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SCHEDULES

SCHEDULE 6

Section 35.

RELAXATION AND REMOVAL OF CONTROLS

Modifications etc. (not altering text)

- C1** The text of Sch. 6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Enactment relating to local authority function

Amendment

1. Section 94 of the
M1

Public Health Act Amendment Act 1907
(power of local authorities to licence 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
M2

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. . . .
F1

. . . .
F1

4. Section 3 of the
M3

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

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	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 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. . . . F2	. . . F2
6.—(1) Section 64 of the M4 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. . . . F3	. . . F3
8. Section 1 of the M5 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. . . . F4	. . . F4
10. Section 6 of the M6 Pests Act 1954 (Order in Council may authorise a port health authority to make and recover charges for inspection of ships and hovercraft).	The words from the beginning to “may authorise” shall be omitted ; for the words “to make and recover charges” there shall 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

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	section 23 of the Prevention of Damage by Pests Act 1949 ”.
11. . . . F5	. . . F5 Subsection (3) (advertisement of local authority’s intention to apply for Minister’s approval) shall be omitted.
12. . . . F6	. . . F6
13. Schedule 2 to the M7 Caravan Sites and Control of Development Act 1960 (orders of district councils prohibiting caravans on commons).	In paragraph 3, 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 M8 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 the Secretary of State required for local authorities to develop land) shall be omitted.
15. . . . F7	. . . F7
16. Schedule 12 to the M9 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 entertainment 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 M10 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 M11 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 M12 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.

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<p>(2) Section 6 of that Act (publication of orders).</p>	<p>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.</p>
<p>20. . . . F8</p>	<p>. . . F8</p>
<p>21. . . . F9</p>	<p>. . . F9</p>
<p>22.—(1) Section 10 of the M13 Transport Act 1968 (general powers of the Passengers Transport Executive).</p>	<p>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 the Executive’s undertaking of property to persons who have agreed to carry on any of the Executive’s activities) the words “and the consent of the Minister” shall be omitted.</p>
<p>(2) Section 11 of that Act (financial duty of Executive).</p>	<p>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.</p>
<p>(3) Section 12 of that Act (borrowing powers of Executive).</p>	<p>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.</p>
<p>(4) Section 13 of that Act (power for Authority to precept for Executive).</p>	<p>Subsection (4) (power of Secretary of State to restrict the aggregate amount for which Authority may issue precepts) shall be omitted.</p>
<p>(5) Section 16 of that Act (publication of annual report by Authority and Executive and prevention of improper conduct of subsidiary activities).</p>	<p>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.</p>
<p>(6) Section 18 of that Act (planning of passenger transport services in designated areas).</p>	<p>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</p>

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	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 to local authorities concerned) the words “to the Minister and” shall be omitted.
(7) . . . F10	. . . F10
(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 of 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 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. . . . F11	. . . F11
24.—(1) Section 3 of the M14 Late Night Refreshment Houses Act 1969 (annual duty payable to licencing authority in respect of licence to keep late night refreshment house).	In subsection (1) (duty of £6 payable in respect of licence) for the words from “charges” 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.

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<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 words “chargeable” (in section 5(2)) there shall be substituted the word “payable”.</p>
<p>25. . . . F11</p>	<p>. . . . F11</p>
<p>26.—(1) Section 18 of the M15 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 (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>(2) Section 40(9) of that Act (power of local authority to charge fixed fees for grant and renewal of licence).</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>

Textual Amendments

- F1** Sch. 6 para. 3 repealed by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), s. 47, **Sch. 7 Pt. I**
- F2** Sch. 6 para. 5 repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1 Pt. IV**
- F3** Sch. 6 para. 7 repealed by [Animal Health Act 1981 \(c. 22\)](#), **Sch. 6**
- F4** Sch. 6 para. 9 repealed by [Mineral Workings Act 1985 \(c. 12, SIF 86\)](#), s. 10, **Sch. 2**
- F5** Sch. 6 para. 11 repealed by [Food Act 1984 \(c. 30, SIF 53:1\)](#), s. 134, **Sch. 11**
- F6** Sch. 6 para. 12 repealed by [Highways Act 1980 \(c. 66\)](#), **Sch. 25**
- F7** Sch. 6 para. 15 repealed by [Weights and Measures Act 1985 \(c. 72, SIF 131\)](#), s. 98, **Sch. 13 Pt. I**
- F8** Sch. 6 para. 20 repealed by [Road Traffic Regulation Act 1984 \(c. 27, SIF 107:1\)](#), s. 146, **Sch. 14**
- F9** Sch. 6 para. 21 repealed by [National Health Service Act 1977 \(c. 49\)](#), **Sch. 16**
- F10** Sch. 6 para. 22(7) repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(3), **Sch. 8**
- F11** Sch. 6 para. 23 repealed by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), s. 71(3)(b), Sch. 7

Marginal Citations

- M1** 1907 c. 53.
- M2** 1925 c. 38.
- M3** 1947 c. 22.
- M4** 1949 c. 97.
- M5** 1951 c. 35.
- M6** 1954 c. 68.
- M7** 1960 c. 62.
- M8** 1963 c. 29.
- M9** 1963 c. 33.
- M10** 1963 c. 43.
- M11** 1964 c. 70.
- M12** 1967 c. 8.

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M13 1968 c. 73.

M14 1969 c. 53.

M15 1974 c. 3.

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