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STATUTORY INSTRUMENTS

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**1996 No. 532**

**The Local Government Reorganisation  
(Wales) (Property etc.) Order 1996**

**PART III**

**VESTING OF PROPERTY ETC. WHERE THERE  
IS MORE THAN ONE SUCCESSOR AUTHORITY**

**Authorities to which this Part applies**

**5.** This Part applies to an old authority in relation to which there is more than one successor authority.

**Transfers of land**

**6.** Land vested in an old authority shall, subject to articles 16 and 17, vest in the new authority in whose area the land is situated.

**Transfers of property other than land**

**7.—(1)** Where, by virtue of article 6, land vests in a new authority, any property in or on that land, being property held by the old authority in whom the land was vested shall, subject to articles 11, 16, 17, 20 and 21, vest in the new authority in whom that land is vested.

(2) The expression “property in or on that land” shall include—

- (a) vehicles and moveable property which are normally kept in or on such land when not in use, and
- (b) records.

(3) Where, by virtue of section 263 of the Highways Act 1980, a highway vests in a new authority, any street furniture or equipment, including any signs or lighting systems of an old authority located in or near that highway, not being property transferred by virtue of paragraph (1), shall vest in the new authority.

**Transfer of rights and liabilities**

**8.** Any rights or liabilities in respect of land or property transferred by articles 6 or 7 shall, subject to articles 9 to 13 and 22, vest in the body in which the land or, as the case may be, the property is vested.

**Miscellaneous rights and liabilities**

**9.** Any rights or liabilities of an old authority under a contract of insurance or a contract for banking services entered into by that authority shall vest in the designated authority.

### **Secretary of State payments**

**10.**—(1) Any rights, liabilities or duties of an old authority in respect of payments to or from the Secretary of State under any of the provisions specified in Part I of Schedule 1 shall vest in the designated authority.

(2) Any rights, liabilities or duties of an old authority in respect of payments to or from the Secretary of State in relation to grants out of the funds specified in Part II of Schedule 1 shall vest in the designated authority.

### **Transfers of residual property etc.**

**11.**—(1) This paragraph applies to—

- (a) property of an old authority consisting of cash or investments;
- (b) rights or liabilities of an old authority in respect of such property;
- (c) rights or liabilities of an old authority in respect of money borrowed by that authority; and
- (d) any other property, rights or liabilities of an old authority which are not vested by virtue of any other provision of this Part.

(2) All the property, rights or liabilities to which paragraph (1) applies, shall, subject to articles 12, 13, 16, 17 and 19 to 22, vest in the designated authority.

### **Loan debt**

**12.**—(1) Any liability of an old authority specified in column 1 of Schedule 2 in respect of the payment of interest and the repayment of principal outstanding immediately before 1st April 1996 pursuant to a loan agreement between that authority and the Public Works Loan Commissioners shall, subject to paragraph (2), fall to be discharged by the new authorities specified in relation to that authority in column 2 of that Schedule in the manner described in paragraphs (3) to (6).

(2) Paragraph (1) shall not apply to any instalment of principal or interest which was due for payment by an old authority on or before 31st March 1996 but remained unpaid immediately before 1st April 1996.

(3) Each new authority shall be liable for the repayment of the appropriate percentage of principal outstanding in relation to such a loan agreement.

(4) Each new authority shall discharge that part of the liability apportioned to it at the time and in the manner applicable to the loan agreement in question.

(5) Each new authority shall pay to the Public Works Loan Commissioners interest on that part of the liability apportioned to it at the rate and time and in the manner applicable to the loan agreement in question.

(6) In this article “the appropriate percentage” means the percentage specified in column 3 of Schedule 2 in relation to the new authority in question.

### **Cleddau Bridge debt**

**13.** Any liabilities of Dyfed County Council in respect of sums payable to the Secretary of State for Wales by way of repayment of a loan of four million pounds made to that council on 21st December 1979 in relation to the Cleddau Bridge, shall vest in Pembrokeshire County Council.

### **Rights and liabilities related to employment**

**14.** Any rights or liabilities of an old authority under or in connection with a contract of employment between the authority and a person who was an employee of that authority at any time

before 1st April 1996 and who is not designated by an order made under section 42(1) of the 1994 Act shall, subject to articles 15, 16 and 19, vest in the designated authority.

### **Liabilities to pay compensation**

**15.**—(1) Any rights, liabilities or duties of an old authority under the relevant provisions shall vest in the relevant administering authority.

(2) In this article—

“the relevant provisions” means—

- (a) the Local Government (Compensation for Premature Retirement) Regulations 1982<sup>(1)</sup>;
- (b) Part III of the Teachers (Compensation for Redundancy and Premature Retirement) Regulations 1989<sup>(2)</sup>; and
- (c) paragraph 2 of Schedule 1 to the Coroners Act 1988<sup>(3)</sup>.

“the relevant administering authority” means—

- (a) in relation to Gwent County Council and Blaenau Gwent Borough Council, Torfaen County Borough Council;
- (b) in relation to Ogwr Borough Council, Rhondda, Cynon, Taff County Borough Council;
- (c) in relation to Colwyn Borough Council and Glyndŵr District Council, Flintshire County Council; and
- (d) in relation to any other old authority, the designated authority.

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(1) S.I.1982/1009 as amended by S.I. 1984/740, 1986/151, 1988/466, 1989/372, 1989/1139, 1990/2380, 1992/2432, 1993/2890, 1994/3025 and 1995/817.

(2) S.I. 1989/298 as amended by S.I. 1989/1139 and 1994/1059.

(3) 1988 c. 13.