
STATUTORY INSTRUMENTS

1998 No. 580

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Government Act 1988 (Defined Activities) (Exemption) (No. 2) Order 1998

<i>Made</i>	- - - -	<i>9th March 1998</i>
<i>Laid before Parliament</i>		<i>11th March 1998</i>
<i>Coming into force</i>	- -	<i>1st April 1998</i>

The Secretary of State, in exercise of the powers conferred on him by sections 2(9) and 15(5) and (7) of the Local Government Act 1988⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Local Government Act 1988 (Defined Activities) (Exemption) (No. 2) Order 1998 and shall come into force on 1st April 1998.

(2) In this Order

“the 1988 Act” means the Local Government Act 1988.

Exemptions

2.—(1) An activity specified in the second column of the Schedule to this Order shall not be treated as a defined activity⁽²⁾ so long as it is carried out—

(a) by the defined authority in relation to which that activity is specified and which is listed in column 1 of the Schedule to this Order; and

(b) during the period beginning with 1st April 1998 and ending on 31st March 2001.

(2) The maintenance of ground⁽³⁾ by the council of the Metropolitan Borough of Solihull shall not be treated as a defined activity so long as it is carried out in respect of cemeteries and crematorium grounds [in their area] during the period beginning with 1st April 1998 and ending on 31st March 2001.

(1) 1988 c. 9.

(2) See section 2(2) of the Local Government Act 1988, which has been amended as follows: subs. (2)(ee) was inserted by S.I. 1989/2488; subss. (2)(ff), (g), (gg) were substituted and (i) and (j) were inserted by S.I. 1994/2884; subs. (2)(h) was inserted by S.I. 1994/1671; subs. (2)(k) was inserted by S.I. 1994/2888; and subss. (2)(l) to (n) were added by S.I. 1995/1915.

(3) See section 2(2)(f) of, and paragraph 6 of Schedule 1 to, the Local Government Act 1988.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Revocations

3.—(1) All directions given by the Secretary of State under section 14(2) and (3) (power to give directions) of the 1988 Act to any of the authorities mentioned in article 2 above are hereby revoked.

(2) In The Local Government Act 1988 (Defined Activities) (Exemption) (Craven, Kerrier and Mid-Devon District Councils and Middlesbrough Borough Council) Order 1997⁽⁴⁾, article 2(2) is hereby revoked.

Signed by authority of the Secretary of State,

Nick Raynsford
Minister of State
Department of the Environment, Transport and
the Regions

9th March 1998

⁽⁴⁾ S.I. [1997/1666](#).

SCHEDULE

Article 2

<i>Name of defined authority</i>	<i>Activities to be exempted</i>
Bedford Borough Council	Other cleaning ⁽⁵⁾
	Managing sports and leisure facilities ⁽⁶⁾
	Financial services ⁽⁷⁾
Coventry City Council	Collection of refuse ⁽⁸⁾
	Other cleaning
	Catering for purposes of schools and welfare ⁽⁹⁾
	Managing sports and leisure facilities
	Maintenance of ground
Crawley Borough Council	Financial services
Durham County Council	Legal services ⁽¹⁰⁾
	Construction and property services ⁽¹¹⁾
	Financial services
	Information technology services ⁽¹²⁾
	Personnel services ⁽¹³⁾
East Hertfordshire District Council	Collection of refuse
	Other cleaning
	Maintenance of ground
Epsom and Ewell Borough Council	Financial services
Kings Lynn and West Norfolk Borough Council	Housing management ⁽¹⁴⁾

(5) See section 2(2)(c) of, and paragraph 3 of Schedule 1 to, the Local Government Act 1988.

(6) See section 2(2)(ee) of, and paragraph 8 of Schedule 1 to, the Local Government Act 1988, which were added by S.I. [1989/2488](#).

(7) See section 2(2)(l) of, and paragraph 13 of Schedule 1 to, the Local Government Act 1988, which were added by S.I. [1995/1915](#).

(8) See section 2(2)(a) of, and paragraph 1 of Schedule 1 to, the Local Government Act 1988.

(9) See section 2(2)(d) of, and paragraph 4 of Schedule 1 to, the Local Government Act 1988.

(10) See section 2(2)(j) of, and paragraph 11 of Schedule 1 to, the Local Government Act 1988, which were added by S.I. [1994/2884](#).

(11) See section 2(2)(k) of, and paragraph 12 of Schedule 1 to, the Local Government Act 1988, which were added by S.I. [1994/2888](#).

(12) See section 2(2)(m) of, and paragraph 14 of Schedule 1 to, the Local Government Act 1988, which were added by S.I. [1995/1915](#).

(13) See section 2(2)(n) of, and paragraph 15 of Schedule 1 to, the Local Government Act 1988, which were added by S.I. [1995/1915](#).

(14) See section 2(2)(h) of, and paragraph 9 of Schedule 1 to, the Local Government Act 1988, which were added by S.I. [1994/1671](#); additional words were inserted into paragraph 9 by paragraph 4 of the Schedule to S.I. [1997/74](#).

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<i>Name of defined authority</i>	<i>Activities to be exempted</i>
	Financial services
	Information technology services
Middlesbrough Borough Council	Construction and property services
	Financial services
Sheffield City Council	Maintenance of ground
Wolverhampton Metropolitan Borough Council	Catering for purposes of schools and welfare
	Construction and property services

EXPLANATORY NOTE

(This note is not part of the Order)

Under Part I of the Local Government Act 1988 (competition), work falling within certain defined activities may be carried out by local authorities only if particular conditions are fulfilled.

Article 2(1) of this Order exempts from the requirements of Part I work which would, apart from this Order, fall within those defined activities so long as that work is carried out by the authority in relation to which that work is listed in the Schedule to the Order, during the period beginning with 1st April 1998 and ending on 31st March 2001; articles 2(2) makes exemptions of specific parts of the maintenance of ground work of Solihull Metropolitan Borough Council, so long as the work is carried out during the period beginning with 1st April 1998 and ending on 31st March 2001, and Sheffield City Council, so long as the work is carried out during the period beginning with 1st April 1998 and ending on 31st December 1998.

Article 3(1) of this Order revokes all directions made by the Secretary of State under section 14(2) and (3) of the Local Government Act 1988 in relation to any of the authorities mentioned in the Order, and article 3(2) revokes a specific exemption made in relation to Middlesbrough Borough Council by The Local Government Act 1988 (Defined Activities) (Exemption) (Craven, Kerrier and Mid-Devon District Councils and Middlesbrough Borough Council) Order 1997 (S.I.1997/1666).