

## SCHEDULE 1

### TERMINATION OR MODIFICATION OF CERTAIN EXISTING GRANTS

#### PART I

##### EXISTING RATE SUPPORT GRANTS

- 1 The provisions of sections 1 to 5 of the Local Government Act 1966 (in this Part of this Schedule referred to as "the 1966 Act") shall not have effect with respect to any year beginning on or after 1st April 1974 but, subject to paragraph 2 below, nothing in this Act shall affect the continued operation of those provisions on or after that date in relation to any year ending before that date.
- 2 No order shall be made after 31st March 1974 under section 3 of the 1966 Act (power of Secretary of State to vary rate support grant orders).
- 3 Without prejudice to his powers under section 4 of this Act, if at any time during the year 1974-75 it appears to the Secretary of State that, but for the provisions of paragraph 2 above, he would have made an, order under section 3 of the 1966 Act increasing the amount fixed by the rate support grant order for the year 1973-74 as the aggregate amount of the rate support grants for that year, he may by an order made in like manner and subject to the like provisions as a rate support grant order—
  - (a) increase the amount fixed by the rate support grant order for the year 1974-75 as the estimated aggregate amount of the rate support grants for that year by an amount equal to the increase for which he would have made provision in the order under section 3 of the 1966 Act; and
  - (b) make such increases in all or any of the elements of rate support grants for that year as appear to him to be appropriate in consequence of the increase in the estimated aggregate amount of those grants made by virtue of sub-paragraph (a) above.
- 4 Without prejudice to the generality of the power to make regulations under section 5 of the 1966 Act (for carrying into effect the provisions of sections 1 to 4 of, and Schedule 1 to, that Act) regulations under that section may make—
  - (a) such provision as the Secretary of State considers appropriate, having regard to paragraphs 1 and 2 above, to secure that any calculations or estimates for the time being treated by virtue of any such regulations as provisional are treated on and after 1st April 1974 as conclusive ; and
  - (b) such other incidental or consequential provisions, including provisions amending Part I of Schedule 1 to the 1966 Act, as the Secretary of State considers appropriate for, or in connection with, carrying the provisions of this Part of this Schedule into effect.
- 5 In this Part of this Schedule the expressions "rate support grants " and " rate support grant order " have, in relation to any year ending before 1st April 1974, the same meanings as in the 1966 Act.

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## PART II

### EXISTING GRANTS FOR HIGHWAYS AND PUBLIC TRANSPORT

- 6 Subject to paragraph 8 below, on and after 1st April 1975 the power of the Secretary of State—
- (a) to make advances to a local highway authority under section 235(1) of the Highways Act 1959 (for the purposes of, or in connection with, highways, road-ferries and the provision of facilities associated with highways), and
  - (b) to make grants to a Passenger Transport Executive under section 20(8) of the Transport Act 1968 (towards expenditure incurred by the Executive for certain areas in pursuance of agreements with the Railways Board for the provision of railway passenger services), and
  - (c) to make grants to any person under section 56(1) of the Transport Act 1968 (towards capital expenditure incurred or to be incurred in the provision, improvement or development of facilities for public passenger transport),
- shall cease to be exercisable except in cases where it appears to the Secretary of State that, notwithstanding the grants for which provision is made in Part I of this Act, the whole or any part of any expenditure in respect of which any such advances or grants as are referred to in paragraph (a), paragraph (b) or paragraph (c) above could be made should not fall on the local highway authority, Passenger Transport Executive or other person concerned.
- 7 No grants shall be paid under section 34(2) of the Transport Act 1968 (towards expenditure incurred by local authorities in making grants to provide assistance for rural bus or ferry services and in the provision of such ferry services) in respect of expenditure incurred in connection with the provision, improvement or continuance, after the end of the year 1974-75, of any bus service or ferry service, within the meaning of that Act.
- 8 (1) In any case where it appears to the Secretary of State—
- (a) that any person other than a local authority, a Passenger Transport Executive or the London Transport Executive has before 1st April 1975 entered upon a course of expenditure of a capital nature such as is referred to in section 56(1) of the Transport Act 1968, and
  - (b) that the course of expenditure was entered upon in reliance on an undertaking by the Secretary of State to make a grant or grants towards that expenditure under that section,
- then, notwithstanding anything in paragraph 6 above, the Secretary of State may, on or after 1st April 1975, make to that person under that section any grant which he considers appropriate in the light of that undertaking.
- (2) In sub-paragraph (1)(a) above " local authority " includes the council of an administrative county, county borough or county district.
- 9 (1) In any case where it appears to the Secretary of State—
- (a) that a Passenger Transport Executive or the London Transport Executive has before 1st April 1975 entered upon a course of expenditure of a capital nature such as is referred to in section 56(1) of the Transport Act 1968, and
  - (b) that the course of expenditure was entered upon in reliance on an undertaking by the Secretary of State to make a grant or grants towards that expenditure under that section,

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the Secretary of State shall, as soon as practicable after 1st April 1975, give notice in writing to the appropriate local authority specifying the purpose of the expenditure, the Executive carrying it out and particulars of the grant or grants to which the undertaking relates, including the terms and conditions upon which the grant or grants were to be made and details of the amount or proportion thereof already paid at that date.

- (2) An authority to whom a notice is given under sub-paragraph (1) above shall make to the Executive specified in the notice payments under subsection (2) of section 56 of the Transport Act 1968—
- (a) corresponding in amount to the payments which, in accordance with the particulars specified in the notice, would have been made under the grant or grants concerned, and
  - (b) on terms and conditions corresponding, as near as may be, to those so specified,

and, in relation to the authority, expenditure for the purpose specified in die notice shall be conclusively presumed for the purposes of that subsection to be expenditure towards which payments may be made under that subsection.

- (3) In sub-paragraph (1) above " the appropriate local authority ", in relation to a Passenger Transport Executive, means the county council which is the Passenger Transport Authority for the Executive's area and, in relation to the London Transport Executive, means the Greater London Council.

### PART III

#### EXISTING GRANTS FOR OTHER SPECIFIC PURPOSES

- 10 No grants shall be paid for the year 1974-75 or any subsequent year under—
- (a) section 97 of the National Parks and Access to the Countryside Act 1949 (grants to local authorities in respect of expenditure on National Parks and areas of outstanding natural beauty) except in so far as that section provides for grants in respect of expenditure incurred in the exercise of powers under section 89(2) of that Act (derelict land) or of powers of acquiring land, whether by agreement or compulsorily, for the purpose of functions under that section ;
  - (b) section 98 of that Act (grants to local authorities in respect of expenditure on long-distance routes);
  - (c) section 9 of the Rating Act 1966 (grants to rating authorities in respect of rebates afforded by them under existing rate rebate schemes);
  - (d) section 8 or section 10 of the Local Government Act 1966 (grants to local authorities in respect of expenditure on public open spaces and port health and airport health functions); or
  - (e) section 33, section 34 or section 35 of the Countryside Act 1968 (grants to local authorities and other bodies in respect of expenditure on country parks, including the Lee Valley Regional Park, and the countryside).
- 11 (1) The Secretary of State may from time to time, by order made by statutory instrument, provide that, with effect from such year as may be specified in the order, no grant shall be paid under any such local authority grant provision as may be so specified or that no grant shall be so paid except in respect of expenditure of a description so specified.

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- (2) In this paragraph " local authority grant provision " means an enactment providing for the payment of grants to local authorities (within the meaning of the enactment concerned) in respect of expenditure incurred in connection with a specific function.
- (3) An order under this paragraph may contain such provisions as appear to the Secretary of State to be necessary or proper in consequence of the termination of the grants, including provision amending, repealing or revoking, with or without savings, any enactment or instrument made under an enactment.
- (4) No order under this paragraph shall have effect unless it is approved by a resolution of each House of Parliament.

## SCHEDULE 2

### ELEMENTS OF RATE SUPPORT GRANTS

#### PART I

##### THE NEEDS ELEMENT

- 1 Subject to paragraph 3 below, the amount of the needs element payable for any year to a local authority shall be the aggregate of—
  - (a) an amount arrived at by multiplying a prescribed sum by the population of the authority's area ; and
  - (b) additional amounts determined in such manner as may be prescribed and attributable to such additional factors as may be prescribed for that year.
- 2 For the purposes of paragraph 1 above the Secretary of State may by regulations provide for the method of determining, for any year,—
  - (a) the population of a local authority's area; and
  - (b) the application or operation of any additional prescribed factor in relation to a local authority.
- 3 (1) The needs element shall be subject to adjustment, in accordance with the following provisions of this paragraph, in respect of expenditure to which this paragraph applies.
  - (2) The Secretary of State may by regulations provide for ascertaining the aggregate of the expenditure to which this paragraph applies of all local authorities, for apportioning the aggregate among the authorities and for ascertaining the amount by which the needs element payable to each authority ought to be increased or decreased.
  - (3) The Secretary of State shall, in accordance with regulations made by him under this paragraph, ascertain at such time as may be specified by the regulations—
    - (a) the estimated amount of the increases and decreases of the needs element which ought to be made for any year, and
    - (b) the actual amount of those increases and decreases,
 and he shall in paying the needs element for any year adjust the amount of that element in accordance with the estimated amounts so ascertained and shall in paying that element for the earliest practicable subsequent year make any

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adjustment necessary to offset differences between the estimated and actual amounts so ascertained.

- (4) Subject to sub-paragraph (5) below, this paragraph applies to expenditure incurred—
- (a) in establishing, maintaining or assisting colleges or other institutions for the training of teachers or in providing or assisting the provision of other facilities specified in directions under section 62 of the Education Act 1944;
  - (b) in making payments, in such cases as may be specified by regulations made by the Secretary of State under this paragraph, to or in respect of persons taking teachers' training or further training courses;
  - (c) in the provision, or in assisting the provision, of such facilities for further education of an advanced character as may be specified by or under regulations so made;
  - (d) in the making of provision for primary, secondary or further education of pupils not belonging to the area of any local education authority;
  - (e) in the training of persons to undertake educational research or to become educational psychologists, or in respect of persons who are being so trained.
- (5) The Secretary of State may by regulations provide—
- (a) that this paragraph shall apply to such expenditure as may be specified by the regulations which is incurred by local authorities—
    - (i) upon research into any of their functions, or
    - (ii) in the training of persons in matters connected with the functions of local authorities, or
    - (iii) in respect of persons to whom the training is given, or
    - (iv) in providing, for persons who suffer from any disability of mind or body, education by special methods appropriate for persons suffering from that disability, or
    - (v) in making payments to persons who cease to be employed as teachers in colleges for the training of teachers and become employed either by a local authority in a different capacity or as teachers in voluntary schools; or
  - (b) that any expenditure to which this paragraph applies shall cease to be such expenditure.

- 4 If, when the needs element for any year falls to be paid, it appears to the Secretary of State that the aggregate amount of that element will exceed or fall short of its aggregate amount as fixed by the relevant rate support grant order, the Secretary of State shall adjust the amount of that element payable to each local authority as nearly as may be in the proportion which the aggregate amount of the element as so fixed bears to the amount, as estimated by the Secretary of State, which would be the aggregate amount of that element for that year apart from this paragraph.

## PART II

### THE DOMESTIC ELEMENT

- 5 (1) In each year an amount in the pound shall be prescribed for the purposes of section 48 of the General Rate Act 1967 (reduction of rates on dwellings by reference to domestic element) and different amounts in the pound may be so prescribed for different rating areas.

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- (2) In prescribing any amount or amounts in the pound under this paragraph for any year the Secretary of State shall seek to secure that the total amount of the reductions under section 48 of the General Rate Act 1967 for all rating areas will correspond to the aggregate amount of the domestic element prescribed for that year in pursuance of section 2(1) of this Act.
- (3) In this paragraph " rating area" has the same meaning as in the General Rate Act 1967.
- 6       The amount of the domestic element payable to a local authority for any year shall be determined in such manner as may be provided by regulations made by the Secretary of State.

### PART III

#### THE RESOURCES ELEMENT

- 7       No payment in respect of the resources element shall be made to a local authority for any year unless in that year the rateable value per head of population of the authority's area is less than the national standard rateable value per head of population.
- 8       In relation to the resources element, the national standard rateable value per head of population shall be of such amount as may be prescribed.
- 9       (1) In relation to the resources element, the rateable value per head of population of the area of a local authority for any year shall be determined by—
- (a) ascertaining the aggregate of the effective rateable values of all the hereditaments in the area of the authority, including any hereditament which, by virtue of any enactment, any body is to be treated as occupying in that area ; and
  - (b) dividing the aggregate figure so ascertained by the population of the authority's area, determined for that year in accordance with regulations made by the Secretary of State.
- (2) For the purposes of sub-paragraph (1) above, " effective rateable value ", in relation to any hereditament, means such value as may be determined in accordance with regulations made by the Secretary of State; and any such regulations may make different provision in relation to different types of hereditament.
- 10      (1) Subject to any provision made by virtue of section 4(5) of this Act and to paragraph 11 below, the amount of the resources element payable to a local authority for any year shall be an amount arrived at by multiplying the local deficiency in rateable value for that year by the amount in the pound which in accordance with sub-paragraph (3) below is determined as the uniform rate in that year for the authority's area.
- (2) For the purposes of sub-paragraph (1) above, " local deficiency in rateable value ", in relation to any authority for any year, means the product of—
- (a) the amount by which, in that year, the national standard rateable value per head of population exceeds the rateable value per head of population of the authority's area ; and
  - (b) the population of the authority's area, determined for that year as mentioned in paragraph 9(1)(b) above.

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- (3) For the purposes of sub-paragraph (1) above " the uniform rate " in any year for the area of a local authority means the amount in the pound determined by dividing—
- (a) so much of the total estimated expenditure to be incurred by the authority during that year (as mentioned in section 2(1) of the General Rate Act 1967) as falls to be met by the authority out of the general rate for that year, by
  - (b) the aggregate of the effective rateable values of all the hereditaments in the area of the authority determined as for the purposes of paragraph 9(1) above.
- 11 (1) If, after the amount of the resources element payable to a local authority for any year has been determined under paragraph 10 above,—
- (a) the rateable values of hereditaments in the authority's area are reduced with effect from a date on or before that which is relevant for determining the aggregate of the effective rateable values of all the hereditaments in the authority's area for that year under paragraph 9 above, and
  - (b) the effect of that reduction is to produce a reduction in the aggregate of the effective rateable values of all the hereditaments in the authority's area which is of such a magnitude that, expressed as a percentage of the initially ascertained aggregate figure, it exceeds such percentage as may be specified for the purposes of this paragraph in regulations made by the Secretary of State, and
  - (c) the authority by notice in writing request the Secretary of State to give a direction under this paragraph,
- the Secretary of State shall direct that the amount of the resources element payable to the authority for that year shall be recalculated in accordance with the following provisions of this paragraph and a further payment on account of that element shall be made to the local authority accordingly.
- (2) Where sub-paragraph (1) above applies—
- (a) the rateable value per head of population of the local authority's area for the year concerned shall be recalculated under paragraph 9 above by treating the initially ascertained aggregate figure as reduced by the amount of the excess referred to in sub-paragraph (1)(b) above ; and
  - (b) subject to any provision made by virtue of section 4(5) of this Act, paragraph 10 above shall have effect accordingly for the purpose of determining the amount which, on the basis of that recalculation, would have been payable to the authority for that year.
- (3) The further payment referred to in sub-paragraph (1) above shall be an amount equal to the difference between the amount previously paid to the authority for the year concerned on account of the resources element and the amount determined as mentioned in sub-paragraph (2)(b) above.
- (4) In this paragraph " the initially ascertained aggregate figure ", in relation to any year, means the aggregate figure ascertained under paragraph 9(1)(a) above for the purposes of the first determination of the amount of the resources element payable to the authority in that year.
- (5) The provisions of this paragraph shall have effect notwithstanding that the actual aggregate amount of the resources element for the year concerned may have been specified in an order under section 4(1) of this Act, and if any amount has been so specified it shall be treated as having been increased to such amount as may be necessary to provide for any further payment made to a local authority under this paragraph.

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### SCHEDULE 3

#### HEREDITAMENTS TO WHICH SECTION 19(1) APPLIES

- 1 Any water hereditament, within the meaning of section 31 of the principal Act.
- 2 Any hereditament consisting of railway or canal premises, within the meaning of  
section 32 of the principal Act, which are occupied wholly or partly for non-rateable  
purposes of any transport Board, within the meaning of that section.
- 3 Any hereditament which the British Gas Corporation are to be treated as occupying  
in a rating area by virtue of section 33(3) of the principal Act.
- 4 Any hereditament which an Electricity Board, within the meaning of section 34  
of the principal Act, are to be treated as occupying in a rating area by virtue of  
subsection (3) of that section.
- 5 Any hereditament occupied by the Post Office by any such property as follows,  
namely—
- (a) posts, wires, underground cables and ducts, telephone kiosks and other  
equipment not within a building, being property used for the purposes of  
telecommunication services ; and
  - (b) the railway constructed, and the works executed, by the Postmaster General  
in exercise of the powers conferred by the Post Office (London) Railway  
Act 1913, and the railway constructed, and the works associated therewith  
executed, by him in exercise of the powers conferred by the Post Office  
(Site and Railway) Act 1954.
- 6 Any hereditament occupied by the National Coal Board.
- 7 (1) Any other hereditament which consists of or includes a mine or quarry or the whole  
or part of which is occupied together with a mine or quarry in connection with its  
working, or the treatment, preparation, storage or removal of its minerals or products  
of its minerals or the removal of its refuse.
- (2) Any reference in sub-paragraph (1) above to a mine or quarry includes a reference  
to a well or bore-hole or a well and bore-hole combined.
- (3) Subject to sub-paragraph (2) above, expressions used in sub-paragraph (1) above and  
in the Mines and Quarries Act 1954 have the same meanings in sub-paragraph (1)  
above as in that Act
- 8 Any hereditament occupied by the persons carrying on, under authority conferred  
by or under any enactment, a dock or harbour undertaking.
- 9 Any hereditament occupied by the persons carrying on an undertaking for the  
diffusion by wire of sound or television programmes.

### SCHEDULE 4

#### THE COMMISSIONS

##### *Disqualifications*

- 1 (1) A person shall be disqualified for being appointed as, or for being, a Local  
Commissioner if—



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- (a) he is disqualified for being elected, or being, a member of any of the authorities mentioned in section 25(1) of this Act; or
    - (b) he is a member of any of those authorities or is a member (by co-option) of a committee of any of those authorities.
  - (2) A Local Commissioner shall not at any time conduct a case arising in an area if it is wholly or partly within an area for which one of those authorities is responsible and, within the five years ending at that time, the Local Commissioner has been a member of that authority, or a member (by co-option) of a committee of that authority.
  - (3) The acts and proceedings of a person appointed as a Local Commissioner and acting in that office shall, notwithstanding his disqualification under this paragraph, be as valid and effectual as if he had been qualified.
- 2
- (1) So long as a Local Commissioner is responsible for any area, and for three years after he ceases to be so responsible, he shall be disqualified for being appointed to any paid office by any of the authorities mentioned in section 25(1) of this Act if the area for which the Local Commissioner is, or was, responsible falls wholly or partly within the area for which that authority is responsible.
  - (2) In this paragraph references to the area for which a Local Commissioner is responsible are references to an area for which he assumes responsibility under section 23 of this Act and, if the Commission for Local Administration in Wales consist of more than one Local Commissioner but Wales has not been divided into areas under that section, each of the Local Commissioners for Wales shall be treated as responsible for the whole of Wales.

*Remuneration, etc.*

- 3
- (1) Each Commission shall pay to or in respect of their Local Commissioners and their officers such amounts, by way of remuneration, pensions, allowances or gratuities or by way of provision for any such benefits, as the Secretary of State may, with the approval of the Minister for the Civil Service, determine.
  - (2) If a person ceases to be a Local Commissioner and it appears to the Secretary of State that there are special circumstances which make it right that that person should receive compensation, the appropriate Commission may pay to that person a sum of such amount as the Secretary of State may, with the consent of the Minister for the Civil Service, determine.

*Staff and accommodation*

- 4
- (1) Each of the Commissions may appoint a secretary, and such other officers as they may consider to be required for the discharge of their functions.
  - (2) Each of the Commissions shall make arrangements to enable Local Commissioners to investigate complaints, and in particular arrangements for—
    - (a) allocating members of their staff to assist Local Commissioners, and
    - (b) providing offices and other accommodation,
  - (3) An officer of a Commission shall not be allocated to assist a Local Commissioner without the approval of that Local Commissioner.
  - (4) The Commission for Wales shall ensure that staff are available who can enable a Local Commissioner to deal with complaints in the Welsh language.

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- (5) Any function of a Local Commissioner, other than that of making any report, may be performed by any officer of the Commission who is authorised for the purpose by the Local Commissioner.

*Proceedings of the Commissions*

- 5 (1) The Commissions may determine their own procedure, including the quorum necessary for their meetings.
- (2) The validity of any proceedings of either Commission shall not be affected by any vacancy among the members of the Commission or by any defect in the appointment of any member of the Commission.
- (3) Each of the Commissions shall be a body corporate, and their common seal shall be authenticated by the signature of a member of the Commission, or of some other person authorised in that behalf by the Commission.

*Expenses of the Commissions*

6 Subject to paragraph 9 below, all expenses incurred by the Commission for Local Administration in England shall be defrayed by the county councils in England, the Greater London Council and the Council of the Isles of Stilly.

7 Subject to paragraph 9 below, all expenses incurred by the Commission for Local Administration in Wales shall be defrayed by the county councils in Wales.

- 8 (1) The said expenses shall be apportioned among the authorities liable to defray them, each authority being liable for the fraction

$$\frac{A}{B}$$

of the expenses where—

A is the product of a rate levied in the authority's area of 1p in the pound, as ascertained for the purposes of this paragraph by rules made under section 113 of the General Rate Act 1967, and

B is the aggregate product of a rate levied in the area of every authority in England or, as the case may be, in Wales, of 1p in the pound as so ascertained.

- (2) Any sums due to a Commission under this Schedule shall be payable on demand and recoverable as a civil debt; and a Commission may, for any financial year, demand payment in advance of part of their expenses.
- 9 (1) In relation to each of the Commissions, the Secretary of State may by order provide for such part of their expenses as may be specified in the order to be defrayed by such authorities (being authorities to which this Part of this Act applies other than those mentioned in paragraph 6 or 7 above) as may be so specified.
- (2) Where two or more authorities are liable, by virtue of an order made under this paragraph, to defray part of the expenses of a Commission, the order shall provide for the apportionment of the amount concerned among those authorities.
- (3) Paragraphs 6 and 7 above shall not apply in relation to so much of the expenses of a Commission as is, by virtue of any order made under this paragraph, to be defrayed by authorities other than those mentioned in those paragraphs.

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- (4) An order made under this paragraph shall be contained in a statutory instrument and may be varied or revoked by a subsequent order.
- 10 (1) In each financial year each Commission shall prepare an estimate of the expenses which they will incur in the next financial year, and shall submit it, not later than 1st November in the first of those financial years, for consideration by the appropriate representative body.
- (2) Any observations by the representative body shall be submitted to the Commission within one month of receipt of the estimate, and it shall be the duty of the Commission to take any such observations into consideration before taking any final decision affecting their expenditure for the next financial year.
- (3) The Commission shall, within fourteen days of taking any final decision as to the estimate for the next financial year, notify the appropriate representative body of the decision.
- 11 (1) Where—
- (a) a representative body have made observations on the estimate submitted to them in accordance with paragraph 10(1) above ;
  - (b) the Commission concerned have notified the representative body of their final decision, in accordance with paragraph 10(3) above ; and
  - (c) the representative body consider that the estimate is excessive ;
- the representative body may refer the question to the Secretary of State.
- (2) Where any question has been referred to the Secretary of State under subparagraph (1) above he may, if he considers that the expenditure of the Commission for the next financial year is, on the basis of the estimate, likely to be excessive, give such a direction to the Commission in relation to any matter affecting that expenditure as he considers necessary to ensure that it is not excessive.
- (3) It shall be the duty of each of the Commissions to comply with any direction given to them by the Secretary of State under this paragraph.
- (4) Any direction given by the Secretary of State under this paragraph may be varied or revoked by a subsequent direction given by him.

*House of Commons Disqualification Act 1957*

- 12 In Part II of Schedule 1 to the House of Commons Disqualification Act 1957 (bodies of which all members are disqualified under that Act) there shall (at the appropriate place in alphabetical order) be inserted the following entries:—
- “The Commission for Local Administration in England”.
- “The Commission for Local Administration in Wales”.
- and the like amendments shall be made in the Part substituted for the said Part II by Schedule 3 to that Act in its application to the Northern Ireland Assembly.

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## SCHEDULE 5

### MATTERS NOT SUBJECT TO INVESTIGATION

- 1 The commencement or conduct of civil or criminal proceedings before any court of law.
- 2 Action taken by any authority in connection with the investigation or prevention of crime.
- 3 (1) Action taken in matters relating to contractual or other commercial transactions of any authority to which Part III of this Act applies, including transactions falling within sub-paragraph (2) below but excluding transactions falling within sub-paragraph (3) below.  
(2) The transactions mentioned in sub-paragraph (1) above as included in the matters which, by virtue of that sub-paragraph, are not subject to investigation are all transactions of an authority to which Part III of this Act applies relating to the operation of public passenger transport, the carrying on of a dock or harbour undertaking, the provision of entertainment, or the provision and operation of industrial establishments and of markets.  
(3) The transactions mentioned in sub-paragraph (1) above as not included in those matters are—
  - (a) transactions for or relating to the acquisition or disposal of land; and
  - (b) all transactions (not being transactions falling within sub-paragraph (2) above) in the discharge of functions exercisable under any public general Act, other than those required for the procurement of the goods and services necessary to discharge those functions.
- 4 Action taken in respect of appointments or removals, pay, discipline, superannuation or other personnel matters.
- 5 (1) Any action taken by a local education authority in the exercise of functions under section 23 of the Education Act 1944 (secular instruction in county schools and in voluntary schools).  
(2) Any action concerning—
  - (a) the giving of instruction, whether secular or religious, or
  - (b) conduct, curriculum, internal organisation, management or discipline, whether—
    - (i) in any school maintained by the authority, or
    - (ii) in any college of education or establishment of further education maintained by the authority.

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## SCHEDULE 6

### RELAXATION AND REMOVAL OF CONTROLS

<i>Enactment relating to local authority function</i>	<i>Amendment</i>
1. Section 94 of the Public Health Acts Amendment Act 1907 (power of local authorities to license pleasure boats and boatmen).	In subsection (1), for the words from " annual fees " to the end of the subsection there shall be substituted the words " for each type of licence such annual fee as appears to them to be appropriate
2.—(1) Section 1 of the Performing Animals (Regulation) Act 1925 (restriction on exhibition and training of performing animals).	In subsection (2), for the words " the prescribed fee " there shall be substituted the words " such fee as appears to the local authority to be appropriate "; in subsection (5) the words " on payment of the prescribed fee", in both places where they occur, shall be omitted; in subsection (7) the words " subject to payment of the prescribed fee " shall be omitted; and at the end of the section there shall be added the following subsection:  “(8) A local authority may charge such fees as appear to them to be appropriate for inspection of the register, for taking copies thereof or making extracts therefrom or for inspection of copies of certificates of registration issued by them”.
(2) Section 5(3) of that Act (expenses of local authorities, etc.).	The words from " and the fee for registration" to the end shall be omitted.
3. Section 3 of the Home Counties (Music and Dancing) Licensing Act 1926 (grants and conditions of licences).	For subsection (5) there shall be substituted the following subsection:—  “(5) On applications for the grant or transfer of licences there shall be payable such fees as the council may determine, and the council may determine a lower rate of fee for an application for a licence to be granted for the sole purpose of a charitable entertainment.”
4. Section 3 of the Civic Restaurants Act 1947 (financial provisions).	In subsection (1) (every civic restaurant authority to keep an account of income and expenditure on income account, and form of that account and particulars to be included therein to be prescribed by Minister of Agriculture, Fisheries and Food) the words from " and the form of the account" to the end of the subsection shall be omitted and

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<i>Enactment relating to local authority function</i>	<i>Amendment</i>
	in subsection (2) (every civic restaurant authority to endeavour to ensure that their income under the Act is sufficient to defray their expenditure thereunder and if their account shows a deficit for three consecutive financial years their powers to cease to be exercisable) the words from " and if the account " to the end of the subsection shall be omitted.
5. Section 138 of the Local Government Act 1948 (power for local authorities to enter into agreements to assist in performing functions transferred to certain statutory bodies).	Subsection (2) (certain agreements to require prior Ministerial approval) shall be omitted.
6.—(1) Section 64 of the National Parks and Access to the Countryside Act 1949 (power of local planning authority to make access agreements with landowners in their area).	In subsection (1) the words " with the approval of the Minister " shall be omitted.
(2) Section 65 of that Act (power of local planning authorities to make access orders).	Subsection (6) (power of Secretary of State to direct a local planning authority to make an access order or to make such an order himself) shall be omitted.
(3) Section 104 of that Act (general provisions as to appropriation and disposal of land).	Subsections (7) and (8) (power of Secretary of State to require local authority to dispose of land in certain cases and to resolve differences as to the best consideration in those cases) shall be omitted.
(4) Section 105 of that Act (default powers of Secretary of State).	The section shall cease to have effect.
7.—(1) Section 43 of the Diseases of Animals Act 1950 (power of local authority to provide facilities for sheepdipping).	The words " with the sanction of the Minister " shall be omitted.
(2) Section 61 of that Act (provision of wharves, etc.).	Subsection (7) (power of Minister to require a reduction in the tolls taken by a local authority) shall be omitted.
8. Section 1 of the Pet Animals Act 1951 (licensing of pet shops by local authorities).	In subsection (2), as originally enacted, the words " not exceeding ten shillings " shall be omitted.
9. Section 19 of the Mineral Workings Act 1951 (disposal of land acquired by local authorities).	In subsection (2) (power of Secretary of State to require a local authority to dispose of land acquired for certain purposes) the words from " but the local authority" to the end of the subsection shall be omitted.
10. Section 6 of the Pests Act 1954 (Order in Council may authorise a port health authority	The words from the beginning to " may authorise" shall be omitted; for the words " to make and recover charges " there shall

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<i>Enactment relating to local authority function</i>	<i>Amendment</i>
to make and recover charges for inspection of ships and hovercraft).	be substituted the words " may impose such charges as appear to the authority to be appropriate "; and for the words " any such Order in Council" there shall be substituted the words " any Order in Council under section 23 of the Prevention of Damage by Pests Act 1949 ".
11. Section 80 of the Food and Drugs Act 1955 (power of local authorities to provide cold stores and refrigerators).	In subsection (1) (power of a local authority, with the approval of the Minister, to provide a cold-air store or refrigerator for the storage and preservation of food) the words " with the approval of the Minister " shall be omitted.  Subsection (3) (advertisement of local authority's intention to apply for Minister's approval) shall be omitted.
12. Section 124 of the Highways Act 1959 (power of highway authorities to require removal of structures from highway).	Subsection (2) (power of Secretary of State to extend time limit specified by highway authority for removal of structure) shall be omitted and in subsection (3) the words from " or, in a case where " to " so extended " and the words from " or, if an appeal " to the end of the subsection shall be omitted.
13. Schedule 2 to the Caravan Sites and Control of Development Act 1960 (orders of district councils prohibiting caravans on commons).	In paragraph 3, in sub-paragraph (1) (service of notices and power of Secretary of State to dispense with service) for the words " Provided that where " there shall be substituted the words " unless the council are satisfied that " and the words from " the Minister " to the end of the sub-paragraph shall be omitted.
14. Section 2 of the Local Authorities (Land) Act 1963 (power of local authorities to develop land for the benefit or improvement of their area).	Subsections (2) and (3) (consent of Secretary of State required for local authorities to develop land) shall be omitted.
15.—(1) Section 4(2) of the Weights and Measures Act 1963 (local standards to be kept and used at approved premises).	After the word "kept" there shall be inserted the words " in such manner and under such conditions as the Secretary of State may direct ", the words " and approved for the purpose by the Board " shall be omitted and for the words " approved in that behalf by the Board " there shall be substituted the words " which appear to the authority to be appropriate ".
(2) Section 5(3) of that Act (working standards and testing and stamping equipment to be kept at approved premises).	The words " and approved for the purpose by the Board " shall be omitted.

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<i>Enactment relating to local authority function</i>	<i>Amendment</i>
(3) Section 44(1) of that Act (no discount to be given in respect of inspectors' fees except with consent).	The words " with the consent of the Board " shall be omitted.
16. Schedule 12 to the London Government Act 1963 (licensing of public entertainments in Greater London).	In each of paragraphs 3 and 6 (fees payable on application for licences for differing types of public entertainments to be such as the Greater London Council may fix, within specified limits) the words from " not exceeding " to the end of the paragraph shall be omitted.
17. Section 1 of the Animal Boarding Establishments Act 1963 (licensing by local authorities of boarding establishments for animals).	In subsection (2), as originally enacted, the words " not exceeding ten shillings" shall be omitted.
18. Section 1 of the Riding Establishments Act 1964 (licensing of riding establishments by local authorities).	In subsection (2), for the words from " and on payment" to " grant" there shall be substituted the words " grant, on payment of such fee as may be determined by the local authority ".
19.—(1) Section 5 of the Plant Health Act 1967 (execution of Act by local authorities).	In subsection (2) (local authorities to keep certain records in such manner and form as competent authority may direct), the words from " in such manner " to " direct" shall be omitted.
(2) Section 6 of that Act (publication of orders).	In subsection (3) (local authorities to publish orders in such manner and form as competent authority directs) the words from " in such manner as the competent authority directs " to " such direction " shall be omitted.
20.—(1) Section 12 of the Road Traffic Regulation Act 1967 (temporary prohibition or restriction of traffic on roads).	In subsection (6) (order made by highway authority, other than a Minister, restricting or prohibiting use of road not to continue in force for a longer period than six weeks from the making thereof without the Secretary of State's approval) after the words" by a Minister " there shall be inserted the words " or the Greater London Council ", for the words " six weeks" there shall be substituted the words " three months ", for the word " making " there shall be substituted the words " coming into operation " , and at the end of the subsection there shall be added the words " The reference in this subsection to an order made by the Greater London Council does not include a reference to an order made by any other body, in the exercise of delegated



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<i>Enactment relating to local authority function</i>	<i>Amendment</i>
	powers, as agents for the Greater London Council
(2) Section 29 of that Act (additional powers of local authorities in connection with off-street parking places).	In subsection (1) (additional powers exercisable with Secretary of State's approval) the words from " exercisable" to " approved by him " shall be omitted.
(3) Section 31 of that Act (power of local authorities by order to make provision as to use of parking places).	In subsection (2) (where order provides for use of apparatus for collecting charges, local authorities to comply with Secretary of State's directions as to testing, etc. thereof) the words from "and, where an order provides for the use of any apparatus " to the end of the subsection shall be omitted.
(4) Section 37(5) of that Act (local authority to take prescribed steps for inspection and testing on prescribed occasions of parking meters and for recording in prescribed manner the date on which and the person by whom a meter has been tested).	For the words " the prescribed steps " there shall be substituted the words " such steps as appear to them to be appropriate ", for the words from " not less " to " occasions " there shall be substituted the word " afterwards " , and the words " in the prescribed manner" and the words from " and in this" onwards shall be omitted.
(5) Section 44 of that Act (financial provisions relating to parking places).	In the proviso to subsection (2) (local authority's surplus not to be carried forward from one quadrennial period to another without Secretary of State's consent) the words from " but shall not be carried forward " onwards shall be omitted and in subsection (3)(c) (surplus may be applied in making contributions towards cost of parking accommodation provided by other local authorities or, with Secretary of State's consent, by other persons) the words " with the consent of the appropriate Minister " shall be omitted.
(6) Section 46 of that Act (power of parish and community councils to provide parking places).	In subsection (2) (power of councils to appropriate land, with Secretary of State's consent, for the purpose of providing parking places) the words " with the consent of the Minister of Housing and Local Government " shall be omitted.
21.—(1) Section 12 of the Health Services and Public Health Act 1968 (power of certain local authorities to make arrangements for prophylaxis, care and after-care).	In subsection (5) (power of authorities, with Secretary of State's approval, to recover charges for services) the words " with the approval of the Minister " shall be omitted.
(2) Section 13 of that Act (provision by certain local authorities of home help and laundry facilities).	In subsection (2) (power of authorities, with Secretary of State's approval, to recover charges for help or facilities provided) the

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<i>Enactment relating to local authority function</i>	<i>Amendment</i>
22.—(1) Section 10 of the Transport Act 1968 (general powers of Passenger Transport Executive).	words " with the approval of the Minister " shall be omitted. In subsection (1)(xvi) (power, with Passenger Transport Authority's approval and Secretary of State's consent, to make arrangements for transfer of part of Executive's undertaking or property to persons who have agreed to carry on any of Executive's activities) the words " and the consent of the Minister " shall be omitted.
(2) Section 11 of that Act (financial duty of Executive).	Subsection (4) (Executive to submit to Secretary of State statement of Executive's proposals for expenditure on capital account and power of Secretary of State to limit such expenditure) shall be omitted.
(3) Section 12 of that Act (borrowing powers of Executive).	In subsection (4) (power of certain councils to lend money to Executive and, with Secretary of State's consent, to borrow money for that purpose) the words " with the consent of the Minister " shall be omitted.
(4) Section 13 of that Act (power for Authority to precept for Executive).	Subsection (4) (power of Secretary of State to restrict the aggregate amount for which Authority may issue precepts) shall be omitted.
(5) Section 16 of that Act (publication of annual report by Authority and Executive and prevention of improper conduct of subsidiary activities).	In subsection (2), in paragraph (c), the final word " and " and paragraph (d) (in certain cases report to contain such information as the Secretary of State may direct) shall be omitted, and subsections (3) to (5) (Secretary of State's powers to control conduct of certain types of business carried on by an Executive and subsidiaries thereof) shall be omitted.
(6) Section 18 of that Act (planning of passenger transport services in designated areas).	In subsection (1) (statement of general policy to be prepared within twelve months of establishment of Authority, or such longer period as the Secretary of State allows, and copies to be sent to the Secretary of State and to local authorities concerned) the words " to the Minister and " shall be omitted, and in subsection (2) (plan for development of passenger transport system to be prepared within two years of establishment of Executive, or such longer period as the Secretary of State allows, and copies to be sent to the Secretary of State and

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<i>Enactment relating to local authority function</i>	<i>Amendment</i>
	to local authorities concerned) the words " to the Minister and " shall be omitted.
(7) Section 19 of that Act (transfer of control of bus services to Executive).	In subsection (1) (power of Secretary of State, after receiving copy of statement prepared under section 18(1), to transfer control of bus services to Executive) for the words from " Minister has received" to " a copy of" there shall be substituted the words " Authority for a designated area have caused to be published ".
(8) Section 21 of that Act (provisions as to functions of traffic commissioners in connection with designated areas).	In subsection (5), paragraph (a) (regulations of Secretary of State may require Executive to furnish commissioners with information as to certain road passenger transport services) shall be omitted.
(9) Section 36 of that Act (power of local authority to run public service vehicles as contract carriages).	In subsection (2), the words " subject to subsection (3) of this section" and subsections (3) to (8) (control by Secretary of State over exercise of local authorities' powers) shall be omitted.
(10) Section 37 of that Act (power of local authorities, with the Secretary of State's consent, to acquire or dispose of public service vehicle undertakings).	In subsection (1), the words from " with the consent" to " Secretary of State " and subsection (2) (terms on which consent may be given) shall be omitted.
(11) Section 138 of that Act (power of a local authority to make arrangements to reimburse, and to contribute towards, costs incurred by other bodies in granting travel concessions).	Subsections (7) and (8) (power of Secretary of State to prescribe method of calculating cost incurred in providing travel concessions and to make regulations about determinations of disputes with respect to such cost) shall be omitted.
(12) Part III of Schedule 5 to that Act (matters which may be dealt with by an order designating a passenger transport area).	Paragraph 14 (making of reports and furnishing of information by Authority and Executive to Secretary of State) shall be omitted.
23.—(1) Section 7 of the Transport (London) Act 1969 (financial duty of London Transport Executive).	Subsection (5) (Executive to submit to Secretary of State statement of Executive's proposals for expenditure on capital account and power of Secretary of State to limit such expenditure) shall be omitted.
(2) Section 12 of that Act (Secretary of State's power to prevent improper conduct of subsidiary activities).	In subsection (2), in paragraph (c), the final word " and " and paragraph (d) (in certain cases, annual report of Executive to contain such information as the Secretary of State may direct) shall be omitted, and subsections (3) to (5) (Secretary of State's powers to control conduct of certain types of business

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<i>Enactment relating to local authority function</i>	<i>Amendment</i>
<p>24.—(1) Section 3 of the Late Night Refreshment Houses Act 1969 (annual duty payable to licensing authority in respect of licence to keep late night refreshment house).</p>	<p>carried on by Executive and subsidiaries thereof) shall be omitted.</p> <p>In subsection (1) (duty of £6 payable in respect of licence), for the words from " charged " to " to the licensing authority " there shall be substituted the words " payable to the licensing authority a fee of such amount as appears to them to be appropriate " and for the word " duty", in the second place where it occurs, there shall be substituted the word " fee " , and subsections (2) and (3) (power of Secretary of State by order to vary or dispense with licence duty) shall be omitted.</p>
<p>(2) Sections 4 and 5 of that Act (reduced duty on beginner's part-year licence and date of licence and period of validity).</p>	<p>For the word " duty ", in each place where it occurs, there shall be substituted the word " fee " and for the word " chargeable " (in section 5(2)) there shall be substituted the word " payable ".</p>
<p>25.—(1) Section 28 of the Town and Country Planning Act 1971 (publicity for applications for planning permission for development affecting conservation areas).</p> <p>(2) Section 31 of that Act (directions etc. to local planning authorities as to method of dealing with applications).</p> <p>(3) Section 46 of that Act (procedure where revocation or modification of planning permission by local planning authority is unopposed).</p>	<p>In subsection (1) (types of development with which section is concerned) the word " either ", paragraph (b) and the word " or " immediately preceding it shall be omitted.</p> <p>Subsections (2) and (3) (directions with respect to applications affecting conservation areas) shall be omitted.</p> <p>In subsection (1), paragraph (b) (procedure conditional on it appearing to the authority that no claim for compensation is likely to arise under section 164) and the word " and " immediately preceding it shall be omitted and in subsection (3) (service of notice, and notice to include a statement that no compensation is payable) the words from " and the notice " to the end of the subsection shall be omitted.</p>
<p>(4) Section 65 of that Act (power of local planning authority, subject to Secretary of State's directions, to serve notice requiring proper maintenance of waste land).</p>	<p>In subsection (1), the words " then, subject to any directions given by the Secretary of State " shall be omitted.</p>
<p>(5) Section 87(1) of that Act (power of local planning authority, subject to Secretary of State's directions, to serve enforcement notice).</p>	<p>The words " any directions given by the Secretary of State and to " shall be omitted.</p>

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<i>Enactment relating to local authority function</i>	<i>Amendment</i>
<p>(6) Section 96(1) of that Act (power of local planning authority, subject to Secretary of State's directions, to serve listed building enforcement notice).</p>	<p>The words " then, subject to any directions given by the Secretary of State" shall be omitted.</p>
<p>(7) Section 100(1) of that Act (power of Secretary of State to give directions to local planning authorities requiring them to serve listed building enforcement notices or to serve such notices himself).</p>	<p>The words from " give directions " to " or may " shall be omitted.</p>
<p>(8) Section 117 of that Act (direction for minimum compensation in case of listed building deliberately left derelict).</p>	<p>In subsection (1) (power of authority to include in compulsory purchase order as submitted to Secretary of State for confirmation an application for a direction for minimum compensation) the words " an application for " and the words from " and the Secretary of State " to the end of the subsection shall be omitted, in subsection (3) (notice stating effect of compulsory purchase order to include statement that authority have made application for direction for minimum compensation) for the words " made application for " there shall be substituted the words " included in the order " and in subsection (5) (power to object to directions for minimum compensation) the words " an application for ", " the local authority's application for " and " be refused or, as the case may be, that such a direction " shall be omitted and after the words " order as " there shall be inserted the words " confirmed or ".</p>
<p>(9) Section 124 of that Act (power of local authority to develop land held for planning purposes).</p>	<p>Subsections (3) and (4) (Secretary of State's consent requisite to any exercise of authority's power) shall be omitted, in subsection (6) (power of authority, with Secretary of State's consent, to enter into arrangements with authorised association for the carrying out by the association of development) the words " with the consent of the Secretary of State " shall be omitted and in subsection (8) (authorised associations defined as certain societies, companies or bodies of persons approved by the Secretary of State) the words " approved by the Secretary of State " shall be omitted.</p>
<p>(10) Section 125 of that Act (special provisions as to features and buildings of architectural and historic interest).</p>	<p>In subsection (1) (local authority, in exercising certain powers, to have regard to the desirability of preserving features</p>

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<i>Enactment relating to local authority function</i>	<i>Amendment</i>
<p>(11) Section 164(1) of that Act (where planning permission is revoked or modified by an order, other than an order taking effect by virtue of section 46 and without being confirmed by the Secretary of State, the local planning authority is to pay compensation).</p> <p>(12) Section 276 of that Act (default powers of Secretary of State).</p>	<p>of special architectural or historic interest and Secretary of State, in giving consent under certain provisions, to ensure the preservation of listed buildings) the words from " and the Secretary of State " to the end of the subsection shall be omitted and, consequentially, subsection (2) and in subsection (3) the words from " preservation ", in " to " and " shall be omitted.</p> <p>The words from " (other than " to " Secretary of State) " shall be omitted.</p>
<p>(13) Section 277 of that Act (designation of conservation areas).</p>	<p>In subsection (1) (power of Secretary of State to give directions to local planning authorities requiring them to submit to him certain orders for his confirmation or to make such orders himself) the words from " give directions " to " or may " shall be omitted and in subsection (5) (power of Secretary of State to give directions to local planning authorities requiring them to serve certain notices or to serve such notices himself) paragraph (b), in paragraph (c) the words from " or under " to " this Act" and the words from "give directions " to " or may " shall be omitted.</p> <p>Subsection (2) (power of Secretary of State to give directions to local planning authorities with respect to designation of conservation areas) shall be omitted.</p>
<p>(14) Schedule 11 to that Act (control of works for demolition, alteration or extension of listed buildings).</p>	<p>In paragraph 11, in sub-paragraph (1) (power of Secretary of State to give directions to a local planning authority requiring them to submit to him for his confirmation an order revoking or modifying listed building consent in respect of certain works or to make such an order himself) the words from " give directions " to " or may " shall be omitted.</p>
<p>26.—(1) Section 18 of the Slaughterhouses Act 1974 (power to provide cold stores and refrigerators for public slaughterhouses).</p>	<p>In subsection (1) (power of a local authority, with the approval of the Minister, to provide cold store or refrigerator for the storage and preservation of meat and other articles of food) the words " with the approval of the Minister " shall be omitted and subsections</p>

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<i>Enactment relating to local authority function</i>	<i>Amendment</i>
<p>(2) Section 40(9) of that Act (power of local authority to charge fixed fees for grant and renewal of licence).</p>	<p>(3) to (5) (advertisement of local authority's intention to apply for Minister's approval and provisions as to public inquiries) shall be omitted.</p> <p>For the words from " a fee ", in the first place where they occur, to " 5p " there shall be substituted the words " such fees as appear to them to be appropriate for the grant and ".</p>

## SCHEDULE 7

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### *The National Parks and Access to the Countryside Act 1949*

- 1 In paragraph (e) of section 97(1) of the National Parks and Access to the Countryside Act 1949 for the words from " any of " to the end of the paragraph there shall be substituted the words " section 89(5) or section 103(5) of this Act for the purpose of their functions under section 89(2) of this Act ".

#### *The Local Government Act 1966*

- 2 (1) In section 27 of the Local Government Act 1966, in subsection (3), after the words "this Act" there shall be inserted the words " (in this section referred to as an ' existing enactment or instrument " and for the words from " is classified " to the end of the subsection there shall be substituted the following paragraphs:—
- “(a) is classified under subsection (2) of this section, or continues to be treated under section 40 of the Local Government Act 1974, as a principal road for the purposes of any enactment or instrument which refers to roads or highways classified by the Secretary of State as principal roads ; or
- (b) is classified under subsection (2) of this section as a classified road for the purposes of that existing enactment or instrument”
- (2) In subsection (4) of that section, for the words from " every such" to the end of the subsection there shall be substituted the words "every existing enactment or instrument

#### *The General Rate Act 1967*

- 3 In section 12(9) of the General Rate Act 1967 (interest on amounts due under precepts which are not paid on or before the date specified for payment) after the words " six per cent. per annum " there shall be inserted the words " or such other rate as may be either prescribed or determined in a prescribed manner ".
- 4 (1) In section 48 of that Act, in subsection (1)(a), for the words " in pursuance of paragraph 1 of Part III of Schedule 1 to the Local Government Act 1966 " there shall

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be substituted the words " for their area under paragraph 5 of Schedule 2 to the Local Government Act 1974 ".

- (2) In subsection (4) of that section for the words " Part III of Schedule 1 to the said Act of 1966 " there shall be substituted the words " paragraph 5 of Schedule 2 to the Local Government Act 1974 ".
- 5 In section 51(1) of that Act (power of rating authority to grant discount not exceeding 2½ per cent. in respect of rates on dwelling-houses) the words "not exceeding two-and-a-half per cent." shall be omitted.
- 6 Section 52 of that Act shall cease to have effect.
- 7 In section 54(1) of that Act (power of rating authority to make allowance by way of discount not exceeding 2½ per cent. in respect of rates on all hereditaments) for the words " not exceeding two and a half per cent." there shall be substituted the words " of such amount as may be specified in the resolution ".
- 8 In paragraph (a) of subsection (1) of section 113 of that Act (power to make rules prescribing certain matters and the form of certain documents) after the words "the form of" there shall be inserted the words " or the matters to be specified in ".
- 9 In section 115(3) of that Act for the words " sections 49 and 50 " there shall be substituted the words " section 50 ", in paragraph (a) for the words from " relevant date " to the end of sub-paragraph (ii) there shall be substituted the words " date of the giving of a notice under subsection (1) of that section ", paragraph (b) shall be omitted and for paragraph (c) there shall be substituted the following paragraph:—
- “(c) if at the date of the giving of a notice under the said subsection (1) a rebate is for the time being payable in respect of the hereditament or any part thereof under the statutory rate rebate scheme, within the meaning of Part II of the Local Government Act 1974 or, as the case may be, a local rate rebate scheme, within the meaning of that Part”.
- 10 Schedule 11 to that Act shall cease to have effect.

*The Local Government Act 1972*

- 11 In section 81 of the Local Government Act 1972 (exceptions to provisions about disqualification in section 80) after subsection (3) there shall be inserted the following subsection:—
- “(3A) Section 80(1)(a) above shall not operate to disqualify any person for being elected or being the chairman, vice-chairman, deputy chairman or an alderman or councillor of the Greater London Council by reason of his being employed by the London Transport Executive or any subsidiary of theirs.”
- 12 In paragraph 7 of Schedule 13 to that Act, in sub-paragraph (1), after the words " subject to " there shall be inserted the words " sub-paragraph (3) and " and at the end of that paragraph there shall be added the following sub-paragraph:—
- “(3) In any case where—
- (a) a local authority make an advance to any other person (including another authority) and the expenditure incurred in making the advance is defrayed by borrowing, and
- (b) the terms of that advance are such that repayment is to be made otherwise than by equal instalments of principal and interest combined, and



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- (c) apart from this sub-paragraph, the local authority would have no power, with respect to the expenditure referred to in paragraph (a) above, to vary the sums which would otherwise be debited under sub-paragraph (1) above or to suspend their obligation under that sub-paragraph,

the local authority may, under sub-paragraph (1) above, debit the account from which the expenditure referred to in paragraph (a) above would otherwise fall to be defrayed with sums of different amounts (whether or not including instalments of principal) in respect of different years in order to take account of the terms on which their advance falls to be repaid.”

*The Water Act 1973*

- 13 (1) In paragraph 11(9) of Schedule 5 to the Water Act 1973 the words from " multiplied by " to " authority for that year " shall be omitted.
- (2) In paragraph 11(13) of that Schedule, for the definition of " the appropriate factor " there shall be substituted the words " ' actual penny rate product', in relation to any area, means the product of a rate of lp in the pound for that area as determined for the purposes of this paragraph in accordance with rules made under section 113(1) (c) of the General Rate Act 1967 " and the definition of " the conclusive calculation " shall be omitted.
- (3) In paragraph 13(1) of that Schedule for the words " in accordance with this paragraph " there shall be substituted the words " as mentioned in sub-paragraph (3) below " .
- (4) Paragraph 13(2) of that Schedule shall be omitted.
- (5) In sub-paragraph (3) of paragraph 13 of that Schedule for the words from " as estimated " to the end of the sub-paragraph there shall be substituted the words " as determined for the purposes of this Part of this Schedule in accordance with rules made under section 113(1)(c) of the General Rate Act 1967, and the appropriate penny rate product as so determined for any area for the relevant year and any information relevant to that determination which may be specified in those rules shall be notified to the water authority at such time and in such manner as may be so specified " .
- 14 In Schedule 6 to that Act, in paragraph 5(2), in paragraph (c) after the words " transitional period " there shall be inserted the words " in respect of which no provision is made by an agreement under section 32A of this Act " and at the end of the said paragraph (c) there shall be inserted the following paragraph:—
- “(cc) without prejudice to the generality of paragraph (c) above, for the demand, collection and recovery by a local authority of any such amount as is mentioned in that paragraph in like manner as, and together with, any amount due to the authority in respect of the general rate and for the extension of section 113 of, and the modification of Schedule 12 to, the General Rate Act 1967 (power to make rules, and forms of documents) to take account of any such provision made by the order.”.

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*The Breeding of Dogs Act 1973*

- 15 (1) Section 4 of the Breeding of Dogs Act 1973 (which confers power on a local authority to prosecute for certain offences but is rendered unnecessary by section 111 of the Local Government Act 1972) shall cease to have effect.
- (2) In section 5(2) of that Act, in the definition of local authority, after the word " means " there shall be inserted the words " in England and Wales " and for the words from " or of a district" to " Wales)" there shall be substituted the words " the council of a district ".

SCHEDULE 8

ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 5. c. 38.	The Performing Animals (Regulation) Act 1925.	In section 1, in subsection (5) the words " on payment of the prescribed fee ", in both places where they occur, and in subsection (7) the words " subject to payment of the prescribed fee ".  In section 5, in subsection (3) the words from " and the fee for registration " to the end of the subsection.
26 Geo. 5 & 1 Edw. 8. c. 49.	The Public Health Act 1936.	Section 292.
10 & 11 Geo. 6. c. 22.	The Civic Restaurants Act 1947.	In section 3, in subsection (1) the words from " and the form of the account" to the end of the subsection, and in subsection (2) the words from " and if the account " to the end of the subsection.
11 & 12 Geo. 6. c. 26.	The Local Government Act 1948.	Section 138(2).
12, 13 & 14 Geo. 6. c. 55.	The Prevention of Damage by Pests Act 1949.	In section 7(2) the words " two hundred and ninety-two " and the words " for the inclusion of sums in respect of establishment charges in expenses recoverable under that Act".
12, 13 & 14 Geo. 6. c. 97.	The National Parks and Access to the Countryside Act 1949.	In section 64(1) the words " with the approval of the Minister ".

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Chapter	Short Title	Extent of Repeal
		Section 65(6). In section 97, in subsection (1), paragraphs (a) and (b), and in paragraph (c) the words from " and under " to the end of the paragraph, and subsections (6) and (7). Section 98. In section 104, subsections (7) and (8). Section 105.
14 Geo. 6. c. 36.	The Diseases of Animals Act 1950.	In section 43 the words " with the sanction of the Minister ". Section 61(7).
14 & 15 Geo. 6. c. 35.	The Pet Animals Act 1951.	In section 1(2), as originally enacted, the words " not exceeding ten shillings ".
14 & 15 Geo. 6. c. 60.	The Mineral Workings Act 1951.	In section 19, in subsection (2) the words from " but the local authority" to the end of the subsection, and subsection (4).
2 & 3 Eliz. 2. c. 68.	The Pests Act 1954.	In section 6 the words from the beginning to "may authorise ".
4 & 5 Eliz. 2. c. 16.	The Food and Drugs Act 1955.	In section 80, in subsection (1), the words " with the approval of the Minister", and subsection (3).
7 & 8 Eliz. 2. c. 25.	The Highways Act 1959.	In section 124, subsection (2), and in subsection (3) the words from " or, in a case where" to "so extended" and the words from " or, if an appeal" to the end of the subsection. In section 174(2)(b) the words from " which may include " to " and notices ".
8 & 9 Eliz. 2. c. 62.	The Caravan Sites and Control of Development Act 1960.	In Schedule 2, in paragraph 3, in sub-paragraph (1) the words from " the Minister " to the end of the sub-paragraph.

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Chapter	Short Title	Extent of Repeal
1963 c. 29.	The Local Authorities (Land) Act 1963.	In section 2, subsections (2) and (3).
1963 c. 31.	The Weights and Measures Act 1963.	In section 4(2) the words " and approved for the purpose by the Board " In section 5(3) the words " and approved for the purpose by the Board" In section 44(1) the words " with the consent of the Board "
1963 c. 33.	The London Government Act 1963.	In Schedule 12, in each of paragraphs 3 and 6, the words from " not exceeding " to the end of the paragraph.
1963 c. 43.	The Animal Boarding Establishments Act 1963.	In section 1(2), as originally enacted, the words " not exceeding ten shillings ".
1966 c. 9.	The Rating Act 1966.	Section 9. Section 12(a).
1966 c. 42.	The Local Government Act 1966.	Sections 1 to 5. Section 8. Section 10. In section 27(2) the words from " all or any " to " authorities, and " Schedule 1. In Schedule 3, in Part II, in column 1 the entries numbered 11, 14, 16, 21, 24, 25, 26 and 28.
1967 c. 8.	The Plant Health Act 1967.	In section 5(2) the words from "in such manner" to " direct". In section 6(3) the words from " in such manner as the competent authority directs " to " such direction ".
1967 c. 9.	The General Rate Act 1967.	In section 17(2), in paragraph (a) the words from " not being earlier " to the end of the paragraph, and in paragraph (b) the words from

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Chapter	Short Title	Extent of Repeal
1967 c. 76.	The Road Traffic Regulation Act 1967.	<p>"not being earlier" to the end of the paragraph.</p> <p>In section 21(7) the words " or in section 22 of this Act".</p> <p>Section 22.</p> <p>Section 35.</p> <p>Section 49.</p> <p>In section 51(1) the words " not exceeding two-and-a-half per cent".</p> <p>Section 52.</p> <p>In section 115, in subsection (1) the definitions of " rebate application" and " rebate period", and subsection (3)(b).</p> <p>Schedules 9 and 11.</p> <p>In section 29, in subsection (1) the words from " exercisable " to " approved by him ", and subsection (2).</p> <p>In section 31, in subsection (2) the words from " and, where an order provides" to the end of the subsection.</p> <p>In section 37, in subsection (5) the words " in the prescribed manner " and the words from " and in this " onwards.</p> <p>In section 44, in subsection (2), in the proviso the words from " but shall not be carried forward " to the end of the proviso, and in subsection (3)(c) the words "with the consent of the appropriate Minister ".</p> <p>In section 46(2) the words "with the consent of the Minister of Housing and Local Government".</p>

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Chapter	Short Title	Extent of Repeal
1968 c. 41.	The Countryside Act 1968.	<p>In section 72(6)(a) the words " for the purposes of advances under section 235 of the Highways Act 1959 ".</p> <p>In section 84B(8)(a) the words " for the purposes of advances under section 235 of the Highways Act 1959 ".</p> <p>In section 2(9) the words " this Act or ".</p> <p>Section 5.</p> <p>Sections 33 to 35.</p> <p>In section 36, in subsection (1) the words from " under this Act " to " making of grants ", and in subsection (8) the words from " and subsections (2)" onwards.</p>
1968 c. 46.	The Health Services and Public Health Act 1968.	<p>In section 12(5) the words " with the approval of the Minister ".</p> <p>In section 13(2), the words " with the approval of the Minister ".</p>
1968 c. 73.	The Transport Act 1968.	<p>In section 10(1)(xvi) the words "and the consent of the Minister ".</p> <p>In section 11, subsections (4) and (5).</p> <p>In section 12(4) the words " with the consent of the Minister ".</p> <p>In section 13, subsections (4) and (7).</p> <p>In section 15, in subsection (4) the words from "to the provisions " to the end of the subsection.</p> <p>In section 16, in subsection (2), in paragraph (c) the final word " and " and paragraph (d), and subsections (3) to (5).</p>

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Chapter	Short Title	Extent of Repeal
		<p>In section 18, in each of subsections (1) and (2), the words " to the Minister and " .</p> <p>Section 21(5)(a).</p> <p>In section 34, subsections (2) and (3).</p> <p>In section 36, in subsection (2) the words " subject to subsection (3) of this section ", and subsections (3) to (8).</p> <p>In section 37, in subsection (1) the words from " with the consent " to " Secretary of State ", and subsection (2).</p> <p>In section 138, subsections (6) to (8) and (9)(a).</p> <p>In Schedule 5, in Part III paragraph 14.</p> <p>In Schedule 14, in Part IV paragraph 10.</p>
1969 c. 10.	The Mines and Quarries (Tips) Act 1969.	In section 23(1), paragraph (c) except the final word " and " .
1969 c. 33.	The Housing Act 1969.	Section 74.
1969 c. 35.	The Transport (London) Act 1969.	<p>In section 3, in subsection (1) the words from " but any expenditure" to the end of the subsection.</p> <p>In section 7, subsection (5) and in subsection (6), in paragraph (a) the final word " and " and paragraphs (b) and (c).</p> <p>In section 12, in subsection (2), in paragraph (c) the final word " and " and paragraph (d), and subsections (3) to (5).</p> <p>In section 23(6), paragraph (b) and the word " and" immediately preceding it.</p>

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Chapter	Short Title	Extent of Repeal
1969 c. 53.	The Late Night Refreshment Houses Act 1969.	In section 29(1)(a) the words " for the purposes of advances under section 235 of the Highways Act 1959 ".
1969 c. 53.	The Late Night Refreshment Houses Act 1969.	In section 3, subsections (2) and (3).
1969 c. 53.	The Late Night Refreshment Houses Act 1969.	Section 12.
1970 c. 21.	The New Forest Act 1970.	Section 4.
1970 c. 32.	The Riding Establishments Act 1970.	In section 2(1), paragraph (i).
1971 c. 41.	The Highways Act 1971.	In section 1(6)(a)(i) the words " for the purposes of advances under section 235 of the principal Act".
1971 c. 78.	The Town and Country Planning Act 1971.	In section 28(1) the word " either ", paragraph (b) and the word " or " immediately preceding it.
1971 c. 78.	The Town and Country Planning Act 1971.	In section 31, subsections (2) and (3).
1971 c. 78.	The Town and Country Planning Act 1971.	In section 46, in subsection (1) paragraph (b) and the word " and " immediately preceding it, and in subsection (3) the words from " and the notice " to the end of the subsection.
1971 c. 78.	The Town and Country Planning Act 1971.	In section 65(1) the words " then, subject to any directions given by the Secretary of State ".
1971 c. 78.	The Town and Country Planning Act 1971.	In section 87(1) the words " any directions given by the Secretary of State and to ".
1971 c. 78.	The Town and Country Planning Act 1971.	In section 91(4), paragraph (c) except the final word " and ".
1971 c. 78.	The Town and Country Planning Act 1971.	In section 96(1) the words " then, subject to any directions given by the Secretary of State ".
1971 c. 78.	The Town and Country Planning Act 1971.	In section 100(1) the words from " give directions " to " or may ".



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Chapter	Short Title	Extent of Repeal
		<p>In section 117, in subsection (1) the words " an application for " and the words from "and the Secretary of State " to the end of the subsection, and in subsection (5) the words " an application for ", " the local authority's application for" and "be refused or, as the case may be, that such a direction ".</p> <p>In section 124, subsections (3) and (4), in subsection (6) the words " with the consent of the Secretary of State " and in subsection (8) the words " approved by the Secretary of State ".</p> <p>In section 125, in subsection (1) the words from " and the Secretary of State" to the end of the subsection, subsection (2) and in subsection (3) the words from " " preservation ", in " to " and ".</p> <p>In section 164(1) the words from "(other than" to " Secretary of State)".</p> <p>In section 212(1) the words " for the purposes of advances under section 235 of the Highways Act 1959 ".</p> <p>In section 276, in subsection (1) the words from " give directions " to "or may" and in subsection (5) paragraph (b), in paragraph (c) the words from " or under " to " this Act" and the words from " give directions " to " or may ".</p> <p>Section 277(2).</p>

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Chapter	Short Title	Extent of Repeal
1971 c. lxx.	The Chichester Harbour Conservancy Act 1971.	In Schedule 11, in paragraph 11(1) the words from "give directions " to " or may ". Section 30(3).
1972 c. 47.	The Housing Finance Act 1972.	In Schedule 9, paragraphs 7 and 8.
1972 c. 70.	The Local Government Act 1972.	Section 203(5). In Schedule 24, paragraph 11, and in paragraph 12, in section 13 of the Transport Act 1968 as set out in that paragraph, subsection (2).
1973 c. 28.	The Rate Rebate Act 1973.	The whole Act.
1973 c. 37.	The Water Act 1973.	In Schedule 5, in paragraph 11(9) the words from " multiplied by " to " authority for that year", in paragraph 11(13) the definition of " the conclusive calculation " and paragraph 13(2).
1973 c. 60.	The Breeding of Dogs Act 1973.	Section 4.
1974 c. 3.	The Slaughterhouses Act 1974.	In section 18, in subsection (1) the words " with the approval of the Minister" and subsections (3) to (5). In Schedule 3, paragraphs 3 and 6.