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STATUTORY INSTRUMENTS

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**1995 No. 1748**

**The Local Government Changes for England  
(Miscellaneous Provision) Regulations 1995**

**Provision to facilitate implementation of orders**

5.—(1) This regulation applies where the order gives effect to one or more structural changes as respects a non-metropolitan county by which the functions of the council of that county in relation to one or more existing districts are transferred, in each case, to the council of the district.

(2) During the period beginning with the first date on which any provision of the order comes into force and ending immediately before the reorganisation date—

- (a) the county council and the district council or councils and their officers shall co-operate with each other, and generally exercise their functions, so as to facilitate the implementation of the order and any other relevant provision;
- (b) the county council shall furnish each district council with all such information relating to the county council or its functions as the district council may reasonably request for the purpose of implementing the order or any other relevant provision; and
- (c) subject to paragraph (3) below, each district council may take such steps as appear to it to be necessary for the purpose of preparing for the transfer and exercise of functions which will, on and after the reorganisation date, be exercisable by it by virtue of the order or any other relevant provision.

(3) During the period specified in the order as the preliminary period, each district council—

- (a) shall, in relation to the functions mentioned in paragraph (2)(c) above, make such arrangements for organisation and management and such appointments of officers as are necessary to secure the proper performance of those functions on and after the reorganisation date;
- (b) shall, at a meeting of the authority, consider a report by the head of its paid service as to whether any such functions could with advantage be discharged by, or jointly with, any other local authority in pursuance of arrangements made under section 101 of the 1972 Act or under any other enactment; and
- (c) if of that opinion, shall promote the making of such arrangements.

(4) Nothing in section 101 of the 1972 Act shall apply to the duty imposed by virtue of paragraph (3)(b) above.

(5) Where, during the period specified in the order as the preliminary period, the county council is required by virtue of any enactment to prepare any budgets or plans, or to consult any person, for purposes preliminary to, or connected with, the exercise, on and after the reorganisation date, of any functions in relation to any part of the area of a district council which, on and after that date, are exercisable by that council, the requirement in question shall, subject to any relevant provision, cease to have effect during that period in relation to the county council; and any such requirement shall instead have effect, during that period and for those purposes, in relation to the district council.