
STATUTORY INSTRUMENTS

1995 No. 1767

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Local Government Act 1988 (Defined Activities)
(Exemption) (Allerdale Borough Council, St Edmundsbury
Borough Council and Uttlesford District Council) Order 1995**

<i>Made</i>	- - - -	<i>5th July 1995</i>
<i>Laid before Parliament</i>		<i>12th July 1995</i>
<i>Coming into force</i>	- -	<i>2nd August 1995</i>

The Secretary of State, in exercise of the powers conferred on him by sections 2(9) and 15(5) of the Local Government Act 1988(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Local Government Act 1988 (Defined Activities) (Exemption) (Allerdale Borough Council, St Edmundsbury Borough Council and Uttlesford District Council) Order 1995.

(2) Article 4 of this Order shall come into force on 1st January 1996; the remainder of the Order shall come into force on 2nd August 1995.

Exemption of defined activities carried out by Allerdale Borough Council

2.—(1) The activities mentioned in paragraph (2) below shall not be treated as defined activities so long as they are carried out by the Allerdale Borough Council (“the council”) within any of the relevant parishes before 1st April 1996.

(2) The activities are—

(a) the cleaning of—

(i) shelters,

(ii) bandstands, or

(iii) buildings situated in a cemetery;

- (b) the removal of litter from, and the emptying of litter bins on, ground maintained by the council; or
- (c) the maintenance of ground.

(3) In this regulation, “the relevant parishes” means the parishes of Allhallows, Allonby, Aspatria, Blennerhasset and Torpenhow, Boltons, Bowness, Bromfield, Dundraw, Gilcrux, Hayton and Mealo, Holme Abbey, Holme East Waver, Holme Low, Holme St Cuthbert, Kirkbampton, Kirkbride, Oughterside and Allerby, Plumbland, Sebergham, Silloth, Thursby, Waverton, Westnewton, Westward and Wigton.

Exemption of ground maintenance work carried out by St Edmundsbury Borough Council

3.—(1) The maintenance of ground by the St Edmundsbury Borough Council shall not be treated as a defined activity so long as it is carried out—

- (a) within the areas described in paragraph (2) below, and to the extent it consists of the work specified in that paragraph, or
- (b) at any of the sites listed in paragraph (3) below,
before 1st January 1996.

(2) The areas referred to in paragraph (1)(a) above are the areas of the parishes of Bardwell, Barnham, Barningham, Barrow, Bradfield St George, Brockley Green, Chedburgh, Chevington, Coney Weston, Culford, Denham, Denston, Depden, Fakenham, Flempton, Fornham All Saints, Fornham St Martin, Fornham St Genevieve, Great Barton, Great Livermere, Great Whelmetham, Hargrave, Haverhill, Hawkedon, Hawstead, Hengrave, Hepworth, Honington, Hopton, Horringer, Ingham, Ixworth, Lackford, Lidgate, Market Weston, Nowton, Ousden, Pakenham, Rede, Risby, Rougham, Sapiston, Stanningfield, Stanton, Troston, Westley, West Stow, Whepstead and Wickhambrook, and the work specified in that sub-paragraph is the cutting and tending of grass.

(3) The sites referred to in paragraph (1)(b) above are—

- (a) the Mildenhall, Howard, Westley and Priors housing estates in Bury St Edmunds;
- (b) the Sports and Leisure Centre, Beetons Way, Bury St Edmunds;
- (c) St Edmundsbury House, Western Way, Bury St Edmunds;
- (d) the Great Churchyard, Bury St Edmunds;
- (e) the Cemetery, Kings Road, Bury St Edmunds;
- (f) the Haverhill Cemetery, Withersfield Road, Haverhill;
- (g) the Haverhill Sports Centre, Ehringhausen Way, Haverhill;
- (h) public open space at the south end of St Margaret’s Place, Stradishall; and
- (i) public open space at the rear of houses on the north-west side of March Place, Clare Heights, Clare.

Exemption of vehicle repair and maintenance work by the Uttlesford District Council

4.—(1) The repair and maintenance of vehicles by the Uttlesford District Council shall not be treated as a defined activity so long as it is carried out in respect of a relevant vehicle before 1st August 1996.

(2) In this article “relevant vehicle” means a vehicle used by the District Council in connection with any of their functions.

Amendment

5. In article 2(1) of the Local Government Act 1988 (Defined Activities) (Exemption) (Sports and Leisure Management, Catering and Maintenance of Ground) Order 1995(2) (exemption of sports and leisure management) for the word “authority” there shall be substituted the word “activity”.

Signed by authority of the Secretary of State

5th July 1995

Robert Jones
Parliamentary Under-Secretary of State,
Department of the Environment

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

Under Part I of the Local Government Act 1988 (competition), work falling within certain defined activities may be carried out by local authorities only if particular conditions are fulfilled.

Article 2 of this Order exempts from the requirements of Part I activities carried out by the Allerdale Borough Council in specified parishes before 1st April 1996. The activities are the cleaning of shelters, of bandstands and of buildings in cemeteries, the removal of litter and emptying of dustbins and the maintenance of ground.

Article 3 exempts from the requirements of Part I the maintenance of ground by the St Edmundsbury Borough Council so long as it consists of the cutting and tending of grass carried out in the areas of specified parishes before 1st January 1996, or is carried out at particular sites before that date.

Article 4 exempts from the requirements of Part I vehicle repair and maintenance work carried out by the Uttlesford District Council before 1st August 1996, so long as it is carried out in respect of any vehicle used by the Council in connection with any of their functions.

Article 5 corrects an error in article 2(1) of the Local Government Act 1988 (Defined Activities) (Exemption) (Sports and Leisure Management, Catering and Maintenance of Ground) Order 1995.