
STATUTORY INSTRUMENTS

1995 No. 187

The Cleveland (Structural Change) Order 1995

PART III

PROVISIONS FOR IMPLEMENTATION OF ORDER

Preparations for transfer of functions

11.—(1) Subject to paragraph (2) below, the Cleveland borough councils may take such steps as appear to them 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 them by virtue of this Order or any other relevant provision.

(2) During the preliminary period, each Cleveland borough council—

- (a) shall, in relation to the functions mentioned in paragraph (1) 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 council, consider a report by the head of their paid service as to whether any such functions could with advantage be discharged by one of the Cleveland borough councils, or jointly by two or more of those councils, in pursuance of arrangements made under section 101 of the 1972 Act (arrangements for discharge of functions) or under any other enactment; and
- (c) if of that opinion, shall promote the making of such arrangements.

(3) In paragraph (2) above, the reference to the head of a council's paid service is a reference to the officer designated as such under section 4(1) of the Local Government and Housing Act 1989⁽¹⁾; and nothing in section 101 of the 1972 Act shall apply to the duty imposed by virtue of sub-paragraph (b) of that paragraph.

(1) 1989 c. 42.