
STATUTORY INSTRUMENTS

1994 No. 2297

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Local Government Act 1988 (Competition)
(Housing Management) (England) Regulations 1994**

Made - - - - 30th August 1994
Laid before Parliament 13th September 1994
Coming into force - - 4th October 1994

The Secretary of State, in exercise of the powers conferred on him by sections 6(3) and 15(6) and (7) of the Local Government Act 1988(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Local Government Act 1988 (Competition) (Housing Management) (England) Regulations 1994 and shall come into force on 4th October 1994.

(2) These Regulations apply to district councils in England, London borough councils, the Common Council of the City of London in its capacity as local authority and the Council of the Isles of Scilly.

Interpretation

2. In these Regulations—

“the Act” means the Local Government Act 1988;

“the permitted period” means a period of five years beginning on the date on which work was awarded;

“the specified proportion” means an amount equal to the product of the following formula—

$$T - (A + B),$$

where—

T = the total annual cost (including overheads) to an authority to which these Regulations apply of the specified work,

(1) 1988 c. 9. Section 6 is amended by paragraph 12 of Schedule 1 to the Local Government Act 1992 (c. 19).

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- A = an amount, expressed as a sum of money, produced by calculating the percentage of T shown in the Table in Part I of the Schedule to these Regulations against the appropriate Band for the financial year in question, and the authorities are divided into Bands in accordance with Part II of the Schedule,
- B = for the permitted period, an amount equal to the total annual cost (including overheads) of specified work which is being carried out by an authority to which these Regulations apply following voluntary competitive tendering;

“specified work” means work of any description falling within the defined activity mentioned in section 2(2)(h) of the Act (housing management) other than work carried out under a works contract in relation to which the authority in question were the bidding authority;

“voluntary competitive tendering” means the awarding of work, before 1st September 1994, following a competitive process in the course of which at least three persons who are not authorities to which these Regulations apply were invited to tender for that work.

Application of section 6

3. Section 6 of the Act shall apply to the specified proportion of any specified work if it is proposed to be carried out on or after 1st April 1996 by an authority to which these Regulations apply.

30th August 1994

David Curry
Minister of State,
Department of the Environment

SCHEDULE

Regulation 2

PART I
TABLE OF BANDS

	Financial year beginning 1st April 1996	Financial year beginning 1st April 1997	Financial year beginning 1st April 1998 and all subsequent financial years
Band I authorities	5%	5%	5%
Band II authorities	100%	5%	5%
Band III authorities	40%	5%	5%
Band IV authorities	100%	40%	5%
Band V authorities	60%	30%	5%

PART II
**BANDING OF LOCAL AUTHORITIES TO
WHICH THESE REGULATIONS APPLY**

1. A Band I authority is any authority to which these Regulations apply which is not a Band II, III, IV or V authority.

2. The Common Council of the City of London and the councils of the following areas are Band II authorities:

- the District of Adur
- the District of Allerdale
- the District of Alnwick
- the District of Arun
- the District of Aylesbury Vale
- the Borough of Barrow in Furness
- the Borough of Basingstoke and Deane
- the District of Bassetlaw
- the City of Bath
- the Borough of Berwick upon Tweed
- the Borough of Beverley
- the London Borough of Bexley
- the District of Blaby
- the Borough of Blyth Valley
- the District of Bolsover
- the Borough of Boothferry

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the Borough of Bournemouth
the Borough of Bracknell Forest
the District of Braintree
the Borough of Bury
the City of Cambridge
the District of Cannock Chase
the District of Caradon
the District of Carrick
the Borough of Castle Morpeth
the District of Castle Point
the Borough of Charnwood
the Borough of Chelmsford
the District of Cherwell
the District of Chester le Street
the Borough of Chorley
the Borough of Colchester
the District of Corby
the District of Craven
the Borough of Crewe and Nantwich
the Borough of Dacorum
the District of Derbyshire Dales
the District of Derwentside
the City of Durham
the District of East Cambridgeshire
the District of East Devon
the District of East Dorset
the District of East Hertfordshire
the District of East Staffordshire
the Borough of Elmbridge
the District of Epping Forest
the Borough of Fylde
the Borough of Gillingham
the Borough of Glanford
the Borough of Gravesham
the Borough of Great Grimsby
the Borough of Great Yarmouth
the Borough of Guildford
the Borough of Halton
the District of Hambleton
the Borough of Harrogate

the London Borough of Harrow
the District of Hart
the Borough of Hartlepool
the Borough of Havant
the Borough of Hertsmere
the Borough of High Peak
the Borough of Hinckley and Bosworth
the Borough of Holderness
the District of Horsham
the District of Huntingdonshire
the Borough of Kettering
the Borough of King's Lynn and West Norfolk
the Royal Borough of Kingston upon Thames
the District of Leominster
the City of Lincoln
the District of Maldon
the Borough of Medina
the District of Mendip
the District of Mid Sussex
the District of Mole Valley
the Borough of Newcastle under Lyme
the District of North Cornwall
the District of North Dorset
the District of North East Derbyshire
the District of North Kesteven
the District of North Shropshire
the Borough of North Warwickshire
the Borough of Nuneaton and Bedworth
the Borough of Preston
the Borough of Reading
the London Borough of Redbridge
the Borough of Reigate and Banstead
the Borough of Restormel
the Borough of Ribble Valley
the District of Richmondshire
the Borough of Rugby
the Borough of Runnymede
the Borough of Rushcliffe
the City and District of Saint Albans
the District of Sevenoaks

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the Borough of Shrewsbury and Atcham
the District of South Bedfordshire
the District of South Buckinghamshire
the District of South Cambridgeshire
the District of South Holland
the District of South Norfolk
the District of South Oxfordshire
the District of South Staffordshire
the Borough of South Wight
the Borough of Southend on Sea
the District of Staffordshire Moorlands
the District of Suffolk Coastal
the District of Tandridge
the Borough of Taunton Deane
the District of Tendring
the Borough of Tewkesbury
the Borough of Thamesdown
the Borough of Thurrock
the Borough of Tonbridge and Malling
the Borough of Trafford
the District of Tynedale
the District of Uttlesford
the District of Vale of White Horse
the District of Wansbeck
the District of Warwick
the Borough of Watford
the Borough of Wellingborough
the District of West Lindsey
the District of West Oxfordshire
the Borough of Woking
the District of Woodspring
the City of Worcester
the District of Wycombe and
the City of York.

3. The councils of the following areas are Band III authorities:

the London Borough of Barnet
the Borough of Barnsley
the Borough of Bolton
the London Borough of Brent
the City of Coventry

the City of Derby
the London Borough of Haringey
the London Borough of Havering
the London Borough of Hillingdon
the Borough of Knowsley
the Borough of Milton Keynes
the Borough of North Tyneside
the City of Norwich
the City of Plymouth
the City of Portsmouth
the Borough of Rochdale
the Borough of Saint Helens
the Borough of South Tyneside
the City of Southampton
the City of Westminster
the Borough of Wirral and
the District of The Wrekin.

4. The councils of the following areas are Band IV authorities:

the London Borough of Barking and Dagenham
the District of Basildon
the London Borough of Croydon
the Borough of Doncaster
the London Borough of Ealing
the District of Easington
the London Borough of Enfield
the London Borough of Hammersmith and Fulham
the London Borough of Hounslow
the Borough of Middlesbrough
the Borough of Northampton
the Borough of Oldham
the Borough of Sefton
the Borough of Stockton on Tees
the City of Stoke on Trent
the Borough of Tameside
the London Borough of Waltham Forest and
the Borough of Wigan.

5. The councils of the following areas are Band V authorities:

the City of Birmingham
the City of Bradford

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the City of Bristol
the London Borough of Camden
the Borough of Dudley
the Borough of Gateshead
the London Borough of Greenwich
the London Borough of Hackney
the London Borough of Islington
the City of Kingston upon Hull
the Borough of Kirklees
the London Borough of Lambeth
the City of Leeds
the City of Leicester
the London Borough of Lewisham
the City of Liverpool
the City of Manchester
the City of Newcastle upon Tyne
the London Borough of Newham
the City of Nottingham
the Borough of Rotherham
the City of Salford
the Borough of Sandwell
the City of Sheffield
the London Borough of Southwark
the City of Sunderland
the London Borough of Tower Hamlets
the City of Wakefield
the Borough of Walsall
the London Borough of Wandsworth and
the Borough of Wolverhampton.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 6(3) of the Local Government Act 1988 enables the Secretary of State to require that an authority mentioned in section 1(1) of the Act (a defined authority) may only carry out functional

work falling within an activity listed in section 2(2) of the Act (a defined activity) after subjecting the work to competition.

These Regulations require the defined authorities mentioned in article 1(2) to subject work falling within the activity of housing management to competition. The authorities are placed in one of five bands, and the proportion of work which has to be subjected to competition in any financial year is dependent upon the band in which the authority falls and for a limited period the amount of work, if any, which the authority has voluntarily subjected to competition.