
STATUTORY INSTRUMENTS

1986 No. 148

**The Local Government Reorganisation
(Property etc.) Order 1986**

Continuity, byelaws etc

23.—(1) Without prejudice to section 98 of the principal Act—

- (a) all contracts, deeds, bonds, agreements and other instruments subsisting in favour of, or against, and all notices in force which were given, or have effect as if given, by, or to, an abolished council in respect of any property, rights or liabilities (“transferred matters”) transferred by or under any provision of the principal Act, shall be of full force and effect in favour of, or against, the body (“the transferee”) to which such matters are transferred, and
- (b) any action or proceeding, or any cause of action or proceeding, pending or existing at 1st April 1986 by or against an abolished council and in respect of any transferred matters may be continued, prosecuted and enforced by the transferee.

(2) Where by virtue of this or any relevant order any function of an abolished council is conferred on any body in respect of any property transferred to it, subsections (2) and (4) to (8) of section 98 of the principal Act shall apply to that body, in respect of that function, as if it, and no other body, were the successor authority for the purposes of that section.

(3) Any body to which any public open space is transferred by the principal Act or this or any relevant order may make or amend byelaws in respect of it under section 15 of the Open Spaces Act 1906 as if they had acquired it under that Act.

(4) Sections 236 to 238 of the 1972 Act shall apply to byelaws made in pursuance of any provision of this or any relevant order other than by a local authority or the Inner London Education Authority as they apply to byelaws made by such an authority.

(5) The powers exercisable by the Greater London Council under the Open Spaces Act 1906 and articles 7 to 13, 18 and 19 of the schedule to the Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open Spaces) Act 1967 are, in respect of any parks or open spaces vested in the London Residuary Body by this or any relevant order, conferred on that body.