

**Changes to legislation:** There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Part 2. (See end of Document for details)

## SCHEDULES

### SCHEDULE 1

#### STRUCTURAL AND BOUNDARY CHANGE: CONSEQUENTIAL AMENDMENTS

#### PART 2

#### OTHER AMENDMENTS

##### *Local Government Act 1972 (c. 70)*

- 11 (1) The Local Government Act 1972 is amended as follows.
- (2) In section 6(2)(a) (electoral divisions of non-metropolitan county), after “1992” insert “and section 12(4) of the Local Government and Public Involvement in Health Act 2007 ”.
- (3) In section 12 (supplementary provision about orders to dissolve parish councils etc)
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- (a) in subsection (2), for the words from “section 20” to the end substitute “section 16 of the Local Government and Public Involvement in Health Act 2007 (agreements about incidental matters) shall apply as if—
- (i) the reference in subsection (1) to an order under section 7 or 10 of that Act were to an order under section 10 or 11 of this Act; and
- (ii) the reference in subsection (5)(b) to any order or regulations under Chapter 1 of Part 1 of that Act were to an order under section 10 or 11 of this Act.”;
- (b) in subsection (3), for “such order” substitute “ order under section 10 or 11 above ”.
- (4) In Schedule 2 (constitution and membership of London borough councils), in paragraph 7, in each of sub-paragraphs (1)(b) and (2) after “1992” insert “ or Part 1 of the Local Government and Public Involvement in Health Act 2007 ”.

#### Commencement Information

- II** Sch. 1 para. 11 in force at 1.11.2007 for E. by [S.I. 2007/3136](#), [art. 2\(b\)](#)

##### *Race Relations Act 1976 (c. 74)*

- 12 In Schedule 1A to the Race Relations Act 1976 (bodies and other persons subject to general statutory duty), in Part 1, omit paragraph 33.

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**Commencement Information**

**I2** Sch. 1 para. 12 in force at 1.11.2007 for E. by [S.I. 2007/3136](#), [art. 2\(b\)](#)

*Rent Act 1977 (c. 42)*

- 13 In section 62(1) of the Rent Act 1977 (registration areas), after “1992” insert “ or Part 1 of the Local Government and Public Involvement in Health Act 2007 (orders constituting new local government areas etc) ”.

**Commencement Information**

**I3** Sch. 1 para. 13 in force at 1.11.2007 for E. by [S.I. 2007/3136](#), [art. 2\(b\)](#)

*Interpretation Act 1978 (c. 30)*

- 14 In Schedule 1 to the Interpretation Act 1978 (words and expressions defined), in the definition of “London borough” for “or Part II of the Local Government Act 1992” substitute “ , Part 2 of the Local Government Act 1992 or Part 1 of the Local Government and Public Involvement in Health Act 2007 ”.

**Commencement Information**

**I4** Sch. 1 para. 14 in force at 1.11.2007 for E. by [S.I. 2007/3136](#), [art. 2\(b\)](#)

*Coroners Act 1988 (c. 13)*

- 15 In section 1 of the Coroners Act 1988 (appointment of coroners)—
- (a) in subsection (1)(b), after “1992” insert “ or Part 1 of the Local Government and Public Involvement in Health Act 2007 ”;
  - (b) in subsection (1A)(e) for “or section 17 of the Regional Assemblies (Preparations) Act 2003” substitute “ , section 17 of the Regional Assemblies (Preparations) Act 2003 or Part 1 of the Local Government and Public Involvement in Health Act 2007 ”.

**Commencement Information**

**I5** Sch. 1 para. 15 in force at 1.11.2007 for E. by [S.I. 2007/3136](#), [art. 2\(b\)](#)

*Local Government Finance Act 1988 (c. 41)*

- 16 (1) The Local Government Finance Act 1988 is amended as follows.
- (2) In section 74(2A) (levies), for “or section 17 of the Regional Assemblies (Preparations) Act 2003” substitute “ , section 17 of the Regional Assemblies (Preparations) Act 2003 or Part 1 of the Local Government and Public Involvement in Health Act 2007 ”.
  - (3) In section 89 (collection funds)—

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- (a) in subsection (2), for “subsection (2A)” substitute “ subsections (2A) to (2C) ”;

- (b) after subsection (2B) insert—

“(2C) In the case of—

- (a) a district council or London borough council established by an order under Part 1 of the Local Government and Public Involvement in Health Act 2007, or
- (b) a county council to which the functions of district councils in relation to the county council's area are transferred by or in consequence of such an order,

the collection fund must be established on a date specified in the order or in regulations made under section 14 of that Act.”

- (4) In section 91 (general funds)—

- (a) in subsection (1)(aa) for “or section 17 of the Regional Assemblies (Preparations) Act 2003” substitute “, section 17 of the Regional Assemblies (Preparations) Act 2003 or Part 1 of the Local Government and Public Involvement in Health Act 2007 ”;
- (b) in subsection (3) for “and (3C)” substitute “ to (3D) ”;
- (c) in subsection (3B) omit “(in this section referred to as “the reorganisation date”)”;
- (d) after subsection (3C) insert—

“(3D) In the case of—

- (a) a district council or London borough council established by an order under Part 1 of the Local Government and Public Involvement in Health Act 2007, or
- (b) a county council to which the functions of district councils in relation to the county council's area are transferred by or in consequence of such an order,

the general fund must be established on a date specified in the order or in regulations made under section 14 of that Act.”;

- (e) in subsection (8) for “county council such as is referred to in subsection (3B) (b) above” substitute “ relevant county council ”;
- (f) after subsection (8) insert—

“(9) In subsection (8)—

“relevant county council” means—

- (a) a county council such as is referred to in subsection (3B)(b) above, or
- (b) an existing county council to which the functions of district councils in relation to the county council's area are transferred by or in consequence of an order under Part 1 of the Local Government and Public Involvement in Health Act 2007, and

“the reorganisation date” means the date on which the council is required by this section to establish its general fund.”

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**I6** Sch. 1 para. 16 in force at 1.11.2007 for E. by [S.I. 2007/3136](#), [art. 2\(b\)](#)

*Food Safety Act 1990 (c. 16)*

- 17 In section 27(5) of the Food Safety Act 1990 (appointment of public analysts), omit the words “pursuant to a structural change”.

**Commencement Information**

**I7** Sch. 1 para. 17 in force at 1.11.2007 for E. by [S.I. 2007/3136](#), [art. 2\(b\)](#)

*Environment Act 1995 (c. 25)*

- 18 (1) The Environment Act 1995 is amended as follows.
- (2) In section 75(8) (National Parks: powers to make orders), for “Part II of the Local Government Act 1992” substitute “ Part 1 of the Local Government and Public Involvement in Health Act 2007 ”.
- (3) In section 79(1) (interpretation of Part 3), in the definition of “public authority”—
- (a) omit the words “or residuary body”;
  - (b) after “1992” insert “, any residuary body established under section 17 of the Local Government and Public Involvement in Health Act 2007 ”.

**Commencement Information**

**I8** Sch. 1 para. 18 in force at 1.11.2007 for E. by [S.I. 2007/3136](#), [art. 2\(b\)](#)

*Police Act 1996 (c. 16)*

- 19 (1) The Police Act 1996 is amended as follows.
- (2) In section 1(2)(a) (police areas), for “or section 17 of the Local Government Act 1992” substitute “ section 17 of the Local Government Act 1992 or Part 1 of the Local Government and Public Involvement in Health Act 2007 ”.
- (3) In section 100(1) (chief constables affected by local government reorganisations etc), for “, section 58 of the Local Government Act 1972 or section 17 of the Local Government Act 1992” substitute “ or section 58 of the Local Government Act 1972 ”.

**Commencement Information**

**I9** Sch. 1 para. 19 in force at 1.11.2007 for E. by [S.I. 2007/3136](#), [art. 2\(b\)](#)

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*Freedom of Information Act 2000 (c. 36)*

- 20 In Schedule 1 to the Freedom of Information Act 2000 (public authorities), in paragraph 23 for “section 22 of the Local Government Act 1992” substitute “section 17 of the Local Government and Public Involvement in Health Act 2007”.

**Commencement Information**

**I10** Sch. 1 para. 20 in force at 1.11.2007 for E. by [S.I. 2007/3136](#), [art. 2\(b\)](#)

*Regional Assemblies (Preparations) Act 2003 (c. 10)*

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**Textual Amendments**

**F1** Sch. 1 para. 21 repealed (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), ss. 146(3), 148(5), [Sch. 7 Pt. 4](#); [S.I. 2009/3318](#), [art. 4\(ii\)](#)

*Fire and Rescue Services Act 2004 (c. 21)*

- 22 (1) The Fire and Rescue Services Act 2004 is amended as follows.
- (2) In section 2 (power to create combined fire and rescue authorities), in each of subsections (9)(c) and (10)(a), for “Part 2 of the Local Government Act 1992 (c. 19) or section 17 of the Regional Assemblies (Preparations) Act 2003 (c. 10)” substitute “ section 17 of the Regional Assemblies (Preparations) Act 2003 or Part 1 of the Local Government and Public Involvement in Health Act 2007 ”.
- (3) In section 4(7)(b) (combined authorities under the Fire Services Act 1947), for “Part 2 of the Local Government Act 1992 (c. 19) or section 17 of the Regional Assemblies (Preparations) Act 2003 (c. 10)” substitute “ section 17 of the Regional Assemblies (Preparations) Act 2003 or Part 1 of the Local Government and Public Involvement in Health Act 2007 ”.

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**I11** Sch. 1 para. 22 in force at 1.11.2007 for E. by [S.I. 2007/3136](#), [art. 2\(b\)](#)

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