



# Local Government and Housing Act 1989

## 1989 CHAPTER 42

### PART IX

#### MISCELLANEOUS AND GENERAL

##### *Miscellaneous local government provisions*

#### **155 Emergency financial assistance to local authorities.**

(1) In any case where—

- (a) an emergency or disaster occurs involving destruction of or danger to life or property, and
- (b) as a result, one or more local authorities incur expenditure on, or in connection with, the taking of immediate action (whether by the carrying out of works or otherwise) to safeguard life or property, or to prevent suffering or severe inconvenience, in their area or among its inhabitants,

the Secretary of State may establish a scheme under this section for the giving of financial assistance to those authorities in respect of that expenditure.

[<sup>F1</sup>(1A) Expenditure incurred as mentioned in subsection (1) above by—

- (a) the London Fire and Emergency Planning Authority,
- (b) the Metropolitan Police Authority, or
- (c) Transport for London, in respect of places or areas within Greater London,

shall be treated for the purposes of this section as expenditure so incurred by the Greater London Authority (and, accordingly, as so incurred by a local authority).

(1B) To the extent that any financial assistance given to the Greater London Authority under this section is referable to expenditure incurred by a body mentioned in paragraph (a), (b) or (c) of subsection (1A) above, the financial assistance shall be treated for the purposes of section 103 of the Greater London Authority Act 1999 as a payment made to the Greater London Authority for the purposes of that body.]

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*Status: Point in time view as at 01/10/2004. This version of this provision has been superseded.*

*Changes to legislation: Local Government and Housing Act 1989, Section 155 is up to date with all changes known to be in force on or before 25 June 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)*

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- (2) Financial assistance given pursuant to a scheme under this section shall take the form of grants paid by the Secretary of State with the consent of the Treasury and, subject to that, the terms and conditions of a scheme shall be such as the Secretary of State considers appropriate to the circumstances of the particular emergency or disaster concerned.
- (3) Without prejudice to the generality of subsection (2) above, a scheme under this section may—
- (a) make the payment of grants conditional upon the making of claims of a description specified in the scheme;
  - (b) make provision with respect to the expenditure qualifying for grant and the rates and amounts of grants;
  - (c) make provision in certain specified circumstances for the repayment of any grant, in whole or in part; and
  - (d) make different provision for different local authorities or descriptions of authority and for different areas.
- (4) In the application of this section to England and Wales, any reference to a local authority is a reference to—
- (a) a county council;
  - [<sup>F2</sup>(aa) a county borough council;]
  - (b) a district council;
  - [<sup>F3</sup>(bb) the Greater London Authority;]
  - (c) a London borough council;
  - (d) the Common Council of the City of London;
  - (e) the Council of the Isles of Scilly;
  - [<sup>F4</sup>(ea) a police authority established under section [<sup>F5</sup>3 of the <sup>M1</sup>Police Act 1996];  
<sup>F6</sup>...]
  - (eb) <sup>F7</sup> .....
  - [<sup>F8</sup>(f) the Receiver for the Metropolitan Police District; or]
  - (g) a joint authority established by Part IV of the <sup>M2</sup>Local Government Act 1985, other than a metropolitan county passenger transport authority [<sup>F9</sup>; or]
  - [<sup>F10</sup>(h) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.]
- (5) In the application of this section to Scotland, any reference to a local authority is a reference to
- [<sup>F11</sup>a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994]
  - <sup>F12</sup> . . . a joint board or joint committee within the meaning of the <sup>M3</sup>Local Government (Scotland) Act 1973.
- (6) The reference in subsection (1)(b) above to expenditure incurred by a local authority includes, in the case of an authority in England and Wales, expenditure incurred in defraying, or contributing towards defraying, expenditure incurred by a parish or community council.
- (7) This section shall come into force on 1st April 1990.

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### Textual Amendments

- F1** S. 155(1A)(1B) inserted (3.7.2000) by 1999 c. 29, **s. 104(1)(2)** (with Sch. 12 para. 9(1)); S.I. 1999/3434, **art. 4**
- F2** S. 155(4)(aa) inserted (7.1.1997) by S.I. 1996/3071, **art. 2 Sch. para. 3(8)**
- F3** S. 155(4)(bb) inserted (3.7.2000) by 1999 c. 29, **s. 104(1)(3)(a)** (with Sch. 12 para. 9(1)); S.I. 1999/3434, **art. 4**
- F4** S. 155(4)(ea) inserted (1.4.1995) by 1994 c. 29, s. 43, **Sch. 4 para. 42**; S.I. 1994/3262, art. 4, **Sch.** (subject to **art. 5**)
- F5** Words in s. 155(4)(ea) substituted (22.8.1996) by 1996 c. 16, ss. 103, 104, **Sch. 7 Pt. I para. 1(2)(zd)**
- F6** Word in s. 155(4)(ea) repealed (27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1st April 2004, and 1.4.2004 for E.) by Local Government Act 2003 (c. 26), s. 128(6), **Sch. 8 Pt. 1**; S.I. 2003/2938, art. 7(e)(iii) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F7** S. 155(4)(eb) repealed (1.4.2002) by 2001 c. 16, ss. 128(1), 137, Sch. 6 Pt. II para. 53(b), Sch. 7 Pt. V(1); S.I. 2002/344, **art. 3** (with transitional provisions in art. 4)
- F8** S. 155(4)(f) ceased to have effect (3.7.2000) by virtue of 1999 c. 29, **s. 104(1)(3)(c)** (with Sch. 12 para. 9(1)); S.I. 1999/3434, **art. 4**
- F9** S. 155(4)(h) and words inserted (27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004, and 1.4.2004 for E.) by Local Government Act 2003 (c. 26), **ss. 37**, 128(6); S.I. 2003/2938, art. 7(a) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F10** S. 155(4)(h) substituted (1.10.2004 except in relation to W., 10.11.2004 for W.) by Fire and Rescue Services Act 2004 (c. 21), s. 61, **Sch. 1 para. 71(5)**; S.I. 2004/2304, **art. 2**; S.I. 2004/2917, **art. 2**
- F11** S. 155(5) words substituted (1.4.1996) for paras. (a)(b)(c) by 1994 c. 39, s. 180(1), **Sch. 13 para. 161(12)(a)** (with s. 128(8)); S.I. 1996/323, **art. 4(1)(c)(d)**
- F12** S. 155(5): letter “(d)” repealed (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13 para. 161(12)(b), **Sch. 14** (with s. 128(8)); S.I. 1996/323, **art. 4(1)(c)(d)**

### Modifications etc. (not altering text)

- C1** S. 155 amended (28.11.1994) by S.I. 1994/2825, **reg. 41**  
S. 155 power to deal with matters of the kind dealt with in this part conferred (1.9.1997) by 1997 c. 50, s. 44(1), **Sch. 4** para. (j)(iv); S.I. 1997/1930, **art. 2(m)**

### Marginal Citations

- M1** 1996 c. 16.  
**M2** 1985 c. 51.  
**M3** 1973 c.65.

**Status:**

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