

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1985, SCHEDULE 14. (See end of Document for details)

SCHEDULES

SCHEDULE 14

Section 84.

NEW AUTHORITIES: APPLICATION OF LOCAL AUTHORITY PROVISIONS

PART I

^{M1}AMENDMENTS OF LOCAL GOVERNMENT ACT 1972

Marginal Citations

M1 1972 c. 70.

Restrictions on promotion of Bills for changing local government areas etc.

- 1 In section 70 for the words “No local authority” there shall be substituted the words “Neither a local authority or joint authority nor the Inner London Education Authority” and after the words “local government area” in both places where they occur there shall be inserted the words “or the Inner London Education Area”.

Qualifications for election and holding office

- 2 At the end of section 79 there shall be inserted—
“(3) In this section “local authority” includes the Inner London Education Authority and references to its area shall be construed as references to the Inner London Education Area.”

Disqualifications for election and holding office

- 3 (1) In subsections (1)(a) and (2)(b) of section 80 after the words “joint board” there shall be inserted the words “, joint authority”.
(2) After subsection (5) of that section there shall be inserted—
“(6) In this section “local authority” includes the Inner London Education Authority.”

Validity of acts done by unqualified persons

- 4 In section 82 after the words “elected to an office under this Act” there shall be inserted the words “or elected or appointed to an office under Part III or IV of the Local Government Act 1985.”

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Declaration of acceptance of office

5 After section 83(3) there shall be inserted—

“(3A) Subsections (1) to (3) above shall apply also to a person elected to the office of member, or appointed to the office of chairman or vice-chairman, of the Inner London Education Authority and in relation to any such office the references in those provisions to the proper office of the council and to members of the council shall be construed respectively as references to the proper officer of that Authority and to members of that Authority.”

Resignation

6 The provisions of section 84 shall become subsection (1) of that section and after those provisions there shall be inserted—

“(2) A person elected or appointed to an office under Part III or IV of the Local Government Act 1985 may at any time resign his office by written notice delivered to the proper officer of the authority of which he is a member and his resignation shall take effect upon the receipt of the notice by that officer.”

Failure to attend meetings

7 At the end of section 85 there shall be inserted—

“(4) In this section “local authority” includes a joint authority and the Inner London Education Authority.”

Declaration of vacancy

8 The provisions of section 86 shall become subsection (1) of that section and after those provisions there shall be inserted—

“(2) In this section “local authority” includes a joint authority and the Inner London Education Authority.”

Date of casual vacancies

9 At the end of section 87 there shall be inserted—

“(3) This section shall apply also in relation to a casual vacancy in any office for which an election is held, or to which an appointment is made, under Part III of the Local Government Act 1985, taking references to a local authority as reference to the Inner London Education Authority.”

Filling of casual vacancies

10 (1) After section 88(2) there shall be inserted—

“(2A) In subsections (1) and (2) above “council” includes the Inner London Education Authority.”

(2) After section 89(3) there shall be inserted—

“(3A) Subsections (1) to (3) above shall apply also in relation to a casual vacancy occurring in the office of member of the Inner London Education Authority,

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taking references to the council and the returning officer as references to the Authority and the proper officer of the Authority.”

Term of office of person filling casual vacancy

- 11 In section 90 after the word “Wales” there shall be inserted the words “or under Part III or IV of the Local Government Act 1985”, and after the words “he is elected” there shall be inserted the words “or appointed”.

Proceedings for disqualification

- 12 At the end of section 92 there shall be inserted—
- “(7) In this section “local authority” includes a joint authority and the Inner London Education Authority; and in relation to a joint authority the reference in subsection (1) above to a local government elector for the area concerned shall be construed as a reference to a local government elector for any local government area in the area for which the authority is established.”

Pecuniary interests

- 13 After section 98(1) there shall be inserted—
- “(1A) In sections 94 and 97 above “local authority” includes a joint authority and the Inner London Education Authority and in section 94(5)(a) above “principal council” includes any such authority.”

Meetings and proceedings

- 14 In section 99 after the words “local authorities” there shall be inserted the words “, joint authorities, the Inner London Education Authority”.

Discharge of functions

- 15 In section 101(13) after the words “the Middle Temple,” there shall be inserted the words “any joint authority except a police authority, the Inner London Education Authority,”.

Miscellaneous powers of local authorities

- 16 After section 146 there shall be inserted—

“146A Joint Authorities and Inner London Education Authority.

- (1) A joint authority and the Inner London Education Authority shall be treated—
- (a) as local authorities for the purposes of sections 111 to 119, 128 to 131, 135, 136, 139 (except subsections (1)(b) and (2)), 140, 140A, 140C, 143 and 146 above; and
 - (b) as a principal council for the purposes of section 120 (except subsection (1)(b)) and sections 121 to 123 above.

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(2) The Inner London Education Authority may exercise any of the powers of a local authority under section 145 above so far as it considers it expedient to do so for the benefit of persons under the age of twenty-six.”

17 F1

Textual Amendments
F1 Sch. 14 para. 17 repealed by Local Government and Housing Act 1989 (c.42, SIF 81:1), s. 194(2), Sch. 12 Pt. I

Allowances to members

18 After section 176(2) there shall be inserted—
“(3) In this section “local authority” includes a joint authority and the Inner London Education Authority.”

F219

Textual Amendments
F2 Sch. 14 paras. 19, 20 repealed (1.4.1991) by Local Government and Housing Act 1989 (c.42, SIF 81:1), s. 194(4), Sch. 12 Pt. II ; S.I. 1991/344, art. 3(2)(v)

F320

Textual Amendments
F3 Sch. 14 paras. 19, 20 repealed by Local Government and Housing Act 1989 (c.42, SIF 81:1), s. 194(4), 195(2), Sch. 12 Pt. II

Legal proceedings

21 In section 223(2) after the words “the Common Council” there shall be inserted the words “, a joint authority and the Inner London Education Authority.”

Documents and notices

22 The provisions of section 224 shall become subsection (1) of that section and after those provisions there shall be inserted—

“(2) This section applies to a joint authority and the Inner London Education Authority as it applies to a principal council.”

23 After section 225(2) there shall be inserted—

“(3) In this section “local authority” includes a joint authority and the Inner London Education Authority.”

24 After section 228(7) there shall be inserted—

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“(7A) This section shall apply to the minutes of proceedings and the accounts of a joint authority or the Inner London Education Authority as if that authority were a local authority and as if, in relation to a joint authority, references to a local government elector for the area of the authority were a reference to a local government elector for any local government area in the area for which the authority is established.”

25 At the end of section 229(8) there shall be inserted the words “and “local authority” includes a joint authority and the Inner London Education Authority.”

26 The provisions of section 230 shall become subsection (1) of that section and after those provisions there shall be inserted—

“(2) In this section “local authority” includes a joint authority and the Inner London Education Authority.”

27 After section 231(3) there shall be inserted—

“(4) In this section “local authority” includes a joint authority and the Inner London Education Authority.”

28 After section 232(1) there shall be inserted—

“(1A) In subsection (1) above “local authority” includes a joint authority and the Inner London Education Authority.”

29 After section 233(10) there shall be inserted—

“(11) In this section “local authority” includes a joint authority and the Inner London Education Authority.”

30 After section 234(3) there shall be inserted—

“(4) In this section “local authority” includes a joint authority and the Inner London Education Authority.”

Byelaws

31 (1) In section 236(1) for the words “or any other enactment, whenever passed and conferring on a local authority” there shall be substituted the words “and to byelaws made by a local authority, a metropolitan, county passenger transport authority or the Inner London Education Authority under any other enactment and conferring on the authority.”

^{F4}(2)

Textual Amendments

F4 Sch. 14 para. 31(2) repealed (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), Sch. 7 Pt. 4; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Promoting and opposing local and personal Bills

32 (1) After subsection (4) of section 239 there shall be inserted—

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“(4A) The powers conferred on a local authority by subsection (1) above shall also be exercisable by a joint authority, and the Inner London Education Authority.”

- (2) In subsection (5) of that section for the words “a local authority” there shall be substituted the words “an authority”.

Computation of time

- 33 At the end of section 243(2) there shall be inserted the words “and applies also to sections 19, 31 and 32 of the Local Government Act 1985”.

Interpretation

- 34 In section 270(1) after the definition of “grouped” there shall be inserted—
 “‘joint authority’ means an authority established by Part IV of the Local Government Act 1985;”.

Meetings and proceedings

- 35 (1) Schedule 12 shall be amended as follows.
 (2) After Part I there shall be inserted—

“PART IA

JOINT AUTHORITIES AND INNER LONDON EDUCATION AUTHORITY

- 6A Paragraph 1 above shall apply to a joint authority as it applies to a principal council in a year in which there are no ordinary elections of councillors and that paragraph shall apply to the Inner London Education Authority as it applies to the council of a London borough.
- 6B The other provisions of Part I of this Schedule shall apply to an authority mentioned in paragraph 6A above as they apply to a principal council except that the number of members mentioned in paragraph 3(2) shall be three members in the case of a joint authority and ten members in the case of the Inner London Education Authority.”
- (3) After paragraph 45 there shall be inserted—
- “46 In this Part of this Schedule “local authority” includes a joint authority and the Inner London Education Authority and in relation to any such authority the reference in paragraph 43 above to election shall include a reference to appointment.”

PART II

AMENDMENTS OF OTHER ENACTMENTS

- 36 In section 69(1) of the Landlord and Tenant Act 1954 at the end of the definition of “local authority” there shall be inserted the words “except that it includes the

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Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985”.

Marginal Citations

M2 1954 c. 56.

37 In the Schedule to the Public Bodies (Admission to Meetings) Act 1960 after paragraph 1(a) there shall be inserted—

- “(aa) joint authorities established by Part IV of the Local Government Act 1985;
- (ab) the Inner London Education Authority;”

Marginal Citations

M3 1960 c. 67.

38 In section 11(4)(a) of the Trustee Investments Act 1961 after the words “City of London” there shall be inserted the words “, the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985”.

Marginal Citations

M4 1961 c. 62.

39 In the Local Government (Records) Act 1962—

- (a) in section 2(6) after the words “London borough” there shall be inserted the words “to the Inner London Education Authority, to a joint authority established by Part IV of the Local Government Act 1985”; and
- (b) in section 8(1), in the definition of “local authority”, after the words “county district” there shall be inserted the words “the Inner London Education Authority, or a joint authority established by Part IV of the Local Government Act 1985,”.

Marginal Citations

M5 1962 c. 56.

40 In the London Government Act 1963—

- (a) in section 5(3) for the words “the following councils” and “those councils” there shall be substituted respectively the words “the following authorities” and “those authorities” and for the words “and the Common Council” there shall be substituted the words “, the Common Council, the Inner London Education Authority and the London Fire and Civil Defence Authority”;
- (b) after section 75(3) there shall be inserted—
 - “(4) This section shall apply to the Inner London Education Authority and the London Fire and Civil Defence Authority as it applies to the councils mentioned in subsection (1) of this section.”

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Marginal Citations

M6 1963 c. 33.

41 After section 11(2) of the Local Government Act 1966 there shall be inserted—

“(3) This section shall apply to the Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985 as it applies to a local authority.”

Marginal Citations

M7 1966 c. 42.

42 In the General Rate Act 1967—

- (a) in section 85(2), for the words “or the Common Council of the City of London” there shall be substituted the words “, the Common Council of the City of London, the Inner London Education Authority or a joint authority established by Part IV of the Local Government Act 1985”;
- (b) in paragraph 15 of Schedule 1, in the definition of “local authority”, after the words “City of London” there shall be inserted the words “, the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985”.

Marginal Citations

M8 1967 c. 9.

43 In section 28(5)(a) of the Leasehold Reform Act 1967 after the words “district council,” there shall be inserted the words “the Inner London Education Authority, any joint authority established by Part IV of the Local Government Act 1985,”.

Marginal Citations

M9 1967 c. 88.

44 At the end of section 1(3) of the Local Government Grants (Social Need) Act 1969 there shall be inserted the words “except that in the application of this section to England and Wales “local authority” shall also include the Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985”.

Marginal Citations

M10 1969 c. 2.

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Textual Amendments

F5 Sch. 14 para. 45 repealed (26.3.2001) by S.I. 2001/1149, arts. 1(2), 3(2), Sch. 2 (with art. 4(11))

- 46 In section 3(2) of the Employers' Liability (Compulsory Insurance) Act 1969 after the words "any such council" there shall be inserted the words "the Inner London Education Authority, any joint authority established by Part IV of the Local Government Act 1985".

Marginal Citations

M11 1969 c. 57.

- 47 In section 1(4) of the Local Authorities (Goods and Services) Act 1970, in the definition of "local authority", after the words "combined authority" there shall be inserted the words "the Inner London Education Authority and any joint authority established by Part IV of the Local Government Act 1985".

Marginal Citations

M12 1970 c. 39.

- 48

Textual Amendments

F6 Sch. 14 para. 48 repealed by Planning (Consequential Provisions) Act 1990 (c.11, SIF 123:1, 2), s. 3, Sch. 1 Pt. I, Sch. 3 paras. 1, 2, 4, 6

- 49

Textual Amendments

F7 Sch. 14 para. 49 repealed by Road Traffic (Consequential Provisions) Act 1988 (c.54, SIF 107:1), s.3(1), Sch. 1 Pt. I

- 50 In section 13(7)(f) of the Employment Agencies Act 1973, after the words "local authority", there shall be inserted the words ", the Inner London Education Authority or a joint authority established by Part IV of the Local Government Act 1985".

Marginal Citations

M13 1973 c. 35.

- 51 In the Local Government Act 1974—
(a) for section 25(1)(c) there shall be substituted—
 “(c) any joint authority established by Part IV of the Local Government Act 1985;
 (ca) any other police authority, except the Secretary of State;

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- (cb) the Inner London Education Authority; and”; and
- (b) for section 26(11) there shall be substituted—
 - “(11) In this section—
 - (a) references to a person aggrieved include references to his personal representatives; and
 - (b) references to a member of an authority concerned include, in the case of a complaint relating to a joint authority established by Part IV of the Local Government Act 1985, references to a member of a constituent council of that authority.”

Marginal Citations
M14 1974 c. 7.

- 52 For subsection (6) of section 28 of the Health and Safety at Work etc. Act 1974 there shall be substituted—
- “(6) References in subsections (3) and (5) above to a local authority include the Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985.”

Marginal Citations
M15 1974 c. 37.

- 53 In the Local Government (Miscellaneous Provisions) Act 1976—
- (a)
 - (b) in section 44(1) for the definition of “local authority” there shall be substituted—
 - ““local authority” means a county council, the Greater London Council, a district council, a London borough council, the Common Council, the Council of the Isles of Scilly and—
 - (a) in sections 13 to 16, 29, 30, 38, 39 and 41 of this Act, the Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985;
 - (b) in sections 1, 16, 19, 30, 36, 39 and 41 of this Act, a parish council and a community council.”

Textual Amendments
F8 Sch. 14 para. 53(a) repealed by Education Reform Act 1988 (c.40, SIF 41:1), ss. 231(7), 235(6), 237(2), Sch. 13 Pt. I

Marginal Citations
M16 1976 c. 57.

^{F9}54

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Textual Amendments

F9 Sch. 14 para. 54 repealed (2.4.2001) by 2000 c. 34, s. 9(2), Sch. 3 (with s. 10(5)); S.I. 2001/566, art. 2(1)

55 After section 5(3)(b) of the Rent (Agriculture) Act 1976 there shall be inserted—
“(ba) the Inner London Education Authority;
(bb) a joint authority established by Part IV of the Local Government Act 1985;”

Marginal Citations

M17 1976 c. 80.

56 After section 14(c) of the Rent Act 1977 there shall be inserted—
“(ca) the Inner London Education Authority;
(cb) a joint authority established by Part IV of the Local Government Act 1985;”

Marginal Citations

M18 1977 c. 42.

F1057

Textual Amendments

F10 Sch. 14 para. 57 repealed (19.6.1997) by 1997 c. 25, ss. 73(1)(3), 74(2), Sch. 6 Pt. I (with Sch. 4 para. 27)

58 In the Housing Act 1980—
(a)
(e)
(f)

Textual Amendments

F11 Sch. 14 para. 58(a)–(d) repealed by Housing (Consequential Provisions) Act 1985 (c.71, SIF 61), ss. 3, 6, Sch. 1 Pt. I
F12 Sch. 14 para. 58(e) repealed by Housing and Planning Act 1986 (c.63, SIF 81:1), ss. 18, 24(3), 39(4), 49(2), 53(2), Sch. 4 para. 9(3), Sch. 12 Pt. I
F13 Sch. 14 para. 58(f)–(h) repealed by Housing (Consequential Provisions) Act 1985 (c.71, SIF 61), ss. 3, 6, Sch. 1 Pt. I

Marginal Citations

M19 1980 c. 51.

59 (1) In the Local Government, Planning and Land Act 1980—
(a) in section 2(1), at the end of paragraph (k) the word “and” shall be omitted and there shall be inserted—

- “(ka) a joint authority established by Part IV of the Local Government Act 1985;”
- (b) in section 20(1), in the definition of “local authority”, after the words “City of London” there shall be inserted the words “the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985”;
- (c)
- (e)
- (f) after section 99(4)(d) there shall be inserted—

“(da) the Inner London Education Authority;

(db) a joint authority established by Part IV of the Local Government Act 1985;”
- (g) in Schedule 16 after paragraph 5 there shall be inserted—

“5A The Inner London Education Authority.

5B A joint authority established by Part IV of the Local Government Act 1985.”

Textual Amendments	
F14	Sch. 14 para. 59(1)(c)(d) repealed by Local Government and Housing Act 1989 (c.42, SIF 81:1), s. 194(2), Sch. 12 Pt. I
F15	Sch. 14 para. 59(1)(e) repealed by Transport Act 1985 (c.67, SIF 126), s. 139(3), Sch. 8
Marginal Citations	
M20	1980 c. 65.

60

In section 17(4) of the Acquisition of Land Act 1981, in the definition of “local authority” after the words “City of London” there shall be inserted the words “, the Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985”.

Marginal Citations	
M21	1981 c. 67.

61

In the Local Government (Miscellaneous Provisions) Act 1982—

(a) in section 33(9)—

(i) in paragraph (a), after the words “City of London” there shall be inserted the words “the Inner London Education Authority or a joint authority established by Part IV of the Local Government Act 1985”; and

(ii) at the end of paragraph (b) there shall be inserted the words “, in relation to the Inner London Education Authority means the Inner London Education Area, and in relation to such a joint authority means the area for which the authority was established”; and

(b) at the end of the definition of “local authority” in section 41(13) there shall be inserted—

“and

the Inner London Education Authority; and

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a joint authority established by Part IV of the Local Government Act 1985;”

Marginal Citations
M22 1982 c. 30.

62 In paragraph 7(2)(a) of Schedule 1 to the Stock Transfer Act 1982 after the words “City of London” there shall be inserted the words “the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985”.

Marginal Citations
M23 1982 c. 41.

63 In section 60(3) of the County Courts Act 1984 after the words “London borough council” there shall be inserted the words “the Inner London Education Authority, a joint authority established by Part IV of the Local Government Act 1985.”

Marginal Citations
M24 1984 c. 28.

64, 65.

Textual Amendments
F16 Sch. 14 paras. 64, 65 repealed by Housing (Consequential Provisions) Act 1985 (c.71, SIF 61), ss. 3, 6, Sch. 1 Pt. I

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