
 STATUTORY INSTRUMENTS

1974 No. 595

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Authorities etc. (Miscellaneous Provision) (No. 2)

Order 1974

Made - - - - - 27th March 1974

Laid before Parliament 29th March 1974

Coming into Operation 1st April 1974

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The Secretary of State for the Environment, in relation to England, and the Secretary of State for Wales, in relation to Wales, in exercise of the powers conferred upon them by section 254(1)(a) and (2)(a), (b), (c), (e) and (i), 262(6) and 266(2) of the Local Government Act 1972(a), section 84(1)(a) and (2)(b) and (c) of the Local Government Act 1963(b) and section 34(1) of the Water Act 1973(c) and of all other powers enabling them in that behalf, hereby make the following order:—

Title and commencement

1. This order may be cited as the Local Authorities etc. (Miscellaneous Provision) (No. 2) Order 1974 and shall come into operation on 1st April 1974.

Interpretation

2.—(1) The Interpretation Act 1889(d) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(2) In this order—

“the Act” means the Local Government Act 1972; and

“Wales” means the area consisting of the counties established by section 20 of the Act (new local government areas in Wales), and “England” does not include any area included in any of those counties.

(3) In this order, unless the context otherwise requires, references to any enactment or instrument shall be construed as references to that enactment or instrument as amended, extended or applied by or under any other enactment or instrument.

Miscellaneous amendments of public general and other Acts

3.—(1) In the Telegraph Act 1863(e)—

(a) for section 9 as amended in Schedule 5 to the Public Utilities Streets Works Act 1950(f) there shall be substituted—

“9. The company shall not place a telegraph under any street not being a highway maintainable at the public expense except with the consent of the body having the control of the street.”

(b) in section 21—

for the words from “Provided” to “large town,” there shall be substituted—

“Provided always that if the body having the control of any street”;

for the words from “subject nevertheless” to “such telegraph” there shall be substituted—

“subject nevertheless to sections 23 to 29 of this Act and to the following provisions:—”; and

(c) in section 23, for the words preceding “they shall publish a notice” there shall be substituted “Before the company proceeds to place a

(a) 1972 c. 70.

(d) 1889 c. 63.

(b) 1963 c. 33.

(e) 1863 c. 112.

(c) 1973 c. 37.

(f) 1950 c. 39.

telegraph over, along or across a street or a public road, or to place posts in or upon a street or a public road.”.

(2) In the Telegraph Act 1892(a), in section 5(2)(b)—

for “in any urban sanitary district outside Greater London of the urban sanitary authority, and elsewhere of the county council” there shall be substituted “elsewhere of the district council;”

for “county council or urban sanitary authority” there shall be substituted “or district council”.

(3) In the Patriotic Fund Reorganisation Act 1903(b), in Schedule 1 (constitution of Royal Patriotic Fund Corporation), in paragraph 1, for items (b), (c) and (d) in their application to England and Wales there shall be substituted—

“(b) The lord-lieutenant for each county and the lord-lieutenant of Greater London.

(c) The chairman for the time being of the council of every county and every metropolitan district and of the Greater London Council:

Provided that any such council may, if the chairman is unable or unwilling to act, appoint some other person to be a member of the Corporation, and any person so appointed shall hold office for one year from the time of his appointment.

(cc) The Lord Mayor of London and the mayor for the time being of every London borough.

(ccc) Any other person for the time being entitled to the style of Lord Mayor.”,

and in item (d) as amended by the Transfer of Functions (Local Government, etc.) (Northern Ireland) Order 1973 the words “and the mayor for the time being of every county borough in England and Wales” shall be omitted.

(4) In the Telegraph (Construction) Act 1908(c), for section 2 there shall be substituted—

“2. The provisions of section 21 of the Telegraph Act 1863 shall extend to public roads as well as to streets.”

(5) In the Land Drainage Act 1930(d), for section 23(1) (expenses of county councils) as it applies to London boroughs by virtue of paragraph 1 of Schedule 14 to the London Government Act 1963 and paragraph 25(5) of Schedule 29 to the Act, there shall be substituted—

“(1) Any amount due to a water authority from the council of a London borough under the Water Act 1973 shall be defrayed as the council, having regard to the benefit, if any, derived by various areas, think just and equitable as general expenses or as special expenses chargeable on such part or parts of the London borough within the water authority’s area as the council think fit.”.

(a) 1892 c. 59.
(d) 1930 c. 44.

(b) 1903 c. 20.

(c) 1908 c. 33.

(6) In the Green Belt (London and Home Counties) Act 1938(a)—

(a) in section 2(1), for the definitions of “the area” and “local authority”, there shall be substituted—

“the expression “the area” means—

Greater London

the counties of Buckinghamshire, Hertfordshire and Surrey

the county of Essex other than the borough of Southend-on-Sea

the county of Kent other than the area of the former county borough of Canterbury

in the county of Berkshire—

the borough of Slough

in the borough of Windsor and Maidenhead, the parishes of Datchet, Eton, Horton and Wraysbury

in the county of West Sussex, so much of the borough of Crawley as was immediately before 1st April 1974 comprised in the administrative county of Surrey;” and

“the expression “local authority” means the Greater London Council, a London borough council or the council of any county or district wholly or partly within the area;”;

(b) the expression “contributing local authority”, in relation to any land in relation to which, if the Act had not been passed, any existing council to whom section 1(10) of the Act applies would have been such an authority shall include the council of any county or district whose area includes the whole or any part of the area of that existing council; and

(c) in section 2(2) the words “or the municipal corporation of the county borough” shall be omitted.

(7) In the Representation of the People Act 1949(b)

(a) in section 36(2) for “section seventy-two of the Local Government Act, 1933”, there shall be substituted “section 44 of the Local Government Act 1972”;

(b) in section 172(1), for the definition of “local government Act” there shall be substituted—

““local government Act” means the Local Government Act 1972”;

and

(c) in Schedule 8, in paragraph 2 (references in other Acts) for “the registration officer or returning officer appointed under this Act” there shall be substituted “the registration officer appointed under section 39, or the returning officer appointed under section 40, of the Local Government Act 1972”.

(8) In the Dog Licences Act 1959(c)—

in section 10(1)—

for the words preceding “shall keep”, there shall be substituted “The

(a) 1 & 2 Geo. 6 c. xciii.

(b) 1949 c. 68.

(c) 1959 c. 55.

proper officer of the council of every district or London borough, and the Town Clerk of the City of London,”; and

for “county or borough”, there shall be substituted “area”; and

in section 13, for “county or county borough” there shall be substituted “district or London borough, or of the Common Council of the City of London,”.

(9) In the Humber Bridge Act 1959(a), for section 6 (constitution of Humber Bridge Board) there shall be substituted—

“6. The Board shall consist of 22 members to be appointed as follows—

12 members to be appointed by the District Council of Kingston upon Hull

2 members to be appointed by the County Council of Humberside;

1 member to be appointed by the County Council of Lincolnshire;

1 member to be appointed by the District Council of Scunthorpe;

3 members to be appointed by the Borough Council of Beverley; and

3 members to be appointed by the Borough Council of Glanford.”

and article 20(2) and (3) of the Local Authorities etc. (Miscellaneous Provision) Order 1974(b) shall apply to the Board with the necessary modifications.

(10) In the London Government Act 1963, in Schedule 14 (functions with respect to land drainage), in paragraph 11, after “this Schedule” there shall be inserted “or section 34 of the Act of 1961”.

(11) In the Severn Bridge Tolls Act 1965(c), in section 3(7), for the definitions of “the county councils” and “local authority” there shall be substituted—

“ “the county councils” means the councils of the counties of Avon and Gwent respectively; “local authority” means the council of a county or district;”.

(12) In the Gas Act 1965(d), in section 28(1), in the definition of “local authority” for “the council of a county, county borough or county district” there shall be substituted “the council of a county or district”.

(13) In the Docks and Harbours Act 1966(e), in Schedule 1 (Ports and Licensing Authorities), as amended by the Docks and Harbours Act 1966 (Amendment No. 6) Order 1973(f), in respect of any port specified in Column (1) of the following table the authority specified in respect thereof in column (2) shall be substituted as the licensing authority.

(a) 7 & 8 Eliz. 2. c. xlvi. (b) S.I. 1974/482 (1974 I, p. 1690). (c) 1965 c. 24.

(d) 1965 c. 36.

(e) 1966 c. 28.

(f) S.I. 1973/94 (1973 I, p. 478).

TABLE

(1) Port	(2) Licensing Authority
Boston	The District Council of Boston
Wisbech	The District Council of Fenland
Whitstable	The City Council of Canterbury
Weymouth	The Borough Council of Weymouth and Portland
Penryn	The District Council of Carrick
Penzance	The District Council of Penwith
Truro	The District Council of Carrick
Bristol	The City Council of Bristol
Preston	The Borough Council of Preston
Sunderland	The Borough Council of Sunderland

(14) In the Post Office Act 1969(a), in section 14(1) (Post Office users' councils) for "a users' council for Wales and Monmouthshire, to be called "the Post Office Users' Council for Wales and Monmouthshire"" there shall be substituted "a users' council for Wales, to be called "the Post Office Users' Council for Wales" "

(15) In the Courts Act 1971(b), Schedule 3 (premises formerly used for business of abolished courts) shall apply, in respect of any premises being, or being comprised in, any property transferred by the Local Authorities (England) (Property etc.) Order 1973(c) or the Local Authorities (Wales) (Property etc.) Order 1973(d), with the substitution for the authority from whom the property is transferred of the authority to whom it is transferred.

(16) In the Pensions (Increase) Act 1971(e), in Schedule 3, in paragraph 6(1) (definition of local authority"), for sub-paragraph (a) there shall be substituted—

“(a) in England and Wales

- (i) the Greater London Council, the Common Council of the City of London and the council of a London borough;
- (ii) in respect of any time before 1st April 1974, the council of an administrative county, county borough or county district;
- (iii) the council of a county or district established by or under the Local Government Act 1972; and
- (iv) any other local authority within the meaning of the Local Loans Act 1875; and”.

(17) In the Housing Finance Act 1972(f) in Schedule 9 (minor and consequential amendments)—

in paragraph 2 (1), for the words preceding “Except” there shall be substituted—

“(1) In paragraph 17 of Schedule 13 to the Local Government Act 1972 (local authorities' capital funds) after sub-paragraph (1) there shall be inserted—

(a) 1969 c. 48.

(c) S.I. 1973/1861 (1973 III, p. 6401).

(e) 1971 c. 56.

(b) 1971 c. 23.

(d) S.I. 1973/1863 (1973 III, p. 6452).

(f) 1972 c. 47.

“(1A)”.

in paragraph 2(2), for the words preceding “Except” there shall be substituted—

“(2) After the said paragraph 17 there shall be inserted—
“17A.”

(18) In the Gas Act 1972(a), in section 39(3), for “the council of a county, county borough or county district” there shall be substituted “the council of a county or district”.

(19) In the Act, paragraph 6(2)(b) and (4) of Schedule 29 (provision for the construction of references to parishes and rural parishes) shall apply to the areas constituting parishes by virtue of article 3(2) of the New Parishes Order 1973(b) and article 3 of the New Parishes (Amendment) Order 1973(c) as they apply to the areas mentioned in paragraph 3 of Part IV of Schedule 1 to the Act.

(20) Any statutory provision contained in any local or private Act or made under section 30 of the Local Loans Act 1875(d) which is inconsistent with the Local Authority (Stocks and Bonds) Regulations 1974(e) shall cease to have effect.

(21) Any local statutory provision which would, but for this paragraph, operate so as to empower the council of a district in a metropolitan county to carry on a road passenger transport, ferry or railway undertaking shall cease to have effect, and no such council shall, by virtue of Part V (running of public service vehicles by local authorities) of the Road Traffic Act 1930(f), have power to run public service vehicles on any road inside or outside their district.

(22) The enactments specified in Schedule 1 to this order are hereby repealed to the extent mentioned in column (3) thereof.

Miscellaneous provision as to instruments

4.—(1) In the Public Trustee Rules 1912(g), in rule 30 (corporate bodies as custodian trustees) as substituted by the Public Trustee (Custodian Trustee) Rules 1971(h), for items (g)(ii) and (iii) there shall be substituted—

“(ii) the corporation of any London borough, acting by the council,

(iii) a county council, district council, parish council or community council, or”.

(2) The House to House Collections Regulations 1947(i) shall continue to have effect on and after 1st April 1974 as if for any reference to a police authority there were substituted a reference to a licensing authority within the meaning of section 2 of the House to House Collections Act 1939(j) as amended by Schedule 29 to the Act, and any reference in those regulations to a police area shall be construed accordingly.

(3) In the Bedwelty Order 1951(k), section 3 shall cease to have effect.

(4) In the Llanelly Harbour Order 1954(l)—

(a) in section 4 for the definition of “the Council” there shall be substituted—

(a) 1972 c. 60.

(b) S.I. 1973/688.

(c) S.I. 1973/1466.

(d) 1875 c. 83.

(e) S.J. 1974/519, (1974 I, p. 1977).

(f) 1930 c. 43.

(g) S.R. & O. 1912/348 (Rev XXIII p. 311: (1974 I, p. 1977) 1912 p. 1231)

(h) S.I. 1971/1894, (1971 III, p. 5142).

(i) S.I. 1947/2662 (Rev. III, p. 679).

(j) 1939 c. 44.

(k) S.I. 1951/1222.

(l) Confirmed by 2 & 3 Eliz. 2. c. xxxiii.

- “the Council” means the Community Council of Llanelli;” and
- (b) in section 6, for “twenty-four” (being the maximum number of members of the Llanelly Harbour Trust to be appointed by the Council) there shall be substituted “18”.
- (5) In the Agricultural Lime Scheme 1966(a), in Part I of Schedule 2 (rates of contribution in respect of lime)—
- (a) in paragraph (a), for “elsewhere than in the counties of Cornwall, Montgomery, Cardigan, Merioneth and Pembroke” there shall be substituted “elsewhere than in the county of Cornwall, the districts of Ceredigion, Meirionnydd, Montgomery, Preseli and South Pembrokeshire and the communities of Betws Gwerfil Goch, Corwen, Gwyddelwern, Llandrillo, Llangar and Llansantffraid Glyndyfrdwy”; and
- (b) in paragraph (c), for “in the counties of Montgomery, Cardigan, Merioneth and Pembroke” there shall be substituted “in any district or community named in paragraph (a) of this Part of this Schedule”.
- (6) In the Humber Harbour Reorganisation Scheme 1966 Confirmation Order 1967(b), in article 11(2) (members of the Humber Local Board) of the Scheme set out therein, for items (g) and (h) there shall be substituted—
- “(g) one shall be appointed on the joint nomination of the Borough Council of Grimsby, the District Council of Cleethorpes and the County Council of Humberside;
- (h) one shall be appointed on the joint nomination of the District Council of Boothferry and the County Council of Humberside;”.
- (7) In the Southampton Harbour Reorganisation Scheme 1967 Confirmation Order 1968(c), in article 11(2) (members of Southampton Local Board) of the Scheme set out therein, for items (h) and (i) there shall be substituted—
- “(h) one shall be appointed on the nomination of the City Council of Southampton;
- (i) one shall be appointed on the nomination of the County Council of Hampshire;”.
- (8) In the Statutory Harbour Undertakings (Form of Accounts etc.) (Local Authorities) Regulations 1969(d), for Schedule 1 there shall be substituted the Schedule set out in Schedule 2 to this order.
- (9) In the Gaming Clubs (Permitted Areas) Regulations 1971(e)—
- (a) for paragraph (a) of regulation 3 (which as amended by the Gaming Clubs (Permitted Areas) (Amendment) Regulations 1971(f) defines certain of the areas in which licences for general gaming may be granted) there shall be substituted—
- “(a) the area of every county borough which was shown as having an estimated population of 125,000 or more in any of the annual estimates made by the Registrar General for England and Wales and published between 1st December 1970 and 1st October 1973; and”;
- and

(a) S.I. 1966/794 (1966 II, p. 1840).

(c) S.I. 1968/941.

(e) S.I. 1971/1538 (1971 III, p. 4345).

(b) S.I. 1968/237.

(d) S.I. 1969/1296 (1969 III, p. 3860).

(f) S.I. 1971/2029 (1971 III, p. 5820).

(b) the Schedule (which defines further areas for that purpose) shall not be affected by the abolition of areas effected by section 1(10) of the Act.

(10) In the Housing Finance (North Eastern Housing Association) Order 1972(a)—

(a) article 16 (special provision for Tow Law urban district) shall be omitted; and

(b) for Schedule 1 there shall be substituted—

“SCHEDULE 1

LOCAL AUTHORITIES IN RELATION TO WHICH THE ORDER APPLIES

The District Councils of Allerdale, Blyth Valley, Copeland, Derwent-side, Durham, Easington, Gateshead, Hartlepool, North Tyneside, Sedgfield, South Tyneside, Sunderland, Teesdale and Wear Valley.”.

(11) In the Poisons Rules 1972(b), Schedule 13 (restriction of sale and supply of strychnine and certain other substances)—

(a) in Part I—

(i) in paragraph 6(1)(a) and (b), for “medical officer of health” there shall be substituted “proper officer”; and

(ii) in paragraph 6(2), in the definition of “local authority”, for “, a county borough or a county district” there shall be substituted “or a district”; and

(b) in Part III, in forms A and B for “Medical Officer of Health of” there shall be substituted “The officer appointed for this purpose by”.

(12) The abolition of areas effected by sections 1(10) and 20(6) of the Act shall not affect the Schedule to the Grey Squirrels (Warfarin) Order 1973(c) (which sets out the areas in which specified poison may be used only inside a building).

(13) In the National Ports Council Provision of Funds (Variation) Scheme 1973 (Confirmation) Order 1973(d), in the Schedule of third contributing authorities, for each entry set out in column (1) of Schedule 3 to this order there shall be substituted the entry set out in respect thereof in column (2).

(14) Outside Greater London, any order made under section 112(1) of the Local Government Act 1933 or any enactment replaced by that provision, in force immediately before 1st April 1974, shall cease to have effect.

(15) The instruments specified in Schedule 4 to this order are hereby revoked.

Statutes of University of Lancaster

5.—(1) The amendments set out in paragraphs (2) and (3) shall be made in the Statutes of the University of Lancaster.

(2) In Statute 8 (The Court)—

(a) S.I. 1972/1193.

(c) S.I. 1973/744 (1973 I, p. 2376).

(b) S.I. 1972/1939 (1972 III, p. 5750).

(d) S.I. 1973/1620 (1973 III, p. 5060).

(a) in paragraph (1)—

(i) in Class II, for clauses (a), (f), (j), (k), (l) and (m) there shall be substituted—

“(a) The Lord-Lieutenants of the Counties of Lancashire and Cumbria (or at the wish of a Lord-Lieutenant a Lieutenant of the County in his place).”;

“(f) The High Sheriffs of the Counties of Lancashire and Cumbria.”; and

“(j) The members of the Commons House of Parliament elected for the constituencies wholly within the Counties of Lancashire and Cumbria and the Darwen, Morecambe and Lonsdale and Rossendale constituencies.

(k) The Mayor of the City of Lancaster and the chief executive officer of the City Council.

(l) The Chairmen and the chief executive officers of the County Councils of Lancashire and Cumbria.

(m) The Chairmen of the education committees and the chief education officers of the County Councils of Lancashire and Cumbria.”; and

(ii) in Class III—

(a) for clause (i) there shall be substituted—

“(i) (1) Four persons appointed by the County Council of Lancashire.

(2) Three persons appointed by the County Council of Cumbria.

(3) Five persons appointed by the City Council of Lancaster.

(4) One person appointed by the council of each other district in the counties of Lancashire and Cumbria.

(5) One person appointed by each other local authority which has, during its preceding financial year, contributed from its general fund to the general funds of the University.”; and

(b) in clause (j) for “Lancashire, Westmorland and Cumberland” there shall be substituted “the Counties of Lancashire and Cumbria”;

(c) in paragraph (2), for “or Constitution of the Counties, County Boroughs, Municipal Boroughs, Urban Districts and Rural Districts” there shall be substituted “of the Counties and Districts”.

(3) In Statute 9 (The Council)—

(a) in paragraph (1), for clauses (e) and (f) there shall be substituted—

“(e) One person appointed by the City Council of Lancaster, who shall be a member of that Council.

(f) One person appointed by the County Council of Lancashire.”;
and

(b) in paragraph (2) (holding of office), for clause (ii) there shall be substituted—

“(ii) so long as he remains a member of the City Council, the person appointed under clause (e) shall hold office for such period, being not less than three years, as the City Council may determine, and shall be eligible for reappointment.”.

Charter of University College of North Wales

6.—(1) The amendments set out in paragraphs (2) to (4) shall be made in the Supplemental Charter of the University College of North Wales granted on 26th October 1951 and the provisions of paragraph (5) shall have effect for the purposes therein mentioned.

(2) In article 25 (Governors while holding certain office)—

(a) for paragraph (1) there shall be substituted—

“(1) The Lord-Lieutenants of Clwyd, Gwynedd and Powys;”;

(b) for paragraph (2) there shall be substituted—

“(2) The members of the Commons House of Parliament elected for constituencies in the counties of Clwyd and Gwynedd and the district of Montgomery;”.

(3) In article 26 (the appointment of persons to be members of the Court of Governors—

(a) in paragraph (1) for the words from the beginning to “last preceding census of population;” there shall be substituted—

“(a) Twenty one persons appointed by the County Council of Clwyd;

(b) Sixteen persons appointed by the County Council of Gwynedd;

(c) Four persons appointed by the County Council of Powys;”;

(b) paragraph (2) shall cease to have effect;

(c) in paragraph (3) for the words “A person appointed by each District Council in North Wales;” there shall be substituted—

“(a) Five persons appointed by the District Council of Arfon;

(b) Six persons appointed by the District Council of Glyndŵr;

(c) Nine persons appointed by the District Council of Montgomery;

(d) Three persons appointed by each of the district councils of Alyn and Deeside, Rhuddlan and Wrexham Maelor;

(e) Four persons appointed by each of the district councils of Colwyn, Delyn and Dwyfor;

(f) Eight persons appointed by each of the district councils of Aberconwy, Meirionnydd and Ynys Môn-Isle of Anglesey;”.

(4) In article 38 (the appointment of persons to be members of the Council)—

(a) for paragraph (9) there shall be substituted—

“(9) One person to be appointed annually by the District Council of Arfon.”;

(b) in paragraph (11) for the words from the beginning to “the County Council of Montgomery;” there shall be substituted—

“Four representatives to be appointed by the County Council of Clwyd, four by the County Council of Gwynedd and one by the County Council of Powys;”.

(5) For the purposes of the first appointments under paragraphs (3) and (4)—

(a) the persons so appointed as members of the Court of Governors or the Council shall come into office on 1st April 1974 or as soon as practicable thereafter;

(b) the persons so appointed as members of the Court of Governors shall retire on 1st January 1975; and

(c) the provisions of Statutes 11 and 40 of the Statutes of the said University College (certain requirements as to the giving of notice to the body making the appointments), so far as they are applicable in relation to the persons so appointed, shall not have effect.

Rate relief for charitable and other organisations

7. Any reduction or remission of payment of rates effected under section 40(5) of the General Rate Act 1967(a) in force immediately before 1st April 1974 in a county borough or county district abolished by section 1 or 20 of the Act shall cease to have effect on that date.

This article is without prejudice to any reduction or remission of payment of rates effected by a district council under the said section 40(5) and taking effect from 1st April 1974.

Discount in respect of rates

8. Any direction for the allowance of a discount in respect of rates under section 51 or 54 of the General Rate Act 1967 in force immediately before 1st April 1974 in a county borough or county district abolished by section 1 or 20 of the Act shall cease to have effect on that date.

This article is without prejudice to any direction of a district council under the said section 51 or 54 taking effect as from 1st April 1974.

Local land charges

9.—(1) For the purposes of section 212 of the Act, every entry made in a register of local land charges before 1st April 1974 shall be treated as an entry in the register kept by the proper officer of the council of the district in which the land to which the entry relates is situated.

(2) The powers, rights, obligations and liabilities of every proper officer of an authority abolished by section 1(10) or 20(6) of the Act with respect to the register of local land charges shall be transferred to, exercisable by and enforceable against the proper officer required under section 212 of the Act to keep the register in relation to which the power, right or obligation arose.

Coroners' superannuation

10. A person appointed a coroner for a county to hold office from 1st April 1974 who was immediately before that date holding office as a coroner shall be entitled to reckon as service for the purpose of section 6 of the Coroners (Amendment) Act 1926(a) in its application to that county the service which he was entitled to reckon for such purpose immediately before that date.

Franchise and prescriptive rights

11.—(1) Any powers to maintain markets exercisable immediately before 1st April 1974 by the corporation or council of the borough of Abingdon, Henley-on-Thames, Okehampton, Wallingford or Wokingham or the council of the urban district of Stowmarket, Wantage or Wymondham under any franchise or by virtue of prescription shall be exercisable by the parish council constituted under Part V of Schedule 1 to the Act for the area of the borough or urban district.

(2) Any powers to hold fairs exercisable immediately before 1st April 1974 by the corporation or council of the borough of Abingdon or Southwold or the council of the urban district of Wantage under any franchise or by virtue of prescription shall be exercisable by the parish council so constituted for the area of the borough or urban district.

(3) Any manorial rights not included in paragraph (1) or (2) above exercisable immediately before 1st April 1974 by the corporation or council of the borough of Henley-on-Thames or Thetford or the council of the urban district of Sidmouth or Wantage shall be exercisable by the parish council of the parish constituted as aforesaid for the area of the borough or urban district.

(4) Any parish council to whom any matter is transferred by paragraph (1), (2) or (3) above shall have the same powers in relation thereto as were exercisable immediately before 1st April 1974 by the corporation or council from whom the matter is transferred.

Provision as to markets in relation to former boroughs included in rural districts

12.—(1) The provision of this article has effect for the continuance as respects the parish councils of parishes which immediately before the passing of the Act were boroughs included in rural districts of provision made in relation to markets as respects the councils of such boroughs.

(2) The Parish Council of Lostwithiel shall have such rights in relation to markets as were exercised immediately before 1st April 1974 by the council of the borough.

(3) The Parish Council of Much Wenlock shall maintain the Guildhall market and shall be a market authority for the purposes of Part III of the Food and Drugs Act 1955(a).

(4) The Parish Council of Oswestry shall maintain the markets maintained immediately before 1st April 1974 by the council of the borough.

(5) The Parish Council of South Molton shall maintain the Pannier market.

Alteration of certain parish names

13.—(1) The parish of Bollington in the existing rural district of Bucklow shall be renamed Little Bollington.

(2) The parish of Chard constituted by the Local Government (Successor Parishes) Order 1973(b) shall be renamed Chard Town.

(3) The parish of Liskeard in the existing rural district of Liskeard shall be renamed Dobwells and Trevidland.

(4) The parish of Murton in the existing rural district of Helmsley shall be renamed Murton Grange.

(5) The parish of Staunton in the existing rural district of West Dean shall be renamed Staunton Coleford.

(6) The parish of Waltham Holy Cross constituted by the said order of 1973 shall be renamed Waltham Abbey.

Confederation of the Cinque Ports

14. The district council, town council or charter trustees for any area being a port, antient town or corporate limb of the Confederation of the Cinque Ports shall exercise the functions in relation to such Confederation which were immediately before 1st April 1974 exercised by the corporation for such area.

In this article "town council" means the council of a parish having the status of a town by virtue of a resolution under section 245(6) of the Act.

Lincolnshire and Yorkshire County Committees

15.—(1) Any functions exercisable immediately before 1st April 1974 by the Lincolnshire County Committee shall be exercisable by the County Council of Lincolnshire.

(2) Any functions so exercisable by the Yorkshire County Committee shall be exercisable by the County Council of North Yorkshire.

Kingston upon Hull telephone etc. undertaking

16. The District Council of Kingston upon Hull may, subject to the conditions and within the limits contained in a licence dated 18th July 1969 and made

(a) 4 & 5 Eliz. 2 c. 16.

(b) S.I. 1973/1110 (1973 II, p. 3393).

between the Postmaster General and the Lord Mayor, Aldermen and Citizens of the City and County of Kingston upon Hull and in any licence made between the Post Office and the said District Council, operate a public telephone and other telegraphic business undertaking.

Mersey Tunnels

17.—(1) The functions conferred by the Mersey Tunnels Acts 1925 to 1972 on the corporations of the county boroughs of Birkenhead, Liverpool and Wallasey and the Mersey Tunnel Joint Committee shall be exercised by the County Council of Merseyside, and nothing in subsections (3) and (4) of section 262 of the Act shall apply to the said Acts.

(2) For section 81 of the Mersey Tunnel Act 1925(a) there shall be substituted—

“81. All expenditure in respect of the Mersey Tunnels properly chargeable to revenue shall in so far as moneys received on account of revenue are for the time being in the hands of the County Council of Merseyside be discharged out of such moneys.”.

East Riding Deeds Registry

18. Those functions in respect of the East Riding Deeds Registry constituted under section 31 of the Yorkshire Registries Act 1884(b) which, apart from the abolition of authorities effected by section 1(10) of the Act, would have fallen to be discharged by the county council of the East Riding of Yorkshire shall be discharged by the County Council of Humberside; and in any enactment or instrument relating to the Deeds Registry references to a county council shall, unless the context otherwise requires, be construed as references to the County Council of Humberside.

Dissolution of authorities

19.—(1) The following joint committees, which would apart from this article, by virtue of section 263(5) of the Act, continue to exist on and after 1st April 1974, shall cease to exist—

The Breconshire and Radnorshire joint fire services committee

The Denbighshire and Montgomeryshire joint fire services committee.

(2) The following bodies, namely—

The Mersey Tunnel Joint Committee

The Snowdonia Park Joint Advisory Committee

The South Westmorland Joint Pest Control Board

The West Monmouthshire Omnibus Board

shall be dissolved on 1st April 1974.

Amendment of Property etc. orders

20.—(1) Schedule 1 to the Local Authorities (England) (Property etc.) Order 1973 as extended by the Local Authorities etc. (England) (Property etc.):

(a) 15 & 16 Geo. 5 c. cx.

(b) 1884 c. 54.

Further Provision) Order 1974(a) shall be further extended by the inclusion of the Schedule "Further extension of Schedule 1 of the Local Authorities (England) (Property etc.) Order 1973" signed by an Assistant Secretary in the Department of the Environment. The Schedule is deposited in the offices of the Secretary of State for the Environment. Copies of the Schedule have been deposited with the councils of counties and districts in England and shall be open to inspection at all reasonable times.

(2) In Schedule 4 to the said order as so extended, there shall be added—

"The Great Ouse Water Authority	The Anglian Water Authority
The Derwent Valley Water Board	The Severn-Trent Water Authority
The South Westmorland Joint Pest Control Board	The South Lakeland District Council".

(3) Schedule 1 to the Local Authorities (Wales) (Property etc.) Order 1973 as extended by the Local Authorities etc. (Wales) (Property etc.: Further Provision) Order 1974(b) shall be further extended by the inclusion of the Schedule "Further extension of Schedule 1 of the Local Authorities (Wales) (Property etc.) Order 1973" signed by an Assistant Secretary in the Welsh Office. The Schedule is deposited in the Cardiff offices of the Secretary of State for Wales. Copies of the Schedule have been deposited with the councils of counties and districts in Wales and shall be open to inspection at all reasonable times.

Amendment of Staff Transfer and Protection order

21.—(1) In Schedule 2 to the Local Authorities etc. (Staff Transfer and Protection) Order 1974(c) there shall be added—

"The Great Ouse Water Authority The Anglian Water Authority".

(2) In Schedule 3 to the said order, in Schedule 3, after the entry for the Peak Park Planning Board there shall be inserted—

"The South Westmorland Joint Pest Control Board The South Lakeland District Council".

SCHEDULE 1

Article 3(22)

REPEAL OF ENACTMENTS

PART I—GENERAL

(1) Chapter	(2) Short Title	(3) Extent of Repeal
34 & 35 Hen. 8 c. 26 6 & 7 Will. 4 c. 103	The Laws in Wales Act 1542 The Berwick-on-Tweed Act 1836	Section 61 The whole Act
45 & 46 Vict. c. 56	The Electric Lighting Act 1882	In section 31, the words "county borough, county"
51 & 52 Vict. c. 41	The Local Government Act 1888	Section 64(5)

(a) S.I. 1974/406 (1974 I, p. 1276).

(b) S.I. 1974/404 (1974 I, p. 1264).

(c) S.I. 1974/483 (1974 I, p. 1709).

(1) Chapter	(2) Short Title	(3) Extent of Repeal
55 & 56 Vict. c. 59	The Telegraph Act 1892	In section 3 the words to "district; and" In section 9 the definitions of "urban sanitary authority" and "urban sanitary district"
55 & 56 Vict. c. clxxxvii 6 Edw. 7 c. 34	The Pontypridd Burial Board Act 1892	The whole Act
	The Prevention of Corruption Act 1906	In section 1(3), the word "municipal"
15 & 16 Geo. 5. c. liv	The Bedwelty Urban District Council Act 1925	Section 40
15 & 16 Geo. 5 c. cii	The Blackpool Improvement Act 1925	Section 110
7 & 8 Geo. 6 c. 31	The Education Act 1944	In section 114(1), in the definition of "local education authority" the words "and, in relation to a county borough, the council of the county borough"
10 & 11 Geo. 6 c. 54	The Electricity Act 1947	In section 67(1), in the definition of "local authority" the words "county borough, county"
12, 13 & 14 Geo. 6 c. 68	The Representation of the People Act 1949	In section 116(5), the words following "election was held." Sections 118(2) and 167(1)(b) except in their application to the City of London
14 Geo. 6 c. 39	The Public Utilities Street Works Act 1950	In Schedule 5, the entry relating to section 9 of the Telegraph Act 1863
14 & 15 Geo. 6 c. 60	The Mineral Workings Act 1951	In section 1(1) the words following "this Act" In section 16(5), paragraph (a) and in paragraph (b) the word "county" where first occurring
1962 c. 58	The Pipe-lines Act 1962	In section 35(6), the words "county borough, county"
1964 c. 48	The Police Act 1964	In Schedule 9, the amendment of the Local Government Act 1933
1967 c. 10	The Forestry Act 1967	In section 40(2)(c)(i) the words "county borough,"
1971 c. 40	The Fire Precautions Act 1971	In section 43(1), in the definition of "local authority", the words "county borough," and "county"
1972 c. 70	The Local Government Act 1972	In paragraph 10 of Schedule 26, the words "and 16"

PART II—LOCAL ACT POWERS FOR ISSUE OF BILLS

(1) Chapter	(2) Short Title	(3) Extent of Repeal
63 & 64 Vict. c. cxxxii	The Nottingham Corporation Act 1900	Section 14
63 & 64 Vict. c. ccxxxiv	The Halifax Corporation Act 1900	Section 170
63 & 64 Vict. c. cclxxxii.	The Southport Corporation Act 1900	Section 138
1 Edw. 7 c. cxxiv	The Kingston-upon-Hull Corporation Act 1901	Section 57
1 Edw. 7 c. cxxviii	The Blackpool Improvement Act 1901	Section 64
1 Edw. 7 c. cxxix	The Burton-upon-Trent Corporation Act 1901	Section 115
1 Edw. 7 c. cxciii	The Manchester Corporation Act 1901	Section 44
2 Edw. 7 c. lxii	The Birkenhead Corporation Act 1902	Section 24
2 Edw. 7 c. clxxvii	The Leicester Corporation Act 1902	Section 105
3 Edw. 7 c. ccxxxiii	The Bradford Corporation Act 1903	Section 54
5 Edw. 7 c. i	The Leeds Corporation (Consolidation) Act 1905	Section 306
8 & 9 Geo. 5 c. lxi	The Sheffield Corporation (Consolidation) Act 1918	Section 418
11 & 12 Geo. 5 c. lxxiv	The Liverpool Corporation Act 1921	Section 561
1966 c. xxx	The Leeds Corporation Act 1966	Section 40
1967 c. xxxiii	The Kingston upon Hull Corporation Act 1967	Section 66
1967 c. xxxv	The Somerset County Council Act 1967	Section 31
1968 c. xxix	The Lancashire County Council (General Powers) Act 1968	Section 20
1968 c. xxxvi	The Cheshire County Council Act 1968	Section 53
1968 c. xxxviii	The Durham County Council Act 1968	Section 71
1968 c. xl	The Leicester Corporation Act 1968	Section 95
1968 c. xlii	The Newcastle upon Tyne Corporation Act 1968	Section 66
1969 c. iii	The Derbyshire County Council Act 1969	Section 3
1969 c. v	The Derby Corporation Act 1969	Section 4
1969 c. vi	The Bournemouth Corporation Act 1969	Section 6
1969 c. vii	The Coventry Corporation Act 1969	Section 3
1969 c. viii	The Northampton County Council Act 1969	Section 4
1969 c. xiv	The Teesside Corporation Act 1969	Section 3
1969 c. xxi	The Luton Corporation Act 1969	Section 3

(1) Chapter	(2) Short Title	(3) Extent of Repeal
1969 c. xxxvii	The Portsmouth Corporation Act 1969	Section 13
1969 c. xxxviii	The York Corporation Act 1969	Section 39
1969 c. xlvi	The Cardiff Corporation Act 1969	Section 68
1969 c. liii	The Dudley Corporation Act 1969	Section 106
1969 c. liv	The Warley Corporation Act 1969	Section 99
1969 c. lv	The Liverpool Corporation Act 1969	Section 30
1969 c. lvi	The Worcestershire County Council Act 1969	Section 56
1969 c. lvii	The Blackpool Corporation Act 1969	Section 14
1969 c. lviii	The Walsall Corporation Act 1969	Section 154
1969 c. lix	The West Bromwich Corporation Act 1969	Section 114
1969 c. lx	The Wolverhampton Corporation Act 1969	Section 142
1970 c. vi	The Warwickshire County Council Act 1970	Section 3.
1970 c. viii	The Doncaster Corporation Act 1970	Section 3
1970 c. ix	The Newport Corporation Act 1970	Section 3
1970 c. x	The Huddersfield Corporation Act 1970	Section 3
1970 c. xi	The Bolton Corporation Act 1970	Section 3
1970 c. xii	The Hampshire County Council Act 1970	Section 3
1970 c. xiv	The Leicestershire County Council Act 1970	Section 10
1970 c. xv	The Swansea Corporation Act 1970	Section 3
1970 c. xvii	The Wallasey Corporation Act 1970	Section 3
1970 c. xviii	The Flintshire County Council Act 1970	Section 12
1970 c. xxii	The Birmingham Corporation Act 1970	Section 5
1970 c. xxiv	The Huntingdon and Peterborough County Council Act 1970	Section 20
1970 c. xxv	The West Riding County Council Act 1970	Section 4
1970 c. xxvii	The Norwich Corporation Act 1970	Section 37
1970 c. xxix	The Stoke-on-Trent Corporation Act 1970	Section 3
1970 c. xxx.	The Southampton Corporation Act 1970	Section 3
1970 c. xli	The North Riding County Council Act 1970	Section 3
1970 c. xlii	The Blackburn Corporation Act 1970	Section 3

(1) Chapter	(2) Short Title	(3) Extent of Repeal
1970 c. xliii	The Kent County Council Act 1970	Section 8
1970 c. xlv	The Cumberland County Council Act 1970	Section 8
1970 c. xlvi	The Gloucestershire County Council Act 1970	Section 3
1970 c. xlvii	The Salop County Council Act 1970	Section 3
1970 c. xlviiii	The West Sussex County Council Act 1970	Section 3
1970 c. xlix	The Staffordshire County Council Act 1970	Section 4
1970 c. l.	The Northumberland County Council Act 1970	Section 16
1970 c. li	The Manchester Corporation Act 1970	Section 27 and Schedule 1
1970 c. lxi	The Nottinghamshire County Council Act 1970	Section 3
1970 c. lxii	The Preston Corporation Act 1970	Section 3
1970 c. lxiii	The Lindsey County Council Act 1970	Section 3
1970 c. lxiv	The Northampton Corporation Act 1970	Section 23
1970 c. lxviii	The Gateshead Corporation Act 1970	Section 3
1970 c. lxx	The Gloucester Corporation Act 1970	Section 4
1970 c. lxxii	The East Suffolk County Council Act 1970	Section 12
1970 c. lxxiv	The Southend-on-Sea Corporation Act 1970	Section 7
1970 c. lxxvii	The Monmouthshire County Council Act 1970	Section 74
1970 c. lxxx	The Bootle Corporation Act 1970	Section 73
1970 c. lxxxii	The Grimsby Corporation Act 1970	Section 19
1970 c. lxxxiii	The Oxfordshire County Council Act 1970	Section 25
1970 c. lxxxiv	The Reading Corporation Act 1970	Section 38
1970 c. lxxxv	The Wiltshire County Council Act 1970	Section 11
1971 c. vii	The Nottingham Corporation Act 1971	Section 19
1971 c. viii	The Berkshire County Council Act 1971	Section 26
1971 c. ix	The Bristol Corporation (General Powers) Act 1971	Section 10
1971 c. xi	The Buckinghamshire County Council Act 1971	Section 19
1971 c. xix	The Essex County Council Act 1971	Section 11
1971 c. xxi	The Plymouth Corporation Act 1971	Section 3
1971 c. xxix	The Oldham Corporation Act 1971	Section 3

(1) Chapter	(2) Short Title	(3) Extent of Repeal
1971 c. xxxiii	The Torbay Corporation Act 1971	Section 104
1971 c. xxxvi	The Surrey County Council Act 1971	Section 35
1971 c. xli	The Kesteven County Council Act 1971	Section 4
1971 c. xlvi	The Hertfordshire County Council Act 1971	Section 7
1971 c. 1	The Stockport Corporation Act 1971	Section 79
1971 c. liv	The Cornwall County Council Act 1971	Section 73
1971 c. lxxv	The Exeter Corporation Act 1971	Section 26
1972 c. xi	The Solihull Corporation Act 1972	Section 3
1972 c. xxii	The Bath Corporation Act 1972	Section 5
1972 c. xxx	The Devon County Council Act 1972	Section 24
1972 c. xxxiv	The Oxford Corporation Act 1972	Section 4
1972 c. xlix	The Port Talbot Corporation Act 1972	Section 94
1972 c. 1	The West Sussex County Council Act 1972	Section 70
1973 c. i.	The Glamorgan County Council Act 1973	Section 125

SCHEDULE 2

Article 4(8)

STATUTORY HARBOUR UNDERTAKINGS: FORM OF ACCOUNTS

"SCHEDULE 1

LOCAL AUTHORITIES WHO CARRY ON UNDERTAKINGS TO WHICH THESE REGULATIONS APPLY

The District Councils of Boston, Bristol, Canterbury, Carrick, Colchester, Exeter, Fenland, Gillingham, Medina, North Devon, Norwich, Penwith, Portsmouth, Preston, Sedgemoor, Southend-on-Sea, Sunderland, Thanet, Torrington, West Dorset, West Somerset and Weymouth and Portland.

The Perth Corporation".

SCHEDULE 3

Article 4(13)

CONTRIBUTING LOCAL AUTHORITIES TO NATIONAL PORTS COUNCIL

(1) Existing local authorities	(2) New local authorities
Anglesey County Council	District Council of Ynys Môn-Isle of Anglesey
Barnstaple Corporation	} District Council of North Devon
Ilfracombe Urban District Council	
Bideford Corporation	District Council of Torrington
Boston Corporation	District Council of Boston
Bridgwater Corporation	District Council of Sedgemoor
Bridport Corporation	District Council of West Dorset
Bristol Corporation	City Council of Bristol
Colchester Corporation	Borough Council of Colchester
Exeter Corporation	City Council of Exeter
Gillingham Corporation	Borough Council of Gillingham
Minehead Urban District Council	} District Council of West Somerset
Watchet Urban District Council	
Newport (Isle of Wight) Corporation	Borough Council of Medina
Norwich Corporation	City Council of Norwich
Penryn Corporation	} District Council of Carrick
Truro Corporation	
Penzance Corporation	District Council of Penwith
Portsmouth Corporation	City Council of Portsmouth
Preston Corporation	Borough Council of Preston
Ramsgate Corporation	District Council of Thanet
Sunderland Corporation	Borough Council of Sunderland
Torbay Corporation	Borough Council of Torbay
Weymouth and Melcombe Regis Corporation	Borough Council of Weymouth and Portland
Whitstable Urban District Council	City Council of Canterbury
Wisbech Corporation	District Council of Fenland

SCHEDULE 4

Article 4(15)

INSTRUMENTS REVOKED

The Birkenhead Order 1915(a)
 The Schemes of Divisional Administration(Notices) Regulations 1947(b)
 The Snowdonia Park Joint Advisory Committee Order 1953(c)
 The Snowdonia Park Joint Advisory Committee (Amendment) Order 1956(d)
 The Snowdonia Park Joint Advisory Committee (Amendment) Order 1959(e)
 The Public Health Officers Regulations 1959(f)
 The Public Health Officers (Port Health Districts) Regulations 1959(g)
 The Rural Borough Council Election Rules 1970(h)
 The Rural Borough Council Election Rules 1971(i)
 The Gaming Clubs (Permitted Areas) (Amendment) Regulations 1971(j)
 The Local Government (Allowances to Members) Regulations 1972(k)
 The Rural Borough Council Election (Amendment) Rules 1973(l)
 The Local Government (Financial Loss Allowance) Regulations 1973(m)
 The Local Government (Allowances to Members) (Amendment) Regulations 1974(n)

Anthony Crosland,

Secretary of State for the Environment.

27th March 1974.

John Morris,

Secretary of State for Wales.

27th March 1974.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order makes miscellaneous provision incidental, consequential, transitional and supplementary to the Local Government Act 1972. The various subject matters are indicated in the table on page 1.

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|-----------------------------------------------------------|-----------------------------------------|
| (a) Confirmed by 5 & 6 Geo. 5 c. iii. | (d) S.I. 1956/711. |
| (b) S.R. & O. 1947/148 (Rev. VI, p. 399; 1947 I, p. 580). | (e) S.I. 1959/813. |
| (c) S.I. 1953/179. | (f) S.I. 1959/962 (1959 I, p. 1605). |
| (g) S.I. 1959/963 (1959 II, p. 2125). | (h) S.I. 1970/197 (1970 I, p. 843). |
| (i) S.I. 1971/547 (1971 I, p. 1542). | (j) S.I. 1971/2029 (1971 III, p. 5820). |
| (k) S.I. 1972/1566 (1972 III, p. 4556). | (l) S.I. 1973/229 (1973 I, p. 859). |
| (m) S.I. 1973/1047 (1973 II, p. 3140). | (n) S.I. 1974/125 (1974 I, p. 417). |

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