

## SCHEDULE 6

### TRANSFER OF SPECIFIED CLASSES OF PROPERTY, ETC

#### PART I

1. “Local matters”, in relation to any area, means —
  - (a) in the case of property—
    - (i) sited property situated in the area;
    - (ii) specified property in relation to buildings or other land constituting local matters in relation to the area, except in so far as such property is excluded by the agreement of the transferee authority; and
    - (iii) other property held exclusively in respect of the area;
  - (b) in the case of liabilities, liabilities incurred exclusively in respect of the area;
  - (c) in the case of contracts, deeds, bonds, agreements and other instruments, and notices, such instruments subsisting and notices given exclusively in respect of the area;
  - (d) in the case of actions and proceedings and causes of action or proceeding, such actions and proceedings pending or causes existing exclusively in respect of the area.

In this paragraph—

“sited property” means— land, including any interest in land and any easement in, to or over land; buildings not within the meaning of the term “land”; fittings, furniture, equipment and stores supplied in respect of a voluntary school or a controlled community home; lamps, lamp posts and other apparatus forming part of a system not constituting highway matters under paragraph 3;

“specified property”, in relation to any building, means— the fittings, furniture, equipment and records of the building; any stores in the building which have been provided for the discharge of functions therein; any vehicle or other mobile equipment used wholly or mainly in the performance of the functions carried out in the building;

and in the case of any other land means any vehicle or other mobile equipment used wholly or mainly in the performance of the functions carried out on the land.

2. “County matters”, “district matters”, “parish matters”, “community matters”, “Greater London matters” and “borough matters”, in relation to any area, mean the following classes of local matters—
  - (a) in the case of property, property held for the purposes of functions not exercisable in the area on and after the appointed day by the transferor authority or the authority of the relevant class in relation to the transferor authority but so exercisable by the authority specified in respect of the matters transferred in column (3) of the table;
  - (b) in the case of liabilities, liabilities incurred in relation to such functions;
  - (c) in the case of contracts, deeds, bonds, agreements and other instruments, and notices, such instruments subsisting and notices given in relation to such functions;
  - (d) in the case of actions and proceedings and causes of action or proceeding, such actions and proceedings pending or causes existing in relation to such functions.

In this paragraph, the relevant class of authorities, in relation to any transferor authority described in column (1) below, means the class specified in respect thereof in column (2).

*Status:* This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

(1)	(2)
A county council or the Greater London Council	County councils and the Greater London Council
A district council or a London borough council	District councils and London borough councils
A parish authority or a community council	Parish authorities and community councils

3. “Highway matters”, in relation to any highway, means —
- (a) the interest of the former highway authority, as such, in the highway, in so far as such interest is not vested in a county council, the Greater London Council or a London borough council by virtue of section 226 of the Highways Act 1959;
  - (b) any land held by the former highway authority, as such, for the purposes of their functions in relation to the highway or which has been acquired by them as highway authority for the highway and not appropriated for any other purpose;
  - (c) any equipment on or near the highway belonging to the former highway authority as such, including any road lighting system within the meaning of Part III of the Local Government Act 1966 and any other lighting system belonging to the former highway authority as highway authority for the highway; and
  - (d) any traffic sign (in the meaning attached to that expression in section 54(1) of the Road Traffic Regulation Act 1967) on or near the highway, belonging to the former highway authority and not comprised in (c).

4. “Magistrates' court matters”, “police matters” and “probation and after-care matters” mean the following classes of local matters—

- (i) in the case of property, property held for the purposes of the relevant functions;
- (ii) in the case of liabilities, liabilities incurred in relation to such functions;
- (iii) in the case of contracts, deeds, bonds, agreements and other instruments, and notices, such instrument subsisting and notices given in relation to such functions; and
- (iv) in the case of actions and proceedings and causes of action or proceeding, such actions and proceedings pending or causes existing in relation to such functions,

and for the purposes of the foregoing definitions “the relevant functions” means —

- (a) in the case of magistrates' court matters, functions exercisable for the purposes of the Magistrates' Courts Acts 1952 and 1957;
- (b) in the case of police matters, functions exercisable for police purposes, including the purposes of section 81 of the Road Traffic Regulation Act 1967; and
- (c) in the case of probation and after-care matters, functions exercisable in relation to the probation and after-care service.

5. “The appropriate authority” means — in the case of an area transferred to a county for which there is a combined police authority, that authority; in the case of an area transferred to the Metropolitan Police District, the Receiver for that District; in the case of any other area, the county council of, or the police committee for, the county to which the area is transferred.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

6. No entry in column (2) of the table in this Part of this Schedule shall extend to any property included in any extension of the table effected by the order.

7. No entry other than the first in the said table shall extend to any property described in such first entry.

**TABLE**

<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Matters transferred</i>	<i>(3)</i> <i>Transferee authority</i>
The council of a county or a London borough or the Greater London Council	Highway matters in relation to any highway in an area transferred from a county or Greater London to another such area	The highway authority in relation to the highway
The council of a county from which any area is transferred to a county and district	District matters in relation to the area	The council of the district to which the area is transferred
	Police matters in relation to the area	The appropriate authority in relation to the area
	Other local matters in relation to the area	The council of the county to which the area is transferred
The council of a county from which any area is transferred to Greater London and a London borough	Borough matters in relation to the area	The corporation or council of the London borough to which the area is transferred
	Police matters in relation to the area	The Receiver for the Metropolitan Police District
	Other local matters in relation to the area	The Greater London Council
The council of a county within which any area is transferred from one district to another	District matters in relation to the area	The council of the district to which the area is transferred
The council of a district from which any area is transferred to a county and district or to another district in the same county	County matters in relation to the area	The council of the county in which the area is comprised on and after the appointed day
	If the area is transferred to a parish, parish matters in relation to the area	The parish authority for the parish
	If the area is transferred to a community with a community council, community matters in relation to the area	The community council
	Other local matters in relation to the area	The council of the district to which the area is transferred

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Matters transferred</i>	<i>(3)</i> <i>Transferee authority</i>
The council of a district within which any area is transferred from one parish or community to a parish or a community with a community council	Parish or community matters in relation to the area	The parish authority for the parish or the community council for the community
The council of a district in England	Parish matters in relation to any area which becomes or becomes part of a parish	The parish authority for the parish
The council of a district or the parish authority of a parish from which any area is transferred to Greater London and a London borough	Greater London matters in relation to the area	The Greater London Council
	Other local matters in relation to the area	The corporation or council of the London borough to which the area is transferred
The parish authority for a parish, or the community council for a community, from which any area is transferred otherwise than to Greater London and a London borough	District matters in relation to the area	The council of the district in which the area is comprised on and after the appointed day
	Other local matters in relation to the area	In England, the parish authority for the parish, or if the area is not transferred to a parish, the council of the district, to which the area is transferred  In Wales, the community council for the community, or if there is no community council the council of the district, to which the area is transferred
The Greater London Council	District matters in relation to any area transferred to a county and district	The council of the district to which the area is transferred
	Other local matters in relation to such area	The council of the county to which the area is transferred
	Borough matters in relation to an area transferred from a London borough, the City, the Inner Temple or the Middle Temple to another such area	The corporation or council of the London borough to which the area is transferred, the City Corporation or the Common Council, the Honourable Society of the Inner Temple or

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Matters transferred</i>	<i>(3)</i> <i>Transferee authority</i>
		the Honourable Society of the Middle Temple
	Magistrates' court matters in relation to an area transferred from an outer London borough to an inner London borough	The Receiver for the Metropolitan Police District
The corporation or council of any London borough from which any area is transferred to a county and district	County matters in relation to such area	The council of the county to which the area is transferred
	If the area is transferred to a parish, parish matters in relation to the area	The parish authority for the parish
	Other local matters in relation to such area	The council of the district to which the area is transferred
The corporation or council of any London borough, the City Corporation or the Common Council, the Honourable Society of the Inner Temple or the Honourable Society of the Middle Temple	Greater London matters in relation to any area transferred within Greater London	The Greater London Council
	Other local matters in relation to such area	The corporation or council of the London borough to which the area is transferred, the City Corporation or the Common Council, the Honourable Society of the Inner Temple or the Honourable Society of the Middle Temple
The police committee for any county, or the combined police authority for any combined police area, from which any area is transferred	Local matters in relation to the area	The appropriate authority
The Receiver for the Metropolitan Police District	Local matters in relation to any area of the Metropolitan Police District transferred to another police area other than the City and the Temples	The appropriate authority
	Local matters in relation to any such area transferred to the City and the Temples	The City Corporation or the Common Council
	Magistrates' court matters in relation to an area transferred	The Greater London Council

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Matters transferred</i>	<i>(3)</i> <i>Transferee authority</i>
	from an inner London borough to an outer London borough  Probation and after-care matters in relation to such an area	The probation and after-care committee for the area to which the area is transferred
The City Corporation or the Common Council	Police matters in relation to any area transferred to the Metropolitan Police District	The Receiver for the Metropolitan Police District
The probation and after-care committee for the area from which any area is transferred	Local matters in relation to any area transferred to an inner London borough  Local matters in relation to any other area	The Receiver for the Metropolitan Police District  The probation and after-care committee for the area to which the area is transferred