

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1985, SCHEDULE 8. (See end of Document for details)

SCHEDULES

SCHEDULE 8

Section 16.

MISCELLANEOUS FUNCTIONS

Public entertainments

1 ^{F1}(1)

^{F2}(2)

(3) In section 21 of the ^{M1}Greater London Council (General Powers) Act 1966—

- (a) in subsection (1) for the words “the Council” there shall be substituted the words “the borough council in whose borough the premises are situate”;
- (b) in subsection (3)(a) the words “the Council” shall be omitted;
- (c) for subsection (3)(b) there shall be substituted—

“⁽⁴⁾ In this section “borough council” includes the Common Council and “borough” shall be construed accordingly.”

^{F3} ...

(4) In section 5 of the ^{M2}Greater London Council (General Powers) Act 1978—

- (a) in subsection (1) for the words “Greater London” and “the Council” there shall be substituted respectively the words “a borough” and “the borough council”;
- (b) in subsection (4)(b) and (c) for the words “the Council”, wherever they occur, there shall be substituted the words “the borough council”;
- (c) after subsection (4) there shall be inserted—

“⁽⁵⁾ In this section “borough” includes the City of London and “borough council” includes the Common Council.”

Textual Amendments

- F1** Sch. 8 para. 1(1) repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), Sch. 7 (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)
- F2** Sch. 8 para. 1(2) repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. X Group 1.
- F3** Words in Sch. 8 para. 1(3) repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), Sch. 7 (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

Marginal Citations

- M1** 1966 c. xxviii.
- M2** 1978 c. xiii.

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Private places of entertainment

F4₂

Textual Amendments

F4 Sch. 8 paras. 2-5 repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

Theatres

F4₃

Textual Amendments

F4 Sch. 8 paras. 2-5 repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

Cinemas

F4₄

Textual Amendments

F4 Sch. 8 paras. 2-5 repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

Children’s entertainments

F4₅

Textual Amendments

F4 Sch. 8 paras. 2-5 repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

Tracks for betting

F5₆

Textual Amendments

F5 Sch. 8 para. 6 repealed (1.9.2007) by Gambling Act 2005 (c. 19), s. 358(1), **Sch. 17** (with ss. 352, 354); S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

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Sports grounds

- 7 (1) In the ^{M3}Safety of Sports Grounds Act 1975 the words “where the local authority is in Greater London or a metropolitan county, the fire authority or, in any other case,” shall be inserted in sections 3(3) and 4(7) and (8) after the words “police and”, and those words shall also be inserted in sections 5(5), 10(4) and 11 before the words “the building authority”.
- (2) In subsection (1) of section 17 of that Act for the definition of “building authority” there shall be substituted—
- ““building authority” means—
- (a) in England outside Greater London and the metropolitan counties, or in Wales, the district council;
- (b) in Scotland, the local authority within the meaning of the Building (Scotland) Act 1959”
- (3) In that subsection for the definition of “local authority” there shall be substituted—
- ““local authority” means—
- (a) in Greater London, the London borough council or the Common Council of the City of London;
- (b) in England, in the metropolitan counties, the district council;
- (c) in England outside Greater London and the metropolitan counties, or in Wales, the county council;
- (d) in Scotland, the regional or islands council;”

Marginal Citations

M3 1975 c. 52.

Town development and new towns

- [^{F68} (1) In sections 4(1) and 10(3) of the ^{M4}Town Development Act 1952, for the words “the Greater London Council” there shall be substituted the words “London borough”.
- (2) In section 7(b) of that Act for the words “Greater London Council” there shall be substituted the words “council of a London borough”.]

Textual Amendments

F6 Sch. 8 paras. 8, 9(2) repealed (*prosp.*) by [Local Government and Housing Act 1989 \(c.42, SIF 81:1\)](#), ss. 194(4), 195(2), [Sch. 12 Pt. II](#)

Marginal Citations

M4 1952 c. 54.

- 9 (1) In section 7(3) of the ^{M5}New Towns Act 1981—
- (a) after the words “district planning authority shall” there shall be inserted the words “, in relation to proposals for development of land in a metropolitan county, be construed as references to the local planning authority; and”;

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(b) after “1972” there shall be inserted the words “and which is of land in a non-metropolitan county”.

[^{F7}(2) In section 45(a) of that Act, before the word “county” there shall be inserted the word “non-metropolitan”.]

Textual Amendments

F7 Sch. 8 paras. 8, 9(2) repealed (*prosp.*) by [Local Government and Housing Act 1989 \(c.42, SIF 81:1\)](#), ss. 194(4), 195(2), [Sch. 12 Pt. II](#)

Marginal Citations

M5 1981 c. 64.

Commons

- 10 (1) In the first Schedule to the ^{M6}Metropolitan Commons Act 1866 for the first entry in the second column there shall be substituted “The council of the London borough within which the whole or part is situate or, where there are two or more boroughs within which parts are situate and the councils of those boroughs agree that one of them shall be the local authority in relation to the whole, that council.”.
- (2) In section 2 of the ^{M7}Metropolitan Commons Act 1878 for the words from the beginning to “1855” there shall be substituted the words “A London borough shall, in respect of any common the whole or part of which is situate within the borough,”.
- (3) In the Schedule to the ^{M8}Commonable Rights Compensation Act 1882 for the first entry in the second column there shall be substituted “The council of the London borough within which the land is situate”.
- (4) In section 1(3) of the ^{M9}Commons Act 1908, after the word “county”, there shall be inserted the words “or metropolitan district”.
- (5) In sections 193(1)(d)(ii) and 194(3)(b) of the ^{M10}Law of Property Act 1925, after the word “county”, there shall be inserted the words “or metropolitan district”.
- ^{F8}(6)

Textual Amendments

F8 Sch. 8 para. 10(6) repealed (1.10.2006 for E., 6.9.2007 for W.) by [Commons Act 2006 \(c. 26\)](#), s. 56, [Sch. 6 Pt. 1](#) (with s. 60); S.I. 2006/2504, art. 2(h); S.I. 2007/2386, art. 3(p)

Marginal Citations

M6 1866 c. 122.
M7 1878 c. 71.
M8 1882 c. 15.
M9 1908 c. 44.
M10 1925 c. 20.

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Gipsy encampments

- 11 (1) In section 6 of the ^{M11}Caravan Sites Act 1968—
- (a) in subsection (1) for the words “the council of a county or London borough” there shall be substituted the words “the council of a county, metropolitan district or London borough”;
 - (b) in subsection (2) for the words “metropolitan county” and “in each district in the county” there shall be substituted respectively the words “metropolitan district” and “the district”.
- (2) In section 12 of that Act—
- (a) in subsection (1) for the words “a county council or London borough council” there shall be substituted the words “the council of a county, metropolitan district or London borough”;
 - (b) after subsection (2) there shall be inserted—

“(2A) Subject to subsection (3) below, the Minister may by order made on the joint application of two or more metropolitan district councils designate the area of those councils as an area to which section 10 of this Act applies.”
 - (c) in subsection (3) for the words “subsection (1) or (2)” there shall be substituted the words “subsection (1), (2) or (2A)”;
 - (d) in subsection (6) for the words “the London borough council” there shall be substituted the words “the metropolitan district council or councils or the London borough council”.
- (3) In relation to an order made under the said section 12 before the abolition date on the application of a metropolitan county council the references in subsections (4) and (6) of that section to the authority or authorities which made the original application and the council for the area in respect of which an order is made shall be construed as references to the metropolitan district council or councils whose area or areas constitute or include the area designated by the order.
- (4) Where by virtue of the ^{M12}Local Government Act 1972 a designation order made before 1st April 1974 under the said section 12 (and not revoked) relates to part only of the area of a metropolitan district, any order which is made on the application of the council of that district under subsection (1) or (2A) of that section shall be made to extend only to an area which does not include the area designated before that date.

Marginal Citations

M11 1968 c. 52.

M12 1972 c. 70.

Housing

- 12 (1) ^{F9}
- (2) For section 23(4) of the ^{M13}London Government Act 1963 there shall be substituted—
- “(4) The Minister may at any time after 1st April 1965 require any London borough to submit to him a programme for any transfers of housing accommodation vested in that borough such as are mentioned in

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subsection (3)(b) of this section which they propose to make and have not yet made.”

(3) F9

Textual Amendments

F9 Sch. 8 paras. 12(1)(3)–(5), 14(3) repealed by [Housing \(Consequential Provisions\) Act 1985 \(c.71, SIF 61\)](#), ss. 3, 6, [Sch. 1 Pt. I](#)

Marginal Citations

M13 1963 c. 33.

Rent officers

13 (1) In subsection (1) of section 62 of the ^{M14}Rent Act 1977 for the words after “Act” there shall be substituted the words “are—

- (a) counties;
- (b) London boroughs; and
- (c) the City of London.”

(2) In subsection (2)(a) of that section the words “the area of the Common Council of” shall be omitted.

(3) At the end of section 63 of that Act there shall be inserted—

“(9) In the case of a registration area which is a metropolitan county this section shall apply as if—

- (a) the first reference to the local authority in subsection (1) were a reference to the council of each district in the county; and
- (b) the second reference to the local authority in that subsection, the references to the local authority in subsection (2) and the reference to the local authority for whose area the scheme is made in subsection (3) were references to such one of the councils of the districts in that county as has been designated by the scheme.”

(4) A scheme under the said section 63 as amended by sub-paragraph (3) above may be made at any time before the abolition date so as to come into operation on that date.

Marginal Citations

M14 1977 c. 42.

Building control

14 (1) Subject to any building regulations made under section 1 of the ^{M15}Building Act 1984 (whether before or after the passing of this Act) with respect to any of them, the functions—

- (a) of the Greater London Council under the London Building Acts 1930 to 1982 (including functions conferred on the Council by section 43 of the ^{M16}London Government Act 1963); and

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- (b) of district surveyors under those Acts,
shall, so far as they relate to Greater London other than the outer London boroughs, become functions of the councils of the inner London boroughs and the Common Council in respect of their respective areas.
- (2) The functions conferred on the Greater London Council by section 43 of the said Act of 1963 shall, so far as they relate to the outer London boroughs, become functions of the councils of those boroughs in respect of their respective areas.
- (3) F10
- (4) In the ^{M17}Building Act 1984—
- (a) in section 126 for the definition of “local authority” there shall be substituted—
- ““local authority” means the council of a district or London borough, the Common Council of the City of London, the Sub-Treasurer of the Inner Temple, the Under Treasurer of the Middle Temple or, for the purposes of Parts I and II above and of this Part so far as it relates to them, the Council of the Isles of Scilly;” and
- (b) in Schedule 3—
- (i) in paragraph 4 for the words “the Greater London Council and any other local authority” there shall be substituted the words “any local authority”;
- (ii) in paragraph 10(1) for the words from the beginning to “inner London boroughs” there shall be substituted the words “The council of an inner London borough may make byelaws in relation to the demolition of buildings in the borough”; and
- (iii) for paragraph 11 there shall be substituted—
- “11 The council of an inner London borough shall make byelaws with respect to sanitary conveniences, ashpits, cesspools and receptacles for dung and their accessories in connection with buildings (whenever erected) in the borough.”

Textual Amendments

F10 Sch. 8 paras. 12(1)(3)–(5), 14(3) repealed by [Housing \(Consequential Provisions\) Act 1985 \(c.71, SIF 61\)](#), ss. 3, 6, [Sch. 1 Pt. I](#)

Marginal Citations

M15 1984 c. 55.
M16 1963 c. 33.
M17 1984 c. 55.

Trading standards and related functions

- 15 (1) F11
(2) F12

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- (3) In section 67(1) of the ^{M18}Agriculture Act 1970 after the words “the council of a county” there shall be inserted the words “, metropolitan district”.
- (4) The councils of the districts in a metropolitan county shall, not later than 1st September 1985, establish a joint committee of members of those councils whose duty it shall be from the abolition date to co-ordinate—
- (a) the exercise by those councils of the enforcement functions conferred on them by virtue of this paragraph [^{F13}and section 69(1)(a) of the Weights and Measures Act 1985] with a view to securing uniformity in the exercise of those functions throughout the county; and
 - (b) the employment, provision or use by those councils for the purposes of those functions of staff, property and facilities.
- (5) Each joint committee established by virtue of sub-paragraph (4) above shall before the abolition date co-ordinate the making by the councils represented on the committee of preparations for the transfer of the functions which by virtue of sub-paragraphs [^{F14}(2) and (3) above and the said section 69(1)(a)] will be exercisable by those councils from that date.
- (6) If after the abolition date it appears to the Secretary of State to be necessary or expedient to do so he may, after consultation with the councils of the districts in a metropolitan county, by order establish a single authority for the county to discharge from a date specified in the order the functions conferred on the councils by virtue of this paragraph [^{F15}and the said section 69(1)(a)] [^{F16}or section 5(1) of the Food Safety Act 1990].
- (7) An order under this paragraph may contain such supplementary and transitional provisions as the Secretary of State thinks necessary or expedient, including provisions for the transfer of property, staff, rights and liabilities and provisions amending any enactment or any instrument made under any enactment.

Textual Amendments

- F11** Sch. 8 para. 15(1) repealed by [Weights and Measures Act 1985 \(c.72, SIF 131\)](#), s. 98, **Sch. 13 Pt. 1**
- F12** Sch. 8 para. 15(2) repealed by [Food Safety Act 1990 \(c.16, SIF 53:1, 2\)](#), ss. 54, 59(1)(4), **Sch. 3 para. 31(a), Sch. 5**
- F13** Words inserted by [Weights and Measures Act 1985 \(c.72, SIF 131\)](#), s. 97, **Sch. 12 para. 11(a)**
- F14** Words substituted by [Weights and Measures Act 1985 \(c.72, SIF 131\)](#), s. 97, **Sch. 12 para. 11(b)**
- F15** Words inserted by [Weights and Measures Act 1985 \(c.72, SIF 131\)](#), s. 97, **Sch. 12 para. 11(c)**
- F16** Words added by [Food Safety Act 1990 \(c.16, SIF 53:1, 2\)](#), ss. 54, 59(1)(4), **Sch. 3 para. 31(b)**

Marginal Citations

- M18** 1970 c. 40.

Poisons

- 16 In section 11(2) of the ^{M19}Poisons Act 1972, in the definition of “local authority”, after the word “county” there shall be inserted the words “metropolitan district”.

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Marginal Citations

M19 1972 c. 66.

Animals

- 17 In section 5 of the ^{M20}Performing Animals (Regulation) Act 1925—
- (a) in subsection (1), in the definition of “local authority”—
 - (i) for the words “county borough” there shall be substituted the words “London borough”; and
 - (ii) for the words “other area, the council of the county” there shall be substituted the words “county or metropolitan district, the council of the county or district”; and
 - (b) in subsection (3) for the words after “defrayed” there shall be substituted the words “, in the case of the council of a county, out of the county fund, and in the case of the council of a metropolitan district or London borough, out of the general rate fund.”

Marginal Citations

M20 1925 c. 38.

- 18 In section 50(2) of the ^{M21}Animal Health Act 1981 for paragraph (b) there shall be substituted—
- “(b) as respects a non-metropolitan county, the county council,
 - (c) as respects a metropolitan district, the district council,”

Marginal Citations

M21 1981 c. 22.

Fisheries

^{F17}19

Textual Amendments

F17 Sch. 8 para. 19 repealed (1.4.2010 for W., 1.4.2011 for E.) by [Marine and Coastal Access Act 2009](#) (c. 23), s. 324(3), [Sch. 22 Pt. 4](#); S.I. 2010/630, art. 3(b) (with arts. 8, 12); S.I. 2011/556, art. 2(2)(o) (with art. 2(3))

- 20 In paragraph 5(b) of Schedule 3 to the ^{M22}Salmon and Freshwater Fisheries Act 1975 for the words “county council” there shall be substituted the words “county or metropolitan district council”.

Marginal Citations

M22 1975 c. 51.

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Weeds

- 21 In section 5 of the ^{M23}Weeds Act 1959 after the word “county”, in both places where it occurs, there shall be inserted the words “or metropolitan district”.

Marginal Citations

M23 1959 c. 54.

Archives and records

- 22 (1) For section 2(6) of the ^{M24}Local Government (Records) Act 1962 there shall be substituted—

“(6) Subsections (1) and (2) above apply to the council of every country, metropolitan district or London borough, to the Inner London Education Authority, to a joint authority established by Part IV of the Local Government Act 1985 and to the council of any non-metropolitan district specified in an order made in that behalf by the Secretary of State.”

- (2) In section 226 of the ^{M25}Local Government Act 1972—

- (a) in subsection (4), before the word “London”, there shall be inserted the words “metropolitan district,”; and
- (b) in subsection (5) for the words “Every county council” there shall be substituted the words “The council of every county or metropolitan district”, and after the word “meeting” in the first place where it occurs there shall be inserted the words “in their area”.

Marginal Citations

M24 1962 c. 56.

M25 1972 c. 70.

Expenses of Commission for Local Administration in England

- 23 In paragraph 6 of Schedule 4 to the ^{M26}Local Government Act 1974 for the words “the Greater London Council” there shall be substituted the words “the councils of metropolitan districts and London boroughs, the Common Council of the City of London”.

Marginal Citations

M26 1974 c. 6.

- 24 **F18**

Textual Amendments

F18 Sch. 8 para. 24 repealed by [Water Act 1989 \(c.15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), [Sch. 26 paras. 3\(1\)\(2\), 17, 40\(4\), 41\(1\), 57\(6\), 58](#), [Sch. 27 Pt. I](#)

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Administrative functions transferred by Courts Act 1971

- 25 Any functions which by virtue of paragraph 1 of Schedule 8 to the ^{M27}Courts Act 1971 are exercisable by, or by the clerk to, a metropolitan county council shall be exercisable respectively by the council, or the proper officer of the council, of each metropolitan district comprised in the county.

Marginal Citations

M27 1971 c. 23.

Loan societies^{F19F19}

Textual Amendments

F19 Sch. 8 para. 26 repealed (19.11.1998) by virtue of 1998 c. 43, s. 1(1), **Sch. 1 Pt. IV** Group 4

- 26

Mines and quarries

- 27 In section 11(3) of the ^{M28}Mines and Quarries (Tips) Act 1969 after the word “county” there shall be inserted the words “metropolitan district”.

Marginal Citations

M28 1969 c. 10.

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