice and Court Services Act 2000 <sup>F137</sup>.

**Textual Amendments**

- F136** 1993 c. 47.  
**F137** 2000 c. 43.

- 14 Information relating to a particular chief officer, former chief officer or applicant to become a chief officer of a local probation board within the meaning of the Criminal Justice and Court Services Act 2000.
- 15 Information relating to any particular occupier or former occupier of, or applicant for, accommodation provided by or at the expense of the authority.
- 16 Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority.

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*Status: Point in time view as at 02/05/2006.*

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- 17 Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the authority.
- 18 Information relating to the adoption, care, fostering or education of any particular child.
- 19 Information relating to the financial or business affairs of any particular person (other than the authority).
- 20 The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.
- 21 Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.
- 22 The identity of the authority (as well as of any other person, by virtue of paragraph 19 above) as the person offering any particular tender for a contract for the supply of goods or services.
- 23 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority.
- 24 Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with—
  - (a) any legal proceedings by or against the authority, or
  - (b) the determination of any matter affecting the authority,(whether, in either case, proceedings have been commenced or are in contemplation).
- 25 Information which, if disclosed to the public, would reveal that the authority proposes—
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
- 26 Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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- 27 The identity of a protected informant.

## PART 5

### QUALIFICATIONS: WALES

- 28 Information relating to a person of a description specified in any of paragraphs 12 to 17 above is not exempt information by virtue of that paragraph unless it relates to an individual of that description in the capacity indicated by the description.
- 29 Information falling within paragraph 19 above is not exempt information by virtue of that paragraph if it is required to be registered under—
- (a) the Companies Act 1985 <sup>F138</sup>;
  - (b) the Friendly Societies Act 1974 <sup>F139</sup>;
  - (c) the Industrial and Provident Societies Acts 1965 to 1978 <sup>F140</sup>;
  - (d) the Building Societies Act 1986 <sup>F141</sup>; or
  - (e) the Charities Act 1960 <sup>F142</sup>.

#### Textual Amendments

**F138** 1985 c. 6.

**F139** 1974 c. 46.

**F140** 1965 c. 12, 1967 c. 48, 1975 c. 41 and 1978 c. 34.

**F141** 1986 c. 53.

**F142** 8 & 9 Eliz 2 c. 58.

- 30 Information falling within paragraph 20 above is exempt information if and so long as disclosure to the public of the amount there referred to would be likely to give an advantage to a person entering into, or seeking to enter into, a contract with the authority in respect of the property, goods or services, whether the advantage would arise as against the authority or as against other such persons.
- 31 Information falling within paragraph 21 above is exempt information if and so long as disclosure to the public of the terms would prejudice the authority in those or any other negotiations concerning the property or goods or services.
- 32 Information falling within paragraph 23 above is exempt information if and so long as disclosure to the public of the information would prejudice the authority in those or any other consultations or negotiations in connection with a labour relations matter arising as mentioned in that paragraph.
- 33 Information falling within paragraph 25 above is exempt information if and so long as disclosure to the public might afford an opportunity to a person affected by the



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notice, order or direction to defeat the purpose or one of the purposes for which the notice, order or direction is to be given or made.

- 34 Information falling within any paragraph of Part 4 above is not exempt information by virtue of that paragraph if it relates to proposed development for which the local planning authority can grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992 (S.I. 1992/1492).

## PART 6

### INTERPRETATION: WALES

- 35 (1) In Parts 4 and 5 and this Part of this Schedule—
- “child” means a person under the age of eighteen years and any person who has attained that age and—
- (a) is registered as a pupil at a school; or
  - (b) is the subject of a care order, within the meaning of section 31 of the Children Act 1989 <sup>F143</sup>;
- “disposal”, in relation to property, includes the granting of an interest in or right over it;
- “employee” means a person employed under a contract of service;
- “financial or business affairs” includes contemplated, as well as past or current, activities;
- “labour relations matter” means—
- (a) any of the matters specified in paragraphs (a) to (g) of section 29(1) of the Trade Union and Labour Relations Act 1974 <sup>F144</sup>(matters which may be the subject of a trade dispute, within the meaning of that Act); or
  - (b) any dispute about a matter falling within paragraph (a) above;
- and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority;
- “office-holder”, in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority;
- “protected informant” means a person giving the authority information which tends to show that—
- (a) a criminal offence,
  - (b) a breach of statutory duty,
  - (c) a breach of planning control, as defined in section 171A of the Town and Country Planning Act 1990 <sup>F145</sup>, or
  - (d) a nuisance,
- has been, or is being or is about to be committed;

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“registered”, in relation to information required to be registered under the Building Societies Act 1986 <sup>F146</sup>, means recorded in the public file of any building society (within the meaning of that Act);

“tender for a contract” includes a written statement prepared by the authority in pursuance of section 9(2) of the Local Government, Planning and Land Act 1980 <sup>F147</sup>(estimated cost of carrying out functional work by direct labour).

- (2) Any reference in Parts 4 and 5 and this Part of this Schedule to “the authority” is a reference to the principal council or, as the case may be, the committee or sub-committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined and includes a reference—
- (a) in the case of a principal council, to any committee or sub-committee of the council; and
  - (b) in the case of a committee, to—
    - (i) any constituent principal council;
    - (ii) any other principal council by which appointments are made to the committee or whose functions the committee discharges; and
    - (iii) any other committee or sub-committee of a principal council falling within sub-paragraph (i) or (ii) above; and
  - (c) in the case of a sub-committee, to—
    - (i) the committee, or any of the committees, of which it is a sub-committee; and
    - (ii) any principal council which falls within paragraph (b) above in relation to that committee.]

**Textual Amendments**

**F143** 1989 c. 41.

**F144** 1974 c. 46.

**F145** 1990 c. 8; section 171A was inserted by section 4 of the [Planning and Compensation Act 1991 \(c. 34\)](#).

**F146** 1986 c. 53.

**F147** 1980 c. 65.

[<sup>F148</sup>SCHEDULE 12B

Section 137(4)(a)

APPROPRIATE SUM UNDER SECTION 137(4)

**Textual Amendments**

**F148** [Sch. 12B](#) inserted (27.11.2003 for W. and 1.4.2004 for E.) by [Local Government Act 2003 \(c. 26\)](#), [ss. 118\(2\)](#), 128; [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#); [S.I. 2003/2938](#), [art. 7\(a\)](#) (subject to [art. 8](#), [Sch.](#))

- 1 This Schedule has effect to determine for the purposes of section 137(4)(a) above the sum that is for the time being appropriate to a local authority.
- 2 The sum appropriate to the local authority for the financial year in which section 118 of the Local Government Act 2003 comes into force is £5.00.

*Status: Point in time view as at 02/05/2006.*

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- 3 (1) For each subsequent financial year, the sum appropriate to the local authority is the greater of the sum appropriate to the authority for the financial year preceding the year concerned and the sum produced by the following formula—

$$\frac{A \times B}{C}$$

- (2) A is the sum appropriate to the local authority for the financial year preceding the year concerned.
- (3) B is the retail prices index for September of the financial year preceding the year concerned.
- (4) C is the retail prices index for September of the financial year which precedes that preceding the year concerned except where sub-paragraph (5) below applies.
- (5) Where the base month for the retail prices index for September of the financial year mentioned in sub-paragraph (4) above (the first year) differs from that for the index for September of the financial year mentioned in sub-paragraph (3) above (the second year), C is the figure which the Secretary of State calculates would have been the retail prices index for September of the first year if the base month for that index had been the same as the base month for the index for September of the second year.
- (6) References in sub-paragraphs (3) to (5) above to the retail prices index are to the general index of retail prices (for all items) published by the Office for National Statistics.
- (7) If that index is not published for a month for which it is relevant for the purposes of any of those sub-paragraphs, the sub-paragraph shall be taken to refer to any substituted index or index figures published by that Office.
- (8) For the purposes of sub-paragraph (5) above, the base month for the retail prices index for September of a particular year is the month—
- for which the retail prices index is taken to be 100, and
  - by reference to which the index for the September in question is calculated.
- (9) In calculating the sum produced by the formula in sub-paragraph (1) above a part of a whole (if any) shall be calculated to two decimal places only—
- adding one hundredth where (apart from this sub-paragraph) there would be five, or more than five, one-thousandths, and
  - ignoring the one-thousandths where (apart from this sub-paragraph) there would be less than five one-thousandths.
- 4 Before the beginning of a financial year, the appropriate person may by order provide for a different sum to have effect as the sum appropriate to a local authority for the year in place of the sum calculated for the year in accordance with paragraph 3 above.
- 5 In paragraph 4 above “the appropriate person” means—
- as respects England, the Secretary of State;
  - as respects Wales, the National Assembly for Wales.
- 6 An order under paragraph 4 above may make different provision in relation to local authorities of different descriptions.

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7 An order under paragraph 4 above made by the Secretary of State shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

SCHEDULE 13

Section 172.

LOANS AND OTHER FINANCIAL PROVISIONS

PART I

F149 1–22 .....

**Textual Amendments**

**F149** Sch. 13 Pt. I (paras. 1–22) repealed (with savings in S.I. 1990/431, art. 4, **Sch. 1 para. 1(a)**) by Local Government and Housing Act 1989 (c. 42, SIF 81:1), s. 194(2), **Sch. 12 Pt. I**

PART II

AMENDMENTS WITH RESPECT TO FINANCE AND RATING

F150 23 .....

**Textual Amendments**

**F150** Sch. 13 para. 23 repealed by S.I. 1990/776, art. 3, **Sch. 1**

*The Rural Water Supplies and Sewerage Act 1944*

24 F151 .....

**Textual Amendments**

**F151** Sch. 13, para. 24 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3(1), **Sch. 3 Pt I.**

*Parish Councils Act 1957*

25 F152 .....

**Textual Amendments**

**F152** Sch. 13, para. 25 repealed (21. 8. 1998) by S.I.1991/1730, arts. 1, 2(1), **Sch. 1.**

F153 26 .....

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**Textual Amendments**

**F153** Sch. 13 para. 26 repealed (with savings in S.I. 1990/431, **Sch. 1 para. 1(a)**) by Local Government and Housing Act 1989 (c. 42, SIF 81:1), s. 194(2), **Sch. 12 Pt. I**

**F154**<sup>27</sup> .....

**Textual Amendments**

**F154** Sch. 13 para. 27 repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, **Sch. 17**

*The<sup>M7</sup> General Rate Act 1967*

**Marginal Citations**

**M7** 1967 c. 9.

28 (1) The <sup>M8</sup>General Rate Act 1967 shall be amended in accordance with the following provisions of this paragraph.

<sup>X1</sup>(2) In section 2(2) for the words “rural district council” in both places where they occur, and in section 5(1)(e) for those words, there shall be substituted the words “ district council ”.

<sup>X1</sup>(3) In section 38(4), for the word “counties” there shall be substituted the words “ non-metropolitan counties and metropolitan districts ”.

<sup>X1</sup>(4) In section 67(2)(b) for sub-paragraphs (ii) and (iii) there shall be substituted the following paragraph:—  
“(ii) in respect of any rating district.”

<sup>X1</sup>(5) In section 112, the words “or urban district”, “or district” and “rural” shall cease to have effect.

<sup>X1</sup>(6) In section 115, for the definition of “rating district” there shall be substituted the following definition:—

““rating district” means—

- (a) as respects Greater London, a rating area or, subject to paragraph 8(1)(b) of Schedule 4 to this Act, any part of a rating area which is subject to separate or differential rating (otherwise than in respect of a garden or square or by reason of any provision of the City of London (Tithes and Rates) Act 1910 or the City of London (Tithes) Act 1947);
- (b) except as respects Greater London—
  - (i) any part of a rating area which is subject to separate or differential rating ;
  - (ii) in a parish or community part of which is so subject, the part which is not so subject;
  - (iii) a parish no part of which is so subject ;

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- (iv) a community which is not co-extensive with the area of a district and no part of which is so subject ;
- (v) any part of a rating area in England not falling within sub-paragraph (i), (ii) or (iii) above”;

**Editorial Information**

**X1** The text of Sch. 13 paras. 24, 25, 28(2)–(6) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M8** 1967 c. 9.

- 29 (1) Sections 88, 89 and 91 of the said Act of 1967 shall have effect subject to the following provisions of this paragraph.
- (2) It shall be the duty of every new county council to make and submit to the Secretary of State not later than a date prescribed for the purposes of this sub-paragraph a scheme for the constitution of a local valuation panel for the county or two or more local valuation panels for areas which together comprise the whole of the county.
- (3) A county council may discharge the said duty by making and submitting to the Secretary of State a joint scheme with one or more other county councils for the constitution of a local valuation panel or local valuation panels for the whole of their respective counties, or for areas which together comprise the whole of their respective counties.
- (4) A scheme under this paragraph shall be treated for all purposes as having been made under section 91(1)(a) of the said Act of 1967 and submitted to the Secretary of State under section 91(3) of that Act.
- (5) Any such scheme approved by the Secretary of State under section 91(5) of that Act shall not come into operation until a date prescribed for the purposes of this sub-paragraph.
- (6) Any scheme in force for the purposes of section 88 of that Act immediately before 1st April 1974 for an existing county or county borough shall, notwithstanding the abolition or alteration of the county or borough but subject to section 91(1) of that Act, continue in force until a date prescribed for the purposes of this sub-paragraph and shall then expire.
- (7) Any vacancy occurring before the date prescribed for the purposes of this sub-paragraph in the membership of a local valuation panel constituted under a scheme continued in force by sub-paragraph (6) above shall—
- (a) if the area for which the panel is constituted is co-extensive with or wholly comprised in the area of a new county, be filled by a person appointed by the council of that county;
  - (b) otherwise, be filled by a person appointed jointly by the councils for those counties which include any part of the area for which the panel is constituted.

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## SCHEDULE 14

Section 180.

### AMENDMENT AND MODIFICATION OF PUBLIC HEALTH ACTS, ETC.

#### PART I

#### THE <sup>M9</sup>PUBLIC HEALTH ACT 1936

##### Marginal Citations

**M9** 1936 c. 49.

<sup>x2</sup><sub>1</sub> For section 1 there shall be substituted the following section—

“**1** (1) Subject to the provisions of this Act with respect to certain special authorities, districts and areas, it shall be the duty of the following authorities to carry this Act into execution, that is to say—

- (a) in a county, the county council as respects certain matters and the district councils as respects all other matters, without prejudice, however, to the exercise by a parish or community council of any powers conferred upon such councils;
- (b) in a London borough, the borough council;
- (c) in the City of London, the Common Council; and
- (d) in the Inner Temple and the Middle Temple, the Sub-Treasurer and the Under Treasurer thereof respectively.”

##### Editorial Information

**X2** The text of Sch. 14 paras. 1, 3, 9, 21, 22, 33–36, 44, 49 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

2 Any reference to an urban authority or rural authority shall be construed as a reference to a local authority.

3 <sup>F155</sup> .....

##### Textual Amendments

**F155** Sch. 14 para. 3 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 13

4 Without prejudice to paragraph 2 above, the following provisions, that is to say, sections <sup>F156</sup> . . . [<sup>F157</sup>79, 80], <sup>F158</sup> . . . , 263 and 264 shall apply throughout the district of every local authority.

##### Textual Amendments

**F156** “41, 46,” repealed by Building Act 1984 (c. 55, SIF 15), s. 133(2), Sch. 7

**F157** Words repealed (*prosp.*) by Control of Pollution Act 1974 (c. 40), s. 109(2), Sch. 4

**F158** Words repealed by Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 162(2), Sch. 16 Pt. III

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F159<sup>5-7</sup> .....

**Textual Amendments**  
F159 Sch. 14 paras. 5–7 repealed by Control of Pollution Act 1974 (c. 40), s. 109(2), Sch. 4

F160<sup>8</sup> .....

**Textual Amendments**  
F160 Sch. 14 para. 8 repealed by Control of Pollution Act 1974 (c. 40, SIF 46:4), s. 109(2), Sch. 4

x39 (1) For sections 87(1) and (2) there shall be substituted the following subsections:—

“(1) A county council, the Greater London Council, a local authority or a parish or community council may, subject to subsection (2) of this section, provide sanitary conveniences in proper and convenient situations.

(2) Any such council or authority shall not provide any such convenience in or under a highway or proposed highway for which they are not the highway authority without the consent of the highway authority.”

(2) In section 87(3) for the words “a county council or local” there shall be substituted the words “ any such council or ”.

**Editorial Information**  
X3 The text of Sch. 14 paras. 1, 3, 9, 21, 22, 33–36, 44, 49 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

F161<sup>10</sup> .....

**Textual Amendments**  
F161 Sch. 14 para. 10 repealed by Building Act 1984 (c. 55, SIF 15), s. 133(2), Sch. 7

F162<sup>11</sup> .....

**Textual Amendments**  
F162 Sch. 14 para. 11 repealed by Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 162(2), Sch. 16 Pt. III

F163<sup>12</sup> .....

**Textual Amendments**  
F163 Sch. 14 para. 12 repealed by Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 162(2), Sch. 16 Pt. III



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F164 13, .....  
14.

**Textual Amendments**

F164 Sch. 14 paras. 13, 14 repealed by Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1), ss. 78, 79, Sch. 3

F165 15, .....  
16.

**Textual Amendments**

F165 Sch. 14 paras. 15, 16 repealed by Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1), s. 78, Sch. 3

F166 17 .....  
18

**Textual Amendments**

F166 Sch. 14 paras. 17, 48 repealed by National Health Service Reorganisation Act 1973 (c. 32), Sch. 5

18 The powers conferred by Part VIII on local authorities within the meaning of the M10 Public Health Act 1936 shall be exercisable not only by such authorities but also by all local authorities within the meaning of this Act, whether or not they are local authorities within the meaning of that Act, and references in that Part to a local authority shall be construed accordingly.

**Marginal Citations**

M10 1936 c. 49.

19 F167 .....  
20

**Textual Amendments**

F167 Sch. 14 para. 19 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 13

20 Any reference in section 278 to a local authority shall include a reference to a county council F168 . . .

**Textual Amendments**

F168 Words repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, Sch. 17

21 F169 .....  
22

*Status: Point in time view as at 02/05/2006.*

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### Textual Amendments

**F169** Sch. 14 para. 21 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 13

- <sup>x4</sup>22 In section 343 for the definition of contributory place there shall be substituted the following definition:— “ “contributory place” means a rating district within the meaning of the General Rate Act 1967. ”.

### Editorial Information

**X4** The text of Sch. 14 paras. 1, 3, 9, 21, 22, 33–36, 44, 49 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

## PART II

### OTHER ENACTMENTS

#### *Public Health Acts 1875 to 1925*

- 23 Subject to the following provisions of this Schedule and the provisions of Schedule 26 to this Act, all the provisions of the Public Health Acts 1875 to 1925 shall extend throughout England and Wales, whether or not they so extended immediately before 1st April 1974.
- 24 Paragraph 23 above shall not apply to the following enactments, that is to say—
- (a) so much of section 160 of the <sup>M11</sup>Public Health Act 1875 as incorporates the provisions of the <sup>M12</sup>Towns Improvement Clauses Act 1847 with respect to the naming of streets (hereafter in this Schedule referred to as “the original street-naming enactment”);
  - (b) section 171(4) of the said Act of 1875;
  - <sup>F170</sup>(c) . . . . .
  - (d) sections 21, 82, 83 <sup>F171</sup>. . . of the <sup>M13</sup>Public Health Acts Amendment Act 1907; and
  - (e) sections 17 to 19 and 76 of the <sup>M14</sup>Public Health Act 1925;
- and those enactments shall, subject to paragraph 25 below, apply to those areas, and only those, to which they applied immediately before 1st April 1974.

### Textual Amendments

**F170** Sch. 14 para. 24(c) repealed by Local Government (Miscellaneous Provisions) Act 1982 (c. 30, SIF 81:1), Sch. 7 Pt. I

**F171** Words in Sch. 14 para. 24(d) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 13

### Marginal Citations

**M11** 1875 c. 55.

**M12** 1847 c. 34.

**M13** 1907 c. 53.

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**M14** 1925 c. 71.

- 25 (1) Subject to sub-paragraphs (2) and (4) below, a local authority may after giving the requisite notice resolve that any of the enactments mentioned in paragraph 24 above shall apply throughout their area or shall cease to apply throughout their area (whether or not, in either case, the enactment applies only to part of their area).
- (2) A resolution under this paragraph disapplying—
- (a) section 171(4) of the <sup>M15</sup>Public Health Act 1875;
  - <sup>F172</sup>(b) . . . . .
  - (c) section 82, 83 <sup>F173</sup> . . . of the <sup>M16</sup>Public Health Acts Amendment Act 1907; or
  - (d) section 76 of the <sup>M17</sup>Public Health Act 1925;
- must be passed before 1st April 1975, but any other resolution under this paragraph may be passed at any time.
- (3) A resolution under this paragraph applying either of the following provisions, that is to say, section 21 of the said Act of 1907 or section 18 of the said Act of 1925, throughout an area shall have effect as a resolution disapplying the other provision throughout that area and a resolution under this paragraph applying either of the following provisions, that is to say, the original street-naming enactment or section 19 of the said Act of 1925, throughout an area shall have effect as a resolution disapplying the other provision throughout that area.
- (4) A resolution under this paragraph applying or disapplying section 171(4) of the <sup>M18</sup>Public Health Act 1875 throughout an area shall not have effect unless approved by the Secretary of State.
- (5) The notice which is requisite for a resolution given under sub-paragraph (1) above is a notice—
- (a) given by the local authority in question of their intention to pass the resolution given by advertisement in two consecutive weeks in a local newspaper circulating in their area; and
  - (b) served, not later than the date on which the advertisement is first published, on the council of every parish or community whose area, or part of whose area, is affected by the resolution or, in the case of a parish so affected but not having a parish council (whether separate or common), on the chairman of the parish meeting.
- (6) The date on which a resolution under this paragraph is to take effect shall—
- (a) except in the case of a resolution applying or disapplying section 171(4) of the <sup>M19</sup>Public Health Act 1875 throughout any area, be a date specified therein, being not earlier than one month after the date of the resolution; and
  - (b) in the said excepted case, be a date specified in the Secretary of State's approval of the resolution.
- (7) A copy of a resolution of a local authority under this paragraph, certified in writing to be a true copy by the proper officer of the authority, shall in all legal proceedings be received as evidence of the resolution having been passed by the authority.

*Status: Point in time view as at 02/05/2006.*

*Changes to legislation: Local Government Act 1972 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

#### Textual Amendments

- F172** Sch. 14 paras. 25(2)(b), 26(b) repealed by Local Government (Miscellaneous Provisions) Act 1982 (c. 30, SIF 81:1), s. 47, **Sch. 7 Pt. I**
- F173** Words in Sch. 14 para. 25(2)(c) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), **Sch. 1 Pt. 13**

#### Modifications etc. (not altering text)

- C88** Sch. 14 para. 25 applied with modifications by S.I. 1975/1636, **art. 7**

#### Marginal Citations

- M15** 1875 c. 55.  
**M16** 1907 c. 53.  
**M17** 1925 c. 71.  
**M18** 1875 c. 55.  
**M19** 1875 c. 55.

- 26 The following enactments shall not extend to Greater London, that is to say—
- (a) sections 160 and 171 of the <sup>M20</sup>Public Health Act 1875;
  - <sup>F174</sup>(b) .....
  - (c) sections 21 and 80 of the <sup>M21</sup>Public Health Acts Amendment Act 1907 and so much of section 81 of that Act as relates to the <sup>M22</sup>Town Police Clauses Act 1847;
  - (d) sections 17 to 19, 75 and 76 of the <sup>M23</sup>Public Health Act 1925.

#### Textual Amendments

- F174** Sch. 14 paras. 25(2)(b), 26(b) repealed by Local Government (Miscellaneous Provisions) Act 1982 (c. 30, SIF 81:1), s. 47, **Sch. 7 Pt. I**

#### Marginal Citations

- M20** 1875 c. 55.  
**M21** 1907 c. 53.  
**M22** 1847 c. 89.  
**M23** 1925 c. 71.

- 27 (1) The powers conferred on certain authorities by the enactments to which this paragraph applies shall be exercisable not only by those authorities, but also by all local authorities within the meaning of this Act, whether or not they are local authorities for the purposes of the Public Health Acts 1875 to 1925, and references in those enactments to an urban authority or a local authority shall be construed accordingly.
- (2) This paragraph applies to the following enactments, that is to say—
- (a) section 164 of the <sup>M24</sup>Public Health Act 1875;
  - (b) section 44 of the <sup>M25</sup>Public Health Acts Amendment Act 1890;
  - (c) Part VI of the <sup>M26</sup>Public Health Acts Amendment Act 1907, as amended by Part VI of the <sup>M27</sup>Public Health Act 1925.

*Status: Point in time view as at 02/05/2006.*

*Changes to legislation: Local Government Act 1972 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

#### Marginal Citations

- M24** 1875 c. 55.  
**M25** 1890 c. 59.  
**M26** 1907 c. 53.  
**M27** 1925 c. 71.

- 28 A district council [<sup>F175</sup>or, where they are not the highway authority, the council of a Welsh principal area] shall not without the consent of the highway authority—
- (a) provide a clock under section 165 of the <sup>M28</sup>Public Health Act 1875 in a case where it overhangs a highway; or
  - (b) exercise any power under section 40 or 42 of the <sup>M29</sup>Public Health Acts Amendment Act 1890 or section 14 or 75 of the <sup>M30</sup>Public Health Act 1925 in relation to a highway.

#### Textual Amendments

- F175** Words in **Sch. 14 para. 28** inserted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 63** (with ss. 54(5) (7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 4, **Sch. 2**

#### Marginal Citations

- M28** 1875 c. 55.  
**M29** 1890 c. 59.  
**M30** 1925 c. 71.

- 29 A highway authority who are not a local authority within the meaning of the <sup>M31</sup>Public Health Acts 1875 to 1925 may exercise concurrently with the local authority powers conferred on the latter by section 153 of the Public Health Act 1875.

#### Marginal Citations

- M31** 1875 c. 55.

- 30 Any reference in section 161 of the said Act of 1875 to an urban authority shall, in relation to a metropolitan road within the meaning of the <sup>M32</sup>London Government Act 1963, be construed as a reference to the Greater London Council alone.

#### Marginal Citations

- M32** 1963 c. 33.

- 31 A local authority within the meaning of the Public Health Acts 1875 to 1925 may exercise the powers conferred by section 31 of the <sup>M33</sup>Public Health Acts Amendment Act 1907 without being empowered by an order made by the Secretary of State.

*Status: Point in time view as at 02/05/2006.*

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**Marginal Citations**

**M33** 1907 c. 53.

32 So much of section 76 of the said Act of 1907 as enables the Secretary of State to make rules governing the exercise by local authorities of their powers under that section shall cease to have effect.

33 **F176** .....

**Textual Amendments**

**F176** Sch. 14 para. 21 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), **Sch. 1 Pt. 13**

*The <sup>M34</sup>Parish Councils Act 1957*

**Marginal Citations**

**M34** 1957 c. 42.

<sup>x5</sup>34 In section 3(1) of the Parish Councils Act 1957, for the words from the beginning to the word “council”, in the second place where it occurs, there shall be substituted the words “ The council of a parish or community or, in the case of a parish for which there is no parish council ”and for the words “in that part of the parish, as the case may be” there shall be substituted the words “ community, or in any part thereof ”.

**Editorial Information**

**X5** The text of Sch. 14 paras. 1, 3, 9, 21, 22, 33–36, 44, 49 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*The <sup>M35</sup>Public Health Act 1961*

**Marginal Citations**

**M35** 1961 c. 64.

35 **F177** .....

**Textual Amendments**

**F177** Sch. 14 para. 35 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), **Sch. 1 Pt. 13**

36 **F178** .....

*Status: Point in time view as at 02/05/2006.*

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**Textual Amendments**

**F178** Sch. 14 para. 36 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 13

37 The powers conferred on a local authority by section 34 of that Act shall as respects England be exercisable also by a county council and references in that section to a local authority shall be construed accordingly.

<sup>F179</sup>38, .....

39.

**Textual Amendments**

**F179** Sch. 14 paras. 38, 39 repealed by Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1), s. 78, Sch. 3

40 The powers conferred on a local authority by sections 44 and 46 of that Act shall, in the case of a street outside Greater London which is a highway, be exercisable by the highway authority as well as by the local authority.

<sup>F180</sup>41 .....

**Textual Amendments**

**F180** Sch. 14 para. 41 repealed by Litter Act 1983 (c. 35, SIF 100:3), s. 12(3), Sch. 2

42 The powers conferred by sections 52 to 54 of that Act on local authorities shall be exercisable not only by such authorities, but also by all local authorities within the meaning of this Act, whether or not they are local authorities within the meaning of that Act, and references in those sections to a local authority shall be construed accordingly.

<sup>F181</sup>43 .....

**Textual Amendments**

**F181** Sch. 14 para. 43 repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, Sch. 17

<sup>M36</sup> *The Local Government Act 1966*

**Marginal Citations**

**M36** 1966 c. 42.

44 <sup>F182</sup> .....

**Textual Amendments**

**F182** Sch. 14 para. 44 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 13

*Status: Point in time view as at 02/05/2006.*

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F183 45 .....

**Textual Amendments**

F183 Sch. 14 para. 45 repealed by Refuse Disposal (Amenity) Act 1978 (c. 3, SIF 100:3), s. 12, Sch. 2

F184 46, 47. ....

**Textual Amendments**

F184 Sch. 14 paras. 46, 47 repealed by Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1), s. 78, Sch. 3

F185 48 .....

**Textual Amendments**

F185 Sch. 14 paras. 17, 48 repealed by National Health Service Reorganisation Act 1973 (c. 32), Sch. 5

*M37 The Deposit of Poisonous Waste Act 1972*

**Marginal Citations**

M37 1972 c. 21.

X649 In section 5(1) of the Deposit of Poisonous Waste Act 1972, for paragraph (a) there shall be substituted the following paragraphs:—  
“(a) in England, county councils and the Greater London Council;  
(aa) in Wales, district councils ; and”.

**Editorial Information**

X6 The text of Sch. 14 paras. 1, 3, 9, 21, 22, 33–36, 44, 49 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

F186F186 SCHEDULE 15

**Textual Amendments**

F186 Sch. 15 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 13



*Status: Point in time view as at 02/05/2006.*

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SCHEDULE 16

Section 182.

FUNCTIONS UNDER, AND AMENDMENT AND MODIFICATION OF,  
ENACTMENTS RELATING TO TOWN AND COUNTRY PLANNING

PART I

<sup>M40</sup>TOWN AND COUNTRY PLANNING ACT 1971

**Marginal Citations**

**M40** 1971 c. 78.

*Structure and local plans*

<sup>F188</sup>1–3 .....

**Textual Amendments**

**F188** Sch. 16 paras. 1 to 3 repealed by Housing and Planning Act 1986 (c. 63, SIF 81:1), ss. 24(3), 39(4), 49(2), 53(2), **Sch. 12 Pt. III**

<sup>F189</sup>4–47 .....

**Textual Amendments**

**F189** Sch. 16 paras. 4–47, 49–54 repealed by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 3, Sch. 1 Pt. I, Sch. 3 paras. 1, 2, 4, **6**

<sup>F190</sup>48 .....

**Textual Amendments**

**F190** Sch. 16 para. 48 repealed by Town and Country Amenities Act 1974 (c. 32), **Sch.** and expressed to be repealed by Planning(Consequential Provisions) Act 1990 (c. 11, SIF 123:1), s. 3 Sch. 1 Pt. I, Sch. 3 paras. 1, 2, 4, 6

<sup>F191</sup>49–53 .....

**Textual Amendments**

**F191** Sch. 16 paras. 4–47, 49–54 repealed by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 3, Sch. 1 Pt. I, Sch. 3 paras. 1, 2, 4, **6**

*Status: Point in time view as at 02/05/2006.*

*Changes to legislation: Local Government Act 1972 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## PART II

### OTHER ENACTMENTS

F192<sup>54</sup> .....

**Textual Amendments**  
**F192** Sch. 16 paras. 4–47, 49–54 repealed by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 3, Sch. 1 Pt. I, Sch. 3 paras. 1, 2, 4, 6

### *The <sup>M41</sup>Land Compensation Act 1961*

**Marginal Citations**  
**M41** 1961 c. 33.

- 55 (1) [<sup>F193</sup>In England, elsewhere] than in Greater London [<sup>F194</sup>, a metropolitan county] or a National Park the functions of a local planning authority of determining applications and issuing certificates under section 17 of the <sup>M42</sup>Land Compensation Act 1961 shall—
- (a) in the case of an application specifying only a class of development which appears, or classes of development each of which appear, to the district planning authority to relate to a county matter, be exercised by the county planning authority;
  - (b) in any other case, be exercised by the district planning authority.

<sup>F195</sup>(2) .....

- (3) Every application mentioned in sub-paragraph (1) above shall be made to the district planning authority who, in the case of an application falling to be determined by the county planning authority, shall send it on to the latter.
- (4) A county planning authority determining any such application shall consult with the district planning authority on the question whether planning permission for development of any class which appears to the former not to relate to a county matter [<sup>F196</sup>would have been granted if the land in question were not proposed to be acquired by any authority possessing compulsory purchase powers.]
- (5) A district planning authority determining any such application shall consult with the county planning authority on the question whether planning permission for development of any class which appears to the former to relate to a county matter [<sup>F196</sup>would have been granted if the land in question were not proposed to be acquired by any authority possessing compulsory purchase powers.]
- (6) A county planning authority by whom a certificate is issued under section 17 of the <sup>M43</sup>Land Compensation Act 1961 shall notify the district planning authority of the terms of the certificate and the district planning authority by whom a certificate is so issued shall, if it specifies development relating to a county matter, notify the county planning authority of the terms of the certificate.

*Status: Point in time view as at 02/05/2006.*

*Changes to legislation: Local Government Act 1972 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(7) In this paragraph “county matter” has the meaning ascribed to it by [<sup>F197</sup>paragraph 1 of Schedule 1 to the Town and Country Planning Act 1990].

**Textual Amendments**

**F193** Words in Sch. 16 para. 55(1) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 64(a)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**

**F194** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), **ss. 2, 3(5)**

**F195** Sch. 16 para. 55(2) repealed (1.4.1997) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/2560, art. 2, **Sch.**

**F196** Words substituted by Local Government, Planning and Land Act 1980 (c. 65, SIF 81:1, 2; 103:1, 2), s. 193, **Sch. 33 para. 13** in relation to applications made after 12.12.1975

**F197** Words substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 28(5)**

**Marginal Citations**

**M42** 1961 c. 33.

**M43** 1961 c. 33.

<sup>F198</sup>56 .....

**Textual Amendments**

**F198** Sch. 16 para. 56 repealed by New Towns Act 1981 (c. 64, SIF 123:3), s. 81, **Sch. 13**

<sup>F199</sup>57 .....

**Textual Amendments**

**F199** Sch. 16 para. 57 repealed by Town and Country Amenities Act 1974 (c. 32), **Sch.**

**PART III**

<sup>F200</sup>58, .....

59.

**Textual Amendments**

**F200** Sch. 16 paras. 58, 59 repealed by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 3, Sch. 1 Pt. I, Sch. 3 paras. 1, 2, 4, **6**

*Status: Point in time view as at 02/05/2006.*

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SCHEDULE 17

Section 184.

FUNCTIONS WITH RESPECT TO NATIONAL PARKS AND THE COUNTRYSIDE

<sup>F201</sup>PART I

.....  
.....

**Textual Amendments**  
**F201** Sch. 17 Pt. I repealed (1.4.1997) by 1995 c. 25, s. 120(3), Sch. 24 (with ss. 7(6), 115, 117); S.I. 1996/2560, art. 2, Sch.

PART II

SURVEY OF PUBLIC PATHS, ETC.

<sup>F234</sup>22, .....  
23.

**Textual Amendments**  
**F234** Sch. 17 paras. 22–33 repealed by Wildlife and Countryside Act 1981 (c. 69, SIF 4:5), Sch. 17 Pt. II

- 24 Where on any such survey of any area under section 27 of the 1949 Act a draft map and statement has, but a provisional map and statement has not, been published before 1st April 1974, the county council may if they think fit take no further steps in relation to the draft map and statement and instead prepare a new draft map and statement for that area under that section and that section and sections 28 and 29 of that Act (survey information, and representations and objections) shall apply to the new review subject to such exceptions and modifications as the Secretary of State may in any particular case direct.
- 25 Where on any such review of any area under any of the provisions mentioned in paragraph 22 above no revised draft map and statement has been published before 1st April 1974, the review shall be abandoned and the county council shall begin a new review of that area or so much of it as lies within the county after that date under those provisions, and those provisions shall apply to the review subject to such exceptions and modifications as the Secretary of State may in any particular case direct.
- 26 Where a revised map and statement has been published in draft before that date under any of those provisions, but a revised map or statement has not been published in provisional or, as the case may be, definitive form, before 1st April 1974, the county council may if they think fit take no further steps in relation to the draft revised map and statement and instead prepare and publish a new revised map and statement in that form for that area under those provisions, and those provisions shall apply to the new review, subject to such exceptions and modifications as the Secretary of State may in any particular case direct.

*Status: Point in time view as at 02/05/2006.*

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27 Any area to which sections 27 to 34 of the 1949 Act (the survey provisions) do not apply immediately before 1st April 1974 by virtue of the fact that it is or forms part of an existing county borough shall on and after that date continue to be excluded from the operation of those sections except so far as they are adopted under section 35(2) of that Act as respects the whole or part of that area.

F235 28 .....

**Textual Amendments**

**F235** Sch. 17 para. 28 repealed by Wildlife and Countryside Act 1981 (c. 69, SIF 4:5), s. 73, Sch. 17 Pt. II

29 Where in consequence of any survey, review, further review or special review begun under any of the provisions mentioned in paragraph 22 above two or more definitive maps and statements are prepared whether before or after 1st April 1974 for different parts of a new county, the county council shall not take any further steps under those provisions in relation to those maps and statements until all such maps and statements have been prepared for the whole of their area (less any part of it excluded by paragraph 27 above).

30 Where all such maps and statements have been prepared for the whole of that area, the county council shall at one and the same time review the particulars contained in each of those maps and statements; and accordingly section 33 of the 1949 Act and Parts II to IV of Schedule 3 to the 1968 Act (periodical revision of maps and statements) shall apply as if the relevant date for the purposes of each of those maps and statements were the earliest of the relevant dates specified therein or such later date as, on the application of the county council, the Secretary of State may in any particular case direct.

31 Where the Secretary of State gives a direction under this Part of this Schedule, he shall take such steps as he thinks appropriate for bringing it to the notice of persons who may be affected by it.

32 Section 28(3) of the 1949 Act shall not apply to Wales and in that subsection the word “rural” shall be omitted and for the words “representative body of the parish or a member of that body” there shall be substituted the words “chairman of the parish meeting or any person representing the parish on the district council”.

33 In this Part of this Schedule any reference to a definitive map and statement includes a reference to a revised map and statement prepared in definitive form.

**PART III**

MISCELLANEOUS MODIFICATIONS OF 1949 AND 1968 ACTS

*Establishment of nature reserves by local authorities*

34 The powers conferred on a county council by sections 21 and 99(6) of the 1949 Act (nature reserves) shall also be exercisable as respects any district by the district council and references in those sections and section 22 of that Act to a local authority shall be construed accordingly.

*Status: Point in time view as at 02/05/2006.*

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### *Access to open country*

F236<sup>35</sup> .....

#### **Textual Amendments**

**F236** Sch. 17 para. 35 repealed (1.4.2001 (E.) and 1.5.2001 (W.)) by 2000 c. 37, s. 102, **Sch. 16 Pt. I**; S.I. 2001/114, **art. 2(2)(k)**; S.I. 2001/1410, **art. 2(m)**

35A F237 .....

#### **Textual Amendments**

**F237** Sch. 17 para. 35A repealed (28.5.2005 for W. and otherwise prosp.) by 2000 c. 37, ss. 102, 103(3), **Sch. 16 Pt 1.**; S.I. 2005/423, **art. 2(f)(i)**

36 Any county planning authority may require any other local planning authority having functions under Part V of the 1949 Act within the area of the county planning authority to give the county planning authority such information as may facilitate the discharge of the latter's functions under section 62(2) or 63(1) of that Act (securing access) or section 78(1) of that Act (maps of land subject to public access).

37 The functions of a local planning authority under section 67, 68, 81 or 82 of the 1949 Act or section 20 of the 1968 Act (supplementary provisions as to access to land) in relation to land [<sup>F238</sup>in England] which is the subject of an access agreement or order under Part V of the 1949 Act, and the functions of such an authority under section 70 of the 1949 Act in relation to such land and any land held therewith, shall be functions of the authority by whom the agreement or order was made or, where such an order was made by a Minister of the Crown, of the county planning authority, and in those sections, in their application to such land, references to a local planning authority shall be construed accordingly.

#### **Textual Amendments**

**F238** Words in Sch. 17 para. 37 inserted (1.4.1996) by 1994 c. 19, s. 20(4), **Sch. 6 Pt. I para. 14** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**

#### **Modifications etc. (not altering text)**

**C94** Sch. 17 para. 37 excluded (19.9.1995) by 1995 c. 25, ss. **68(1)**, 125(1) (with ss. 7(6), 115, 117, Sch. 8 para. 7)

### *Miscellaneous*

<sup>x7</sup>38 Section 89(2A) of the 1949 Act (treatment of derelict land) shall cease to have effect.

#### **Editorial Information**

**X7** The text of Sch. 17 paras. 38, 39 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*Status: Point in time view as at 02/05/2006.*

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<sup>x8</sup>39 Section 90(2) of the 1949 Act (byelaws) shall cease to have effect and in section 90(4) of that Act for the reference to a local authority there shall be substituted a reference to the local planning authority.

**Editorial Information**

**X8** The text of Sch. 17 paras. 38, 39 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

40 In section 111 of the 1949 Act (Isles of Scilly) references to that Act shall include references to section 184 above and this Schedule.

41 In paragraph 1(3)(a) and 2(5) of Schedule 1 to the 1949 Act (procedure on orders designating National Parks) for references to the local planning authority there shall be substituted references to the county planning authority.

<sup>F239</sup>SCHEDULE 18

Section 185.

AMENDMENTS OF <sup>M46</sup>TOWN DEVELOPMENT ACT 1952

**Textual Amendments**

**F239** Sch. 18 repealed (*prosp.*) by Local Government and Housing Act 1989 (c. 42, SIF 81:1), ss. 194(4), 195(2), **Sch. 12 Pt. II**

**Marginal Citations**

**M46** 1952 c. 54.

<sup>F240</sup>1 .....

**Textual Amendments**

**F240** Sch. 18 para. 1 repealed by Local Government, Planning and Land Act 1980 (c. 65, SIF 81:1, 2), s. 194, **Sch. 34 Pt. XIV**

<sup>x9</sup>2 In section 4, in subsection (1) for the words “county borough of county district” there shall be substituted the words “county or district or the Greater London Council”.

**Editorial Information**

**X9** The text of Sch. 18 paras. 2–6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, save as indicated, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

<sup>x10</sup>3 In section 7, for paragraphs (a) to (c) there shall be substituted the following paragraphs:—

“(a) the council of a district which is not a receiving district;

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- (b) the Greater London Council;
- (c) the council of a county, or;

and in paragraph (d) after the words “1945” there shall be inserted the words “under section 181 of the Local Government Act 1972”.

**Editorial Information**

**X10** The text of Sch. 18 paras. 2–6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and , save as indicated, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- <sup>x11</sup>4 In section 8(1), <sup>F241</sup> . . . in paragraph (c) for the words “county borough” in each place where they occur, there shall be substituted the word “district”.

**Editorial Information**

**X11** The text of Sch. 18 paras. 2–6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and , save as indicated, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Textual Amendments**

**F241** Words repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 194, **Sch. 34 Pt. XIV**

- <sup>x12</sup>5 In section 10(3), for the words “county borough or county district” there shall be substituted the words “county or district or the Greater London Council”.

**Editorial Information**

**X12** The text of Sch. 18 paras. 2–6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and , save as indicated, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- <sup>x13</sup>6 In section 11, for the words from “of the county” to “it is carried out” there shall be substituted the words “of a county” and for the words “by the council of a county borough” there shall be substituted the words “other district council”.

**Editorial Information**

**X13** The text of Sch. 18 paras. 2–6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and , save as indicated, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.



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## SCHEDULE 19

Section 186.

AMENDMENTS OF ENACTMENTS RELATING TO  
ROAD TRAFFIC AND ABANDONED VEHICLES

## PART I

<sup>M47</sup>THE ROAD TRAFFIC ACT 1972**Marginal Citations**

**M47** 1972 c. 20.

- <sup>x14</sup><sub>1</sub> In section 31(7), for the words “county borough or county district” there shall be substituted the word “county”.

**Editorial Information**

**X14** The text of Sch. 19 paras. 1–6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- <sup>x15</sup><sub>2</sub> In section 33(4), for the words “of a borough or of an urban district” there shall be substituted the words “or of a London borough”.

**Editorial Information**

**X15** The text of Sch. 19 paras. 1–6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- <sup>x16</sup><sub>3</sub> In section 35(5), in paragraph (a) for the words from “county borough” in the first place where they occur to the end of the paragraph there shall be substituted the words “London borough”, and the words “and in this subsection “county borough” includes a London borough” shall be omitted.

**Editorial Information**

**X16** The text of Sch. 19 paras. 1–6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- <sup>x17</sup><sub>4</sub> In section 38, subsection (3) shall be omitted and in subsection (5)(a) for the words “a borough or an urban district” there shall be substituted the words “or London borough”.

*Status: Point in time view as at 02/05/2006.*

*Changes to legislation: Local Government Act 1972 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**Editorial Information**

**X17** The text of Sch. 19 paras. 1–6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**X185** In section 43(3) for the words “of a borough, of an urban district” there shall be substituted the words “ of a district or London borough ”.

**Editorial Information**

**X18** The text of Sch. 19 paras. 1–6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**X196** In section 196(1) in the definition of “highway authority”, the words “the council of a county borough, the council of a non-county borough or an urban district” shall be omitted.

**Editorial Information**

**X19** The text of Sch. 19 paras. 1–6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**PART II**

**F242**7–32 . . . . .

**Textual Amendments**

**F242** Sch. 19 Pt. II (paras. 7–32) repealed by [Road Traffic Regulation Act 1984 \(c. 27, SIF 107:1\)](#), s. 146, [Sch. 14](#)

**PART III**

**F243**33–36 . . . . .

**Textual Amendments**

**F243** Sch. 19 Pt. III (paras. 33–36) repealed by [Refuse Disposal \(Amenity\) Act 1978 \(c. 3, SIF 100:3\)](#), s. 12, [Sch. 2](#)

*Status: Point in time view as at 02/05/2006.*

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F244 SCHEDULE 20

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**Textual Amendments**

F244 Sch. 20 repealed by Highways Act 1980 (c. 66, SIF 59), s. 343(3), Sch. 25

SCHEDULE 21

Section 188.

AMENDMENTS OF ENACTMENTS RELATING TO HIGHWAYS

**PART I**

F245 1–95 .....

**Textual Amendments**

F245 Sch. 21 paras. 1–95 repealed by Highways Act 1980 (c. 66, SIF 59), s. 343(3), Sch. 25

**PART II**

OTHER ENACTMENTS

F246 96 .....

**Textual Amendments**

F246 Sch. 21 para. 96 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1 Pt. X

X20 97 At the end of section 57(3) of the M48 National Parks and Access to the Countryside Act 1949 there shall be added the words “ or by the council of the district in which the notice is placed or maintained ”.

**Editorial Information**

X20 The text of Sch. 21 paras. 97, 98 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

M48 1949 c. 97.

F247 98 .....

*Status: Point in time view as at 02/05/2006.*

*Changes to legislation: Local Government Act 1972 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**Textual Amendments**

**F247** Sch. 21 para 98 repealed (1.1.1993) by [New Road and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(2), [Sch. 9](#); S.I. 1992/2984, art. 2(2), [Sch.2](#).

F248<sup>99</sup>, .....  
100.

**Textual Amendments**

**F248** Sch. 21 paras. 99, 100 repealed by [Highways Act 1980 \(c. 66, SIF 59\)](#), s. 343(3), [Sch. 25](#)

F249<sup>SCHEDULE 22</sup>

.....

**Textual Amendments**

**F249** Sch. 22 repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 3, [Sch. 1 Pt. 1](#)

X21<sup>SCHEDULE 23</sup>

Section 195.

AMENDMENTS OF ENACTMENTS CONFERRING SOCIAL SERVICES FUNCTIONS

**Editorial Information**

**X21** The text of Sch. 23 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

F250<sup>1</sup> .....

**Textual Amendments**

**F250** Sch. 23 para. 1 repealed by [National Health Service Act 1977 \(c. 49, SIF 113:2\)](#), s. 129, [Sch. 16](#)

2 (1) In section 21 of the <sup>M49</sup>National Assistance Act in subsection (1), for the words from the beginning to “to provide” there shall be substituted the words “ Subject to and in accordance with the provisions of this Part of this Act, a local authority may with the approval of the Secretary of State, and to such extent as he may direct shall, make arrangements for providing ” ; in subsection (2) of that section for the words “the exercise of their said duty” there shall be substituted the words “ making any such arrangements ”; subsection (3) of that section shall be, omitted ; and in subsection (4) of that section, for the words “said functions” there shall be substituted the words “

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*Changes to legislation: Local Government Act 1972 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

functions under this section ” and for the words “specified in the scheme” there shall be substituted the words “ determined in accordance with the arrangements ”.

- (2) In section 24 of that Act, in subsections (1) . . . <sup>F251</sup> for the word “liable” there shall be substituted the word “ empowered ” ; in subsection (3) for the word “duty” there shall be substituted the word “ power ” ; and in subsection (4) of that section for the word “scheme” there shall be substituted the word “ arrangements ”.
- (3) In section 26 of that Act, [<sup>F252</sup>in subsection (1) for the words “a scheme under section twenty-one thereof may provide that” there shall be substituted the words “ arrangements under section 21 thereof may include provision whereby ” and] in subsection (2) [<sup>F252</sup>of that section] for the words “such arrangements as aforesaid” there shall be substituted the words “ arrangements made by virtue of subsection (1) of this section ”.
- (4) In section 29 of that Act, in subsection (1), for the words “shall have power to” there shall be substituted the words “ may, with the approval of the Secretary of State, and to such extent as he may direct in relation to persons ordinarily resident in the area of the local authority shall ”; and subsections (2) and (3) of that section shall be omitted.
- (5) In section 30(1) of that Act, for the words “if the scheme under the last foregoing section so provides” there shall be substituted the words “ in accordance with arrangements made under section 29 of this Act ”.
- (6) In section 33(1) of that Act, for the words “the council of a county or county borough” there shall be substituted the words “ a council which is a local authority for the purposes of the Local Authority Social Services Act 1970 ”.
- <sup>F253</sup>(7) In section 35(2) of that Act, the words from the beginning to “this Act”, in the first place where those words occur, shall be omitted.]
- <sup>F254</sup>(8) .....
- <sup>F255</sup>(9) .....
- (10) In section 48 of that Act, in subsection (4), for the words “the council of the county, county borough or large burgh” there shall be substituted the words “ the council which is the local authority for the purposes of the Local Authority Social Services Act 1970 and ”.
- (11) In section 49 of that Act, for the words “the council of a county or county borough” there shall be substituted the words “ any such council as is referred to in section 48(4) of this Act ”.
- <sup>F256</sup>(12) .....
- (13) In section 56 of that Act, for subsection (3) there shall be substituted the following subsection:—
  - “(3) Offences under this Act, other than offences under section 47(11) of this Act, may be prosecuted by any council which is a local authority for the purposes of the Local Authority Social Services Act 1970 and offences under section 47(11) of this Act may be prosecuted by the councils referred to in section 47(12) of this Act.”

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**Textual Amendments**

- F251** Words repealed by [Housing \(Homeless Persons\) Act 1977 \(c. 48, SIF 61\)](#), s. 20(4), **Sch.**
- F252** Words repealed (*prosp.*) by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\)](#), ss. 66(2), 67(2), **Sch. 10**
- F253** [Sch. 23 para. 2\(7\)](#) repealed (*prosp.*) by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\)](#), ss. 66(2), 67(2), **Sch. 10**
- F254** [Sch. 23 para. 2\(8\)](#) repealed by [Residential Homes Act 1980 \(c. 7, SIF 81:1\)](#), s. 11(5), **Sch. 2**
- F255** [Sch. 23 para. 2\(9\)](#) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. X Gp. 1.**
- F256** [Sch. 23 para. 2\(12\)](#) repealed by [Public Health \(Control of Disease\) Act 1984 \(c. 22, SIF 100:1\)](#), s. 78, **Sch. 3**

**Marginal Citations**

- M49** 1948 c. 29.

F257<sub>3</sub> .....

**Textual Amendments**

- F257** [Sch. 23 para. 3](#) repealed by [Child Care Act 1980 \(c. 5\)](#), s. 89(3), **Sch. 6**

F258<sub>4</sub> .....

**Textual Amendments**

- F258** [Sch. 23 para. 4](#) repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(2), **Sch. 15 art.3(2)**

F259<sub>5</sub> .....

**Textual Amendments**

- F259** [Sch. 23 para. 5](#) repealed by [National Health Service Act 1977 \(c. 49, SIF 113:2\)](#), s. 129, **Sch. 16**

- 6 (1) In section 3 of the <sup>M50</sup>Disabled Persons (Employment) Act 1958, in subsection (1), for the words “shall have power under this section to” there shall be substituted the words “ may, with the approval of the Secretary of State, and to such extent as he may direct in relation to persons ordinarily resident in the authority’s area shall ” and the words from “and in relation to” to the end of the subsection shall be omitted in subsection (3) of that section the words from the beginning to “made thereunder” shall be omitted ; and in subsection (5) of that section for the words “or of a county borough” there shall be substituted the words “ other than a metropolitan county, or of a metropolitan district or London borough or the Common Council of the City of London ”.
- (2) In the Schedule, in paragraph 1(1)(c), for the words “thirty-two and thirty-four” there shall be substituted the words “ and 32 ” and in paragraph 1(2) the words “thirty-four” shall be omitted.

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**Marginal Citations**

**M50** 1958 c. 33.

F260<sup>7</sup> .....

**Textual Amendments**

**F260** Sch. 23 para. 7 repealed by Foster Children Act 1980 (c. 6), s. 23(3), **Sch. 3**

F261<sup>8</sup> .....

**Textual Amendments**

**F261** Sch. 23 para. 8 repealed by Adoption Act 1976 (c. 36, SIF 49:11), s. 73(3), **Sch. 4**

9 [ <sup>F262</sup>(1) In the <sup>M51</sup>Mental Health Act 1959, in sections 8(1), <sup>F263</sup> . . . for the words “local health authorities” there shall be substituted the words “local social services authorities ”.]

(2) In sections <sup>F264</sup> . . . , 131, <sup>F264</sup> . . . and 142 of that Act for the words “local health authority” there shall be substituted the words “local social services authority ”.

<sup>F265</sup>(3) .....

<sup>F266</sup>(4) .....

**Textual Amendments**

**F262** Sch. 23 para 9(1) repealed (*prosp.*) by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), ss. 66(2), 67(2), **Sch. 10**

**F263** Words repealed by Mental Health Act 1983 (c. 20, SIF 85), s. 148, **Sch. 6**

**F264** Words repealed by Mental Health Act 1983 (c. 20, SIF 85), s. 148, **Sch. 6**

**F265** Sch. 23 para. 9(3) repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), ss. 108(2), **Sch. 15**;art.3(2)

**F266** Sch. 23 para. 9(4)–(6) repealed by Mental Health Act 1983 (c. 20, SIF 85), s. 148, **Sch. 6**

**Marginal Citations**

**M51** 1959 c. 72.

F267<sup>10</sup> .....

**Textual Amendments**

**F267** Sch. 23 para. 10 repealed by Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22, SIF 49:3), s. 89(2), **Sch. 3**

11 <sup>F268</sup> .....

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**Textual Amendments**

**F268** Sch. 23 para. 11 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

F269 12 .....

**Textual Amendments**

**F269** Sch. 23 para. 12 repealed by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), s. 30, Sch. 10

F270 13 .....

**Textual Amendments**

**F270** Sch. 23 para. 13 repealed by Matrimonial Causes Act 1973 (c. 18), Sch. 3

F271 14 .....

**Textual Amendments**

**F271** Sch. 23 para. 14 repealed by Supplementary Benefits Act 1976 (c. 71, SIF 113:1), s. 35(3), Sch. 8

15 F272(1) .....

(3) In section 45(11) of that Act, for the words “county borough” there shall be substituted the words “ other than a metropolitan county, or of a metropolitan district ”.

(4) In section 65(3)(a) of that Act, for the words “county borough” there shall be substituted the words “ other than a metropolitan county, or of a metropolitan district ”.

**Textual Amendments**

**F272** Sch. 23 para. 15(1)(2) repealed by National Health Service Act 1977 (c. 49, SIF 113:2), s. 129, Sch. 16

16 In section 70(1) of the <sup>M52</sup>Children and Young Persons Act 1969, in the definition of “local authority”, for the words “means the council of a county, county borough” there shall be substituted the words “ except in relation to proceedings under section I of this Act instituted by a local education authority, means the council of a non-metropolitan county or of a metropolitan district ”.

**Marginal Citations**

**M52** 1969 c. 54.



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## SCHEDULE 24

Section 202.

### AMENDMENTS OF <sup>M53</sup>TRANSPORT ACT 1968, PART II

#### Marginal Citations

**M53** 1968 c. 73.

### PART I

#### AMENDMENTS OF GENERAL APPLICATION

1 <sup>F273</sup> .....

#### Textual Amendments

**F273** Sch. 24 para. 1 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

<sup>x22</sup>2 In section 11 (financial duty of Passenger Transport Executives) after subsection (3) there shall be inserted the following subsection:—

“(3A) Without prejudice to any power of the Executive to establish specific reserves, the Executive may establish and maintain a general reserve, and the Authority may give to the Executive directions as to any matter relating to the establishment or management of any such general reserve and the carrying of sums to the credit thereof, or the application thereof ; but no part of the moneys comprised in such a general reserve shall be applied otherwise than for purposes of the Executive or a subsidiary of theirs.”

#### Editorial Information

**X22** The text of Sch. 24 paras. 1, 2, 4–7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

<sup>F274</sup>3 .....

#### Textual Amendments

**F274** Sch. 24 para. 3 repealed by Local Government Finance Act 1982 (c. 32, SIF 81:1), s. 38, Sch. 6 Pt. IV

<sup>x23</sup>4 After section 15 there shall be inserted the following section:—

#### “15A Additional provisions as to control of Executive by Authority.

(1) In addition to any power of the Authority under any other provision of this Part of this Act to give directions to the Executive as respects any matter, the Authority may give to the Executive directions as to the exercise and performance by the Executive of their functions (including the exercise of

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rights conferred by the holding of interests in companies) in relation to matters appearing to the Authority to affect the carrying out by the Authority or the Executive of their respective duties under section 9(3) of this Act.

- (2) The Executive shall provide the Authority at such time or intervals and in such form and manner as the Authority may require with information with respect to the operations and the expenditure on capital and revenue account respectively which are planned or under consideration by the Executive and shall furnish the Authority with such returns, accounts and other information with respect to the property and activities of the Executive or any subsidiary of theirs as the Authority may from time to time require.
- (3) The Authority may from time to time cause a review to be made of the organisation of the Executive's undertaking and may give to the Executive such directions as appear to the Authority from any such review to be requisite to secure that the Executive's undertaking is organised in the most efficient manner ; and the Executive shall not make, or permit to be made, any substantial change in the manner in which their undertaking is organised except in pursuance of a direction given by the Authority under this subsection, or with the approval of the Authority."

#### Editorial Information

**X23** The text of Sch. 24 paras. 1, 2, 4–7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

<sup>x24</sup><sub>5</sub> In section 15(1) (Executive to submit certain proposals and estimates for the approval of the Authority) for paragraphs (b) and (c) there shall be substituted the following paragraphs:—

- “(b) such annual or other estimates of income or expenditure of the Executive and any subsidiaries of theirs as the Authority may require to be submitted to the Authority, and any major change proposed to be made in any of those estimates after their approval by the Authority ;
- (c) any proposal for expenditure by the Executive or any subsidiary of theirs, or by any other person in pursuance of arrangements with the Executive, which involves a substantial outlay on capital account”.

#### Editorial Information

**X24** The text of Sch. 24 paras. 1, 2, 4–7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

<sup>x25</sup><sub>6</sub> In section 16(1) (annual report prepared jointly by Authority and Executive to be published in such manner as the Secretary of State directs) for the words “as the Minister may direct” there shall be substituted the words “ as the Authority consider appropriate ”.

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**Editorial Information**

**X25** The text of Sch. 24 paras. 1, 2, 4–7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**x267** In section 23 (directions given by the Secretary of State) in subsections (2) and (3) after the word “Minister” there shall be inserted the words “ or an Authority for a designated area ”.

**Editorial Information**

**X26** The text of Sch. 24 paras. 1, 2, 4–7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**8** In Part I of Schedule 5 (constitution of Passenger Transport Authorities) so much of paragraph 1 as requires the approval of the Secretary of State to the appointment of the chairman of an Authority shall cease to have effect.

**PART II**

**F2759-17** .....

**Textual Amendments**

**F275** Sch. 24 Pt. II repealed by Transport Act 1985 (c. 67, SIF 126), ss. 57(6), 139(3), Sch. 3 para. 25, **Sch. 8**

SCHEDULE 25

Section 204.

AMENDMENTS OF LICENSING ENACTMENTS

**PART I**

AMENDMENTS OF <sup>M54</sup>LICENSING ACT 1964

**Marginal Citations**

**M54** 1964 c. 26.

**1** **F276** .....

**Textual Amendments**

**F276** Sch. 25 para. 1 repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 199, 201, **Sch. 7**; S.I. 2005/3056, **art. 2(2)**

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F277<sup>2</sup> .....

**Textual Amendments**  
F277 Sch. 25 paras. 2, 7 repealed (with saving) by Licensing (Alcohol Education and Research) Act 1981 (c. 28, SIF 68A:1), s. 11, **Sch. 2 Pt. I** (and repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 199, 201, **Sch. 7**; S.I. 2005/3056, **art. 2(2)**)

3 F278 .....

**Textual Amendments**  
F278 Sch. 25 para. 3 repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 199, 201, **Sch. 7**; S.I. 2005/3056, **art. 2(2)**

4 F279 .....

**Textual Amendments**  
F279 Sch. 25 para. 4 repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 199, 201, **Sch. 7**; S.I. 2005/3056, **art. 2(2)**

5 F280 .....

**Textual Amendments**  
F280 Sch. 25 para. 5 repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 199, 201, **Sch. 7**; S.I. 2005/3056, **art. 2(2)**

6 F281 .....

**Textual Amendments**  
F281 Sch. 25 para. 6 repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 199, 201, **Sch. 7**; S.I. 2005/3056, **art. 2(2)**

F282<sup>7</sup> .....

**Textual Amendments**  
F282 Sch. 25 paras. 2, 7 repealed (with saving) by Licensing (Alcohol Education and Research) Act 1981 (c. 28, SIF 68A:1), s. 11, **Sch. 2 Pt. I** (and repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 199, 201, **Sch. 7**; S.I. 2005/3056, **art. 2(2)**)

8 F283 .....

*Status: Point in time view as at 02/05/2006.*

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**Textual Amendments**

**F283** Sch. 25 para. 8 repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), ss. 199, 201, [Sch. 7](#); S.I. 2005/3056, [art. 2\(2\)](#)

9 **F284** .....

**Textual Amendments**

**F284** Sch. 25 para. 9 repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), ss. 199, 201, [Sch. 7](#); S.I. 2005/3056, [art. 2\(2\)](#)

**PART II**

**F285** 10–12 .....

**Textual Amendments**

**F285** Sch. 25 Pt. II paras. 10–12 repealed by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), s. 47, [Sch. 7 Pt. I](#)

SCHEDULE 26

Section 214.

CEMETERIES AND CREMATORIA

*Discharge of functions of burial authorities*

1 In relation to a cemetery or crematorium maintained immediately before 1st April 1974 by a burial board, joint burial board or committee which ceases to exist by virtue of section 214 above the functions conferred by the said section 214 and this Schedule shall, subject to the provisions of any order made under section 254 above, be exercised on and after that date by whichever of the following burial authorities is relevant:—

- (a) where the area of the board or committee becomes wholly comprised on that date in a parish or community having a parish or community council, whether separate or common, that council;
- (b) where that area becomes comprised in two or more such parishes or communities, the councils of those parishes or communities, acting jointly;
- (c) where that area becomes wholly comprised in a parish not having a parish council, the parish meeting of the parish;
- (d) where that area becomes wholly comprised in two or more parishes not having parish councils, the parish meetings for those parishes acting jointly;
- (e) where that area becomes wholly comprised in two or more parishes of which one or more have, and one or more have not, parish councils, the parish council or councils and the parish meeting or meetings of the parish or parishes not having parish councils, acting jointly;

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- (f) where that area becomes wholly comprised in a community not having a community council or in two or more such communities, the council of the district in which that community or those communities become comprised or, where they become comprised in different districts, the councils of those districts acting jointly;
  - (g) where that area becomes wholly comprised in two or more communities of which one or more have, and one or more have not, community councils, the community council or councils and the council or councils of the district or districts in which the community or communities not having community councils become comprised, acting jointly;
  - (h) in the case of an area in England none of which becomes comprised in a parish, the council of the district in which it becomes comprised or, where it becomes comprised in two or more districts, the councils of those districts acting jointly;
  - (i) where that area becomes comprised partly in a parish or parishes and partly in an area which is not a parish, the parish council or councils or parish meeting or meetings, as the case may be, of that parish or those parishes and the council or councils of the district or districts in which it becomes comprised, acting jointly.
- 2 Where by virtue of paragraph 1 above the functions conferred by section 214 above and this Schedule become exercisable by two or more burial authorities, then, unless a joint board is established under section 6 of the <sup>M55</sup>Public Health Act 1936 to exercise those functions, it shall be their duty to make arrangements under Part VI of this Act for the discharge of those functions by a joint committee of those authorities.

#### Marginal Citations

**M55** 1936 c. 49.

- 3 Section 6 of the <sup>M56</sup>Public Health Act 1936 (establishment of joint boards to perform the functions of local authorities under the Public Health Acts) shall have effect as if the provisions of the <sup>M57</sup>Cremation Acts 1902 <sup>M58</sup> and 1952, section 214 above and this Schedule were part of that Act and as if the reference to local authorities and their districts—
- (a) so far as those sections relate to functions with respect to cemeteries, included references to burial authorities and their areas; and
  - (b) so far as those sections relate to functions with respect to crematoria, included references to burial authorities, other than parish meetings, and the areas of such authorities.

#### Marginal Citations

**M56** 1936 c. 49.

**M57** 1902 c. 8.

**M58** 1952 c. 31.

- 4 Where in pursuance of paragraph 2 above two or more burial authorities make arrangements under Part VI of this Act for the discharge of their functions by a joint

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committee, and if any of those authorities wish, and one or more of the others do not wish, to alter the arrangements, the arrangements may be changed or ended—

- (a) where those authorities are the councils of parishes <sup>F286</sup> . . . or groups of parishes <sup>F286</sup> . . . situated in the same district, by the council of that district;
- [<sup>F287</sup>(aa) where those authorities are the councils of communities or groups of communities situated in the same principal area, by the council of that principal area;]
- (b) in any other case, by the Secretary of State.

#### Textual Amendments

**F286** Words in Sch. 26 para. 4(a) repealed (1.4.1996) by 1994 c. 19, s. 66(5)(8), Sch. 15 para. 65(2), Sch. 18 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, Sch. 2

**F287** Sch. 26 para. 4(aa) inserted (1.4.1996) by 1994 c. 19, s. 66(5), Sch. 15 para. 65(2) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, Sch. 2

5 In the following provisions of this Act, that is to say, sections 101 to 106, 111, 112, 124, 125, 139 and Part I of Schedule 13 so far as they relate to functions conferred by section 214 above and this Schedule, any reference to a local authority or a parish council shall include a reference to a parish meeting or, as may be appropriate, the parish trustees of a parish, and section 109 above shall not apply to those functions.

6 Notwithstanding anything in section 150 above, a parish or community council or parish meeting may by resolution declare any expenses incurred by them in the discharge of functions under section 214 above and this Schedule to be chargeable only on such part of their area as may be specified in the resolution, and any such resolution may be varied or revoked by a subsequent resolution of the council or meeting, as the case may be.

7 If the constituent local authorities of a joint committee of burial authorities are unable to purchase by agreement and on reasonable terms suitable land for the purpose of enabling the committee to exercise their powers under section 214 above and none of those authorities is a district council [<sup>F288</sup>or Welsh principal council], the committee may represent the case to the council of the district [<sup>F289</sup>or Welsh principal area] in which their area or any part of it is situated, and thereupon section 125 above shall apply as if the committee were a parish or community council and their area were a parish or community.

#### Textual Amendments

**F288** Words in Sch. 26 para. 7 inserted (1.4.1996) by 1994 c. 19, s. 66(5), Sch. 15 para. 65(3) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, Sch. 2

**F289** Words in Sch. 26 para. 7 inserted (1.4.1996) by 1994 c. 19, s. 66(5), Sch. 15 para. 65(3) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, Sch. 2

8 The district council [<sup>F290</sup>or Welsh principal council] in making and the Secretary of State in confirming an order under that section as applied by paragraph 7 above shall take account of the needs of the whole area of the committee even if it is partly outside the district [<sup>F291</sup>or (as the case may be) principal area].

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**Textual Amendments**

- F290** Words in Sch. 26 para. 8 inserted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 65(4)** (with ss. 54(5) (7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F291** Words in Sch. 26 para. 8 inserted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 65(4)** (with ss. 54(5) (7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**

9 Land acquired in pursuance of paragraph 7 above shall be conveyed to one or more of, or of the bodies qualified to hold land on behalf of, the constituent local authorities.

*Provision and management of cemeteries*

10 Sections 15<sup>F292</sup> . . . of the<sup>M59</sup> Public Health Act 1936 shall apply to the carrying out of works by the council of a district or London borough or the Common Council outside their respective areas for the purpose of a cemetery or crematorium as they apply to the construction of sewage disposal works by such a council outside their area.

**Textual Amendments**

- F292** Words repealed by S.I. 1974/595

**Marginal Citations**

- M59** 1936 c. 49.

11 (1) Subject to the provisions of any order made under section 214(3) above, the council of a district or London borough and the Common Council may make byelaws with respect to the management of any cemeteries provided by them and a parish<sup>F293</sup> . . . council or parish meeting may adopt for any cemetery provided by them any byelaws made under this paragraph by the district council and duly confirmed.

[<sup>F294</sup>(1A) Subject to the provisions of any order made under section 214(3) above, a Welsh principal council may make byelaws with respect to the management of any cemetery provided by them and a community council may adopt for any cemetery provided by them any byelaws made under this paragraph by the principal council and duly confirmed.]

(2) The confirming authority in relation to byelaws made under this paragraph shall be the Secretary of State.

**Textual Amendments**

- F293** Words in Sch. 26 para. 11(1) repealed (1.4.1996) by 1994 c. 19, s. 66(5)(8), Sch. 15 para. 65(5), **Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F294** Sch. 26 para. 11(1A) inserted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 65(5)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**

<sup>F295</sup>12, . . . . .  
13.



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#### Textual Amendments

**F295** Sch. 26 paras. 12, 13, 18–23 repealed by S.I. 1974/628

- 14 Until the first order under section 214(3) above takes effect, the <sup>M60</sup>Cemeteries Clauses Act 1847, except sections 15, 25, 27, 28, 30 to 35, 60, 66 and 67, shall be incorporated with this Act, but—
- (a) when the first order under that subsection takes effect, the said Act of 1847 shall cease to apply to cemeteries provided by local authorities, and
  - (b) section 10 of that Act (cemeteries not to be within a certain distance of houses) shall cease to have effect on 1st April 1974.

#### Marginal Citations

**M60** 1847 c. 65.

#### *Saving, amendments and modifications of enactments*

- 15 Section 214(1) above shall not affect the power to make an Order in Council under section 1 of the <sup>M61</sup>Burial Act 1853 or section 2 of the <sup>M62</sup>Burial Act 1855 with respect to the discontinuance of burials; and—
- (a) the power to make such an Order shall, notwithstanding anything in section 5 of the said Act of 1853 (which precludes the exercise of that power in the case of cemeteries provided under any Act of Parliament or with the approval of the Secretary of State) be exercisable in relation to all cemeteries provided under section 214 above or in Greater London provided otherwise; and
  - (b) section 51 of the <sup>M63</sup>Burial Act 1852 shall apply to cemeteries in which burials are discontinued by virtue of this paragraph as it applies to burial grounds in which interments are discontinued under that Act;
- but nothing in any such Order shall prevent the interment of the body of any person in the Cathedral Church of St. Paul, London, or in the Collegiate Church of St. Peter, Westminster, if Her Majesty signifies Her approval that the body be so interred.

#### Marginal Citations

**M61** 1853 c. 134.

**M62** 1855 c. 128.

**M63** 1852 c. 85.

- <sup>x27</sup>16 In section 1 of the <sup>M64</sup>Burial Act 1859, for the word “churchwardens”, in the first place where it occurs, there shall be substituted the words “burial authority”, for the words from “church wardens” in the second place where it occurs to “situate” there shall be substituted the words “council of the district or London borough or the Common Council of the City of London, as the case may be” and for the word “churchwardens”, wherever it subsequently occurs, there shall be substituted the word “Council”.

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#### Editorial Information

**X27** The text of Sch. 26 para. 16 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Marginal Citations

**M64** 1859 c. 1. (22 Vict.).

17 In Part III of Schedule 5 to the <sup>M65</sup>Public Health Act 1875, the paragraph relating to section 83 of the Act 11 and 12 Vict. c. 63 shall in Greater London apply only within the outer London boroughs and shall outside Greater London apply to, and only to, a church or other place of public worship—

- (a) to which it applies immediately before 1st April 1974 or would have so applied if the building had then been completed; or
- (b) the building of which begins on or after that date.

#### Marginal Citations

**M65** 1875 c. 55.

<sup>F296</sup>18–23 .....

#### Textual Amendments

**F296** Sch. 26 paras. 12, 13, 18–23 repealed by S.I. 1974/628

24 It shall not be necessary for the Secretary of State to approve any table of fees as required by section 9 of the <sup>M66</sup>Cremation Act 1902, but any burial authority for the purposes of that Act shall keep such a table and it shall be available for inspection by the public at all reasonable times.

#### Modifications etc. (not altering text)

**C95** Sch. 26 para. 24 extended by S.I. 1977/293, art. 5(2)

#### Marginal Citations

**M66** 1902 c. 8.

25 A burial authority within the meaning of section 214 above shall also be a burial authority for the purposes of <sup>F297</sup> . . . the <sup>M67</sup>Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970.

#### Textual Amendments

**F297** Words repealed by S.I. 1974/628

#### Marginal Citations

**M67** 1970 c. 29.

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## SCHEDULE 27

F298<sup>1</sup> .....

### Textual Amendments

**F298** Sch. 27 paras. 1, 5–10, 12–15 repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

F299<sup>2–4</sup> .....

### Textual Amendments

**F299** Sch. 27 paras. 2–4, 11 repealed by Administration of Justice Act 1973 (c. 15), ss. 19(1), 20, **Sch. 5 Pt. II** and expressed to be repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

F300<sup>5–10</sup> .....

### Textual Amendments

**F300** Sch. 27 paras. 1, 5–10, 12–15 repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

F301<sup>11</sup> .....

### Textual Amendments

**F301** Sch. 27 paras. 2–4, 11 repealed by Administration of Justice Act 1973 (c. 15), ss. 19(1), 20, **Sch. 5 Pt. II** and expressed to be repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

F302<sup>12–15</sup> .....

### Textual Amendments

**F302** Sch. 27 paras. 1, 5–10, 12–15 repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

F303<sup>16</sup> .....

### Textual Amendments

**F303** Sch. 27 para. 16 repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154(3), **Sch. 9**

F304<sup>17</sup> .....

### Textual Amendments

**F304** Sch. 27 para. 17 repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

F305<sup>18</sup> .....

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**Textual Amendments**

**F305** Sch. 27 para. 18 repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, Sch. 17

F306 19 .....

**Textual Amendments**

**F306** Sch. 27 para. 19 repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, Sch. 3

F307F307 SCHEDULE 28

**Textual Amendments**

**F307** Sch. 28 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

F307 .....

VALID FROM 12/01/2010

[F308] SCHEDULE 28A

AMENDMENT OF LAWS RELATING TO FREEDOMS OF CITIES AND TOWNS

**Textual Amendments**

**F308** Sch. 28A inserted (12.1.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), ss. 28(3), 148(1)(d)

*Introductory*

- 1 (1) This Schedule makes provision for the laws relating to freedom of a city or town to be amended by, or pursuant to, a resolution of persons admitted to that freedom.
- (2) The powers conferred by this Schedule are without prejudice to any other power to amend the law relating to freedom of a city or town.
- (3) In this Schedule—
  - “appropriate national authority” means—
    - (a) the Secretary of State, in relation to a city or town in England;
    - (b) the Welsh Ministers, in relation to a city or town in Wales;
  - “enactment” includes in particular—
    - (a) a royal charter or other instrument made under the royal prerogative;
    - (b) any instrument made under an enactment.

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*Powers to amend law in respect of women and civil partners*

- 2
- (1) The purposes of this paragraph are—
    - (a) to provide for a woman to have the right to be admitted to freedom of a city or town in any or all circumstances where a man has that right;
    - (b) to enable a woman admitted to the freedom of a city or town (whether pursuant to this Schedule or otherwise) to use the title “freewoman”;
    - (c) to put a civil partner or surviving civil partner of a person admitted to freedom of a city or town in the same position as a spouse or surviving spouse of such a person.
  - (2) The appropriate national authority may by order amend an Act for any purpose of this paragraph, if the amendment is proposed by a qualifying resolution.
  - (3) A qualifying resolution may amend—
    - (a) any enactment other than an Act, or
    - (b) the law established by custom,for any purpose of this paragraph.
  - (4) An amendment may not be made under this paragraph for the purpose specified in sub-paragraph (1)(a) if the effect of the amendment in any case or circumstances would be to deprive a man of the right to be admitted to freedom of a city or town.
  - (5) A provision of a public general Act may not be amended under this paragraph unless the provision relates only to—
    - (a) a particular city or town, or
    - (b) a specified group of cities or towns.

*Power to amend royal charters*

- 3
- (1) Her Majesty may by Order in Council amend the law relating to rights of admission to freedom of a city or town where—
    - (a) the law is contained in a royal charter; and
    - (b) the amendment is proposed in a qualifying resolution.
  - (2) It is immaterial for the purposes of sub-paragraph (1) above whether the amendment is one which could be made under paragraph 2(3) above.
  - (3) An Order in Council under this paragraph is not a statutory instrument for the purposes of the Statutory Instruments Act 1946.

*Powers to amend laws established by custom*

- 4
- (1) A qualifying resolution may amend the law relating to rights of admission to freedom of a city or town where the law is established by custom.
  - (2) The power in sub-paragraph (1) above does not include power to make an amendment which could be made under paragraph 2(3) above.

*Consequential amendments*

- 5
- (1) The power to make an amendment under paragraph 2(2) above includes power (exercisable in the same way and subject to the same conditions) to make consequential amendments to—

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- (a) any enactment, or  
 (b) the law established by custom.
- (2) The power to make an amendment under paragraph 2(3), 3 or 4 above includes power (exercisable in the same way and subject to the same conditions) to make consequential amendments to—  
 (a) any enactment other than an Act, or  
 (b) the law established by custom.
- (3) Where an amendment is made under paragraph 2(3), 3 or 4 above, the appropriate national authority may by order make consequential amendments to any Act, if the consequential amendments are proposed by a qualifying resolution.
- 6 (1) Where by virtue of an amendment under paragraph 2, 3 or 4 above a person has the right of admission to freedom of city or town, the following amendments in particular are to be regarded as consequential for the purposes of this Schedule—  
 (a) an amendment for the purpose of putting that person in the same position as any other person admitted to that freedom;  
 (b) an amendment for the purpose of putting a person who by marriage, civil partnership, descent, employment or otherwise is or has been related to or associated with that person in the same position as a person correspondingly related to or associated with any other person admitted to that freedom;  
 (c) an amendment for the purpose of putting a person who is or has been related by marriage or civil partnership to a surviving spouse or civil partner or child of that person in the same position as a person correspondingly related to the surviving spouse or civil partner or child of any other person admitted to that freedom.
- (2) In determining for the purposes of sub-paragraph (1) above whether one relationship corresponds with another, differences of gender are to be ignored.
- Qualifying resolutions*
- 7 (1) For the purposes of this Schedule, a “qualifying resolution” is a resolution—  
 (a) in relation to which the requirements of paragraph 8 below are complied with; and  
 (b) which is passed in accordance with paragraph 9 below.
- 8 (1) The requirements of this paragraph in relation to a resolution are as follows.  
 (2) The resolution must be proposed by three or more eligible persons.  
 (3) Voting on the resolution is to be by postal ballot.  
 (4) The proposers must make reasonable endeavours to secure that each eligible person is sent—  
 (a) a notice of the ballot, and  
 (b) a ballot paper.  
 (5) The notice must state—  
 (a) the resolution proposed,  
 (b) the purpose of the resolution, and  
 (c) the date by which ballot papers must be returned (the “voting date”).

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- (6) Any notice and ballot paper must be sent at least 28 days before the voting date.
- (7) For the purposes of this paragraph, a notice or ballot paper is sent to a person on the day it is posted by first class post to the last known address of that person.
- 9 (1) A resolution is passed in accordance with this paragraph if—
- (a) it is passed by a majority of the eligible persons voting on the resolution,
  - (b) the number of eligible persons voting on the resolution is at least 10% of the number of eligible persons to whom notice is sent under paragraph 8(4) above, and the resolution is notified to the relevant council within six weeks from the voting date.
- (2) For the purposes of sub-paragraph (1)(c) above, the resolution is notified by delivery of the following documents to the relevant council—
- (a) a copy of the resolution;
  - (b) a copy of the notice sent under paragraph 8(4) above;
  - (c) a statement in writing of the names of the eligible persons to whom the notice was sent;
  - (d) a statement in writing of the number of eligible persons who voted on the resolution and of the number who voted in favour of it;
  - (e) all ballot papers returned in accordance with the notice.
- (3) The relevant council must keep the documents delivered under sub-paragraph (2) above, but need not keep those within paragraphs (b) to (e) of that sub-paragraph if it considers that it is no longer reasonably necessary to do so.
- 10 In paragraphs 8 and 9 above—
- “eligible person” means a person whose name is on the roll of persons admitted to the freedom of the city or town concerned kept under section 248(2) above;
- “relevant council” means—
- (a) in relation to a city or town in England—
    - (i) the district council in whose area the city or town is situated, or
    - (ii) if the city or town is not in the area of a district council, the county council in whose area it is situated;
  - (b) in relation to a city or town in Wales, the principal council in whose area the city or town is situated.
- Order-making powers: supplementary*
- 11 (1) A statutory instrument containing an order under this Schedule which contains an amendment to a public general Act is subject to annulment—
- (a) by either House of Parliament, in the case of an order made by the Secretary of State;
  - (b) by the National Assembly for Wales, in the case of an order made by the Welsh Ministers.]

*Status: Point in time view as at 02/05/2006.*

*Changes to legislation: Local Government Act 1972 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULE 29

Section 251.

### ADAPTATION, MODIFICATION AND AMENDMENT OF ENACTMENTS

#### PART I

##### GENERAL ADAPTATION OF ENACTMENTS

- 1 (1) This paragraph applies to any enactment passed before, or during the same session as, this Act, and any instrument made before this Act under any enactment.
- (2) Any reference in any such enactment or instrument to a local authority within the meaning of the 1933 Act shall be construed as a reference to a local authority within the meaning of this Act.
- 2 In any enactment or instrument to which paragraph 1 above applies any reference to a district which is such a reference by virtue only of a provision of this Act shall be construed as a reference to a district within the meaning of this Act.
- 3 In any enactment or instrument to which paragraph 1 above applies—
- (a) references to expenses, including expenses of a specified description, incurred for general county purposes or general London purposes or to expenditure on which the whole of the county or the whole of Greater London is chargeable shall be construed as references to general expenses of a county council or the Greater London Council, as the case may be;
  - (b) references to expenses, including expenses of a specified description, incurred for special county purposes or special London purposes or to expenditure on which a part only of the county or Greater London is chargeable shall be construed as references to special expenses of a county council or the Greater London Council, as the case may be; and
  - (c) references to receipts of a county council or the Greater London Council for general or special county purposes shall be construed as references to receipts of a county council or the Greater London Council in respect of general or, as the case may be, special expenses.
- 4 (1) Subject to sub-paragraph (2) below, in any enactment or instrument to which paragraph 1 above applies—
- (a) any reference to a specified officer of a local authority shall be construed as a reference to the proper officer of a local authority;
  - (b) any reference to a specified officer of a county council shall be construed as a reference to the proper officer of a county council;
  - (c) any reference to a specified officer of a borough or of the council of a county district (whether referred to as such or as the council of a borough or urban or rural district) shall be construed as a reference to the proper officer of a district council;
  - (d) any reference to a specified officer of a rural parish (whether referred to as such or as a parish) shall be construed as a reference to the proper officer of a parish or community council, as the case may be.
- (2) Sub-paragraph (1) above shall not apply in any case where the reference is to any officer of a specified local authority which ceases to exist by virtue of section 1 or 20 of this Act, and shall not apply to any reference in any enactment to an officer specified in section 112(4) above.



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- 5 In any enactment or instrument to which paragraph 1 above applies any reference to a representative body of a parish—
- (a) as respects England, shall be construed as a reference to the parish trustees of the parish; and
  - (b) as respects Wales, shall be disregarded.
- 6 (1) This paragraph applies for the construction of any enactment passed before 22nd March 1967, and shall have effect subject to any contrary intention which may appear in any such enactment.
- (2) In any such enactment any reference to a parish shall—
- (a) as respects those areas in England outside Greater London which immediately before 1st April 1974 constituted urban parishes, other than urban parishes in a rural district, be construed as a reference to each such area or, where the area is divided between more than one district, as a reference to each part of the area so divided; and
  - (b) in the case of the areas mentioned in paragraph 3 of Part IV of Schedule 1 to this Act, be construed as a reference to each such area.
- (3) In any such enactment any reference to an urban parish shall, as respects those areas of England outside Greater London which immediately before 1st April 1974 constituted urban parishes, be construed as a reference to each such area or, where the area is divided between more than one district, as a reference to each part of the area so divided.
- (4) In any such enactment any reference to a rural parish shall as respects the areas mentioned in paragraph 3 of Part IV of Schedule 1 to this Act be construed as a reference to each such area.
- (5) In any such enactment any reference to an urban parish shall as respects Wales be construed as a reference to a community.
- (6) As respects Greater London any reference to a parish or urban parish—
- (a) in any such enactment relating to rating and valuation shall be construed as a reference to a rating district;
  - (b) in any other such enactment shall be construed as a reference to a rating area.

F3097

**Textual Amendments**

**F309** Sch. 29 para. 7 repealed by [Local Government Finance Act 1982 \(c. 32, SIF 81:1\)](#), s. 38(5), [Sch. 6 Pt. IV](#) (with saving in [S.I. 1983/249](#), [reg. 2](#))

- 8 The foregoing provisions of this Schedule shall have effect subject to any provision to the contrary made by, or by any instrument made under, this Act.

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**PART II**

**PARTICULAR MODIFICATIONS AND AMENDMENTS**

*Allotments*

- 9 (1) As respects a parish in England those functions under the Allotments Acts 1908 to 1950 which, apart from this paragraph, would be exercisable both by the district council and the parish council or parish meeting shall not be exercisable by the district council.
- <sup>x28</sup>(2) In section 34 of the <sup>M68</sup>Small Holdings and Allotments Act 1908, in subsection (1), for the words from “submit to the council” to the words “partly situate” there shall be substituted the words “prepare and carry into effect”.
- <sup>x28</sup>(3) In subsection (2) of that section, for the words from “no county council” to the words “being made” there shall be substituted the words “Upon such a scheme being carried into effect”.
- <sup>x28</sup>(4) In section 39(7) of that Act, for the word “county”, wherever occurring, there shall be substituted the word “district”.
- (5) <sup>F310</sup> .....

**Editorial Information**  
**X28** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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**Textual Amendments**  
**F310** Sch. 29 para. 9(5) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

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**Marginal Citations**  
**M68** 1908 c. 36.

- <sup>x29</sup>10 (1) <sup>F311</sup> .....
- (2) In section 12(1) and in section 17 of that Act, for the word “county” there shall be substituted the word “district”.

**Editorial Information**  
**X29** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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**Textual Amendments**  
**F311** Sch. 29 para. 10(1) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

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**Textual Amendments**

**F312** Sch. 29 para. 11 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt 3

*Ancient monuments*

12 **F313** .....

**Textual Amendments**

**F313** Sch. 29 para. 12 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*Betting and gaming*

- 13 (1) In paragraph 1(1)(a) of Schedule 2 to the <sup>M69</sup>Betting, Gaming and Lotteries Act 1963 for the words “county, county borough or London borough” there shall be substituted the words “ district or London borough and the Common Council of the City of London ”.
- (2) In Schedule 3 to that Act, in paragraphs 5(2)(a)(i) and 6(2)(b), for the words “county district” there shall be substituted the word “ county ”; . . . <sup>F314</sup>

**Textual Amendments**

**F314** Words repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, Sch. 17

**Modifications etc. (not altering text)**

**C96** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M69** 1963 c. 2.

*Caravan sites*

- <sup>X30</sup>14 In section 23 of the <sup>M70</sup>Caravan Sites and Control of Development Act 1960 for the words “rural district council”, wherever occurring there shall be substituted the words “ district council ”.

**Editorial Information**

**X30** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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**Marginal Citations**

M70 1960 c. 62.

*Celluloid and cinematograph film*

<sup>x31</sup>15 In section 9 of the <sup>M71</sup>Celluloid & Cinematograph Film Act 1922, in the definition of “local authority” for the words following “means” there shall be substituted the words “ the council of a county or London borough or the Common Council of the City of London ”.

**Editorial Information**

X31 The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

M71 1922 c. 35.

*Children and young persons*

16 <sup>F315</sup> .....

**Textual Amendments**

F315 Sch. 29 para. 16 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*Coast protection*

<sup>x32</sup>17 (1) In section 20 of the <sup>M72</sup>Coast Protection Act 1949,—  
(a) in subsections (1) to (4), for the words “county district”, wherever occurring, there shall be substituted the words “ maritime district ”;  
(b) in subsection (5), for the words “county borough” there shall be substituted the word “ district ”.  
(2) <sup>F316</sup> .....

**Editorial Information**

X32 The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Textual Amendments**

F316 Sch. 29 para. 17(2) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

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**Marginal Citations**

**M72** 1949 c. 74.

*Consumer protection*

<sup>F317</sup>18 (1) .....

<sup>F318</sup>(2) .....

**Textual Amendments**

**F317** Sch. 29 para. 18(1) repealed by [Consumer Protection Act 1987](#) (c. 43, SIF 109), s. 48(3), **Sch. 5**

**F318** Sch. 29 para. 18(2) repealed by [Consumer Safety Act 1978](#) (c. 38), s. 10(1), **Sch. 3**

*Explosives*

<sup>X33</sup>19 In section 67 of the <sup>M73</sup>Explosives Act 1875 for paragraph (3) there, shall be substituted the following:—

“(3) Outside Greater London, the council of a county ; and”

and paragraph (5) of that section shall be omitted.

**Editorial Information**

**X33** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M73** 1875 c. 17.

*Gas*

20 <sup>F319</sup>(1) .....

(2) Every application for a certificate under Schedule 3 to that Act with regard to planning permission for the carrying out of controlled operations shall, outside Greater London, be made to the district planning authority, but shall be dealt with by the local planning authority who would have dealt with an application for planning permission for the carrying out of those operations, and the district planning authority shall, as soon as may be after they have received any application for such a certificate which falls to be dealt with by the county planning authority, send the application to the latter.

[<sup>F320</sup>(3) Sub-paragraph (2) above does not apply in relation to Wales.]

**Textual Amendments**

**F319** Sch. 29 para. 20(1) repealed by [Water Act 1989](#) (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. I**

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**F320** Sch. 29 para. 20(3) inserted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 66** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**

**Modifications etc. (not altering text)**

**C97** “Sch. 3 to that Act” means Sch. 3 to the **Gas Act 1965 (c. 36)**

**F321**<sup>21</sup> .....

**Textual Amendments**

**F321** Sch. 29 para. 21 repealed by **Endowments and Glebe Measure 1976 (No. 4, SIF 21:8)**, s. 47(4), **Sch. 8**

*House to house and street collections*

22 In section 5 of the <sup>M74</sup>Police, Factories, &c (Miscellaneous Provisions) Act 1916, in subsection (1) for the words “A police authority” there shall be substituted the words “Each of the authorities specified in subsection (IA) below” and for the words “the police” there shall be substituted the word “their”, and at the end of that subsection there shall be inserted the following subsection:—

“(1A) The authorities referred to in subsection (1) above are—

- (a) the Common Council of the City of London,
- (b) the police authority for the Metropolitan Police District, and
- (c) the council of each district;

but any regulations made by a district council under that subsection shall not have effect with respect to any street or public place which is within the Metropolitan Police District as well as within the district.”

**Modifications etc. (not altering text)**

**C98** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M74** 1916 c. 13.

23 (1) In section 2 of the <sup>M75</sup>House to House Collections Act 1939, in subsection (1), for the word “police”, in the first place where it occurs, there shall be substituted the word “licensing” and the word “police”, in the second place where it occurs, shall be omitted.

(2) After that subsection there shall be inserted the following subsection:—

“(1A) In this section “licensing authority” means—

- (a) in relation to the City of London, the Common Council;
- (b) in relation to the Metropolitan Police District, the Commissioner of Police for the Metropolis ; and
- (c) in relation to a district exclusive of any part thereof within the Metropolitan Police District, the district council.”

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- (3) In that section, in the proviso to subsection (2) and in subsections (3), (4) and (6), for the word “police”, wherever it occurs, there shall be substituted the word “licensing”.
- (4) In section 4(2)(e) of that Act the word “police” shall be omitted.
- (5) In section 9 of that Act, in subsection (2), for the words from “said Commissioner” to the end of the subsection there shall be substituted the words “Commissioner of Police for the Metropolis by virtue of his being a licensing authority within the meaning of section 2 of this Act”.

**Modifications etc. (not altering text)**

**C99** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M75** 1939 c. 44.

<sup>F322</sup>24, .....  
25.

**Textual Amendments**

**F322** Sch. 27 paras. 24, 25 repealed by Land Drainage Act 1976 (c. 70, SIF 73:1), s. 117(3), **Sch. 8**

*Land registration*

26 <sup>F323</sup> .....

**Textual Amendments**

**F323** Sch. 29 para. 26 repealed (13.10.2003) by Land Registration Act 2002 (c. 9), ss. 135, 136(2), **Sch. 13** (with s. 129, Sch. 12 para. 1); S.I. 2003/1725, **art. 2** (and expressed to be repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1})

*Licensing of Places of entertainment*

<sup>F324</sup>27 .....

**Textual Amendments**

**F324** Sch. 29 para. 27 repealed by Local Government (Miscellaneous Provisions) Act 1982 (c. 30, SIF 81:1), s. 47, **Sch. 7 Pt. I**

<sup>X34</sup>28 At the end of section 25 of the <sup>M76</sup>Mines and Quarries (Tips) Act 1969 there shall be added the following subsection—

“(6) Where, by virtue of Part VI of the Local Government Act 1972, a district council incurs any such expenditure as is referred to in subsection (1), grants

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under this section may be made to the district council and references to a local authority shall be construed accordingly.”

**Editorial Information**

**X34** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M76** 1969 c. 10.

**F325**<sup>29</sup> .....

**Textual Amendments**

**F325** Sch. 27 para. 29 repealed by [New Towns Act 1981 \(c. 64, SIF 123:3\)](#), s. 81, [Sch. 13](#)

*Nurses agencies*

[<sup>F326X35</sup>**30** In section 2 of the <sup>M77</sup>Nurses Agencies Act 1957, in subsection (1), for the words following “in relation to”, in the second place where they occur, there shall be substituted the words “ a non-metropolitan county or London borough, the council of that county or borough, and in relation to a metropolitan district, the council of that district ”.]

**Editorial Information**

**X35** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Textual Amendments**

**F326** Sch. 29 para. 30 repealed (1.1.2003 (E.) and otherwise *prosp.*) by [2000 c. 14](#), ss. 117(2), 122, [Sch. 6](#); [S.I. 2001/4150](#), [art. 3\(4\)](#) as amended by [S.I. 2002/1790](#), [art. 3](#) and [S.I. 2002/2001](#), [art. 4](#) (subject to transitional provisions in [S.I. 2001/4150](#) [art. 4](#) as amended by [S.I. 2002/1493](#), [art. 6](#))

**Marginal Citations**

**M77** 1957 c. 16.

*Offices, shops and railway premises*

<sup>X36</sup>**31** In section 88 of the <sup>M78</sup>Offices, Shops and Railway Premises Act 1963, for the words “county borough” and the word “borough” there shall in each case be substituted the word “ district ”.



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**Editorial Information**

**X36** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M78** 1963 c. 41.

*Petroleum spirit*

<sup>X37</sup>32 In section 2(1)(c) of the <sup>M79</sup>Petroleum (Consolidation) Act 1928 for the words “the district council” there shall be substituted the words “ the county council ”.

**Editorial Information**

**X37** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M79** 1928 c. 32.

*Pharmacy and poisons*

<sup>F327</sup>33 .....

**Textual Amendments**

**F327** Sch. 29 para. 33 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. X Gp. 1.

*Plant health*

<sup>X38</sup>34 In section 5 of the <sup>M80</sup>Plant Health Act 1967, for subsection (3) there shall be substituted the following subsection:—

“(3) The local authorities for the purposes of this Act shall be the councils of non-metropolitan counties, metropolitan districts and London boroughs and the Common Council of the City of London”.

**Editorial Information**

**X38** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M80** 1967 c. 8.

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*Police*

F328 35 .....

**Textual Amendments**  
**F328** Sch. 29 para. 35 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*Post and telegraph offices*

F329 36 .....

**Textual Amendments**  
**F329** Sch. 29 para. 36 repealed (26.3.2001) by 2000 c. 26, s. 127(6), Sch. 9; S.I. 2001/1148, art. 2(2), Sch. Table (with art. 34)

F330 37 .....

**Textual Amendments**  
**F330** Sch. 27 para. 37 repealed by Wildlife and Countryside Act 1981 (c. 69, SIF 4:5), s. 74(3), Sch. 17 Pt. II

*Redistribution of seats*

F331 38 .....

**Textual Amendments**  
**F331** Sch. 29 para. 38 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. x Gp. 1.

F332 39 .....

**Textual Amendments**  
**F332** Sch. 27 para. 39 repealed by Pastoral Measure 1983 (No. 1, SIF 21:4), s. 39, Sch. 9

*Registration services*

<sup>x39</sup>40 In section 57(4) of the <sup>M81</sup>Marriage Act 1949, for the words following “the certified copy” there shall be substituted the words “and that sum shall be reimbursed to the superintendent registrar—

- (a) in the case of a registration district in the City of London, the Inner Temple and the Middle Temple, by the Common Council of the City of London ;
- (b) in any other case, by the council of the non-metropolitan county, metropolitan district or London borough in which his registration district is situated”.

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**Editorial Information**

**X39** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M81** 1949 c. 76.

- <sup>x40</sup>41 (1) In sections 5(1), 10(1) and 13(1) of the <sup>M82</sup>Registration Service Act 1953, for the words “county and county borough”, wherever occurring, there shall be substituted the words “ non-metropolitan county and metropolitan district ”.
- (2) <sup>F333</sup> .....
- (3) In section 9(1) of that Act, for the words from “clerk of the county council” to the words “or county borough” there shall be substituted the words “ proper officer of the non-metropolitan county or metropolitan district ”.
- (4) In sections 9(2) and 13(2)(h) and (3)(b) of that Act, for the words “clerk of the county council or town clerk of the county borough” there shall be substituted the words “ proper officer of the non-metropolitan county or metropolitan district ”.
- (5) In section 20(b) of that Act, for the words “clerks of county councils, town clerks of county boroughs” there shall be substituted the words “ proper officers of non-metropolitan counties and metropolitan districts ”.
- (6) In section 21(2)(b) of that Act, for the words “county borough” in both places where they occur, there shall be substituted the words “ metropolitan district ”.

**Editorial Information**

**X40** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Textual Amendments**

**F333** Sch. 29 para. 41(2) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), s. 1\(1\)](#), {Sch. 1 Pt. 17 Group 10}

**Marginal Citations**

**M82** 1953 c. 37.

*Riding establishments*

- <sup>x41</sup>42 In section 6(4) of the <sup>M83</sup>Riding Establishments Act 1964 in the definition of “local authority”, for the words “county borough” there shall be substituted the word “ district ” and the words from “as respects any non-county borough” to “of the county” shall be omitted.

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#### **Editorial Information**

**X41** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### **Marginal Citations**

**M83** 1964 c. 70.

### *Shops*

**F334**<sup>43</sup> .....

#### **Textual Amendments**

**F334** Sch. 29 para. 43 repealed (1.12.1994) by 1994 c. 40, s. 81, **Sch. 17**; S.I. 1994/3037, **arts. 2, 3(e)(iv)**

### *Social services*

- x42**<sup>44</sup> (1) In sections 47(12) <sup>F335</sup> . . . of the <sup>M84</sup>National Assistance Act 1948, for the words “county boroughs and county districts” there shall be substituted the words “districts and London boroughs and the Common Council of the City of London”.
- (2) In section 1(5) of the <sup>M85</sup>Trading Representations (Disabled Persons) Act 1958 for the words “county borough or county district or a metropolitan borough” there shall be substituted the words “other than a metropolitan county, or of a district or London borough”.
- (3) In section 46(4) of the <sup>M86</sup>London Government Act 1963 for the words “county borough” there shall be substituted the words “London borough”.
- (4) In section 5(6) of the <sup>M87</sup>Local Authority Social Services Act 1970, for the words “section 59 of the Local Government Act 1933” there shall be substituted the words “section 80 of the Local Government Act 1972”.

#### **Editorial Information**

**X42** The text of Sch. 29 paras. 9(2)–19, 21–45 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### **Textual Amendments**

**F335** Words repealed by **Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1)**, s. 78, **Sch. 3**

#### **Marginal Citations**

**M84** 1948 c. 29.

**M85** 1958 c. 49.

**M86** 1963 c. 33.

**M87** 1970 c. 42.

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### War memorials

45 F336 .....

#### Textual Amendments

**F336** Sch. 29 para. 45 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

F337 46 .....

#### Textual Amendments

**F337** Sch. 27 para. 46 repealed by Employment Act 1989 (c. 38, SIF 43:1), s. 29(4), Sch. 7 Pt. II

## X43 SCHEDULE 30

### REPEALS

#### Editorial Information

**X43** The text of Sch. 30 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### REPEALS

Chapter	Short Title	Extent of Repeal
16 Gso. 2. c. 18.	The Justices Jurisdiction Act 1742.	In section 1 the words "riding, city, liberty, franchise, borough or town-corporate". The whole Act.
7 & 8 Vict. c. 61. 7 & 8 Vict. c. 92.	The Counties (Detached Parts) Act 1844. The Coroners Act 1844.	In section 5, the words from "and shall reside" onwards. Sections 27 and 28. Section 155.
10 & 11 Vict. c. 34. 10 & 11 Vict. c. 65.	The Towns Improvement Clauses Act 1847. The Cemeteries Clauses Act 1847.	Section 10.
12 & 13 Vict. c. 18. 15 & 16 Vict. c. 85.	The Petty Sessions Act 1849. The Burial Act 1852.	Section 1. The whole Act, except sections 45, 48 and 51 and in section 52 the words "In this Act" and the definitions of "incumbent" and "churchwarden".
16 & 17 Vict. c. 134.	The Burial Act 1853.	In section 1, the words from "for the protection" to "prohibited, or that" and from "that no new burial" to "case may require". Sections 6 to 8. The whole Act.
17 & 18 Vict. c. 87. 18 & 19 Vict. c. 128.	The Burial Act 1854. The Burial Act 1855.	Sections 3 to 7, 9, 11 to 17 and 19 to 21. Section 18 except in its application to the City. The whole Act except sections 10 and 23 to 25.
20 & 21 Vict. c. 81.	The Burial Act 1857.	In section 10 the words from "in any cemeteries" to "like burials". In section 23, the words "churchwardens or such other", and the words "churchwardens or other", wherever occurring. The whole Act.
23 & 24 Vict. c. 64. 34 & 35 Vict. c. 33. 38 & 39 Vict. c. 17.	The Burial Act 1860. The Burial Act 1871. The Explosives Act 1875.	The whole Act. In section 26, the words from "The fees payable to the local authority" to the end of the section. Section 67(5). Section 68.

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Chapter	Short Title	Extent of Repeal
38 & 39 Vict. c. 17— <i>cont.</i>	The Explosives Act 1875— <i>cont.</i>	In section 70 the words “In a borough the borough fund or borough rate.” and the words from “in any place” to “within their district”.
38 & 39 Vict. c. 55.	The Public Health Act 1875.	In section 108, the words from “The expression “borough” to “deemed to be a county”.
		In section 4, the definitions of “local authority” and “surveyor”.
		In section 148, the words “or with the surveyor of any county bridge” and “or of any road over any county bridge and the approaches thereto” and the words “or surveyor”.
		Section 276.
		In Part III of Schedule 5, the paragraphs relating to the Acts 21 & 22 Vict. c. 98 and 29 & 30 Vict. c. 90 and in the paragraph relating to the Act 24 & 25 Vict. c. 61 the words “constituted a burial board”.
41 & 42 Vict. c. 77.	The Highways and Locomotives (Amendment) Act 1878.	In section 26 the words “or county borough” and “or borough”.
42 & 43 Vict. c. 31.	The Public Health (Interments) Act 1879.	The whole Act.
43 & 46 Vict. c. 49.	The Militia Act 1882.	Sections 29, 48 and 49 and the Schedules.
45 & 46 Vict. c. 50.	The Municipal Corporations Act 1862.	Sections 170, 171 and 178 to 184.
48 & 49 Vict. c. 21.	The Burial Boards (Contested Elections) Act 1885.	The whole Act.
49 & 50 Vict. c. 38.	The Riot (Damages) Act 1886.	Section 5(3).
		In section 9, in paragraph (a) of the definition of “compensation authority”, the words “or borough”.
50 & 51 Vict. c. 55.	The Sheriffs Act 1887.	In section 4, the words “nor bailiff of a franchise” and “or bailiwick”.
		Section 10(2).
		In section 14(1)(c), the words “or franchise”.
		In section 18(1), in subsection (1), the words “or of the due execution of some writ” or “by such writ” and “or receives such writ”.
		In section 26, the words “or borough”.
		In section 29(1), the words “whether within a franchise or without”.

Chapter	Short Title	Extent of Repeal
50 & 51 Vict. c. 55— <i>cont.</i>	The Sheriffs Act 1887— <i>cont.</i>	Section 34.
		Section 56.
		In section 38, the definition of “county”.
50 & 51 Vict. c. 71.	The Coroners Act 1887.	In section 6(2) the words “if the said coroner is a coroner for a county” and the words from “or if he is” to “it adjoins”.
		Section 7(2) and (3).
		In section 25, the words “or borough” and the words from “to be deposited” to “copy thereof”.
		In section 27(1), the words “or borough”.
		In section 29(4), the words “or borough”.
		Sections 30 to 33.
		Sections 38 to 40.
		In section 41, paragraphs (e) and (f) and, in paragraph (c) the words “in the case of a county” and the words from “or rate” to the end.
51 & 52 Vict. c. 25.	The Railway and Canal Traffic Act 1888.	In section 54(1) the words from “and if such authority” onwards.
51 & 52 Vict. c. 41.	The Local Government Act 1888.	Section 3(x).
		Section 5.
		Section 7.
		Section 11(11) and (12).
		In section 28(2), the words “in respect of”, in the last place where they occur, and “of the Explosives Act 1875 or”.
		Sections 31 to 39.
		Sections 46 and 48.
		In section 100, the definition beginning “The expression “main road”
53 & 54 Vict. c. 59.	The Public Health Acts Amendment Act 1890.	In section 2(2) (as amended by Schedule 11 to the London Government Act 1963) the words from “Paris Two” to the end.
		Sections 3 and 5.
		In section 11(3), the words from “local authority” to “and rural authority”
		the word “respectively”, in the first two places where it occurs, and the words “and a rural sanitary authority”, “and rural sanitary district” and “a rural sanitary district” and “surveyor”.

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Chapter	Short Title	Extent of Repeal
55 & 56 Vict. c. 56.	The Coroners Act 1892.	In section 1(1), the words "whether for a county or a borough" and "or mayor, as the case may be"; in section 1(2), the words "or borough, as the case may be"; and section 1(7).
56 & 57 Vict. c. 73.	The Local Government Act 1894.	Section 7. In section 8(1), paragraph (b) and in paragraph (d) the words from the beginning to "public walks, and" and the word "accordingly". Sections 53 and 62. The whole Act.
60 & 61 Vict. c. 39.	The Yorkshire Coroners Act 1897.	The whole Act.
60 & 61 Vict. c. 40.	The Local Government (Joint Committees) Act 1897.	The whole Act.
62 & 63 Vict. c. 30.	The Commons Act 1899.	In section 1(1), the words "or rural". Section 4. Section 13.
62 & 63 Vict. c. 44.	The Small Dwellings Acquisition Act 1899.	In section 9, subsections (2) to (4) and (8). The whole Act.
62 & 63 Vict. c. 48.	The Lincolnshire Coroners Act 1899.	The whole Act.
63 & 64 Vict. c. 15.	The Burial Act 1900.	In section 1, in subsection (1), the words from "approved" onwards and subsection (2). Section 2(3). Sections 3, 5, 6 and 10.
2 Edw. 7. c. 8.	The Cremation Act 1902.	In section 9 the words "any such" and the words from "as may" to "Board". In section 12, the words "to be made or approved by the Secretary of State". In section 27, the definition of "sanitary authority". The whole Act.
6 Edw. 7. c. 14.	The Alkali, &c. Works Regulation Act 1906.	In section 2(2) (as amended by Schedule 11 to the London Government Act 1963) the words from "and all" to the end. Section 3.
6 Edw. 7. c. 44.	The Burial Act 1906.	In section 13, the definitions of "local authority" and "district of the local authority" and the words from "The expressions "clerk" to "local authority" in the last place where they occur. In section 31 the words from "the Local Government

Chapter	Short Title	Extent of Repeal
7 Edw. 7. c. 53 —enr.	The Public Health Acts (Amendment) Act 1907 —enr.	Board" to "under this section and". In section 76(1), the words from the beginning to "under this section". Section 22.
7 Edw. 7. c. cxl.	The City of London (Union of Parishes) Act 1907.	Section 24.
8 Edw. 7. c. 16.	The Finance Act 1908.	In section 6, in subsection (2), the words from "fix" to "transfer and may", and the words from "The transfer under this section" to "any such adjustment". Section 24. Section 27(3).
8 Edw. 7. c. 36.	The Small Holdings and Allotments Act 1908.	In section 32(1), the words "with the sanction of the county council". In section 35(1), the words "by the county council or" and the words "the county council or". Section 37. Section 53(2). Section 57(3).
9 Edw. 7. c. 30.	The Cinematograph Act 1909.	In section 61(1), the definition of "county council". Sections 5 and 6.
5 & 6 Geo. 5. c. 48.	The Fishery Harbours Act 1915.	In section 3(1) the words "or rural".
9 & 10 Geo. 5. c. 59.	The Land Settlement (Facilities) Act 1919.	In Schedule 1, in paragraph 1, the words "county fund or" and the words "county or".
9 & 10 Geo. 5. c. 75.	The Ferries (Acquisition) Act 1919.	In section 1, in subsection (2) the words "with the approval of the Minister of Transport" in each place where they occur, and in subsection (6) the words "or other" and "or rural". The proviso to section 1(6).
11 & 13 Geo. 5. c. 11.	The Juries Act 1922.	Section 11(3).
11 & 13 Geo. 5. c. 35.	The Celluloid & Cinematograph Film Act 1922.	Section 11(3).
11 & 13 Geo. 5. c. 51.	The Allotments Act 1922.	In section 8(2), the words from "or by the council of a county" to the words "Small Holdings and Allotments Act 1908". Section 14. In section 20, the words "county borough or" and the words from "and the provisions of section twenty-four" to the end.

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Chapter	Short Title	Extent of Repeal
13 & 14 Geo. 5. c. 18.	The War Memorials (Local Authorities' Powers) Act 1923.	Section 2.
15 & 16 Geo. 5. c. 20.	The Law of Property Act 1925.	In proviso (d)(ii) to section 193(1) the words "or county borough". In section 194, in subsection (2) the words "or borough" and in paragraph (b) of the proviso to subsection (3) the words "or county borough".
15 & 16 Geo. 5. c. 21.	The Land Registration Act 1925.	In section 120, subsections (4) and (5) and in subsection (7) the words from "and includes" to the end of the subsection.
15 & 16 Geo. 5. c. 61.	The Allotments Act 1925.	Section 3(4).
15 & 16 Geo. 5. c. 71.	The Public Health Act 1925.	Section 12. Section 16(4). Section 2(2). Sections 3 to 5. In section 16, in subsection (1) the words from "in relation" to "county council or" and subsection (2). Section 18(5). Section 19(3). Section 70. In section 75, the proviso to subsection (2), and subsection (4). Schedules 2 and 3. Sections 9(1), 10, 48, 49, 52 and 54 and Schedule 6.
15 & 16 Geo. 5. c. 90.	The Rating and Valuation Act 1925.	In section 3, in subsection (6) the words "the clerk of", in both places where they occur, and subsection (14).
16 & 17 Geo. 5. c. 31.	The Home Counties (Music and Dancing) Licensing Act 1926.	Section 4.
16 & 17 Geo. 5. c. 32.	The Small Holdings and Allotments Act 1926.	In section 9, the words "borough or urban or rural", and the words "borough or" in each place where they occur.
16 & 17 Geo. 5. c. 59.	The Coroners (Amendment) Act 1926.	In section 1(1), the words "or a coroner of a borough (in this Act referred to as 'a borough coroner')", the words "or borough", in the first place where they occur, and the proviso; and in section 1(2), the word "mayor" in both places where it occurs, the words "or borough" in the first place where they occur and the words from "or borough",

Chapter	Short Title	Extent of Repeal
16 & 17 Geo. 5. c. 59—cont.	The Coroners (Amendment) Act 1926—cont.	in the second place where they occur, to "that council". In section 2, the words "or borough", in each place where they occur. Sections 3 and 4. In section 5(1), the words "or borough"; and section 5(4). In section 6, the words "or borough", in each place where they occur. In section 7, the words "or borough". Section 8. In section 10, the words "and borough". In section 11(1), the words "or borough". In section 12(4), the words "residence and". Sections 32 and 33.
17 & 18 Geo. 5. c. 21.	The Moneylenders Act 1927.	In section 11, the proviso to subsection (1) and subsection (2).
18 & 19 Geo. 5. c. 19.	The Agricultural Produce (Grading and Marking) Act 1928.	In section 4, in subsections (1), (2)(b) and (2)(c) the words "or county borough". In section 5 the words "or county borough", in each place where they occur, the words "in the case of a county council", the words from "and in the case" to "borough rate" and the words "and county boroughs". Section 3(2) and (3). Section 31(5).
19 & 20 Geo. 5. c. 17.	The Local Government Act 1929.	In section 117, subsections (3) and (5) to (7). In section 134, the definition beginning "county bridge". Schedule 1.
20 & 21 Geo. 5. c. 43.	The Road Traffic Act 1930.	In section 107, subsections (1)(a), (2)(c) and (3), so far as not otherwise repealed. In section 108(1), the words "county borough or", in each place where they occur, the word "a", in the last place where it occurs, and the words "as the case may be".
20 & 21 Geo. 5. c. 44.	The Land Drainage Act 1930.	In section 2(2) the words "and county boroughs". In section 3, in subsection (2), the words "and of the county boroughs" in paragraph (6).



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Chapter	Short Title	Extent of Repeal
20 & 21 Geo. 5, c. 44—cont.	The Land Drainage Act 1930—cont.	and the words “and county boroughs”; and in subsection (3) the words “and of county boroughs” and the proviso. In section 4(2) the words “county borough”. In section 6(4) the words “county borough”. In section 10(4) the words “or county borough”, in each place where they occur. In section 12(1) the words “county borough”. In section 18 the words “or county borough”, in each place where they occur. In section 20, in subsection (1)(b) the words “and county boroughs”, and in subsection (4) the words “and county boroughs”. In section 21(5)(b) the words “or county borough”. In section 22, in subsection (1) the words “and county boroughs”, in subsection (2) the words “or county borough”, in each place where they occur; and the words “and county boroughs”, and in subsection (4) the words “or county borough”. Section 23(2). In section 38(2) the words “for the purposes of the Public Health Acts 1875 to 1926”. In section 49, in subsection (1), the words “or county borough”, and in subsection (2) the words “or county borough”. In section 50, in subsection (1), the words “or of a county borough” and “or county borough”, in subsection (2) the words “or of a county borough” and “or county borough”, and in subsection (4) the words “or county boroughs”. In section 51(1) the words “or county borough”. In section 53, in subsection (1) the words “or county borough”, in paragraph (e) the words “in the case of

Chapter	Short Title	Extent of Repeal
20 & 21 Geo. 5, c. 44—cont.	The Land Drainage Act 1930—cont.	the council of a county” and “and”, and paragraph (b); in subsection (2) the words “or county borough”, and subsections (3) and (4). In section 54, the words “and county boroughs” and “or county borough”. In Schedule 2 in paragraph 1, the words “or county borough”.
20 & 21 Geo. 5, c. 51.	The Reservoirs (Safety Provisions) Act 1930.	In section 4(2) the words “county, municipal”. In section 9, the words “or district”, in paragraph (c) the words “or urban district” and paragraph (d).
21 & 22 Geo. 5, c. 16.	The Ancient Monuments Act 1931.	In section 11, the words “county borough” and the word “metropolitan”. In Schedule 1, paragraph 8. The whole Act.
21 & 22 Geo. 5, c. 17.	The Local Authorities (Publicity) Act 1931.	In section 11(3), the words “or any county council acting in default of such a council as aforesaid”.
21 & 22 Geo. 5, c. 41.	The Agricultural Land (Utilisation) Act 1931.	In section 14(1), the words “or to any county council acting in default of such a council as aforesaid”.
23 & 24 Geo. 5, c. 25.	The Pharmacy and Poisons Act 1933.	In section 27, the words “and, in the case of the council of a county borough, out of the general rate fund”. In section 29, in the definition of “Local authority”, the words from “and as respects” to the end of the definition. The whole Act.
23 & 24 Geo. 5, c. 51.	The Local Government Act 1933.	The whole Act.
26 Geo. 5 and 1 Edw. 8, c. 48.	The Health Resorts and Watering Places Act 1936.	In section 3, the proviso to subsection (2), and subsection (3).
26 Geo. 5 & 1 Edw. 8, c. 49.	The Public Health Act 1936.	In section 4, the proviso to subsection (1), and subsection (2). In section 7, the proviso to subsection (1) and subsection (2). Section 8. Sections 11 to 13. Section 70(1)(a) and (b). Section 71(b). In section 77(2)(b) the words from “or, in case of dispute” to the end.

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Chapter	Short Title	Extent of Repeal
26 Geo. 5 & 1 Edw. 8, c. 49—cont.	The Public Health Act 1936—cont.	In section 108(1), the words “and if required by the Minister shall”; In section 126(4), the words from “or any five” to “rural district” and the words “or contributory place”, in the second place where they occur; In section 187(2), the words “or county borough”; In section 196(1), the words from “and for” to the end. Section 230(1). Sections 272 and 273. Section 306. Section 308. Sections 320 and 321. Schedule 1.
1 Edw. 8 & 1 Geo. 6, c. 5.	The Trunk Roads Act 1936.	In section 3, subsection (1) and in subsection (2) the words from “and of the said functions” onwards. In section 13(1) the definitions beginning “Borough”, “County” and “Local authority”.
1 Edw. 8 & 1 Geo. 6, c. 46.	The Physical Training and Recreation Act 1937.	Part I of Schedule 3.
1 & 2 Geo. 6, c. 6.	The Air-Raid Precautions Act 1937.	In section 4, subsection (2) and, in subsection (3) the words “A county council or” and “a county council or their county or”.
1 & 2 Geo. 6, c. 69.	The Young Persons (Employment) Act 1938.	In section 1, in subsection (2), the words “and county boroughs” and, in the proviso to that subsection, the word “county” in the second place where it occurs and the words “borough or urban” in each place where they occur; and, in subsection (3) the words from “boroughs (including” to “urban” and the words from “and the council” to the end of the subsection. In section 4, in subsection (1) the words from “nor shall functions” to the end of the subsection. Section 5. Section 6(3)

Chapter	Short Title	Extent of Repeal
2 & 3 Geo. 6, c. 31.	The Civil Defence Act 1939.	In section 11, in subsection (1) the words “or county borough”, in the proviso to that subsection, in paragraph (a) the words “borough or urban” and “borough or” and in paragraph (b) the word “county”, in the second place where it occurs; and subsection (2). In section 25, the words “county borough or county”; In section 35, the words “county borough or county”; In section 64(1), the words “or county borough” and the word “county”, in the next place where it occurs.
2 & 3 Geo. 6, c. 44.	The House to House Collections Act 1939.	In section 2, in subsection (1), the word “police”, in the second place where it occurs. In section 4(2)(e) the word “police”; Section 7(1). Section 9(1).
7 & 8 Geo. 6, c. 26.	The Rural Water Supplies and Sewerage Act 1944.	In section 1(6) the words “urban or rural”; In section 2 the words “urban or rural” in both places where they occur. In section 6, the words from the beginning to “1936”; In section 6(2) the words “and III”; In section 68 the words from “or in accordance” to “1946”; In section 88, the words “but a local education authority” onwards.
7 & 8 Geo. 6, c. 31.	The Education Act 1944.	Section 91. In Schedule 1, in Part II, paragraph 2 and, in the proviso to paragraph 7, the words from “or” to the end of the paragraph; and Part III. Section 8.
8 & 9 Geo. 6, c. 18.	The Local Authorities Locus Act 1945.	Section 8.
8 & 9 Geo. 6, c. 42.	The Water Act 1945.	In section 3(4) the words “and county boroughs”; In Schedule 3, in paragraph 1, the definition of “county district” and in the definition of “local authority”, the words “or rural”.

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Chapter	Short Title	Extent of Repeal
9 & 10 Geo. 6. c. 20.	The Building Materials and Housing Act 1945.	In section 8(3), the words "county borough" and the word "metropolitan".
9 & 10 Geo. 6. c. 49.	The Acquisition of Land (Authorisation Procedure) Act 1946.	In section 8(1), in the definition of "local authority", the words "county borough, metropolitan".
9 & 10 Geo. 6. c. 50.	The Education Act 1946.	In Schedule 4, the amendments of the Local Government Act 1933. Section 10. Section 12. Section 13(2). Section 14(2). In section 16(1), the definitions of "divisional executive" and "scheme of divisional administration". In Schedule 2, in Parts I and II, the entries relating to Part III of Schedule 1 to the Education Act 1944.
9 & 10 Geo. 6. c. 81.	The National Health Service Act 1946.	In section 19(3), the words from "and the provisions of Part II" onwards. Section 22(4). Section 53(1). Part II of Schedule 4.
10 & 11 Geo. 6. c. 22.	The Civic Restaurants Act 1947.	In section 1, in subsection (1)(b) the words "county borough or county", subsection (2) and, in subsection (3), the words from "including" to "delegated powers". Section 2. Section 3(3). Section 4(3).
10 & 11 Geo. 6. c. 41.	The Fire Services Act 1947.	In the long title, the words "and county boroughs". In section 4, the words "and county borough". In section 5(2)(d), the words "(including a clerk to that authority and a treasurer of the combined fire services fund)". Section 6(1) proviso. In section 8, in subsection (3), the words "or county boroughs" and in subsection (4) the words "or county borough". In section 9, in subsection (2)(c) the words "or county boroughs" and in subsection

Chapter	Short Title	Extent of Repeal
10 & 11 Geo. 6. c. 41—cont.	The Fire Services Act 1947—cont.	(4) the words "and the council of any county borough". In section 10, the words "county borough" in the second place where they occur. In Schedule 5, in paragraph 17(1) the words "and county boroughs".
11 & 12 Geo. 6. c. 26.	The Local Government Act 1948.	Sections 111 to 117 and 129 to 132. In section 133(3), the words "two and".
11 & 12 Geo. 6. c. 29.	The National Assistance Act 1948.	Sections 134 to 136. Section 21(3). In section 29, subsections (2) and (3). In section 33(1), the words "in Scotland". Section 34. In section 35(2), the words from the beginning to "this Act", in the first place where those words occur. Section 59.
11 & 12 Geo. 6. c. 43.	The Children Act 1948.	Section 49.
11 & 12 Geo. 6. c. 46.	The Employment and Training Act 1948.	Section 10(2)(b) and (c).
11 & 12 Geo. 6. c. 65.	The Representation of the People Act 1948.	Section 57. Schedule 6.
12, 13 & 14 Geo. 6. c. 5.	The Civil Defence Act 1949.	In Schedule 10, in Part II, paragraphs 1(3) and 7(2)(b).
12, 13 & 14 Geo. 6. c. 47.	The Finance Act 1949.	In section 15, subsection (1)(a); in subsection (3) the words "the Hawkers Act, 1888, or" and subsection (5).
12, 13 & 14 Geo. 6. c. 55.	The Prevention of Damage by Pests Act 1949.	In section 1(1) the words "county boroughs".
12, 13 & 14 Geo. 6. c. 66.	The House of Commons (Redistribution of Seats) Act 1949.	In Schedule 2, in paragraph 4(1), in paragraph (a)(i) the words "county borough or" and sub-paragraphs (b) and (iv) of paragraph (a), and in paragraph 4(2), the definitions of "county borough" and "county district".
12, 13 & 14 Geo. 6. c. 67.	The Civil Aviation Act 1949.	Section 19(7). In section 63(1), in the definition of "local authority" the words "county borough".

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Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 68.	The Representation of the People Act 1949.	<p>Section 6(2).</p> <p>In section 11(2) the words from "in England" to "registration officer and".</p> <p>Section 12(7).</p> <p>Section 15(3).</p> <p>Section 17(1).</p> <p>Section 18(5).</p> <p>Section 23(9).</p> <p>Sections 26 to 29.</p> <p>Section 34.</p> <p>In section 36(1), the words from the beginning to "district councillor and" and from "or in the case" to "district election rules".</p> <p>Section 37(3).</p> <p>In section 41, subsection (3); and in subsection (5), the words "a county council".</p> <p>In section 43, in subsection (1), the words from "and there shall be paid" onwards; and subsections (4) and (6).</p> <p>Section 44(2).</p> <p>In section 139(3) the words "or of elective auditor".</p> <p>Section 165(2) to (4).</p> <p>In section 172(1) all the definitions except those of "electoral area", "local government Act", "local government area" and "local government election"; and in the definition of "local government area" the words "urban or rural"; subsection (2) and in subsection (3), in the proviso the words "the local election rules or".</p> <p>In Schedule 2, in the parliamentary elections rules, in rule 3(4) the words from "or in a constituency" to "London", in the second place where it occurs, and in rule 4(2) the words from "shall not" to "aforesaid", and the local elections rules; and in the Appendix the form of declaration to be made by the companion of a blind voter at a local government election.</p> <p>In Schedule 4, paragraph 1.</p> <p>In Schedule 8, in paragraph 5(1), so much of the Table as relates to the Local Government Act 1933 and paragraphs 5(2) and (3).</p>

Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 74.	The Coast Protection Act 1949.	<p>In section 1(1), the words "county borough or county" in both places where they occur.</p> <p>In section 2, the words "county borough or county" and the words "local highway".</p> <p>Section 3.</p> <p>In section 8(8), the words "county borough or county".</p> <p>In section 17(1)(c) the word "highway".</p> <p>Section 21(1)(c).</p> <p>In section 22(2), the words "county borough or county".</p> <p>Section 29(3), (4), (5) and (6).</p> <p>In section 30, in subsection (1), the words from "an order under" to the word "Act"; in subsection (2) the words and to an agreement setting up a joint committee", the word "respectively" and the words "and an agreement" and "or committee, as the case may be"; in subsection (3)(a), the words "or an agreement setting up a joint committee"; in subsection (3)(b), the words "or agreement" and the words "or committee" in both places where they occur; in subsection (3)(c) the words "or agreement" and the words "or committee" in both places where they occur; and subsection (3)(d).</p> <p>Section 42.</p> <p>In section 45(1)(b), the words "county borough, county".</p> <p>In section 49(1), the words "county borough or county" in both places where they occur.</p> <p>In Schedule 1, in paragraph (a), the words "county borough"; and in paragraph (c), the word "highway".</p>
12, 13 & 14 Geo. 6. c. 97.	The National Parks and Access to the Countryside Act 1949.	<p>Section 8.</p> <p>Section 10.</p> <p>Section 11(2) and (3).</p> <p>In section 28(3), the word "rural".</p> <p>Section 36.</p>

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Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 97 —cont.	The National Parks and Access to the Countryside Act 1949—cont.	In section 51(4), the words “county borough council”; In section 52(2), the words “county borough council”; In section 89, subsection (2A) and, in subsection (7), the words “or county borough”; Section 90(2). In section 99, in subsections (7) and (6), the words “or county borough”; Section 102. In section 13(1), the words “or borough”; In section 16, subsections (3) and (6). In section 18, in subsection (10), the words from “or by” to the end of the subsection. Section 19(10). Section 20(6). In section 21(1)(a) the words “or a borough”; In section 25, in subsection (1), the words “or borough”; in the first place where they occur, and the words “out of sessions”; In section 27, in subsection (1), the words from “and any enactment” to “have effect”, and subsection (8). In section 28, in subsection (2), the words “or borough”, and in subsection (3) the words “and borough”; In section 29, in subsection (2), the words from “and for any borough” to “peace”, and subsections (9) and (12). In section 44(1), the definition of “county” and in the defini- tion of “magistrate”, the words “or a borough having a separate commission of the peace”, the words “or borough” in the next two places where they occur and the words from “(other than to” of the phrase); In Schedule 2, in paragraph 10(3), the words “residence and”, and the proviso. Schedule 3. In Schedule 4, in paragraph 1(1), the words “or borough” in the last place where they

Chapter	Short Title	Extent of Repeal
13, 13 & 14 Geo. 6. c. 101 —cont.	The Justices of the Peace Act 1949—cont.	occur; in paragraph 1(5), the words “or for a borough”, and “in the case of a county”; in paragraph 1(6), the words “or a county borough” and “or borough”; in para- graph 1(8), in paragraph (a), the words “or for a borough”, and in paragraph (b) the words from “and of the boroughs” to “paragraph”, the words “or borough” and the words from “(the number” onwards; para- graph 3; in paragraph 6, the words “3 or 4” and in paragraph 9(2), the words “borough or”; Section 73(2) and (3).
14 Geo. 6. c. 28.	The Shops Act 1950.	In section 59(2), in paragraph (a) the words from “and as respects” to “thousand” and in paragraph (b) the words “the residue of” and “ad- ministrative”; Section 60. Section 64(2). Sections 68 and 69. Schedule 4.
14 Geo. 6. c. 36.	The Diseases of Animals Act 1950.	In section 39(1), the defini- tion of “appropriate local authority”; In Schedule 2, in paragraph 2, the words “county borough or”; In Schedule 7, paragraphs 5 and 7(1).
14 & 15 Geo. 6. c. 35.	The Pet Animals Act 1951.	In section 7(3), in the definition of “local authority”, the words “county borough or” and the word “metro- politan”; In section 35, in the definition of “authorised officer” the words from “except” on- wards and in the definition of “local authority” the words “of an urban or rural”; Section 3(2).
14 & 15 Geo. 6. c. 65.	The Rag Flock and Other Filling Materials Act 1951.	In section 35, in the definition of “authorised officer” the words from “except” on- wards and in the definition of “local authority” the words “of an urban or rural”; Section 3(2).
15 & 16 Geo. 6 & 1 Eliz. 2. c. 31.	The Cremation Act 1952.	In section 2(4)(b) the words “county borough, borough, or urban or rural”; In section 19(1) the words “or borough” in each place where they occur.
15 & 16 Geo. 6 & 1 Eliz. 2. c. 46.	The Hypnotism Act 1952.	In section 2(4)(b) the words “county borough, borough, or urban or rural”; In section 19(1) the words “or borough” in each place where they occur.
15 & 16 Geo. 6 & 1 Eliz. 2. c. 52.	The Prison Act 1952.	In section 2(4)(b) the words “county borough, borough, or urban or rural”; In section 19(1) the words “or borough” in each place where they occur.

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Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 6. & 1 Eliz. 2. c. 54.	The Town Development Act 1952.	In section 1, the word "county" in each place where it occurs in the expression "county district", and the word "such" where it appears in subsection (1). In section 2, subsections (1)(b) and (4). In section 5, the words "and if authorised in that behalf by the Minister". In section 8(1), in paragraph (b) the words "of a county borough or county district". In section 10(3) the words "with the approval of the Minister". Section 12. Section 13(2)(c).
15 & 16 Geo. 6. & 1 Eliz. 2. c. 55.	The Magistrates' Courts Act 1952.	In section 1, the words "or borough", in each place where they occur. In section 2, the words "or borough", in each place where they occur. Section 3(4). In section 77(1), the words "or borough", in each place where they occur. In section 92(1), the words "or borough", in each place where they occur. In section 116, in subsection (1), the words "or borough", and subsections (2) and (3). Section 117. In section 123(1), the words "not a borough". In section 126, in subsection (1) the definition of "county" and subsection (4). In Schedule 4, the entries relating to the Explosives Act 1875.
1 & 2 Eliz. 2. c. 25.	The Local Government Superannuation Act 1953.	Section 25.
1 & 2 Eliz. 2. c. 26.	The Local Government (Miscellaneous Provisions) Act 1953.	Sections 1 to 3. Section 14. In section 15, paragraph (a). Section 16.
1 & 2 Eliz. 2. c. 36.	The Post Office Act 1953.	In section 18(3) the words "or county borough". In section 51, in subsection (2), the words "or district", in both places where they occur, and in subsection (3) the

Chapter	Short Title	Extent of Repeal
1 & 2 Eliz. 2. c. 36—cont.	The Post Office Act 1953—cont.	word "rural", in each place where it occurs, the word "contributory" in the first place where it occurs and the words from "and any expenses" to the end of the subsection.
1 & 2 Eliz. 2. c. 47.	The Emergency Laws (Miscellaneous Provisions) Act 1953.	In section 5(4)(b), the words "metropolitan" and "county borough".
2 & 3 Eliz. 2. c. 23.	The Hill Farming Act 1954.	In section 2(1), the words "county borough or".
2 & 3 Eliz. 2. c. 39.	The Agriculture (Miscellaneous Provisions) Act 1954.	Section 9(3).
2 & 3 Eliz. 2. c. 64.	The Transport Charges &c. (Miscellaneous Provisions) Act 1954.	In Schedule 1, in paragraphs 15 and 17(5), the words "county borough, non-county borough" and "or rural district".
4 & 5 Eliz. 2. c. 16.	The Food and Drugs Act 1955.	In section 51, the words "with the approval of the Minister of Housing and Local Government". In section 52(1), the words from the beginning to "application of", the words from "approve" to "and the authority", the words from "either" to "Minister, or" and the word "less". Sections 83 and 84. In section 86, subsections (2) and (3) and in subsection (4), paragraphs (a) to (c). In section 88, in subsection (2), the words "or section eight" and the words from "or" at the end of paragraph (a) to the end of the subsection. Section 89(3). Section 129. In section 135 the definitions of "county" and "county district". In Schedule 6 both columns of the entry beginning "councils". In Part I of Schedule 9 the entries relating to sections 272, 273, 320 and 321 of the Public Health Act 1936.
4 & 5 Eliz. 2. c. 20.	The Agriculture (Improvement of Roads) Act 1955.	In section 1(1)(g) the words "county borough, non-county borough or urban district". In section 3(1) the words "county borough or county district".





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Chapter	Short Title	Extent of Repeal
6 & 7 Eliz. 2 c. 55— <i>cont.</i>	The Local Government Act 1958— <i>cont.</i>	In Schedule 8 paragraph 20 and in paragraph 31, sub-paragraph (1) and, in sub-paragraph (6), the words from "and in head (a)" to "Local Elections Rules".
6 & 7 Eliz. 2 c. 69	The Opencast Coal Act 1958.	In section 11(1), the words "county borough or".
7 & 8 Eliz. 2 c. 8.	The Slaughter of Animals Act 1958.	In section 10, in the definition of "local authority" the words "or rural".
7 & 8 Eliz. 2 c. 22.	The County Courts Act 1959.	In section 120(2), the words from "(whether within" to "1887)".
7 & 8 Eliz. 2 c. 25.	The Highways Act 1959	In section 1, in subsection (2) the word "or" at the end of paragraph (a) and paragraph (b), and subsection (3). In section 2, the words "without prejudice to the provision of section four of this Act". Section 4. Section 5. In section 8(2), in paragraphs (b) and (c), the words "that it shall not be exercisable by a county council in a borough or urban district, but, save as aforesaid". In section 10, in subsection (1) the words "or with the council of an urban district" and the words "county borough" in the proviso to that subsection, and in subsection (4) the words "or urban district". In section 13(6) the words "county borough". Sections 21 to 25. In section 26, in the proviso to subsection (1), the words "(other than the council of a rural district)". In section 29, subsections (1), (2), (4) and (5). In section 34(12) the words "a London borough or" and "in the case of the City of London". In section 41 the words "borough or urban district". Section 45. In section 48, subsection (2)(c), in subsection (5) and (6) the words "or county borough", and in subsection (9) the

Chapter	Short Title	Extent of Repeal
7 & 8 Eliz. 2 c. 25— <i>cont.</i>	The Highways Act 1959— <i>cont.</i>	definitions beginning "trunk road bridge" and "trunk road". Section 65(6). Section 67(7). In section 69, in subsection (1) the words from "in a borough" to "in any case a highway"; in subsection (3) the words "a road in a borough or urban district, being"; and subsection (4). In section 71(2) the words "and in section twenty-nine of this Act". Sections 74 and 75. Section 76(4). In section 85, subsection (4)(b) and in subsection (5) the words "or county borough". In section 92(5)(a), the words "county borough or". In section 108(7)(a), the words "of the local planning authority (if not the applicant), and". Section 108(10)(a). In section 112, the proviso to subsection (2), subsections (3) and (4). In section 116, in subsection (2), the words "as respects any county road in the county", "as respects any highway in their area" and "road or" and subsections (7) and (8). In section 118, in subsection (1) the words "subject to the following subsection" and subsection (2). In section 119, in subsection (5A), the words from "are not" onwards. In section 120(4), the words "or a county road (other than a claimed county road)". In section 131, in subsection (7) the words "Subject to subsection (10) of this section" and subsection (10). In section 132, in subsection (1) the words from "in a borough" to "of this Act" and subsections (7) and (9). Section 133. Section 134(4)(b).



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Chapter	Short Title	Extent of Repeal
7 & 8 Eliz. 2. c. 25—cont.	The Highways Act 1959— cont.	In section 146, the proviso to subsection (1). In section 154, in subsection (1) the words from “in any borough” to “that rural district”, and in subsection (6) the words from “the power conferred” to the end of the subsection. Section 157(3). In section 160, the words from “and, in the case” to “comprising the district”. In section 163, subsections (2) and (3). Section 165(4). Section 167(8). Section 173(2). In section 174(3), the words “at the offices of the authority”. In section 179(2), the words “at the offices of the authority”. Section 187. Sections 189 to 191. In section 200, the words “or the code of 1875”. In section 204, the words “or in the case” to “code of 1875”. In section 204(1), the words from “situated” to “of this Act”. In section 205, the words from “or the code of 1875” to the end of the section. In section 206, in subsection (3), the words from “or in the case” to “code of 1875”, subsection (8), and in subsection (9) the definition of “appropriate council”, and the word “borough” in the last two places where it occurs. In section 207(1), the words “or section one hundred and ninety”. In section 209(1), the words “or section one hundred and ninety”. In section 210, the words from “or the code of 1875” to “relating to such works”, in each place where they occur. In section 211(1), in paragraph (e) the words “or section one

Chapter	Short Title	Extent of Repeal
7 & 8 Eliz. 2. c. 25—cont.	The Highways Act 1959— cont.	hundred and ninety” and the final word “or”, paragraph (b) and the words “as to the due execution of the works and” and “or the works were executed”. In section 213, in the proviso to subsection (1), the words from “and shall not” to the end of the proviso, and subsection (4). In section 214(7), paragraph (a) and in paragraph (b) the words “or county borough”. In section 223(2), paragraph (a) and in paragraph (b) the words “or county borough”. In section 226(3) the words from “or, in a case” onwards. In section 227(1) the words from “In this subsection” onwards. Section 232. In section 233(1) the words “borough or urban district”. Section 234. Section 239(3). Section 242. Section 245. Section 246(4). Section 247. In section 249(3) the words from “and where” onwards. In section 260 the word “county”, where it first occurs. In section 285, in subsection (1)(d) the words “twenty-four” and “subsection (4) of section forty-five” and in subsection (2)(b) the words from “paragraph 6” to “that Schedule or”. In section 286, in the proviso to subsection (2), the words from “sections twenty-one” to “forty-five” and the words “and two hundred and ninety”, and in subsection (4) the words “or a county road”, in each place where they occur, and the words “as the case may be”. Section 290. Section 292. In section 295(1), in subsection (1) the definitions of “claimed

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Chapter	Short Title	Extent of Repeal
7 & 8 Eliz. 2, c. 25—cont.	The Highways Act 1959—cont.	county road”, “county bridge” and “county road”, and in subsection (4) the words from the beginning to “respectively, and”. In section 297 the words “such roads or”. In section 312, subsections (5) and (7). In Schedule 1, in paragraph (f) of the Table in Part I, the words “(other than the council of a county district)” and the words from “and, in the case” to the end of the paragraph. Schedule 6. Schedule 8. In Schedule 12, paragraph 1(a). Part II of Schedule 14. In Schedule 17, paragraph 1 and in paragraph 6 the words “the code of 1875”. In Schedule 18, in paragraph 1, the word “145” and in paragraph 2 the word “190”. Schedule 19. Schedule 21. In Schedule 24, in paragraph 24, the words “the code of 1875 or” and “or the corresponding provisions of any local Act”. Section 28.
7 & 8 Eliz. 2, c. 53.	The Town and Country Planning Act 1959.	In section 5 the words “or borough” in both the places where they occur.
7 & 8 Eliz. 2, c. 54.	The Weeds Act 1959.	In section 9, in subsection (1), the words “as local health authority” and in subsection (3) the words “as a children authority”.
7 & 8 Eliz. 2, c. 72.	The Mental Health Act 1959.	In section 135, in subsections (2) and (7) the words “county borough”, in each place where they occur.
8 & 9 Eliz. 2, c. 16.	The Road Traffic Act 1960.	In section 143(2), the words “county borough”. In section 161(1), the words “county borough”.
8 & 9 Eliz. 2, c. 34.	The Radioactive Substances Act 1960.	In section 19(1), in the definition of “local authority”, the words “county borough, metropolitan”.

Chapter	Short Title	Extent of Repeal
8 & 9 Eliz. 2, c. 58.	The Charities Act 1960.	In section 6(6), the words “county borough” and “or borough included in a rural district” and “metropolitan”. In section 10, in subsection (4), the words from “and the council” to “any part of the county” and subsections (6) and (7). In section 11, in subsection (4), the words from “or the council” to the end of the subsection. In section 12(1), in the definition of “local council”, the words “of a borough, included in a rural district”. In section 18, in subsection (12), the words from “but a parish” to the end of the subsection. In section 32, in subsection (3), the words from “This subsection” to the end of the subsection. In section 37, in subsection (1), the words from “and shall apply” to the end of the subsection; in subsection (2) the words from “This subsection” to the end of the subsection; and subsection (5) from the word “and”, at the end of paragraph (c), onwards. Section 44(4).
8 & 9 Eliz. 2, c. 62.	The Caravan Sites and Control of Development Act 1960.	In section 29(1), in the definition of “local authority”, the words “borough or urban or rural”.
8 & 9 Eliz. 2, c. 67.	The Public Bodies (Admission to Meetings) Act 1960.	In Schedule 2, the word “rural” wherever it appears.
8 & 9 Eliz. 2, c. 68.	The Noise Abatement Act 1960.	In section 2(5)(a), the words “county borough” and “and the council of a borough included in a rural district”.
9 & 10 Eliz. 2, c. 29.	The Rural Water Supplies and Sewerage Act 1961.	Section 1(2).
9 & 10 Eliz. 2, c. 34.	The Factories Act 1961.	In section 47(1), the words “county borough”. In section 176(1), in the definition of “district council”, the words “borough or county”.

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Chapter	Short Title	Extent of Repeal
9 & 10 Eliz. 2. c. 40. 9 & 10 Eliz. 2. c. 43. 9 & 10 Eliz. 2. c. 46.	The Consumer Protection Act 1961. The Public Authorities (Allowances) Act 1961. The Land Drainage Act 1961.	In section 6(3)(b) the words from "but as if" onwards. Section 1. Section 3(1). In section 3(5) the words "county borough". In section 11(2) the words "county borough or". In section 17 the words "county borough". In section 21(3)(b) the words "or county borough". In section 30, in subsection (3), the words "or county boroughs" and in subsection (9) the words "or county borough". In section 34, in subsection (1), the words "county borough or" and in subsection (2), the words "or rural". In section 38(3) the words "or county borough". In section 114(a) the word "(including)" and the words from "borough which" to "urban or rural". In Part IV of Schedule 1, in paragraph 4, in the definition of "local authority" the words "(including a borough which has been included in a rural district)". Section 14(2)(b)(ii).
9 & 10 Eliz. 2. c. 62.	The Trustee Investments Act 1961.	In section 11(4)(a) the word "(including)" and the words from "borough which" to "urban or rural". In Part IV of Schedule 1, in paragraph 4, in the definition of "local authority" the words "(including a borough which has been included in a rural district)".
9 & 10 Eliz. 2. c. 63.	The Highways (Miscellaneous Provisions) Act 1961.	Section 14(2)(b)(ii).
9 & 10 Eliz. 2. c. 64.	The Public Health Act 1961.	In section 2(3), the words "or rural". Section 16. In section 40(2), the words "on the advice of their medical officer of health". The proviso to section 51(1). Section 54(9).
9 & 10 Eliz. 2. c. 65.	The Housing Act 1961.	In section 16(2) the words from "who are not" to "another fire authority". Section 34.
10 & 11 Eliz. 2. c. 15.	The Criminal Justice Administration Act 1962.	Section 3.
10 & 11 Eliz. 2. c. 56.	The Local Government (Records) Act 1962.	In section 2(6), the words "county borough". Section 3. In section 8(1), the words "county borough" and "or the council of a borough included in a rural district".

Chapter	Short Title	Extent of Repeal
1963 c. 2.	The Betting, Gaming and Lotteries Act 1963.	In Schedule 1, in paragraph 2, in the definition of "appropriate local authority" the words "county borough". In Schedule 2, paragraphs 1(3) and (4), in paragraph 1(6) the words from the beginning to "may be", and paragraphs 2 and 3. In Schedule 3, in paragraph 6(2), in the definition of "local authority", the words "county borough". In Schedule 7, in paragraph 1(2)(c), the words "county borough".
1963 c. 29. 1963 c. 31.	The Local Authorities (Land) Act 1963. The Weights and Measures Act 1963.	Section 1. Section 13. Section 34. In section 35, subsections (1) and (2). In section 37(1), the words "section 91 of the Local Government Act 1933 or". In section 40, in subsection (1), the words "borough or", in the last two places where they occur, and subsections (2) and (3). Section 47.
1963 c. 33.	The London Government Act 1963.	In section 1, subsections (4) and (7). In section 2, subsections (2) and (3), and in subsection (4), the words from "and the first" to the end of the subsection. Section 3. Section 6. Section 19(5). Section 44(1) to (3) and (7). In section 45, subsections (1), (2) and (3), in subsection (6) the words "and in paragraph 6 of Part II of Schedule 4 to that Act" and subsection (7). In section 46, subsections (1), (2) and (5) to (8). In section 47, subsections (1) and (3). Section 54(1)(a). Section 57(1). Section 58(2) and (3). In section 61, subsections (1) and (2). In section 62, in subsection (1), paragraphs (b) and (f), and subsection (4).

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Chapter	Short Title	Extent of Repeal
1963 c. 33— <i>cont.</i>	The London Government Act 1963— <i>cont.</i>	Section 69. Section 70. In section 71, in subsection (1), the words from “and without” to the end of the subsection. Section 74. Section 78(2)(c). In section 85(1), the words “6 or”. Section 86. Section 92(3). Part III of Schedule 1. In Schedule 2, paragraphs 1 to 9, 11 to 15 and 19 to 24 and paragraph 31(d) and (iii). In Schedule 3, Part I, except paragraph 16; in Part II, in paragraph 22, the words “the Local Government Elections Act 1956 and”, in paragraph 23, the words “and 1956” and in paragraph 24, the words from “and so far” to the end; Part III except paragraphs 27, 31, 32, 33 and 35. Schedule 4. In Schedule 6, paragraphs 3, 9, 10, 13(1), 14 to 17, 21 to 25, 29, 31 to 34, 38 to 41, 43, 46 to 52, 54, 57, 61, 63(2), 64, 65, 68(c) and 69 to 71. In Schedule 11, paragraphs 3 to 10, 15 and 39. In Schedule 13, paragraph 5. In Schedule 14, in paragraph 2, the words “and 34”. Schedule 16. In Schedule 17, paragraphs 5, 9(6), 13, 17, 18(c) and (d), 23 and 28(a).
1963 c. 37.	The Children and Young Persons Act 1963.	In Schedule 2, in paragraph 8, the word “or”, in the last place where it occurs, and sub-paragraph (b).
1963 c. 41.	The Offices, Shops and Railway Premises Act 1963.	In section 61(2)(c), the words “other than the council of a county borough”.
1963 c. 43.	The Animal Boarding Establishments Act 1963.	In section 99(1), in the definition of “local authority”, the words “a county borough”, In section 5(2), in the definition of “local authority”, the words “county borough or” and “metropolitan”.

Chapter	Short Title	Extent of repeal
1963 c. 46.	The Local Government (Financial Provisions) Act 1963.	Sections 1 to 4. Sections 6 to 11. In section 14, the words “4 and”. Schedule 1.
1964 c. 21.	The Television Act 1964.	In section 9A(6) the words “county borough”.
1964 c. 26.	The Licensing Act 1964.	In section 2(2), paragraph (b) and in paragraph (c) the words from “or if” onwards. Section 16(1)(e). In section 58(1)(e), the words “county borough”. In section 193, in subsection (1), the words “county borough or borough having a separate commission of the peace”; and in subsection (2) the words “county borough or borough having a separate commission of the peace”, and “or for that borough”. In Schedule 3, paragraphs 1(3) and 11. In Schedule 8, paragraph 4; in paragraph 6(1), the words “in a county” and “in a county borough divided into wards the mayor”, the words “or county borough”, in the first two places where they occur, and the words from “except that” to the end of the sub-paragraph; in paragraph 6(2), the words “or county borough” and the words “or mayor” in both places where they occur; in paragraph 6(3), the words “or mayor” and “or county borough”; and in paragraph 7, the words “or county borough”, “or mayor” and “or borough”, in each place where they occur. In the Appendix to Schedule 8, in Form D, the words “(electoral division of the county of [county borough of 1])”, in each place where they occur. Section 18(3). In section 19 in subsection (3) the words “and (b)” and the words from “shall have
1964 c. 42.	The Administration of Justice Act 1964.	Section 18(3). In section 19 in subsection (3) the words “and (b)” and the words from “shall have

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Chapter	Short Title	Extent of Repeal
1964 c. 42— <i>cont.</i>	The Administration of Justice Act 1964— <i>cont.</i>	effect " to " 1887, but " and, in subsection (4), paragraph (6). In Schedule 3, in paragraph 20, sub-paragraphs (3) and (4) and paragraph 31(1).
1964 c. 48.	The Police Act 1964.	In section 1, in subsection (1), the words "and county borough" and subsections (2) and (3). In section 2, in subsection (1), the words "or county borough", "or borough", "in the case of a county" and "and, in the case of a borough, as the watch committee"; subsection (3); in subsection (5), the words "or watch committee", in both places where they occur; in subsection (5), the words "or watch committee" and "or county borough". In section 8, the words "or county borough" wherever occurring; in subsection (4) the words "or borough" and subsection (5). In sections 9 and 10, the words "or county borough" wherever occurring. In section 11, the words "county borough", in both places where they occur, and the word "or" in the last place where it occurs. Section 19(5). In section 21, in subsection (3), in paragraph (b), the words from "including a clerk" onwards, and paragraph (f); and subsection (4). In section 22(2)(a), the words "or county boroughs". In section 23(2), in paragraph (a) the words "or county borough", in paragraph (b), the words "or county borough", in both places where they occur and, in paragraph (c), the words "or county borough", wherever occurring, and sub-paragraph (b). Section 25(1) to (4). In section 27 the definition of "consolidation agreement",

Chapter	Short Title	Extent of Repeal
1964 c. 48— <i>cont.</i>	The Police Act 1964— <i>cont.</i>	in the definition of "constituent authority" the words "in the case of a county" and the words from "and, in the case" to "the borough"; and in the definition of "local fund" the words from "and" to the end of the definition. In section 31(1), the words "county borough police force". In Schedule 1, the words "or county borough" wherever occurring and in paragraph 7(b), in paragraph (i) the words "or county boroughs" and paragraph (i). In Schedule 2, in paragraph 2, the words "or county borough". In Schedule 5, in paragraph 2(2), the entry in the Table beginning with the words "River Tyne". In Schedule 8, the entry relating to county boroughs and the words "or a county borough". In Schedule 9, in the amendments of section 5 of the Riot (Damages) Act 1886, the entry relating to section 2(3) of that Act and, in the amendment of section 195 of the 1953 Act, the words "or county borough" and the amendment of section 18 of the Local Government (Miscellaneous Provisions) Act 1953, in Schedule 11, paragraphs 7 to 13.
1964 c. 56.	The Housing Act 1964.	In section 12(1), in the definition of "local authority" the words "county borough". In section 44(1), in the definition of "local authority" the words "county borough". In section 96(3), in the definition of "local authority" the words "county borough". Section 106(4).
1964 c. 69.	The Scrap Metal Dealers Act 1964.	In section 9(2), in the definition of "local authority" the words "county borough or county".
1964 c. 70.	The Riding Establishments Act 1964.	In section 6(4), the words from "as respects any non-county borough" to "of the county".

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Chapter	Short Title	Extent of Repeal
1964 c. 75.	The Public Libraries and Museums Act 1964.	Section 4(1). Section 6(1) to (4). In section 7(1) the words from "and for that purpose" to "requisite". In section 10(2)(b), the words "with a population less than 40,000" wherever occurring. In section 12, the proviso to subsection (1) and in subsection (2) the words "with the consent of the Secretary of State". In section 14, the words from "being a library" to "section 12 above". Section 15(4). Section 18. In section 21, in subsection (1), the words from "and expenses" onwards, and subsections (2) and (3)(b). In section 25, the definitions of "local authority" and "population". Section 26(3), (4) and (6). In Schedule 2, in paragraph 2, in sub-paragraph (1) the words from "but except" onwards and sub-paragraphs (2) and (3), and paragraph 6. The whole Act.
1964 c. 77.	The Local Government (Pecuniary Interests) Act 1964.	The whole Act.
1965 c. 16.	The Airports Authority Act 1965.	In section 23(1), in the definition of "local authority" the words "county, county borough".
1965 c. 36.	The Gas Act 1965.	Section 27(4).
1965 c. 42.	The Public Health (Notification of Births) Act 1965.	Section 1(1).
1965 c. 59.	The New Towns Act 1965.	In section 1(4), the words "county borough or". In section 9(1), the words "county borough or". In section 54(1), the definition of "local planning authority".
1965 c. 63.	The Public Works Loans Act 1965.	Section 2(2). In the Schedule, paragraphs 8 and 9.
1965 c. 64.	The Commons Registration Act 1965.	In section 2(1)(c) the words "county borough" in both places where they occur. In section 22(1), in the definition of "local authority",

Chapter	Short Title	Extent of Repeal
1965 c. 64— cont.	The Commons Registration Act 1965—cont.	the words "county borough" and "or the council of a borough included in a rural district".
1965 c. 75. 1965 c. xx.	The Rent Act 1965. The Greater London Council (General Powers) Act 1965.	Section 35(8). Section 7.
1965 c. xxxix.	The City of London (Various Powers) Act 1965.	In section 33, in subsection (1), the words "6 and" and "(2) and" and subsection (2).
1966 c. 9.	The Rating Act 1966.	In section 11(1), in the definition of "rating authority", the words "county borough".
1966 c. 38.	The Sea Fisheries Regulation Act 1966.	In section 1(1), the words "or borough council" and "or borough" in the next place where those words occur. In section 2(1), the words "or of such borough council", "councils, being" and "or borough councils". In section 3, the words "or borough council" and "or borough, as the case may be". In section 19, the words "or borough". In section 20(1), the definition of "borough".
1966 c. 42.	The Local Government Act 1966.	Section 10(4).
1967 c. 5.	The London Government Act 1967.	Section 28(6). The whole Act.
1967 c. 9.	The General Rate Act 1967.	In section 2(2), the words "of a borough included in the rural district or" and "borough or". In section 38(4), the words "boroughs with a separate commission of the peace or boroughs having a separate court of quarter sessions". In section 44(2)(b), the words "county borough" and "or borough included in a rural district". In section 85(2), the words "county borough". In section 91(1)(b), the words "or county borough". In section 91(4), the words from the beginning to "county borough councils". In section 112, the words "or urban district", "or district" and "rural".

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Chapter	Short Title	Extent of Repeal
1967 c. 9— <i>cont.</i>	The General Rate Act 1967— <i>cont.</i>	Section 11(6)(8). In section 11(6)(9), the words from “ and in paragraph 5(a) ” to “ urban parish ”. In Schedule 1, in paragraph 15, the words “ county borough ”. In Schedule 4, in paragraph 1(6), the words “ to each county borough ” and the word “ borough ”, in the second and third places where it occurs.
1967 c. 19.	The Private Places of Entertainment (Licensing) Act 1967.	Section 6(2). In Part I of the Schedule, the words “ borough or county ”, wherever occurring.
1967 c. 22.	The Agriculture Act 1967.	In section 73(2), in the definition of “ local authority ”, the words “ borough, including a county borough and a ” and the words “ urban or rural ”.
1967 c. 24.	The Slaughter of Poultry Act 1967.	In section 8, in the definition of “ local authority ” the words “ a county borough ”.
1967 c. 29.	The Housing Subsidies Act 1967.	In section 27(1)(a)(i) the words “ or rural ”.
1967 c. 69.	The Civic Amenities Act 1967.	In section 18, in subsection (4), the words from “ and without prejudice ” to the end of the subsection. In section 23(3), paragraphs (b) and (c). In section 27(1), in the definition of “ local authority ” the words “ county borough ”.
1967 c. 76.	The Road Traffic Regulation Act 1967.	In section 1(2)(e), the words from “ the council of a county borough ” to “ any other area ”. Section 5(4). In section 15(8)(a), the words from “ a county borough ” to “ as regards ”, in the second place where those words occur, and the word “ other ”. In section 21, subsection (3) and in subsection (6), paragraph (c) and the words from “ in relation to the council of a county in England ” to “ the county and ”. In section 24, in subsection (1)(a), the words “ or county borough ” and in subsection (5), the words “ or county

Chapter	Short Title	Extent of Repeal
1967 c. 76— <i>cont.</i>	The Road Traffic Regulation Act 1967— <i>cont.</i>	borough ” and “ or borough ”. In section 26(1), the words “ borough or urban district ”. In section 28(6)(a) the words “ subject to subsection (7) below ”. Section 49. Section 66(1). In section 69, in subsection (3), the words from “ but, where ” to the end of the subsection. In section 81(8), the words “ or borough ”. In section 82(4) the words “ or county borough, county district ” and “ borough included in a rural district ”. In section 104(1), in the definition of “ highway authority ” the words from “ the council of a county borough ” to “ urban district ”.
1967 c. 88.	The Leasehold Reform Act 1967.	In section 28(6)(a), the words “ county borough ”.
1968 c. 23.	The Rent Act 1968.	In section 49(2)(a) the words “ or county borough ”. In section 39(1) the words “ county boroughs ”. In section 37(5), the words “ county borough ”. Section 68. In section 70, in subsection (1), the words from “ and which ” to the end of the subsection. In section 82(1)(a) the words “ county borough ”. In section 89(5) the words “ county borough ”. In section 107(4) the words “ county boroughs ”. In Schedule 9, in paragraphs 15(2) and 20(2) the words “ county borough ”.
1968 c. 34.	The Agriculture (Miscellaneous Provisions) Act 1968.	In section 22(2)(a), the words “ county boroughs ”.
1968 c. 41.	The Countryside Act 1968.	In section 6, in subsection (2), the words “ county borough ”; in subsection (3), the words from “ except ” onwards; and subsections (4) to (7). Section 39. In section 49(3), the words from “ and references ” onwards. In Schedule 3, in Part I, the amendments of sections 27,

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Chapter	Short Title	Extent of Repeal
1968 c. 41— <i>cont.</i>	The Countryside Act 1968	28, 32, 110, 111 and 112(5) of the Highways Act 1959, and in Part II, in paragraph 2(2) the words "or county borough".
1968 c. 46.	The Health Services and Public Health Act 1968.	Schedule 4. In section 12, subsection (6) and in subsection (7), paragraphs (b) and (c).
1968 c. 52.	The Caravan Sites Act 1968.	In section 6(1) the words "county borough". Section 7(4). In section 12(1) the words "a county borough".
1968 c. 61.	The Civil Aviation Act 1968.	Section 7. In section 21(3), the words "county borough".
1968 c. 65.	The Gaming Act 1968.	In section 28(3), in the definition of "local authority", the words "county borough". In section 44(2), the words "county borough". In Schedule 2, in paragraph 2(2), in paragraph (c) of the definition of "the appropriate local authority" the words "county borough". In Schedule 9, in paragraph 1(6), the words "county borough".
1968 c. 67.	The Medicines Act 1968.	In section 108(8), the words "or county borough".
1968 c. 69.	The Justices of the Peace Act 1968.	In section 11(2) the words from "(including)" to "rural district)" and "(within the meaning of the Local Government Act 1933)".
1968 c. 73.	The Transport Act 1968.	In section 91(a), in sub-paragraph (i), the words "county boroughs" and "and" and sub-paragraph (ii). In section 34(1), the words "county borough". In section 53(1)(b)(iii), the words "county borough". In section 55(6)(a), the words "county borough". In section 63(6)(a), the words "county borough". In section 115(3)(c), the words "county borough". Section 116(5). In section 123(2), the words "county borough".

Chapter	Short Title	Extent of Repeal
1968 c. 73— <i>cont.</i>	The Transport Act 1968	In section 124(4), the words "county borough". In section 138(9)(b), the words "county borough". In Part I of Schedule 5, in its application in England and Wales, in paragraph 1, sub-paragraph (b) and the words "with the approval of the Minister". In Schedule 14, in Part IV, paragraph 4.
1969 c. 10.	The Mines and Quarries (Tips) Act 1969.	In section 11, in subsection (3) the words "subject to subsection (4)" and in paragraph (a) the words "county borough", and subsection (4).
1969 c. 15.	The Representation of the People Act 1969.	Section 6(1). In section 8(4)(a) the words "or rural borough". In section 11(3) the words "which adjoins the area" and "in an urban or rural". In section 12(1), the words from "and of which" to "Wales". In section 13(4) the words "in section 72(1)(a) of the Local Government Act 1933 and" and, in section 13(5), the words "rule 20 of the local elections rules". In section 14 the words "and the local elections rules". Sections 15 to 17. Section 18, except subsection (2). In section 19(2), the words from "the beginning to" "officer, and" and subsections (3) and (4). Section 24(3). Section 26(2). In Part I of Schedule 1, the amendments of the local elections rules. In Part II of Schedule 1, in paragraph 1(1), the words from "the English" to "1949 and" in paragraph 4, the words "rule 16 of the English and Welsh rules"; in paragraph 6(1)(a), the words "as defined in rule 6(1) of the English and Welsh rules" and paragraph (c); paragraph 12(2); para-



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Chapter	Short Title	Extent of Repeal
1969 c. 15— <i>cont.</i>	The Representation of the People Act 1969— <i>cont.</i>	graph 13(1); in paragraph 13(2), the words from “and accordingly” to the end; and in paragraph 13(4) the words “and at the end of rule 46(1) of the English and Welsh rules”.
1969 c. 19.	The Decimal Currency Act 1969.	In Schedule 2, paragraph 22; in paragraph 23, the words “and in rule 6(6) of the local elections rules in Schedule 2”; paragraphs 24 and 26(2); and in paragraph 30 the words “and rule 43(5) of the local elections rules in Schedule 2”.
1969 c. 27.	The Vehicle and Driving Licences Act 1969.	In section 33(1), in the definition of “local authority” the words “the council of a county borough”.
1969 c. 33.	The Housing Act 1969.	In section 27, in the definition of “housing authority” the words “county borough”.
1969 c. 54.	The Children and Young Persons Act 1969.	In section 68.
1969 c. 57.	The Employers’ Liability (Compulsory Insurance) Act 1969.	In section 3(2), the words “county borough”.
1970 c. 29.	The Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970.	Section 5(1) and in section 5(2), the words from “burial authority” to “ground, and”.
1970 c. 39.	The Local Authorities (Goods and Services) Act 1970.	In section 1(4), in the definition of “local authority”, the words “county borough”, and in the definition of “public body”, the words “council of a borough included in a rural district”.
1970 c. 40.	The Agriculture Act 1970.	Section 38(e) and (d). In section 48(1), the words “or county borough”.

Chapter	Short Title	Extent of Repeal
1970 c. 42.	The Local Authority Social Services Act 1970.	Section 6(7). In section 7, subsections (2) and (3). Section 8. Section 10. In Schedule 2, paragraphs 2 to 4, 7 and 9.
1970 c. 44.	The Chronically Sick and Disabled Persons Act 1970.	In section 2, the words from “notwithstanding” to “section 29, but” and subsection (2). In section 21(8) the words “or county borough”.
1970 c. lxi.	The City of London (Various Powers) Act 1970.	Section 7.
1971 c. 7.	The Local Authorities (Qualification of Members) Act 1971.	The whole Act.
1971 c. 23.	The Courts Act 1971.	In section 54, subsection (2), in subsection (3) the words “or as judge of a borough civil court” and subsection (4). In Schedule 7, paragraph 6. In Schedule 8, paragraph 15(2) and (3) and paragraph 23. In section 19(3), the words “(4), (5) and” and “in each place where they occur”.
1971 c. 41.	The Highways Act 1971.	In section 26(7), the words “county borough”.
1971 c. 62.	The Tribunals and Inquiries Act 1971.	In section 27(7), the words “the council of a county borough”.
1971 c. 75.	The Civil Aviation Act 1971.	In section 57, in subsection (3)(e), the word “rural” and subsection (4). Section 59. Section 69. In section 76(1), the words “the code of 1875 or” and “or the corresponding provisions of any local Act”.
1971 c. 78.	The Town and Country Planning Act 1971.	In Schedule 1, paragraphs 1 and 2. Section 6. In section 16(4), the words “county borough”.

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Chapter	Short Title	Extent of Repeal
1971 c. 78— <i>cont.</i>	The Town and Country Planning Act 1971— <i>cont.</i>	Section 31(3)(c). In section 54(4), (6), (7) and (10), the words “county borough”. In section 112, subsection (3)(e) and in subsection (5), the words “county borough”. In section 114(1), the words “county borough”. In section 119(1), the words “county borough”. Section 121(3). In section 158, in subsections (4) and (5), the words “county borough”. In section 180(1), the words “county borough”. In section 188(1), the words “county borough”. In section 189(1), the words “county borough”. In section 213(5)(a), the words “county boroughs”. In section 215(5), the words “county borough” and the words “or of a borough included in a rural district”. In section 216(4) the words “or county borough”. In section 256, the words “county borough”. In section 250(1), in the definition of “authority possessing compulsory purchase powers” the words “or the council of a borough included in a rural district” and in the definition of “local authority” the words “county borough or”. Schedule 2. In Schedule 3, paragraphs 3(5), 5 and 6. In Schedule 20, in paragraph 1(3), the words “county borough council, a county”. In Schedule 24, paragraph 9.
1971 c. lxvii.	The Manchester Corporation (General Powers) Act 1971.	In section 65, in subsection (1), the words “and (2)”, where they first occur, the words from “and the directions” to “such charges” and the words from “and the said subsections” to the end of the subsection and subsection (4).
1972 c. 5.	The Local Employment Act 1972.	In section 8(3), the words “county borough”. In section 9(1), the words “county borough”.

Chapter	Short Title	Extent of Repeal
1972 c. 20.	The Road Traffic Act 1972.	In section 35(5), the words “and in this subsection “county borough” includes a London borough”. In section 55(7), the words “a county borough”. In section 123, the words “county borough”. In section 127(2), in the definition of “local authority” the words “county borough or county district”. In section 144(2)(e), the words “county borough”. In section 196(1), in the definition of “highway authority”, the words from “the council”, in the second place where they occur, to “urban district”. In Schedule 3, in paragraph 1 the words “county borough or”.
1972 c. 42.	The Town and Country Planning (Amendment) Act 1972.	Section 1. In the Schedule substituted for Schedule 4 to the Town and Country Planning Act 1971 by Schedule 1, paragraph 3; in paragraph 3, in sub-paragraph (3) paragraphs (b) and (c) and the words “(joint or other)”, and sub-paragraph (4); paragraph 9(2); in paragraph 11(1) the words from “and also” to “planning authorities” and the words from “or, as” to the end; paragraph 13; in paragraph 14(2), the words “or, as the case may be, of paragraph 13(1)(a) to (c) above”; paragraph 15; in paragraph 16, in sub-paragraph (1), the words “(other than a joint local plan)” and the words from “and in relation” to the end, and sub-paragraphs (2) to (4); and paragraph 17(2). Paragraph 21 of Schedule 1.
1972 c. 47.	The Housing Finance Act 1972.	Paragraph 21 of Schedule 1.
1972 c. 62.	The Agriculture (Miscellaneous Provisions) Act 1972.	Section 5(4).

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