

Status: Point in time view as at 01/01/2004.

Changes to legislation: Local Government Act 2003, Cross Heading: Local Government Act 1999 (c. 27) is up to date with all changes known to be in force on or before 08 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 3

AMENDMENT OF POWERS EXERCISABLE IN RELATION TO LOCAL AUTHORITIES

Local Government Act 1999 (c. 27)

4 The Local Government Act 1999 is amended as follows.

Commencement Information

- I1** Sch. 3 para. 4 in force at 18.11.2003 for E. by S.I. 2003/2938, art. 3(a) (with art. 8, Sch.)
I2 Sch. 3 para. 4 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

5 In section 4(2)(b) (different performance indicators or standards may be specified for different authorities), after “different authorities” there is inserted “ or descriptions of authority ”.

Commencement Information

- I3** Sch. 3 para. 5 in force at 18.11.2003 for E. by S.I. 2003/2938, art. 3(a) (with art. 8, Sch.)
I4 Sch. 3 para. 5 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

6 (1) Section 5 (best value reviews) is amended as follows.

(2) In subsection (2)(b) (orders specifying periods within which authorities are to conduct best value reviews may make different provision for different authorities), after “different authorities” there is inserted “ or descriptions of authority ”.

(3) After subsection (4) there is inserted—

“(4A) An order under subsection (4) may—

- (a) apply to one authority or more;
(b) make different provision in relation to different authorities or descriptions of authority.”

Commencement Information

- I5** Sch. 3 para. 6 in force at 18.11.2003 for E. by S.I. 2003/2938, art. 3(a) (with art. 8, Sch.)
I6 Sch. 3 para. 6 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

7 In section 6 (best value performance plans), after subsection (4) there is inserted—

“(5) An order under this section may make different provision in relation to different authorities or descriptions of authority.”

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Commencement Information

- I7** Sch. 3 para. 7 in force at 18.11.2003 for E. by S.I. 2003/2938, art. 3(a) (with art. 8, Sch.)
I8 Sch. 3 para. 7 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

- 8 (1) Section 16 (power to modify enactments and confer new powers) is amended as follows.
- (2) In subsection (1) (power to modify or exclude application of enactments in relation to best value authorities), for “in relation to those authorities” there is substituted “in relation to—
- (a) all best value authorities,
 - (b) particular best value authorities, or
 - (c) particular descriptions of best value authority.”
- (3) In subsection (2) (power to confer powers on best value authorities), for “conferring on best value authorities any power” there is substituted “conferring on—
- (a) all best value authorities,
 - (b) particular best value authorities, or
 - (c) particular descriptions of best value authority,
- any power”.
- (4) After subsection (3) there is inserted—
- “(3A) The power under subsection (3)(d) includes, in particular, power to make different provision in relation to different authorities or descriptions of authority.”
- (5) At the beginning of subsection (4) (order subject to affirmative resolution procedure) there is inserted “ Subject to subsection (4A), ”.
- (6) After subsection (4) there is inserted—
- “(4A) An order under this section which is made only for the purpose of amending an earlier order under this section—
- (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or
 - (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description,
- shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

Commencement Information

- I9** Sch. 3 para. 8 in force at 18.11.2003 for E. by S.I. 2003/2938, art. 3(a) (with art. 8, Sch.)
I10 Sch. 3 para. 8 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

- 9 In section 17 (orders under section 16: procedure), after subsection (6) there is inserted—

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“(7) Nothing in this section applies to an order under section 16 which is made only for the purpose mentioned in section 16(4A).”

Commencement Information

I11 Sch. 3 para. 9 in force at 18.11.2003 for E. by S.I. 2003/2938, art. 3(a) (with art. 8, Sch.)

I12 Sch. 3 para. 9 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

- 10 (1) Section 19 (contracts: exclusion of non-commercial considerations) is amended as follows.
- (2) In subsection (1) (power to provide for matters to cease to be non-commercial matters in relation to best value authorities), for “in relation to best value authorities, for” there is substituted “in relation to—
- (a) all best value authorities,
 - (b) particular best value authorities, or
 - (c) particular descriptions of best value authority,
- for ”.
- (3) After subsection (2) there is inserted—
- “(2A) The power under subsection (2)(c) includes, in particular, power to make different provision for different authorities or descriptions of authority.”
- (4) At the beginning of subsection (3) (order subject to affirmative resolution procedure) there is inserted “ Subject to subsection (3A), ”.
- (5) After subsection (3) there is inserted—
- “(3A) An order under this section which is made only for the purpose of amending an earlier order under this section—
- (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or
 - (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description,
- shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

Commencement Information

I13 Sch. 3 para. 10 in force at 18.11.2003 for E. by S.I. 2003/2938, art. 3(a) (with art. 8, Sch.)

I14 Sch. 3 para. 10 in force at 27.11.2003 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. I

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