

1988 No. 1955

LOCAL GOVERNMENT, ENGLAND AND WALES

LONDON GOVERNMENT

The Local Government Reorganisation (Miscellaneous  
Provision) Order 1988

*Made* - - - - - *8th November 1988*

*Laid before Parliament* *16th November 1988*

*Coming into force* - *7th December 1988*

The Secretary of State for the Environment, in exercise of the powers conferred upon him by section 101 of the Local Government Act 1985(a), and of all other powers enabling him in that behalf, hereby makes the following Order:-

**Citation and commencement**

1. This Order may be cited as the Local Government Reorganisation (Miscellaneous Provision) Order 1988, and shall come into force on 7th December 1988.

**Medicated animal feeding stuffs**

2. In section 108(8) (enforcement) of the Medicines Act 1968(b) after "The council of every county" there shall be inserted "and of every metropolitan district".

**Alterations to buildings required by fire authority**

3. In section 17(1)(i) (consultation with local authority before fire authority require alteration to buildings) of the Fire Precautions Act 1971(c) the words "(elsewhere than in Greater London) or in an outer London borough" shall be repealed.

**Fire services functions in inner London**

4. (1) In section 4 of the London County Council (General Powers) Act 1912(d) (registration of petroleum oil depots) for the definition of "controlling authority" there shall be substituted "'controlling authority' means the London Fire and Civil Defence Authority".

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(a) 1985 c.51.

(b) 1968 c.67, amended by Schedule 30 to the Local Government Act 1972 (c.70).

(c) 1971 c.40.

(d) 1912 c.civ, amended by paragraph 50 of Schedule 1 to the Local Law (Greater London Council and Inner London Boroughs) Order 1965 (S.I. 1965/540).

5.—(1) In section 80 of the Essex County Council Act 1952(a) the words “the London Fire and Civil Defence Authority” and “that Authority” shall be substituted for the first and second references, respectively, to the Greater London Council.

(2) In section 3(3)(b) of the London Hydraulic Power Act 1977(b) the words “the London Fire and Civil Defence Authority” shall be substituted for the words “the Greater London Council”.”

#### **Rush Common, Brixton**

6. The functions of the Greater London Council under Part III (Rush Common) of the London County Council (General Powers) Act 1947(c) shall be exercisable by the council of the London borough of Lambeth, and accordingly references to the Greater London Council(d) in sections 9 to 12 of that Act shall, where appropriate, be construed as references to that borough council.

#### **Merseyside: wrecked vessels**

7. In section 124(5)(b) (blowing up wrecks) of the County of Merseyside Act 1980(e) for “the consent of the County Council” there shall be substituted “the consent of the Merseyside Passenger Transport Authority”.

#### **Continuity of exercise of functions**

8. Anything done by or in relation to, or having effect as if done by or in relation to, the Greater London Council or a metropolitan county council in the exercise of or in connection with a function which by virtue of this Order becomes the function of another person or body shall have effect as if done by or in relation to that person or body.

8th November 1988

*Nicholas Ridley*  
Secretary of State for the Environment

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### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order makes provision consequential on the abolition of the Greater London Council and metropolitan county councils by section 1 of the Local Government Act 1985.

Article 2 confers on the councils of metropolitan districts the function (at present conferred outside Greater London on county councils) of enforcement of certain provisions made by or under the Medicines Act 1968 relating to medicated animal feeding stuffs.

Article 3 amends the Fire Precautions Act 1971 to require that in inner London, as

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(a) 1952 c.1. Section 80 was substituted by section 6 of the Essex County Council Act 1958 (c.xxiv). The Essex County Council Acts 1952 and 1958 were repealed by the Essex Act 1987 (c.xx) but the repeal did not extend to the areas of London boroughs that were within the area of the county of Essex as originally constituted.

(b) 1977 c.xi.

(c) 1947 c.xlvi.

(d) References to the London County Council were replaced by references to the Greater London Council by virtue of article 4 of the Local Law (Greater London Council and Inner London Boroughs) Order 1965 (S.I. 1965/540).

(e) 1980 c.x.

elsewhere in the United Kingdom, the fire authority consult the local authority before requiring alterations to buildings.

Articles 4 and 5 confer on the London Fire and Civil Defence Authority functions in respect of the registration of petroleum oil depots, and the scrutiny of building plans and notification of intention to use certain pipelines.

Article 6 transfers functions formerly exercised by the Greater London Council in relation to Rush Common, Brixton, to the council of the London borough of Lambeth.

Article 7 requires the consent of the Merseyside Passenger Transport Authority to the blowing up of wrecks near the Kingsway or Queensway tunnels instead of the consent of the former metropolitan county council.

Article 8 makes provision for continuity in respect of transferred functions.