

1969. No. 61

[C]

NEW TOWNS AND TOWN DEVELOPMENT**Municipal Functions Order****Londonderry County Borough**

ORDER*, DATED 27TH MARCH 1969, MADE BY THE MINISTRY OF DEVELOPMENT UNDER SECTIONS 28, 29, 30 AND 34(2) OF THE NEW TOWNS ACT (NORTHERN IRELAND) 1965 AND SECTION 1 OF THE NEW TOWNS (AMENDMENT) ACT (NORTHERN IRELAND) 1968.

Whereas by the Londonderry Area Designation Order (Northern Ireland) 1969(a), dated 5th February 1969, made under sections 1 and 47 of the New Towns Act (Northern Ireland) 1965(b) (in this Order referred to as "the Act"), the Minister of Development designated the area of land comprising the County Borough of Londonderry and the Rural District of Londonderry as an area to be developed in accordance with the provisions of the Act:

And whereas by the Londonderry Development Commission Order (Northern Ireland) 1969(c), dated 5th February 1969, made under section 7 of the Act, the Minister of Development established a development commission to be known as the Londonderry Development Commission (in this Order referred to as "the Commission"):

And whereas under section 28 of the Act the Ministry of Development (in this Order referred to as "the Ministry"), after consultation with all local authorities appearing to it to be concerned, is satisfied that it is expedient that a municipal functions order should be made in relation to that part of the area designated by the said Order dated 5th February 1969 comprised in the County Borough of Londonderry:

Now therefore the Ministry, in exercise of the powers conferred upon it by sections 28, 29, 30 and 34(2) of the Act and section 1 of the New Towns (Amendment) Act (Northern Ireland) 1968, and of all other powers enabling it in that behalf, hereby orders and directs as follows:—

Citation

1. This Order may be cited as the Londonderry Area (Municipal Functions—Londonderry County Borough) Order (Northern Ireland) 1969.

Interpretation

2. In this Order—

"the appointed day" means 2nd April 1969:

"the county borough" means the County Borough of Londonderry and the

"council of the county borough" means the Council of the County Borough of Londonderry.

(a) S.R. & O. (N.I.) 1969, No. 23.

(c) S.R.O. (N.I.) 1969, No. 24.

(b) 1965. c. 13 (N.I.)

*A draft of this Order was approved by Resolution of the House of Commons on the 25th March 1969 and of the Senate on the 27th March 1969.

Commencement

3. This Order shall come into operation on the appointed day.

Londonderry County Borough

4. As from the appointed day the Commission shall exercise the functions of the council of a county borough and the functions of the body corporate of a county borough in relation to the area of the county borough.

Modifications of section 30(1) of the Act

5. Section 30(1) of the Act shall apply in relation to the county borough subject to the following adaptations and modifications:—

- (a) for references to an urban district and to an urban district council there shall be substituted references to a county borough and to a county borough council or to the body corporate of a county borough as the case may require;
- (b) for references to the chairman and to the vice-chairman of a council there shall be substituted references to the mayor and to the deputy mayor of a county borough; and
- (c) for references to the clerk and assistant clerk there shall be substituted references to the town clerk and the assistant town clerk.

Modification of Schedule 6 of the Act

6. In the definition of "the transferor" in paragraph 1 of Schedule 6 of the Act, after the words "the Council", there shall be inserted the words "the body corporate".

Transitional provisions

7. Section 31(3) (4) and (5) of the Act (which relate to General Exchequer Contribution and rates) shall not apply to the General Exchequer Contribution payable and rates leviable in respect of the financial year ending on 31st March 1970 and the Local Government (Finance) (No. 2) Act (Northern Ireland) 1958 shall have effect for that financial year as if this Order had not been made.

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this 27th day of March 1969.

(L.S.)

W. F. Stout,
Secretary.

EXPLANATORY NOTE

(This note is not part of the Order but is intended to indicate its general purport)

This Order confers on the Londonderry Development Commission municipal functions in respect of Londonderry County Borough. It brings into operation with effect from 2nd April 1969 provisions of section 28 of the New Towns Act (Northern Ireland) 1965 which have the effect of dissolving the Londonderry County Borough Council. It also brings into operation from the same date provisions of section 30 of the Act enabling the Londonderry Development Commission to exercise the functions of a county borough council in relation to the county borough.