

Changes to legislation: Local Government Act 1974 is up to date with all changes known to be in force on or before 16 April 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) View outstanding changes

SCHEDULES

SCHEDULE 1

Sections 1, 6 and 8.

TERMINATION OR MODIFICATION OF CERTAIN EXISTING GRANTS

PART I

1—5. F1

Textual Amendments

F1 Sch. 1 paras. 1–5, 10 repealed by [Local Government, Planning and Land Act 1980 \(c. 65\)](#), [Sch. 34 Pt. XVI](#)

PART II

EXISTING GRANTS FOR HIGHWAYS AND PUBLIC TRANSPORT

6 Subject to paragraph 8 below, on and after 1st April 1975 the power of the Secretary of State—

- (a) F2
- (b) to make grants to a Passenger Transport Executive under section 20(8) of the ^{M1}Transport Act 1968 (towards expenditure incurred by the Executive for certain areas in pursuance of agreements with the Railways Board for the provision of railway passenger services), and
- (c) to make grants to any person under section 56(1) of the Transport Act 1968 (towards capital expenditure incurred or to be incurred in the provision, improvement or development of facilities for public passenger transport),

shall cease to be exercisable except in cases where it appears to the Secretary of State that, notwithstanding the grants for which provision is made in Part I of this Act, the whole or any part of any expenditure in respect of which any such advances or grants as are referred to in . . . ^{F3}, paragraph (b) or paragraph (c) above could be made should not fall on the local highway authority, Passenger Transport Executive or other person concerned.

Textual Amendments

F2 Sch. 1 para. 6(a) repealed by [Highways Act 1980 \(c. 66\)](#), [Sch. 25](#)
F3 Words repealed by [Highways Act 1980 \(c. 66\)](#), [Sch. 25](#)

Marginal Citations

M1 1968 c. 73.

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7 No grants shall be paid under section 34(2) of the Transport Act 1968 (towards expenditure incurred by local authorities in making grants to provide assistance for rural bus or ferry services and in the provision of such ferry services) in respect of expenditure incurred in connection with the provision, improvement or continuance, after the end of the year 1974-75, of any bus service or ferry service, within the meaning of that Act.

- 8 (1) In any case where it appears to the Secretary of State—
- (a) that any person other than a local authority, a Passenger Transport Executive or ^{F4}[London Regional Transport] has before 1st April 1975 entered upon a course of expenditure of a capital nature such as is referred to in section 56(1) of the Transport Act 1968, and
 - (b) that the course of expenditure was entered upon in reliance on an undertaking by the Secretary of State to make a grant or grants towards that expenditure under that section,

then, notwithstanding anything in paragraph 6 above, the Secretary of State may, on or after 1st April 1975, make to that person under that section any grant which he considers appropriate in the light of that undertaking.

- (2) In sub-paragraph (1)(a) above “local authority” includes the council of an administrative county, county borough or county district.

Textual Amendments

F4 Words substituted by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), [s. 71\(3\)\(a\)](#), Sch. 6 para. 11(a)

- 9 (1) In any case where it appears to the Secretary of State—
- (a) that a Passenger Transport Executive . . . ^{F5} has before 1st April 1975 entered upon a course of expenditure of a capital nature such as is referred to in section 56(1) of the ^{M2}Transport Act 1968, and
 - (b) that the course of expenditure was entered upon in reliance on an undertaking by the Secretary of State to make a grant or grants towards that expenditure under that section,

the Secretary of State shall, as soon as practicable after 1st April 1975, give notice in writing to the appropriate local authority specifying the purpose of the expenditure, the Executive carrying it out and particulars of the grant or grants to which the undertaking relates, including the terms and conditions upon which the grant or grants were to be made and details of the amount or proportion thereof already paid at that date.

- (2) An authority to whom a notice is given under sub-paragraph (1) above shall make to the Executive specified in the notice payments under subsection (2) of section 56 of the Transport Act 1968—
- (a) corresponding in amount to the payments which, in accordance with the particulars specified in the notice, would have been made under the grant or grants concerned, and
 - (b) on terms and conditions corresponding, as near as may be, to those so specified,

and, in relation to the authority, expenditure for the purpose specified in the notice shall be conclusively presumed for the purposes of that subsection to be expenditure towards which payments may be made under that subsection.

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- (3) In sub-paragraph (1) above “the appropriate local authority”, in relation to a Passenger Transport Executive, means the county council which is the Passenger Transport Authority for the Executive’s area . . . ^{F6}

Textual Amendments

- F5** Words repealed by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), [s. 71\(3\)\(a\)\(b\)](#), Sch. 6 para. 11(b), Sch. 7
- F6** Words repealed by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), [s. 71\(3\)\(a\)\(b\)](#), Sch. 6 para. 11(c), Sch. 7

Marginal Citations

- M2** [1968 c. 73](#).

PART III

EXISTING GRANTS FOR OTHER SPECIFIC PURPOSES

10 ^{F7}

Textual Amendments

- F7** Sch. 1 paras. 1–5, 10 repealed by [Local Government, Planning and Land Act 1980 \(c. 65\)](#), [Sch. 34 Pt. XVI](#)

- 11 (1) The Secretary of State may from time to time, by order made by statutory instrument, provide that, with effect from such year as may be specified in the order, no grant shall be paid under any such local authority grant provision as may be so specified or that no grant shall be so paid except in respect of expenditure of a description so specified.
- (2) In this paragraph “local authority grant provision” means an enactment providing for the payment of grants to local authorities (within the meaning of the enactment concerned) in respect of expenditure incurred in connection with a specific function.
- (3) An order under this paragraph may contain such provisions as appear to the Secretary of State to be necessary or proper in consequence of the termination of the grants, including provision amending, repealing or revoking, with or without savings, any enactment or instrument made under an enactment.
- (4) No order under this paragraph shall have effect unless it is approved by a resolution of each House of Parliament.

.....

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Textual Amendments

F8 Sch. 2 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 10](#) Group 2

SCHEDULE 3

. . . **F9**

Textual Amendments

F9 Sch. 3 repealed by [S.I. 1990/776](#), art. 3, [Sch. 1](#)

SCHEDULE 4

Section 23.

[^{F10}THE COMMISSION]

Textual Amendments

F10 Sch. 4 title substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, [Sch. 6 para. 17](#) (with s. 38); [S.I. 2005/2800](#), art. 5(1)(3)

Modifications etc. (not altering text)

C1 Sch. 4 extended (W.) (28.7.2001) by [S.I. 2001/2275](#), [reg. 3](#)

Disqualifications

- 1 (1) A person shall be disqualified for being appointed as, or for being, a Local Commissioner if—
- (a) he is disqualified for being elected, or being, a member of [^{F11}any authority to which Part 3 of this Act applies]; or
 - (b) he is a member of any of those authorities ^{F12}....
- (2) A Local Commissioner shall not at any time conduct a case arising in an area if it is wholly or partly within an area for which one of those authorities is responsible and, within the five years ending at that time, the Local Commissioner [^{F13}—
- (a) has been a member of that authority,
 - (b) has taken action on behalf of that authority in the exercise of any of their functions, or
 - (c) has taken action which, by virtue of an enactment, is treated as having been taken by that authority in the exercise of any of their functions.]
- [^{F14}(2A) A Local Commissioner shall not conduct a case which involves an adult social care provider if the Local Commissioner has a financial or other interest in the provider which is likely to affect prejudicially the exercise of his functions.

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(2B) In sub-paragraph (2A) “adult social care provider” has the same meaning as in Part 3A of this Act.]

^{F15}(2C)

^{F15}(2D)

(3) The acts and proceedings of a person appointed as a Local Commissioner and acting in that office ^{F16}... shall, notwithstanding his disqualification under this paragraph, be as valid and effectual as if he had been qualified.

Textual Amendments

- F11** Words in Sch. 4 para. 1(1)(a) substituted (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 179(2)(a)**, 245(5); S.I. 2008/917, art. 2(1)(l)
- F12** Words in Sch. 4 para. 1(1)(b) repealed (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 179(2)(b)**, 245(5), **Sch. 18 Pt. 14**; S.I. 2008/917, art. 2(1)(l)(ii)(v)
- F13** Words in Sch. 4 para. 1(2) substituted (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 179(3)**, 245(5); S.I. 2008/917, art. 2(1)(l)
- F14** Sch. 4 para. 1(2A)(2B) inserted (1.10.2010) by [Health Act 2009 \(c. 21\)](#), s. 40(1), **Sch. 5 para. 12**; S.I. 2010/1863, art. 2
- F15** Sch. 4 para. 1(2C)(2D) omitted (1.8.2012) by virtue of [Education Act 2011 \(c. 21\)](#), **ss. 45(2)(e)**, 82(3); S.I. 2012/1087, art. 2 (with art. 6)
- F16** Words in Sch. 4 para. 1(3) repealed (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, **Sch. 6 para. 18(2)**, **Sch. 7** (with s. 38); S.I. 2005/2800, art. 5(1)(3)

[^{F17}2A A Local Commissioner shall be disqualified for being appointed to a paid office by an authority to which Part 3 of this Act applies—

- (a) while the categories of matter for which the Local Commissioner has responsibility pursuant to section 23(8A) include—
 - (i) matters relating to the authority, or
 - (ii) matters of a description which may include matters relating to the authority, and
- (b) for three years after the Local Commissioner ceases to have responsibility for such matters pursuant to section 23(8A).]

Textual Amendments

- F17** Sch. 4 para. 2A substituted for Sch. 4 para. 2 (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 179(4)**, 245(5); S.I. 2008/917, art. 2(1)(l)

^{F17}2

Textual Amendments

- F17** Sch. 4 para. 2A substituted for Sch. 4 para. 2 (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 179(4)**, 245(5); S.I. 2008/917, art. 2(1)(l)

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Remuneration, etc.

- 3 (1) [^{F18}The Commission] shall pay to or in respect of their Local Commissioners and their officers such amounts, by way of remuneration, pensions, allowances or gratuities or by way of provision for any such benefits, as the Secretary of State may^{F19}...determine.
- (2) If a person ceases to be a Local Commissioner and it appears to the Secretary of State that there are special circumstances which make it right that that person should receive compensation, [^{F20}the Commission] may pay to that person a sum of such amount as the Secretary of State may^{F21}... determine.
- [^{F22}(3) Sub-paragraphs (1) and (2) above apply in relation to Commissioners who are advisory members of the Commission as they apply in relation to Local Commissioners.]

Textual Amendments

- F18** Words in Sch. 4 para. 3(1) substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\), s. 40, Sch. 6 para. 18\(4\)\(a\)](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F19** Words in Sch. 4 para. 3(1) repealed (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), s. 245\(5\), Sch. 12 para. 11\(2\)\(a\), Sch. 18 Pt. 14](#); S.I. 2008/917, art. 2(1)(n)(ii)(v) (with art. 6(5))
- F20** Words in Sch. 4 para. 3(2) substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\), s. 40, Sch. 6 para. 18\(4\)\(b\)](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F21** Words in Sch. 4 para. 3(2) repealed (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), s. 245\(5\), Sch. 12 para. 11\(2\)\(b\), Sch. 18 Pt. 14](#); S.I. 2008/917, art. 2(1)(n)(ii)(v) (with art. 6(5))
- F22** Sch. 4 para. 3(3) inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\), s. 22\(5\)](#)

Staff and accommodation

- 4 (1) [^{F23}The Commission] may appoint a secretary, and such other officers as they may consider to be required for the discharge of their functions.
- (2) [^{F24}The Commission] shall make arrangements to enable Local Commissioners to investigate [^{F25} matters], and in particular arrangements for—
 - (a) allocating members of their staff to assist Local Commissioners, and
 - (b) providing offices and other accommodation.
- (3) An officer of [^{F26}the Commission] shall not be allocated to assist a Local Commissioner without the approval of that Local Commissioner.
- ^{F27}(4)
- ^{F28}(5)
- ^{F29} [^{F30}(6)]

Textual Amendments

- F23** Words in Sch. 4 para. 4(1) substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\), s. 40, Sch. 6 para. 18\(5\)\(a\)](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)

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- F24** Words in Sch. 4 para. 4(2) substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\), s. 40, Sch. 6 para. 18\(5\)\(b\)](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F25** Word in Sch. 4 para. 4(2) substituted (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), s. 245\(5\), Sch. 12 para. 11\(3\)\(a\)](#); S.I. 2008/917, art. 2(1)(n) (with art. 6(5))
- F26** Words in Sch. 4 para. 4(3) substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\), s. 40, Sch. 6 para. 18\(5\)\(c\)](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F27** Sch. 4 para. 4(4) repealed (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\), s. 40, Sch. 6 para. 18\(5\)\(d\), Sch. 7](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F28** Sch. 4 para. 4(5) repealed (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), s. 245\(5\), Sch. 12 para. 11\(3\)\(b\), Sch. 18 Pt. 14](#); S.I. 2008/917, art. 2(1)(n)(ii)(v) (with art. 6(5))
- F29** Sch. 4 para. 4(6) repealed (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), s. 245\(5\), Sch. 12 para. 11\(3\)\(b\), Sch. 18 Pt. 14](#); S.I. 2008/917, art. 2(1)(n)(ii)(v) (with art. 6(5))
- F30** Sch. 4 para. 4(6) inserted (1.8.2007) by [The Regulatory Reform \(Collaboration etc. between Ombudsmen\) Order 2007 \(S.I. 2007/1889\)](#), arts. 1(1), 5

Proceedings of ^{F31}the Commission

Textual Amendments

- F31** Words in Sch. 4 para. 5 cross-heading substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\), s. 40, Sch. 6 para. 18\(6\)](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)

- 5 (1) ^{F32}The Commission] may determine their own procedure, including the quorum necessary for their meetings.
- (2) The validity of any proceedings of ^{F33}the Commission] shall not be affected by any vacancy among the members of the Commission or by any defect in the appointment of any member of the Commission.
- (3) ^{F34}The Commission] shall be a body corporate, and their common seal shall be authenticated by the signature of a member of the Commission, or of some other person authorised in that behalf by the Commission.

Textual Amendments

- F32** Words in Sch. 4 para. 5(1) substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\), s. 40, Sch. 6 para. 18\(7\)\(a\)](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F33** Words in Sch. 4 para. 5(2) substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\), s. 40, Sch. 6 para. 18\(7\)\(b\)](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F34** Words in Sch. 4 para. 5(3) substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\), s. 40, Sch. 6 para. 18\(7\)\(c\)](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)

Expenses of ^{F35}the Commission

Textual Amendments

- F35** Words in Sch. 4 para. 6 cross-heading substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\), s. 40, Sch. 6 para. 18\(8\)](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)

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- [^{F36}5A (1) The Secretary of State must pay to the Commission in respect of each financial year such amount as he determines to be the amount required for the discharge during that year of the functions of the Commission.
- (2) A determination under sub-paragraph (1) must be approved by the Treasury.]

Textual Amendments

F36 Sch. 4 para. 5A substituted (1.4.2009) for Sch. 4 paras. 6-8 by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 180, 245\(5\); S.I. 2008/917, art. 3\(b\)](#)

Modifications etc. (not altering text)

C2 Sch. 4 para. 6 extended (W.) (28.7.2001) by [S.I. 2001/2275, reg. 4](#)

6 ^{F37}

Textual Amendments

F37 Sch. 4 para. 5A substituted (1.4.2009) for Sch. 4 paras. 6-8 by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 180, 245\(5\); S.I. 2008/917, art. 3\(b\)](#)

7 ^{F37}

Textual Amendments

F37 Sch. 4 para. 5A substituted (1.4.2009) for Sch. 4 paras. 6-8 by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 180, 245\(5\); S.I. 2008/917, art. 3\(b\)](#)

8 ^{F37}

Textual Amendments

F37 Sch. 4 para. 5A substituted (1.4.2009) for Sch. 4 paras. 6-8 by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 180, 245\(5\); S.I. 2008/917, art. 3\(b\)](#)

^{F38}8A

Textual Amendments

F38 Sch. 4 paras. 6-8 substituted for paras. 6-11 by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1, 2\), s. 24\(1\)\(3\)](#)

^{F38}9

Textual Amendments

F38 Sch. 4 paras. 6-8 substituted for paras. 6-11 by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1, 2\), s. 24\(1\)\(3\)](#)

^{F38}10

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Textual Amendments

F38 Sch. 4 paras. 6–8 substituted for paras. 6–11 by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1, 2\)](#), [s. 24\(1\)\(3\)](#)

F38 11

Textual Amendments

F38 Sch. 4 paras. 6–8 substituted for paras. 6–11 by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1, 2\)](#), [s. 24\(1\)\(3\)](#)

12 **F39**

Textual Amendments

F39 Sch. 4 para. 12 repealed by [House of Commons Disqualification Act 1975 \(c. 24\)](#), [Sch. 3](#) and [Northern Ireland Assembly Disqualification Act 1975 \(c. 25\)](#), [Sch. 3 Pt. I](#)

Delegation

[^{F40}13 (1) Any function of a Commissioner may be discharged on the Commissioner's behalf—
(a) by any person authorised by the Commissioner to do so, and
(b) to the extent so authorised.

(2) Sub-paragraph (1) does not affect the responsibility of the Commissioner for the discharge of the function.

[Any function of the Commission may be discharged on the Commission's behalf—
^{F41}(3) (a) by any person authorised by the Commission to do so, and
(b) to the extent so authorised.

(4) Sub-paragraph (3) does not affect the responsibility of the Commission for the discharge of the function.]]

Textual Amendments

F40 Sch. 4 para. 13 and cross-heading inserted (1.4.2008 in relation to matters coming to the attention of the Commission on or after 1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 181, 245\(5\)](#); [S.I. 2008/917](#), [art. 2\(1\)\(m\)](#) (with [art. 6\(5\)](#))

F41 Sch. 4 para. 13(3)(4) inserted (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), [ss. 44\(2\)](#), [240\(1\)\(c\)](#)

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SCHEDULE 5

Section 26.

MATTERS NOT SUBJECT TO INVESTIGATION

Modifications etc. (not altering text)

- C3** Sch. 5 amended by S.I. 1988/242, **art. 2**
- C4** Sch. 5 applied (with modifications) (22.11.2012) by **The Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012 (S.I. 2012/2734)**, regs. 1(1), 3-6, **Sch. Pt. 2**

- 1 The commencement or conduct of civil or criminal proceedings before any court of law.
- 2 Action taken by [^{F42}or on behalf of] any [^{F43}local policing body] in connection with the investigation or prevention of crime.

Textual Amendments

- F42** Words in Sch. 5 para. 2 inserted (1.4.2008) by **Local Government and Public Involvement in Health Act 2007 (c. 28)**, s. 245(5), **Sch. 12 para. 12**; S.I. 2008/917, art. 2(1)(n) (with art. 6(5))
- F43** Words in Sch. 5 para. 2 substituted (16.1.2012) by **Police Reform and Social Responsibility Act 2011 (c. 13)**, s. 157(1), **Sch. 16 para. 122**; S.I. 2011/3019, art. 3, Sch. 1

- [^{F443} (1) Action taken in matters relating to contractual or other commercial transactions of any authority to which Part 3 of this Act applies relating to—
- (a) the operation of public passenger transport;
 - (b) the carrying on of a dock or harbour undertaking;
 - (c) the provision of entertainment;
 - (d) the provision and operation of industrial establishments;
 - (e) the provision and operation of markets.
- (2) Sub-paragraph (1) does not include transactions for or relating to—
- (a) the acquisition or disposal of land;
 - (b) the acquisition or disposal of moorings which are not moorings provided in connection with a dock or harbour undertaking.
- (3) Sub-paragraph (1)(a) does not include action taken by or on behalf of the London Transport Users Committee in operating a procedure for examining complaints or reviewing decisions.
- (4) Sub-paragraph (1)(e) does not include transactions relating to—
- (a) the grant, renewal or revocation of a licence to occupy a pitch or stall in a fair or market, or
 - (b) the attachment of any condition to such a licence.]

Textual Amendments

- F44** Sch. 5 para. 3 substituted (1.4.2008 in relation to matters coming to the attention of the Commission on or after 1.4.2008) by **Local Government and Public Involvement in Health Act 2007 (c. 28)**, **ss. 173(4), 245(5)**; S.I. 2008/917, art. 2(1)(i) (with art. 6(5))

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4 Action taken in respect of appointments or removals, pay, discipline, superannuation or other personnel matters.

5 ^{F45}(1)

(2) Any action concerning—

(a) the giving of instruction, whether secular or religious, or

(b) conduct, curriculum, internal organisation, management or discipline,

[^{F46}in any school or other educational establishment maintained by the authority [^{F47}, except so far as relating to special educational needs (within the meaning given [^{F48}by section 579(1)] of the Education Act 1996)] [^{F49}or additional learning needs (within the meaning given by section 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018)].

Textual Amendments

F45 S. 5(1) repealed (1.10.1998) by 1998 c. 31, s. 140(3), **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1998/2212, art. 2(1), **Sch. 1 Pt. I**

F46 Words substituted by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(1), **Sch. 12 para. 71**

F47 Words in Sch. 5 para. 5(2) inserted (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), ss. 261, 269(4); S.I. 2009/3317, art. 2, Sch.

F48 Words in Sch. 5 para. 5(2)(b) substituted (1.9.2014) by Children and Families Act 2014 (c. 6), s. 139(6), **Sch. 3 para. 63**; S.I. 2014/889, art. 7(a)

F49 Words in Sch. 5 para. 5(2)(b) inserted (1.9.2021) by The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Consequential Amendments) Regulations 2021 (S.I. 2021/861), regs. 1, **2(2)**

[^{F50}5A Action which—

(a) is taken by or on behalf of a local authority in its capacity as a registered provider of social housing, and

(b) is action in connection with its housing activities so far as they relate to the provision or management of social housing (and here “social housing” has the same meaning as in Part 2 of the Housing and Regeneration Act 2008).

Textual Amendments

F50 Sch. 5 paras. 5A, 5B inserted (1.4.2013 for E.) by Localism Act 2011 (c. 20), ss. 181(1)(a), 240(2) (with s. 181(10)); S.I. 2013/722, art. 2(c)

5B In the case of a local authority which is a registered provider of social housing, action taken by or on behalf of the authority in connection with the management of dwellings owned by the authority and let on a long lease (and here “long lease” has the meaning given by section 59(3) of the Landlord and Tenant Act 1987).]

Textual Amendments

F50 Sch. 5 paras. 5A, 5B inserted (1.4.2013 for E.) by Localism Act 2011 (c. 20), ss. 181(1)(a), 240(2) (with s. 181(10)); S.I. 2013/722, art. 2(c)

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- [^{F516} Action taken by [^{F52}or on behalf of] an authority mentioned in section 25(1)(ba) [^{F53}or (bb)] of this Act which is [^{F54}not action in connection with functions in relation to housing]]^{F54}—
- (a) action in connection with functions in relation to social housing (and here “social housing” has the same meaning as in Part 2 of the Housing and Regeneration Act 2008), or
 - (b) action in connection with functions in relation to anything other than housing.]]

Textual Amendments

- F51** Sch. 5 paras. 6 and 7 inserted by Local Government Act 1988 (c. 9, SIF 81:1, 2), s. 29, **Sch. 3 para. 10**
- F52** Words in Sch. 5 para. 6 inserted (1.4.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), s. 245(5), **Sch. 12 para. 12**; S.I. 2008/917, art. 2(1)(n) (with art. 6(5))
- F53** Words in Sch. 5 para. 6 substituted (1.10.1998) by 1998 c. 38, s. 129, **Sch. 15 para. 3** (with ss. 139(2), 143(2)); S.I. 1998/2244, **art. 4**
- F54** Sch. 5 para. 6(a)(b) substituted for words (1.4.2013 for E.) by Localism Act 2011 (c. 20), **ss. 181(1)(b), 240(2)** (with s. 181(10)); S.I. 2013/722, art. 2(c)

- 7 Action taken by [^{F55}or on behalf of] an authority mentioned in section 25(1)(bd) of this Act which is not action in connection with functions in relation to town and country planning.

Textual Amendments

- F55** Words in Sch. 5 para. 7 inserted (1.4.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), s. 245(5), **Sch. 12 para. 12**; S.I. 2008/917, art. 2(1)(n) (with art. 6(5))

- [^{F568} Action taken by [^{F57}or on behalf of] the [^{F58}Homes and Communities] Agency which is not action in connection with functions in relation to town and country planning.]

Textual Amendments

- F56** Sch. 5 para. 8 inserted (10.11.1993) by 1993 c. 28, s. 187(1), **Sch. 21 para. 6(3)**; S.I. 1993/2762, **art.3**.
- F57** Words in Sch. 5 para. 8 inserted (1.4.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), s. 245(5), **Sch. 12 para. 12**; S.I. 2008/917, art. 2(1)(n) (with art. 6(5))
- F58** Words in Sch. 5 para. 8 substituted (1.12.2008) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), **Sch. 8 para. 18(4)**; S.I. 2008/3068, **art. 2(1)(w)(3)** (with arts. 6-13)

[^{F59}SCHEDULE 5A

Section 34B

MATTERS NOT SUBJECT TO INVESTIGATION UNDER PART 3A

Textual Amendments

- F59** Sch. 5A inserted (1.10.2010) by Health Act 2009 (c. 21), s. 40(1), **Sch. 5 para. 3**; S.I. 2010/1863, art. 2

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- 1 A matter which could be the subject of an investigation by a Local Commissioner under Part 3.
- 2 A matter which could be the subject of an investigation by the Health Service Commissioner under the HSCA 1993.
- 3 The commencement or conduct of civil or criminal proceedings before any court of law.
- 4 Action taken in respect of appointments or removals, pay, discipline, superannuation or other personnel matters.]

SCHEDULE 6

Section 35.

RELAXATION AND REMOVAL OF CONTROLS

Modifications etc. (not altering text)

- C5** The text of Sch. 6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Enactment relating to local authority function	Amendment
1. Section 94 of the M3 Public Health Act Amendment Act 1907 (power of local authorities to licence pleasure boats and boatmen).	In subsection (1), for the words from “annual fees” to the end of the subsection there shall be substituted the words “for each type of licence such annual fee as appears to them to be appropriate”.
2.—(1) Section 1 of the M4 Performing Animals (Regulation) Act 1925 (restriction on exhibition and training of performing animals).	In subsection (2), for the words “the prescribed fee” there shall be substituted the words “such fee as appears to the local authority to be appropriate” ; in subsection (5) the words “on payment of the prescribed fee”, in both places where they occur, shall be omitted; in subsection (7) the words “subject to payment of the prescribed fee” shall be omitted; and at the end of the section there shall be added the following subsection : “(8) A local authority may charge such fees as appear to them to be appropriate for inspection of the register, for taking copies thereof or making extracts therefrom or for inspection of copies of certificates of registration issued by them”.
(2) Section 5(3) of that Act (expenses of local authorities, etc.).	The words from “and the fee for registration” to the end shall be omitted.
3.

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F60

4. Section 3 of the

M5

Civic Restaurants Act 1947 (financial provisions).

F60

In subsection (1) (every civic restaurant authority to keep an account of income and expenditure on income account, and form of that account and particulars to be included therein to be prescribed by Minister of Agriculture, Fisheries and Food) the words from “and the form of the account” to the end of the subsection shall be omitted and in subsection (2) (every civic restaurant authority to endeavour to ensure that their income under the Act is sufficient to defray their expenditure thereunder and if their account shows a deficit for three consecutive financial years their powers to cease to be exercisable) the words from “and if the account” to the end of the subsection shall be omitted.

5. . . .

F61

6.—(1) Section 64 of the

M6

National Parks and Access to the Countryside Act 1949 (power of local planning authority to make access agreements with landowners in their area).

. . .

F61

In subsection (1) the words “with the approval of the Minister” shall be omitted.

(2) Section 65 of that Act (power of local planning authorities to make access orders).

Subsection (6) (power of Secretary of State to direct a local planning authority to make an access order or to make such an order himself) shall be omitted.

(3) Section 104 of that Act (general provisions as to appropriation and disposal of land).

Subsections (7) and (8) (power of Secretary of State to require local authority to dispose of land in certain cases and to resolve differences as to the best consideration in those cases) shall be omitted.

(4) Section 105 of that Act (default powers of Secretary of State).

The section shall cease to have effect.

7. . . .

F62

8. Section 1 of the

M7

Pet Animals Act 1951 (licensing of pet shops by local authorities).

. . .

F62

In subsection (2), as originally enacted, the words “not exceeding ten shillings” shall be omitted.

9. . . .

F63

10. Section 6 of the

M8

. . .

F63

The words from the beginning to “may authorise” shall be omitted ; for the words

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<p>Pests Act 1954 (Order in Council may authorise a port health authority to make and recover charges for inspection of ships and hovercraft).</p>	<p>“to make and recover charges” there shall be substituted the words “may impose such charges as appear to the authority to be appropriate” ; and for the words “any such Order in Council” there shall be substituted the words “ any Order in Council under section 23 of the Prevention of Damage by Pests Act 1949 ”.</p>
<p>11. . . . F64</p>	<p>. . . F64</p>
	<p>Subsection (3) (advertisement of local authority’s intention to apply for Minister’s approval) shall be omitted.</p>
<p>12. . . . F65</p>	<p>. . . F65</p>
<p>13. Schedule 2 to the M9 Caravan Sites and Control of Development Act 1960 (orders of district councils prohibiting caravans on commons).</p>	<p>In paragraph 3, sub-paragraph (1) (service of notices and power of Secretary of State to dispense with service) for the words “Provided that where” there shall be substituted the words “unless the council are satisfied that” and the words from “the Minister” to the end of the sub-paragraph shall be omitted.</p>
<p>14. Section 2 of the M10 Local Authorities (Land) Act 1963 (power of local authorities to develop land for the benefit or improvement of their area).</p>	<p>Subsections (2) and (3) (consent of the Secretary of State required for local authorities to develop land) shall be omitted.</p>
<p>15. . . . F66</p>	<p>. . . F66</p>
<p>16. Schedule 12 to the M11 London Government Act 1963 (licensing of public entertainments in Greater London).</p>	<p>In each of paragraphs 3 and 6 (fees payable on application for licences for differing types of public entertainment to be such as the Greater London Council may fix, within specified limits) the words from “not exceeding” to the end of the paragraph shall be omitted.</p>
<p>17. Section 1 of the M12 Animal Boarding Establishments Act 1963 (licensing by local authorities of boarding establishments for animals).</p>	<p>In subsection (2), as originally enacted, the words “not exceeding ten shillings” shall be omitted.</p>
<p>18. Section 1 of the M13 Riding Establishments Act 1964 (licensing of riding establishments by local authorities).</p>	<p>In subsection (2), for the words from “and on payment” to “grant” there shall be substituted the words “grant, on payment of such fee as may be determined by the local authority”.</p>

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<p>19.—(1) Section 5 of the M14 Plant Health Act 1967 (execution of Act by local authorities).</p>	<p>In subsection (2) (local authorities to keep certain records in such manner and form as competent authority may direct), the words from “in such manner” to “direct” shall be omitted.</p>
<p>(2) Section 6 of that Act (publication of orders).</p>	<p>In subsection (3) (local authorities to publish orders in such manner and form as competent authority directs) the words from “in such manner as the competent authority directs” to “such direction” shall be omitted.</p>
<p>20. . . . F67</p>	<p>. . . . F67</p>
<p>21. . . . F68</p>	<p>. . . . F68</p>
<p>22.—(1) Section 10 of the M15 Transport Act 1968 (general powers of the Passengers Transport Executive).</p>	<p>In subsection (1)(xvi) (power with Passenger Transport Authority’s approval and Secretary of State’s consent, to make arrangements for transfer of part of the Executive’s undertaking of property to persons who have agreed to carry on any of the Executive’s activities) the words “and the consent of the Minister” shall be omitted.</p>
<p>(2) Section 11 of that Act (financial duty of Executive).</p>	<p>Subsection (4) (Executive to submit to Secretary of State statement of Executive’s proposals for expenditure on capital account and power of Secretary of State to limit such expenditure) shall be omitted.</p>
<p>(3) Section 12 of that Act (borrowing powers of Executive).</p>	<p>In subsection (4) (power of certain councils to lend money to Executive and, with Secretary of State’s consent, to borrow money for that purpose) the words “with the consent of the Minister” shall be omitted.</p>
<p>(4) Section 13 of that Act (power for Authority to precept for Executive).</p>	<p>Subsection (4) (power of Secretary of State to restrict the aggregate amount for which Authority may issue precepts) shall be omitted.</p>
<p>(5) Section 16 of that Act (publication of annual report by Authority and Executive and prevention of improper conduct of subsidiary activities).</p>	<p>In subsection (2), in paragraph (c), the final word “and” and paragraph (d) (in certain cases report to contain such information as the Secretary of State may direct) shall be omitted, and subsections (3) to (5) (Secretary of State’s powers to control conduct of certain types of business carried on by an Executive and subsidiaries thereof) shall be omitted.</p>
<p>(6) Section 18 of that Act (planning of passenger transport services in designated areas).</p>	<p>In subsection (1) (statement of general policy to be prepared within twelve months of establishment of Authority, or such longer</p>

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	period as the Secretary of State allows, and copies to be sent to the Secretary of State and to local authorities concerned) the words “to the Minister and” shall be omitted, and in subsection (2) (plan for development of passenger transport system to be prepared within two years of establishment of Executive, or such longer period as the Secretary of State allows, and copies to be sent to the Secretary of State and to local authorities concerned) the words “to the Minister and” shall be omitted.
(7) . . . F69	. . . F69
(8) Section 21 of that Act (provisions as to functions of traffic commissioners in connection with designated areas).	In subsection (5), paragraph (a) (regulations of Secretary of State may require Executive to furnish commissioners with information as to certain road passenger transport services) shall be omitted.
(9) Section 36 of that Act (power of local authority to run public service vehicles as contract carriages).	In subsection (2), the words “subject to subsection (3) of this section” and subsections (3) to (8) (control of Secretary of State over exercise of local authorities’ powers) shall be omitted.
(10) Section 37 of that Act (power of local authorities, with the Secretary of State’s consent, to acquire or dispose of public service vehicle undertakings).	In subsection (1), the words from “with the consent” to “Secretary of State” and subsection (2) (terms on which consent may be given) shall be omitted.
(11) Section 138 of that Act (power of a local authority to make arrangements to reimburse, and to contribute towards, costs incurred by other bodies in granting travel concessions).	Subsections (7) and (8) (power of Secretary of State to prescribe method of calculating cost incurred in providing travel concessions and to make regulations about determinations of disputes with respect to such cost) shall be omitted.
(12) Part III of Schedule 5 to that Act (matters which may be dealt with an order designating a passenger transport area).	Paragraph 14 (making of reports and furnishing of information by Authority and Executive to Secretary of State) shall be omitted.
23. . . . F70	. . . F70
24. F71	F71
...	. . .
F71	F71
.
25. . . . F70	. . . F70

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<p>26.—(1) Section 18 of the M16 Slaughterhouses Act 1974 (power to provide cold stores and refrigerators for public slaughterhouses).</p>	<p>In subsection (1) (power of a local authority, with the approval of the Minister, to provide cold store or refrigerator for the storage and preservation of meat and other articles of food) the words “with the approval of the Minister” shall be omitted and subsections (3) to (5) (advertisement of local authority’s intention to apply for Minister’s approval and provisions as to public inquiries) shall be omitted.</p>
<p>(2) Section 40(9) of that Act (power of local authority to charge fixed fees for grant and renewal of licence).</p>	<p>For the words from “a fee”, in the first place where they occur, to “5p” there shall be substituted the words “such fees as appear to them to be appropriate for the grant and”.</p>

Textual Amendments

- F60** Sch. 6 para. 3 repealed by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\), s. 47, Sch. 7 Pt. I](#)
- F61** Sch. 6 para. 5 repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\), s. 1\(1\), Sch. 1 Pt. IV](#)
- F62** Sch. 6 para. 7 repealed by [Animal Health Act 1981 \(c. 22\), Sch. 6](#)
- F63** Sch. 6 para. 9 repealed by [Mineral Workings Act 1985 \(c. 12, SIF 86\), s. 10, Sch. 2](#)
- F64** Sch. 6 para. 11 repealed by [Food Act 1984 \(c. 30, SIF 53:1\), s. 134, Sch. 11](#)
- F65** Sch. 6 para. 12 repealed by [Highways Act 1980 \(c. 66\), Sch. 25](#)
- F66** Sch. 6 para. 15 repealed by [Weights and Measures Act 1985 \(c. 72, SIF 131\), s. 98, Sch. 13 Pt. I](#)
- F67** Sch. 6 para. 20 repealed by [Road Traffic Regulation Act 1984 \(c. 27, SIF 107:1\), s. 146, Sch. 14](#)
- F68** Sch. 6 para. 21 repealed by [National Health Service Act 1977 \(c. 49\), Sch. 16](#)
- F69** Sch. 6 para. 22(7) repealed by [Transport Act 1985 \(c. 67, SIF 126\), s. 139\(3\), Sch. 8](#)
- F70** Sch. 6 para. 23 repealed by [London Regional Transport Act 1984 \(c. 32, SIF 126\), s. 71\(3\)\(b\), Sch. 7](#)
- F71** Sch. 6 para. 24 repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\), s. 199, Sch. 7; S.I. 2005/3056, art. 1\(2\), 2\(2\) \(with art. 4\)](#)

Marginal Citations

- M3** 1907 c. 53.
- M4** 1925 c. 38.
- M5** 1947 c. 22.
- M6** 1949 c. 97.
- M7** 1951 c. 35.
- M8** 1954 c. 68.
- M9** 1960 c. 62.
- M10** 1963 c. 29.
- M11** 1963 c. 33.
- M12** 1963 c. 43.
- M13** 1964 c. 70.
- M14** 1967 c. 8.
- M15** 1968 c. 73.
- M16** 1974 c. 3.

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SCHEDULE 7

Section 42.

MINOR AND CONSEQUENTIAL AMENDMENTS

1 F72

Textual Amendments

F72 Sch. 7 para. 1 repealed by [Derelict Land Act 1982 \(c. 42, SIF 46:4\)](#), s. 5(2), [Sch.](#)

2 F73

Textual Amendments

F73 Sch. 7 para. 2 repealed by [Highways Act 1980 \(c. 66\)](#), [Sch. 25](#)

3—10. F74

Textual Amendments

F74 Sch. 7 paras. 3–10 repealed by [S.I. 1990/776](#), art. 3, [Sch. 1](#)

11 F75

Textual Amendments

F75 Sch. 7 para. 11 repealed by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), s. 71(3)(b), [Sch. 7](#)

12 F76

Textual Amendments

F76 Sch. 7 para. 12 repealed (with savings in [S.I. 1990/431](#), [Sch. 1 para. 1\(a\)](#)) by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), s. 194(2), [Sch. 12 Pt. I](#)

The Water Act 1973 ^{M17}

Marginal Citations

M17 1973 c. 37.

13 F77

Textual Amendments

F77 Sch. 7 para. 13 repealed by [Land Drainage Act 1976 \(c. 70\)](#), [Sch. 8](#)

14 In Schedule 6 to that Act, in paragraph (c) after the words “transitional period” there shall be inserted the words “in respect of which no provision is made by agreement

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under section 32A of this Act” and at the end of the said paragraph (c) there shall be inserted the following paragraph :—

“(cc) without prejudice to the generality of paragraph (c) above, for the demand, collection and recovery by a local authority of any such amount as is mentioned in that paragraph in like manner as, and together with, any amount due to the authority in respect of the general rate and for the extension of section 113 of, and the modification of Schedule 12 to, the General Rate Act 1967 (power to make rules, and forms of documents) to take account of any such provision made by the order.”.

Modifications etc. (not altering text)

C6 The text of Sch. 7 paras. 14 and 15 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The Breeding of Dogs Act 1973 ^{M18}

Marginal Citations

M18 1973 c. 60.

F78 15

Textual Amendments

F78 Sch. 7 para. 15 omitted (1.10.2018) by virtue of [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#) (S.I. 2018/486), reg. 1(1)(b), **Sch. 9 para. 6** (with reg. 27)

SCHEDULE 8

Section 42.

ENACTMENTS REPEALED

Modifications etc. (not altering text)

C7 The text of Schedule 8 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 5. c. 38.	The Performing Animals (Regulation) Act 1925.	In section 1, in subsection (5) the words “on payment of the prescribed fee”, in both places where they occur, and in subsection (7) the words

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		“subject to payment of the prescribed fee”.
		In section 5, in subsection (3) the words from “and the fee for registration” to the end of the subsection.
26 Geo. 5. & 1 Edw. 8. c. 49.	The Public Health Act 1936.	Section 292.
10 & 11 Geo. 6. c. 22.	The Civic Restaurants Act 1947.	In section 3, in subsection (1) the words from “and the form of the account” to the end of the subsection, and in subsection (2) the words from “and if the account” to the end of the subsection.
11 & 12 Geo. 6. c. 26.	The Local Government Act 1948.	Section 138(2).
12, 13 & 14 Geo. 6. c. 55.	The Prevention of Damage by Pests Act 1949.	In section 7(2) the words “two hundred and ninety-two” and the words “for the inclusion of sums in respect of establishment charges in expenses recoverable under that Act”.
12, 13 & 14 Geo. 6. c. 97.	The National Parks and Access to the Countryside Act 1949.	In section 64(1) the words “with the approval of the Minister”.
		Section 65(6).
		In section 97, in subsection (1), paragraphs (a) and (b), and in paragraph (c) the words from “and under” to the end of the paragraph, and subsections (6) and (7).
		Section 98.
		In section 104, subsections (7) and (8).
		Section 105.
14 Geo. 6. c. 36.	The Diseases of Animals Act 1950.	In section 43 the words “with the sanction of the Minister”.
		Section 61(7).
14 & 15 Geo. 6. c. 35.	The Pet Animals Act 1951.	In section 1(2), as originally enacted, the words “not exceeding ten shillings”.
14 & 15 Geo. 6. c. 60.	The Mineral Workings Act 1951.	In section 19, in subsection (2) the words from

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		“but the local authority” to the end of the subsection, and subsection (4).
2 & 3 Eliz. 2. c. 68.	The Pests Act 1954.	In section 6 the words from the beginning to “may authorise”.
4 & 5 Eliz. 2. c. 16.	The Food and Drugs Act 1955.	In section 80, in subsection (1) the words “with approval of the Minister”, and subsection (3).
7 & 8 Eliz. 2. c. 25.	The Highways Act 1959.	In section 124, in subsection (2), and in subsection (3) the words from “or, in a case where” to “so extended” and the words from “or, if an appeal” to the end of the subsection. In section 174(2)(b) the words from “which may include” to “and notices”.
8 & 9 Eliz. 2. c. 62.	The Caravan Sites and Control of Development Act 1960.	In Schedule 2, in paragraph 3, in sub-paragraph (1) the words from “the Minister” to the end of the sub-paragraph.
1963 c. 29.	The Local Authorities (Land) Act 1963.	In section 2, subsections (2) and (3).
1963 c. 31.	The Weights and Measures Act 1963.	In section 4(2) the words “and approved for the purpose by the Board”. In section 5(3) the words “and approved for the purpose of the Board”. In section 44(1) the words “with the consent of the Board”.
1963 c. 33.	The London Government Act 1963.	In Schedule 12, in each of paragraphs 3 and 6, the words from “not exceeding” to the end of the paragraph.
1963 c. 43.	The Animal Boarding Establishments Act 1963.	In section 1(2), as originally enacted, the words “not exceeding ten shillings”.
1966 c. 9.	The Rating Act 1966.	Section 9. Section 12(a).
1966 c. 42.	The Local Government Act 1966.	Sections 1 to 5.

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		Section 8.
		Section 10.
		In section 27(2) the words from “all or any” to “authorites, and”.
		Schedule 1.
		In Schedule 3, in Part II, in column 1 the entries numbered 11, 14, 16, 21, 24, 25, 26 and 28.
1967 c. 8.	The Plant Health Act 1967.	In section 5(2) the words from “in such manner” to “direct”.
1967 c. 8— <i>cont.</i>	The Plant Health Act 1967— <i>cont.</i>	In section 6(3) the words from “in such manner as the competent authority directs” to “such direction”.
1967 c. 9.	The General Rate Act 1967.	In section 17(2), in paragraph (a) the words from “not being earlier” to the end of the paragraph, and in paragraph (b) the words from “not being earlier” to the end of the paragraph. In section 21(7) the words “or in section 22 of this Act”.
		Section 22.
		Section 35.
		Section 49.
		In section 51(1) the words “not exceeding two-and-a-half per cent”.
		Section 52.
		In section 115, in subsection (1) the definitions of “rebate application” and “rebate period”, and subsection (3)(b).
		Schedules 9 and 11.
1967 c. 76.	The Road Traffic Regulation Act 1967.	In section 29, in subsection (1) the words from “exercisable” to “approved by him”, and subsection (2).

Changes to legislation: Local Government Act 1974 is up to date with all changes known to be in force on or before 16 April 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) View outstanding changes

		In section 31, in subsection (2) the words from “and, where an order provides” to the end of the subsection.
		In section 37, in subsection (5) the words “in the prescribed manner” and the words from “and in this” onwards.
		In section 44, in subsection (2) in the proviso the words from “but shall not be carried forward” to the end of the proviso, and in subsection (3)(c) the words “with the consent of the appropriate Minister”.
		In section 46(2) the words “with the consent of the Minister of Housing and Local Government”.
		In section 72(6)(a) the words “for the purposes of advances under section 235 of the Highways Act 1959”.
		In section 84B(8)(a) the words “for the purposes of advances under section 235 of the Highways Act 1959”.
1968 c. 41.	The Countryside Act 1968.	In section 2(9) the words “this Act or”.
		Section 5.
		Sections 33 to 35.
		In section 36, in subsection (1) the words from “under this Act” to “making of grants”, and in subsection (8) the words from “and subsections (2)” onwards.
1968 c. 46.	The Health Services and Public Health Act 1968.	In section 12(5) the words “with the approval of the Minister”.
		In section 13(2), the words “with the approval of the Minister”.

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1968 c. 73.	The Transport Act 1968.	<p>In section 10(1)(xvi) the words “and the consent of the Minister”.</p> <p>In section 11, subsections (4) and (5).</p> <p>In section 12(4) the words “with the consent of the Minister”.</p> <p>In section 13, subsections (4) and (7).</p> <p>In section 15, in subsection (4) the words from “to the provisions” to the end of the subsection.</p> <p>In section 16, in subsection (2), in paragraph (c) the final word “and” and paragraph (d), and subsections (3) to (5).</p> <p>In section 18, in each of subsections (1) and (2), the words “to the Minister and”.</p> <p>Section 21(5)(a).</p> <p>In section 34, subsections (2) and (3).</p> <p>In section 36, in subsection (2) the words “subject to subsection (3) of this section” and subsections (3) to (8).</p> <p>In section 37, in subsection (1) the words from “with the consent” to “Secretary of State”, and subsection (2).</p> <p>In section 138, subsections (6) to (8) and (9)(a).</p> <p>In Schedule 5, in Part III paragraph 14.</p> <p>In Schedule 14, in Part IV paragraph 10.</p>
1969 c. 10.	The Mines and Quarries (Tips) Act 1969.	<p>In section 23(1), paragraph (c) except the final word “and”.</p>
1969 c. 33.	The Housing Act 1969.	<p>Section 74.</p>

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1969 c. 35.	The Transport (London) Act 1969.	<p>In section 3, in subsection (1) the words from “but any expenditure” to the end of the subsection.</p> <p>In section 7, in subsection (5) and in subsection (6), in paragraph (a) the final word “and” and paragraphs (b) and (c).</p> <p>In section 12, in subsection (2), in paragraph (c) the final word “and” and paragraph (d), and subsections (3) to (5).</p> <p>In section 23(6), paragraph (b) and the word “and” immediately preceding it.</p> <p>In section 29(1)(a) the words “for the purposes of advances under section 235 of the Highways Act 1959”.</p>
1969 c. 53.	The Late Night Refreshment Houses Act 1969.	<p>In section 3, subsections (2) and (3).</p> <p>Section 12.</p>
1970 c. 21.	The New Forest Act 1970.	Section 4.
1970 c. 32.	The Riding Establishment Act 1970.	In section 2(1), paragraph (i).
1971 c. 41.	The Highways Act 1971.	<p>In section 1(6)(a)(i) the words “for the purposes of advances under section 235 of the principal Act”.</p>
1971 c. 78.	The Town and Country Planning Act 1971.	<p>In section 28(1) the word “either”, paragraph (b) and the word “or” immediately preceding it.</p> <p>In section 31, subsections (2) and (3).</p> <p>In section 46, in subsection (1) paragraph (b) and the word “and” immediately preceding it, and in subsection (3) the words from “and the notice” to the end of the subsection.</p>

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1971 c. 78—*cont.*

The Town and Country
Planning Act 1971—*cont.*

In section 65(1) the words “then, given to any directions given by the Secretary of State”.

In section 87(1) the words “any directions given by the Secretary of State and to”.

In section 91(4), paragraph (c) except the final word “and”.

In section 96(1) the words “then, subject to any directions given by the Secretary of State”.

In section 100(1) the words from “give directions” to “or may”.

In section 117, in subsection (1) the words “an application for” and the words from “and the Secretary of State” to the end of the subsection, and in subsection (5) the words “an application for”, “the local authority’s application for” and “be refused or, as the case may be, that such a direction”.

In section 124, subsections (3) and (4), in subsection (6) the words “with the consent of the Secretary of State” and in subsection (8) the words “approved by the Secretary of State”.

In section 125, in subsection (1) the words from “and the Secretary of State” to the end of the subsection, subsection (2) and in subsection (3) the words from ““preservation” in” to “and”.

In section 164(1) the words from “(other than” to “Secretary of State”.

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		In section 212(1) the words “for the purposes of advances under section 235 of the Highways Act 1959”.
		In section 276, in subsection (1) the words from “give directions” to “or may” and in subsection (5) paragraph (b), in paragraph (c) the words from “or under” to “this Act” and the words from “give directions” to “or may”.
		Section 277(2).
		In Schedule 11, in paragraph 11(1) the words from “give directions” to “or may”.
1971 c. lxx.	The Chichester Harbour Conservancy Act 1971.	Section 30(3).
1972 c. 47.	The Housing Finance Act 1972.	In Schedule 9, paragraphs 7 and 8.
1972 c. 70.	The Local Government Act 1970.	Section 203(5).
		In Schedule 24, paragraph 11, and in paragraph 12, in section 13 of the Transport Act 1968 as set out in that paragraph, subsection (2).
1973 c. 28.	The Rate Rebate Act 1973.	The whole Act.
1973 c. 37.	The Water Act 1973.	In Schedule 5, in paragraph 11(9) the words from “multiplied by” to “authority for that year”, in paragraph 11(13) the definition of “the conclusive calculation” and paragraph 13(2).
1973 c. 60.	The Breeding of Dogs Act 1973.	Section 4.
1974 c. 3.	The Slaughterhouses Act 1974.	In section 18, in subsection (1) the words “with the approval of the Minister” and subsections (3) to (5).
		In Schedule 3, paragraphs 3 and 6.

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 33(1) word repealed by [2004 c. 34 Sch. 15 para. 7\(3\)\(b\)](#)[Sch. 16](#) (This amendment is not applied to [legislation.gov.uk](#). [Sch. 15 para. 7](#) repealed (1.4.2006) by [2005 c. 10, Sch. 7](#); [S.I. 2005/2800](#), art. 5(1)(3))
- s. 33(1) words inserted by [2022 c. 30 Sch. 10 para. 2\(2\)\(b\)](#)
- s. 33(2) word repealed by [2004 c. 34 Sch. 15 para. 7\(4\)\(b\)](#) (This amendment is not applied to [legislation.gov.uk](#). [Sch. 15 para. 7](#) repealed (1.4.2006) by [2005 c. 10, Sch. 7](#); [S.I. 2005/2800](#), art. 5(1)(3))
- s. 33(2) words inserted by [2022 c. 30 Sch. 10 para. 2\(3\)](#)
- s. 33(4) words substituted by [2022 c. 30 Sch. 10 para. 2\(5\)\(a\)](#)
- s. 33(4) words substituted by [2022 c. 30 Sch. 10 para. 2\(5\)\(b\)](#)
- s. 33ZA(1)(b) word omitted by [2022 c. 30 Sch. 10 para. 3\(2\)\(a\)](#)
- s. 33ZA(1A) words substituted by [2022 c. 30 Sch. 10 para. 3\(3\)](#)
- s. 33ZA(3) words substituted by [2022 c. 30 Sch. 10 para. 3\(4\)\(c\)](#)
- s. 33ZA(3)(b) word omitted by [2022 c. 30 Sch. 10 para. 3\(4\)\(a\)](#)
- s. 33ZB(4)(c) word omitted by [2022 c. 30 Sch. 10 para. 4\(a\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33(1)(bzb) inserted by [2022 c. 30 Sch. 10 para. 2\(2\)\(a\)](#)
- s. 33(3B) inserted by [2022 c. 30 Sch. 10 para. 2\(4\)](#)
- s. 33ZA(1)(d) and word inserted by [2022 c. 30 Sch. 10 para. 3\(2\)\(b\)](#)
- s. 33ZA(3)(d) and word inserted by [2022 c. 30 Sch. 10 para. 3\(4\)\(b\)](#)
- s. 33ZB(4)(e)(f) inserted by [2022 c. 30 Sch. 10 para. 4\(b\)](#)