
STATUTORY INSTRUMENTS

1995 No. 610

**The North Yorkshire (District of York)
(Structural and Boundary Changes) Order 1995**

PART V

TRANSITIONAL PROVISION

York Council as shadow authority

15. During the preliminary period—

- (a) the York Council shall not be a local authority for the purposes of the 1972 Act and, in relation to that council, section 2(2) of that Act shall have effect as if the words from “and the council” to the end of that subsection were omitted; and
- (b) the York Council shall be a shadow authority for the purposes of the Local Government Changes for England Regulations 1994(1).

Co-operation and information

16.—(1) The relevant authorities and their officers shall co-operate with each other, and generally exercise their functions, so as to facilitate the implementation of this Order and any other relevant provision.

(2) A relevant authority, other than the York Council, shall furnish that council with all such information relating to the authority or its functions as that council may reasonably request for the purpose of implementing this Order or any other relevant provision.

(3) In this article and article 18, “relevant authority” means the County Council, the York Council and the councils of the borough of Harrogate, the districts of Ryedale and Selby and the city of York.

Preparations for transfer of functions

17.—(1) During the preliminary period, the York Council—

- (a) 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 this Order or any other relevant provision;
- (b) shall, in relation to those functions, 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;
- (c) shall, at a meeting of the council, consider a report by the head of its paid service as to whether any such functions could with advantage be discharged in pursuance of arrangements made under section 101 of the 1972 Act (arrangements for discharge of functions) or under any other enactment; and

(1) [S.I. 1994/867](#); see, in particular, Part 3 of the Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(d) if of that opinion, shall promote the making of such arrangements.

(2) In paragraph (1) 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(2); and nothing in section 101 of the 1972 Act shall apply to the duty imposed by virtue of sub-paragraph (b) of that paragraph.

Activities preliminary to the exercise of functions

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