



Local Government Act 1985

CHAPTER 51

LOCAL GOVERNMENT ACT 1985

PART I

ABOLITION OF GREATER LONDON COUNCIL AND METROPOLITAN COUNTY COUNCILS

- 1 Abolition of GLC and metropolitan county councils.

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- 3 Local planning authorities.
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- 6 Listed buildings, conservation areas and ancient monuments.
- 7 National Parks and countryside functions.

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- 8 Highways and road traffic functions.

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- 9 Waste regulation and disposal functions.
- 10 Joint arrangements for waste disposal functions.

Status: Point in time view as at 01/04/1995.

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- 11 Land drainage and flood prevention functions.

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1

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- 2 (1) The Ancient Monuments and Archaeological Areas Act 1979 shall...

Other functions

- 3 (1) The Historic Buildings and Monuments Commission for England (in...
- 4 The Commission may in Greater London, and a London borough...

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SCHEDULE 3 — National Parks and Countryside Functions

Byelaws for country parks etc.

- 1 The land in respect of which a metropolitan district council,...
- 2

Functions of local planning authorities in National Parks

- 3 (1)
- 4 In paragraphs . . . 55(2) of Schedule 16 to...
- 5 (1) Schedule 17 to the said Act of 1972 shall...

Grants for expenditure on National Parks

- 6 In section 7 of the Local Government Act 1974—

Other powers relating to nature conservation, the countryside and the National Parks

- 7 (1) The Wildlife and Countryside Act 1981 shall be amended...

SCHEDULE 4 — Highways

Part I — AMENDMENTS OF THE HIGHWAYS ACT 1980

- 1 In section 1— (a) in subsection (2), after the word...
- 2 In section 2, in paragraph (a), after the word “county”,...
- 3 In section 4(3), before the word “district”, there shall be...
- 4 In section 6— (a) in subsection (1)—
- 5 At the end of section 8(4) there shall be inserted...
- 6
- 7 In sections 31(7), 36(6), 40, 172(1), 188(1), 190(1), 191(1) and...
- 8 In section 34, after the words “county council,” there shall...
- 9 In section 35, in subsections (1)(a) and (b) and 3(d)...
- 10 In section 39, after the words “county council”, there shall...
- 11 In section 42(1) and (3), before the word “district” in...
- 12 In section 43(2), before the word “district”, there shall be...
- 13 In section 45— (a) in subsections (4) and (6) for...
- 14 In section 50, in subsection (2), before the word “district”...
- 15 In section 61, before the word “district” in each place...
- 16 In section 64(5) for the words “subsections (1) to (4)”...
- 17 In section 66(6), after the word “county” in both places...
- 18 In section 79(3), before the word “district” there shall be...
- 19 In sections 80(4), 195(1)(b), 254(2)(b) and 271(1)(ii) and paragraph 1...
- 20 In section 95(1), in paragraph (a), after the word “county”,...
- 21 At the end of section 100(6) there shall be inserted...
- 22 In section 114(1), (3) and (4), after the words “county...
- 23 In section 115H, in subsection (1) for the words “subsections...
- 24 In section 116— (a) in subsection (1) for the word...
- 25 In sections . . . 143(1)(a), 146(2)(a) and (5)(b), 147(1)(a),...
- 26 In section 151(1)(a) for the words after “also” there shall...
- 27 In section 154(1)(b) for the words after “also” there shall...
- 28
- 29
- 30
- 31
- 32

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- 33 In section 203(3) in the definition of “street works authority”...
 34 In sections 205(5) and 210(2) for the words after “also”...
 35 In sections 220(2) and 223(6), before the word “district” in...
 36 In section 230(7), after the word “concerned”, there shall be...
 37 In section 263(5), before the word “district” in the first...
 38 In section 264— (a) in subsection (1), after the word...
 39 In section 285— (a) in subsection (1) for the words...
 40 In section 298(1), before the word “district”, there shall be...
 41 In section 330(1), after the words “county council” in both...
 42 In paragraph 1 of Schedule 7, before the words “district...
 43 In paragraph 1(d) of Schedule 12 for the words from...
 44 In paragraph 1 of Schedule 23 for the words “they...
 Part II — AMENDMENTS OF OTHER ENACTMENTS
 45
 46
 47
 48
 49 In section 5(1) of the Parish Councils Act 1957, in...
 50
 51 In section 19(1) of the Land Compensation Act 1973—
 Part III — SUPPLEMENTARY PROVISIONS
 52 Where by virtue of this Act the functions of a...
 53 (1) All such highways or proposed highways as immediately before...
 54 (1) Where a bridge carries a highway for which the...
 55 In the foregoing provisions of this Part of this Schedule...
 56 (1) Subject to the following provisions of this paragraph—
 57 The Secretary of State may by order provide that any...

SCHEDULE 5 — Road Traffic

Part I — AMENDMENTS OF ENACTMENTS

The Chronically Sick and Disabled Persons Act 1970

- 1 In section 21(8) of the Chronically Sick and Disabled Persons...
 2

The Public Passenger Vehicles Act 1981

- 3 (1) The Public Passenger Vehicles Act 1981 shall be amended...

The Road Traffic Regulation Act 1984

- 4 (1) The Road Traffic Regulation Act 1984 shall be amended...

Part II — SUPPLEMENTARY PROVISIONS RELATING TO ROAD TRAFFIC

Designation of roads in Greater London

- 5 (1) For the purpose of facilitating the movement of traffic...

Guidance as to exercise of traffic powers in Greater London and metropolitan counties

- 6 (1) For the purpose of ensuring that the exercise by...

Procedures and objections

- 7 (1) The power of the Secretary of State to make...

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Application of Part VI of Schedule 9 to the 1984 Act

8 Part VI of Schedule 9 to the 1984 Act (validity...

Supplementary

9 In exercising any power under or by virtue of paragraph...

Reserve powers of the Secretary of State as to traffic control systems in Greater London and metropolitan counties

10 (1) Where the Secretary of State is not satisfied in...

Information

11 The council of a London borough or metropolitan district shall...

Transitional provisions concerning certain orders under the 1984 Act

12 (1) After the passing of this Act a metropolitan county...

Interpretation

13 In this Part of this Schedule— (a) “the 1984 Act”...

Commencement

14 Any power conferred on the Secretary of State by this...

SCHEDULE 6 — Waste Regulation and Disposal

The London Government Act 1963

1 For paragraph 4 of Part II of Schedule 11 to...

The Local Government Act 1972

2 In Schedule 14 to the Local Government Act 1972—

The Control of Pollution Act 1974

3 (1) The Control of Pollution Act 1974 shall be amended...

The Refuse Disposal (Amenity) Act 1978

4 (1) The Refuse Disposal (Amenity) Act 1978 shall be amended...

The Litter Act 1983

5 (1) In subsection (1)(a) of section 4 of the Litter...

SCHEDULE 7 — Land Drainage

1 The Land Drainage Act 1976 shall be amended as follows....

- 2
- 3, 4
- 5
- 6
- 7
- 8

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9

SCHEDULE 8 — Miscellaneous Functions

Public entertainments

1 (1) In Schedule 12 to the London Government Act 1963—...

Private places of entertainment

2 (1) For the entries relating to a London borough and...

Theatres

3 (1) In section 18(1) of the Theatres Act 1968, for...

Cinemas

4 (1) In sections 17 and 18 of the Cinemas Act...

Children's entertainments

5 In section 12(5)(a) of the Children and Young Persons Act...

Tracks for betting

6 (1) For the purposes of Schedule 3 to the Betting,...

Sports grounds

7 (1) In the Safety of Sports Grounds Act 1975 the...

Town development and new towns

8 (1) In sections 4(1) and 10(3) of the Town Development...

9 (1) In section 7(3) of the New Towns Act 1981—...

Commons

10 (1) In the first Schedule to the Metropolitan Commons Act...

Gipsy encampments

11 (1) In section 6 of the Caravan Sites Act 1968—...

Housing

12 (1)

Rent officers

13 (1) In subsection (1) of section 62 of the Rent...

Building control

14 (1) Subject to any building regulations made under section 1...

Trading standards and related functions

15 (1)

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Poisons

16 In section 11(2) of the Poisons Act 1972, in the...

Animals

17 In section 5 of the Performing Animals (Regulation) Act 1925—...
18 In section 50(2) of the Animal Health Act 1981 for...

Fisheries

19 (1) The Sea Fisheries Regulation Act 1966 shall be amended...
20 In paragraph 5(b) of Schedule 3 to the Salmon and...

Weeds

21 In section 5 of the Weeds Act 1959 after the...

Archives and records

22 (1) For section 2(6) of the Local Government (Records) Act...

Expenses of Commission for Local Administration in England

23 In paragraph 6 of Schedule 4 to the Local Government...
24

Administrative functions transferred by Courts Act 1971

25 Any functions which by virtue of paragraph 1 of Schedule...

Loan societies

26 The functions under section 4 of the Loan Societies Act...

Mines and quarries

27 In section 11(3) of the Mines and Quarries (Tips) Act...

SCHEDULE 9 — ...

SCHEDULE 10 — NUMBER OF MEMBERS OF JOINT AUTHORITIES

- Part I — GREATER LONDON
- Part II — GREATER MANCHESTER
- Part III — MERSEYSIDE
- Part IV — SOUTH YORKSHIRE
- Part V — TYNE AND WEAR AND NORTHUMBERLAND
- Part VI — WEST MIDLANDS
- Part III — WEST YORKSHIRE

SCHEDULE 11 — Police and Fire Services

Police

1

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Fire services

2 (1) The London Fire and Civil Defence Authority shall be...

Explosives, petroleum etc.

3 In paragraph (3) of section 67 of the Explosives Act...
 4 In section 2(1) of the Petroleum (Consolidation) Act 1928 (local...
 5 The functions of a local authority under section 73 of...
 6 In section 9 of the Celluloid and Cinematograph Film Act...

SCHEDULE 12 — Passenger Transport

1, 2
 3 (1) After section 56(6)(b) of the said Act of 1968...
 4
 5 (1) The Transport Act 1983 shall be amended as follows....

SCHEDULE 13 — Residuary Bodies

Status

1 A residuary body shall not be regarded as acting on...

Tenure of office of members

2 (1) Subject to the provisions of this paragraph, every member...

Remuneration etc. of members

3 (1) A residuary body shall pay to each member such...

House of Commons disqualification

4 In Part III of Schedule 1 to the House of...

Proceedings

5 (1) A residuary body shall regulate its own proceedings.
 6 (1) The application of the seal of a residuary body...

Acquisition and disposal of land

7 (1) A residuary body may with the consent of the...

Provision of services

8 (1) A residuary body may by agreement with any relevant...

Access to documents of councils

9 (1) Any person authorised in that behalf by the London...

Reports and information

10 (1) Each residuary body shall publish an annual report on...
 11

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Application of local government provisions

- 12 A residuary body shall be treated as a local authority...
- 13 A residuary body shall be treated as a local authority...
- 14 A residuary body shall be included among the authorities or...
- 15 A residuary body shall be included among the bodies specified...
- 16 The London Residuary Body shall be included among the authorities...
- 17 A residuary body shall be included in the local authorities...
- 18 Without prejudice to paragraph 8 above, a residuary body shall...
- 19 A residuary body shall be included among the councils mentioned...
- 20 A residuary body shall be included among the bodies specified...
- 21 A residuary body shall be included among the bodies to...
- 22 A residuary body shall be treated as a local authority...
- 23 A residuary body shall be treated as a local authority...
- 24 A residuary body shall be treated as a local authority...
- 25 A residuary body shall be treated as a local authority...
- 26 A residuary body shall be included among the bodies specified...

SCHEDULE 14 — New Authorities: Application of Local Authority Provisions
Part I — AMENDMENTS OF LOCAL GOVERNMENT ACT 1972

Restrictions on promotion of Bills for changing local government areas etc.

- 1 In section 70 for the words “No local authority” there...

Qualifications for election and holding office

- 2 At the end of section 79 there shall be inserted—...

Disqualifications for election and holding office

- 3 (1) In subsections (1)(a) and (2)(b) of section 80 after...

Validity of acts done by unqualified persons

- 4 In section 82 after the words “elected to an office...

Declaration of acceptance of office

- 5 After section 83(3) there shall be inserted—

Resignation

- 6 The provisions of section 84 shall become subsection (1) of...

Failure to attend meetings

- 7 At the end of section 85 there shall be inserted—...

Declaration of vacancy

- 8 The provisions of section 86 shall become subsection (1) of...

Date of casual vacancies

- 9 At the end of section 87 there shall be inserted—...

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Filling of casual vacancies

10 (1) After section 88(2) there shall be inserted—

Term of office of person filling casual vacancy

11 In section 90 after the word “Wales” there shall be...

Proceedings for disqualification

12 At the end of section 92 there shall be inserted—...

Pecuniary interests

13 After section 98(1) there shall be inserted—

Meetings and proceedings

14 In section 99 after the words “local authorities” there shall...

Discharge of functions

15 In section 101(13) after the words “the Middle Temple,” there...

Miscellaneous powers of local authorities

16 After section 146 there shall be inserted— Joint Authorities and...

17

Allowances to members

18 After section 176(2) there shall be inserted—

19

20

Legal proceedings

21 In section 223(2) after the words “the Common Council” there...

Documents and notices

22 The provisions of section 224 shall become subsection (1) of...

23 After section 225(2) there shall be inserted—

24 After section 228(7) there shall be inserted—

25 At the end of section 229(8) there shall be inserted...

26 The provisions of section 230 shall become subsection (1) of...

27 After section 231(3) there shall be inserted—

28 After section 232(1) there shall be inserted—

29 After section 233(10) there shall be inserted—

30 After section 234(3) there shall be inserted—

Byelaws

31 (1) In section 236(1) for the words “or any other...

Promoting and opposing local and personal Bills

32 (1) After subsection (4) of section 239 there shall be...

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Computation of time

33 At the end of section 243(2) there shall be inserted...

Interpretation

34 In section 270(1) after the definition of “grouped” there shall...

Meetings and proceedings

35 (1) Schedule 12 shall be amended as follows.

Part II — AMENDMENTS OF OTHER ENACTMENTS

36 In section 69(1) of the Landlord and Tenant Act 1954...

37 In the Schedule to the Public Bodies (Admission to Meetings)...

38 In section 11(4)(a) of the Trustee Investments Act 1961 after...

39 In the Local Government (Records) Act 1962—

40 In the London Government Act 1963— (a) in section 5(3)...

41 After section 11(2) of the Local Government Act 1966 there...

42 In the General Rate Act 1967— (a) in section 85(2),...

43 In section 28(5)(a) of the Leasehold Reform Act 1967 after...

44 At the end of section 1(3) of the Local Government...

45 In section 86(1) of the Post Office Act 1969, in...

46 In section 3(2) of the Employers’ Liability (Compulsory Insurance)
Act...

47 In section 1(4) of the Local Authorities (Goods and Services)...

48

49

50 In section 13(7)(f) of the Employment Agencies Act 1973, after...

51 In the Local Government Act 1974— (a) for section 25(1)(c)...

52 For subsection (6) of section 28 of the Health and...

53 In the Local Government (Miscellaneous Provisions) Act 1976—

54 At the end of section 71 of the Race Relations...

55 After section 5(3)(b) of the Rent (Agriculture) Act 1976 there...

56 After section 14(c) of the Rent Act 1977 there shall...

57 In section 64 of the Justices of the Peace Act...

58 In the Housing Act 1980— (a)

59 (1) In the Local Government, Planning and Land Act 1980—...

60 In section 17(4) of the Acquisition of Land Act 1981,...

61 In the Local Government (Miscellaneous Provisions) Act 1982—

62 In paragraph 7(2)(a) of Schedule 1 to the Stock Transfer...

63 In section 60(3) of the County Courts Act 1984 after...

64, 65

SCHEDULE 15 — Section 91: Supplementary Provisions

Part I — RELEVANT ASSISTANCE

1 (1) In section 91 of this Act (“the principal section”)...

Part II — CONSEQUENCES OF CONTRAVENTION

2 (1) If in contravention of the principal section the Greater...

3 For the purpose of determining the amount recoverable under
paragraph...

4 The Secretary of State may direct a local authority from...

5 (1) Where the value of any relevant assistance is not...

6 The interest recoverable under paragraph 2 above in respect of...

Part III — FAILURE TO FURNISH INFORMATION

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7 Where under section 230 of the principal Act a local...

SCHEDULE 16 — Consequential Amendments

The London Government Act 1963 (c.33)

1 In section 73(1) of the London Government Act 1963 for...

The Local Government Act 1972 (c.70)

2 In sections 2(1) and 6(2)(a) of the Local Government Act...

3 In section 7(2) of that Act for the words “a...

4

5

6

7 In section 141(1) of that Act for the words “The...

8 In section 270(1) of that Act— (a) at the end...

The Local Government, Planning and Land Act 1980 (c.65)

9 In section 56(3) of the Local Government, Planning and Land...

The Representation of the People Act 1983 (c.2)

10

11 In section 35(1) of that Act for the words “every...

SCHEDULE 17 — Repeals

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