

2002 No. 305

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Local Government (Best Value) Performance Plans
and Reviews Amendment and Specified Dates Order 2002**

Made - - - - - 13th February 2002

Laid before Parliament 14th February 2002

Coming into force - - 8th March 2002

The Secretary of State for Transport, Local Government and the Regions, in exercise of the powers conferred upon him by sections 5(2), 6 and 7(6) of the Local Government Act 1999(a) and all other powers enabling him on that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Local Government (Best Value) Performance Plans and Reviews Amendment and Specified Dates Order 2002 and shall come into force on 8th March 2002.

Application

2. This Order applies—
- (a) in relation to England, to all best value authorities; and
 - (b) in relation to Wales, only to authorities falling within section 1(1)(d) or (e) of the Local Government Act 1999 (police and fire authorities).

Amendment to Order

3. The Local Government (Best Value) Performance Plans and Reviews Order 1999(b) is amended in accordance with Articles 4 and 5 of this Order.

Content of best value performance plans for the financial year 2001 and each financial year thereafter

4. For Article 4(1) (content of best value performance plans for the financial year 2001 and each financial year thereafter) there is substituted—

“(1) Best value authorities must include in their best value performance plan for the financial year 2002 and each financial year thereafter, all the matters specified in subparagraphs (a)(d) and (e) of Article 3 of this Order and in paragraph (2) below.”.

Preparation of best value reviews-period of reviews

5. Article 5 (preparation of best value reviews-period of reviews) is deleted.

(a) 1999 c. 27.
(b) S.I. 3251/1999.

Date specified for the publication of plans

6. For the purposes of section 6(3)(b)(best value performance plans) of the Local Government Act 1999, the date specified is 30th June of the financial year to which the relevant performance plan relates.

Audit of best Value performance plans

7. For the purposes of section 7(6)(b)(audit of best value performance plans) of the Local Government Act 1999, the date specified is 31st December of the financial year to which the relevant performance plan relates.

Signed by authority of the Secretary of State

Nick Raynsford
Minister of State,

13th February 2002

Department for Transport, Local Government and the Regions

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Local Government (Best Value) Performance Plans and Reviews Order 1999 (the 1999 Order). That Order specifies the matters which best value authorities must include in their performance plans. It also specifies matters that should be included in their performance reviews and the time period in which all of their reviews should be carried out.

The Order applies to all best value authorities in England and to fire and police authorities in Wales.

Article 4 of the Order amends Article 4 of the 1999 Order setting out those matters which authorities are required to include in their performance plan.

Article 5 of the Order removes the requirement for authorities to review all of their functions within a five year period.

Section 6(3)(a) of the Act sets out the date by which authorities must publish their performance plan. The Secretary of State is able, by Order to specify an alternative date. Article 6 specifies an alternative date by which time authorities must publish their performance plans.

Section 7(6) of the Act sets out the date by which the authority's auditor must send copies of his report to the authority and the Audit commission. The Secretary of State is able, by Order to specify an alternative date. Article 7 specifies an alternative date by which the auditor must have sent a report to those bodies mentioned in section 7(5) of the Act.

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