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,

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

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.

David Curry
Minister of State,
30th August 1994   Department of the Environment

<div align="center">SCHEDULE</div> <div align="right">Regulation 2</div>

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

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

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

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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

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 Secretarty 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.