

STATUTORY INSTRUMENTS

2002 No. 3149 (N.I. 3)

The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 2002

- - - - - 17th December 2002

Modifications etc. (not altering text)

C1 Order: transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), **Sch. 5 Pt. 1** (with art. 9(2))

Introductory

Title and commencement

1.—(1) This Order may be cited as the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 2002.

(2) Articles 8 and 9 and the repeal of Article 28 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992 (N.I. 6)) come into operation on the expiration of two months from the day on which this Order is made.

(3) The other provisions of this Order come into operation on the expiration of one week from the day on which this Order is made, but nothing in those provisions—

- (a) applies in relation to any financial year which began before the date on which this Order is made; or
- (b) affects the operation of any statutory provision repealed by this Order in relation to any such financial year.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 (c. 33) applies to this Order as it applies to an Act of the Assembly.

(2) In this Order—

- “the Department” means the Department of the Environment; and
- “regulations” means regulations made by the Department.

Grants to district councils

The general grant to district councils

3. ^{F1}

F1 Arts. 3-7 repealed (1.4.2012) by Local Government Finance Act (Northern Ireland) 2011 (c. 10), ss. 46, 47(2), **Sch. 2**; S.R. 2011/306, **art. 2(3)**

Determination of the resources element

4. ^{F2}

F2 Arts. 3-7 repealed (1.4.2012) by Local Government Finance Act (Northern Ireland) 2011 (c. 10), ss. 46, 47(2), **Sch. 2**; S.R. 2011/306, **art. 2(3)**

Determination of the derating element

5. ^{F3}

F3 Arts. 3-7 repealed (1.4.2012) by Local Government Finance Act (Northern Ireland) 2011 (c. 10), ss. 46, 47(2), **Sch. 2**; S.R. 2011/306, **art. 2(3)**

Reductions in general grant

6. ^{F4}

F4 Arts. 3-7 repealed (1.4.2012) by Local Government Finance Act (Northern Ireland) 2011 (c. 10), ss. 46, 47(2), **Sch. 2**; S.R. 2011/306, **art. 2(3)**

Other grants to councils

7. ^{F5}

F5 Arts. 3-7 repealed (1.4.2012) by Local Government Finance Act (Northern Ireland) 2011 (c. 10), ss. 46, 47(2), **Sch. 2**; S.R. 2011/306, **art. 2(3)**

Powers of district councils

Powers of district councils in relation to economic development

8.—(1) A district council may promote the economic development of its district.

(2) Without prejudice to the generality of paragraph (1), a district council may for the purposes of the economic development of its district—

- (a) make payments; and
- (b) acquire, hold and develop land.

(3) The power to acquire land under paragraph (2)(b) includes power to acquire it otherwise than by agreement.

(4) In paragraph (2) “develop”, in relation to land includes—

- (a) erect, alter or extend buildings thereon;
- (b) carry out works thereon;
- (c) provide means of access, services and other facilities for persons using the land;

- (d) facilitate the doing of such things by another person;
- (e) manage and dispose of the land.

(5) In exercising its powers under this Article a district council shall have regard to any guidance for the time being issued under paragraph (6).

(6) The Department of Enterprise, Trade and Investment may, after consultation with district councils and other interested bodies or persons, issue guidance as to the exercise by district councils of their powers under this Article.

Powers of district councils in relation to community safety

9.—(1) A district council may—

- ^{F6}(a)
- (b) take action in accordance with any plan prepared by, or proposals agreed by, [^{F7}a policing and community safety partnership or district policing and community safety partnership established by it];
- (c) accept financial or other support provided by such a partnership; and
- (d) generally assist (whether financially or otherwise) and facilitate such a partnership in the exercise of its functions.

(2) The Department may by order confer or impose on district councils other functions relating to the enhancement of community safety in their districts.

(3) No order shall be made under this Article unless a draft of the order has been laid before and approved by a resolution of the Assembly.

(4) In this Article—

^{F8} ...

“the enhancement of community safety”, in relation to any district, means making the district one in which it is, and is perceived to be, safer to live and work, in particular by the reduction of actual and perceived levels of crime and other anti-social behaviour;

^{F8} ...

F6 Art. 9(1)(a) repealed (1.4.2012) by *Justice Act (Northern Ireland) 2011* (c. 24), s. 111(3), Sch. 7 para. 10(1)(a), **8 Pt. 2** (with s. 106(4)); S.R. 2012/142, art. 2(d)(e)

F7 Words in art. 9(1)(b) substituted (1.4.2012) by *Justice Act (Northern Ireland) 2011* (c. 24), s. 111(3), **Sch. 7 para. 10(1)(b)** (with s. 106(4)); S.R. 2012/142, art. 2(d)

F8 Words in art. 9(4) repealed (1.4.2012) by *Justice Act (Northern Ireland) 2011* (c. 24), s. 111(3), Sch. 7 para. 10(2), **8 Pt. 2** (with s. 106(4)); S.R. 2012/142, art. 2(d)(e)

Article 10—Repeals

Changes to legislation: *There are currently no known outstanding effects for the The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 2002. (See end of Document for details)*

Schedule—Repeals

Changes to legislation:

There are currently no known outstanding effects for the The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 2002.