These notes refer to the Local Government Act 2003 (c.26)

EXPLANATORY NOTES

LOCAL GOVERNMENT ACT 2003

INTRODUCTION

SUMMARY

TERRITORIAL APPLICATION: WALES

COMMENTARY ON SECTIONS

PART 1: CAPITAL FINANCE ETC AND ACCOUNTS

Summary

Section 1: Power to borrow

Sections 2, 6 and 13: Control of borrowing

Section 3: Duty to determine affordable borrowing limit

Section 4: Imposition of borrowing limits

Section 5: Temporary borrowing

Sections 7 and 8: Credit arrangements

Sections 9 to 11: Capital receipts

Section 12: Power to invest

Section 14: Information

Section 15: Guidance

Section 17: External funds

Section 18: Local authority companies

Section 19 and Schedule 1: Application to parish and community councils

Sections 21, 22 and 16: Accounting practices, "Revenue Account", "Capital Expenditure"

Section 23: 'Local authority'

Section 24: Wales

PART 2: FINANCIAL ADMINISTRATION

Summary

Section 25: Budget calculations: report on robustness of estimates etc

Sections 26 and 27: Minimum reserves

Sections 28 and 29: Budget monitoring: general; Budget monitoring: Greater London Authority

Section 30: Authorisation of agreements during the prohibition period

PART 3: GRANTS ETC

Chapter 1: Expenditure Grant

Sections 31 to 33: Expenditure grant

Chapter 2: Other Grants etc

Sections 34 and 35: Best value grant: parishes, Best value grant: communities

Section 34: Best value grant: parishes

Section 35: Best value grant: Communities

Section 36: Grants in connection with designation for service excellence

Section 37: Emergency financial assistance to combined fire authorities

Sections 38 and 39: Loans by Public Works Loan Commissioners, Payments towards local authority indebtedness

Section 38: Loans by Public Works Loan Commissioners (PWLC)

Section 39: Payments towards local authority indebtedness

Section 40 and Schedule 2: Local government finance reports: Wales

PART 4: BUSINESS IMPROVEMENT DISTRICTS

Introduction

Section 41: Arrangements with respect to business improvement districts

Section 42: Joint arrangements

Section 43: Additional contributions and action

Section 45: The BID levy

Section 46: Liability for BID levy

Section 47: BID Revenue Account

Section 48: Administration of BID levy etc

Section 49: BID proposals

Section 50: Approval in ballot

Section 51: Power of veto

Section 52: Appeal against veto

Section 53: Commencement of BID arrangements

Section 54: Duration of BID arrangements etc

Section 55: Regulations about ballots

Section 56: Power to make further provision

Section 57: Crown application

Section 58: Wales

Section 59: Interpretation

PART 5: NON-DOMESTIC RATES

Section 60: Submission of proposed rating lists

Section 61: Small business relief

Section 62: Calculation of non-domestic rating multiplier

Section 63: Rural settlement lists etc

Section 64: Rate relief for community amateur sports clubs

Section 65: Transitional relief

Section 66: Rating of meters

Section 67: Exemptions for agricultural buildings

Section 68: Exemptions for places of religious worship

Section 69: Removal of power to prescribe rateable values

Section 70: Local retention of non-domestic rates

Section 71: Adjustments for hardship relief

Section 72: Provision of information

PART 6: COUNCIL TAX

Section 74: Exception of students from joint and several liability

Sections 75 and 76: Discounts and exemptions

Section 75: Discounts - special provisions for England and Wales

Schedule7: Minor and Consequential amendments

Paragraphs 41, 42,49 and 50: determinations to reduce discounts

Section 76: Billing authority's power to reduce amount of tax payable

Schedule 7: Minor and Consequential amendments

Paragraph 53(3): treatment of discretionary reductions for council tax administration purposes

Sections 77 and 78: Valuation Lists and Bands

Section 77: Statutory revaluation cycle

Schedule 7: Minor and Consequential amendments

Paragraphs 44 to 48, 52 and 53(2): amendments consequential on section 77

Section 78: Power to change number of valuation bands

Section 79: Transitional arrangements

Sections 80 to 82: Enforcement

Section 80: Amendments relating to distress

Schedule 7: Minor and Consequential amendments

Paragraph 54: Exercise of powers by the NAW under section 80

Section 81: Charging orders: aggregation

Section 82: Quashing of liability orders

Section 83: Major precepting authorities: combined fire authorities

Section 84: Amendment of section 67 of the Local Government Finance Act 1992

Section 85: Vacant dwellings: use of council tax information

Section 86: Repeal of section 31 of the Local Government Act 1999

Schedule 7: Minor and Consequential amendments

Paragraph 43: Completion notices

PART 7: HOUSING FINANCE ETC

Sections 87 and 88: Local housing strategies and statements, and Housing Revenue Account business plans

Schedule 7: Minor and consequential amendments: paragraph 81

Section 89: Housing Revenue Account subsidy: payment and calculation

Section 90: Housing Revenue Account subsidy: negative amounts

These notes refer to the Local Government Act 2003 (c.26)

Section 91: Housing Revenue Accounts etc: adaptation of enactments

Section 92: Local housing authority houses: rents

Schedule 7: Minor and consequential amendments

Paragraphs 31, 33 to 39 and 60

PART 8: MISCELLANEOUS AND GENERAL

Sections 93 to 98: Charging and Trading

Introduction

Section 93: Power to charge for discretionary services

Section 94: Power to disapply section 93(1)

Sections 95 and 96: Power to trade in function-related activities through a company; Regulation of trading powers

Section 97: Power to modify enactments in connection with charging or trading

Section 98: Procedure for orders under section 97

Sections 99 and 100: Performance Categories

Section 99: Categorisation of English local authorities by reference to performance

Section 100: Exercise of powers by reference to authorities' performance categories

Sections 101 and 102: Contracting-out: staff transfer matters, including pensions

Section 101: Staff transfer matters: general

Section 102: Staff transfer matters: pensions

Sections 103 and 104: 2004 Local Government Elections

Section 103: Power to change date of local elections in England

Section 104: Power to change date for elections in Wales

Sections 105 and 106 (and Schedules 4 and 5): Valuation Tribunal Service

Introduction

Section 105: The Valuation Tribunal Service

Schedule 4: The Valuation Tribunal Service

Disqualification from membership of the Service

Staff of the Service

Committees of the Service

Interests of members of the Service

The Service's finances

Section 106 and Schedule 5: Transfer to Service of property, rights and liabilities

Sections 107 to 111: Audit Commission

Sections 107 and 108: Auditors' public interest reports

Section 107: Auditors' public interest reports: time allowed for consideration

Section 108: Auditors' public interest reports: publicity

Section 109: Registered social landlords

Section 110: Financial Year

Section 111: Delegation

Sections 112 to 122: Other

Section 112: Standards Board for England: delegation

Section 113 : Standards committees etc

Section 114: Paid time off for Councillors etc not to be political donations

Section 115: Overview and scrutiny committees: voting rights of co-opted members

Section 116: Local polls

Section 117: Generally accepted accounting practice.

Section 118: Appropriate sum under section 137(4) of the Local Government Act 1972 :

Section 119: Use of fixed penalties for leaving litter and dog fouling offences.

Section 120: Regulation of cosmetic skin piercing and skin-colouring businesses

Schedule 6: Regulation of cosmetic skin piercing and skin-colouring businesses

Section 121: Fire brigade establishment schemes etc

Section 122: Repeal of prohibition on promotion of homosexuality

General

Section 128: Commencement

EUROPEAN CONVENTION ON HUMAN RIGHTS