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STATUTORY INSTRUMENTS

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**1996 No. 330**

**The Local Government Changes for England  
(Miscellaneous Provision) Regulations 1996**

**PART II**

**AMENDMENT OF REGULATIONS**

**Amendment of the 1994 Regulations**

2. The 1994 Regulations shall be amended as follows—
- (a) in regulation 2 (interpretation), in paragraph (2), for sub-paragraph (d) substitute—
    - “(d) “the reorganisation date” means the date (being 1st April in any year) which is specified as such in the order;”;
  - (b) in regulation 7 (matters not affected) delete paragraph (b);
  - (c) in regulation 15 (continuity of plan provisions), after paragraph (2) add—
    - “(3) A transferee authority may adopt proposals for the making, alteration or replacement of a development plan which it continues by virtue of regulation 4.
    - (4) Subject to paragraph (3) above, where a transferee authority has a duty by virtue of the 1990 Act to prepare a plan referred to in paragraph (3) above for the whole of its area, it shall ensure that such a plan is prepared as soon as practicable after the reorganisation date.
    - (5) For the purposes of paragraph (3) above, any reference in Part II of the 1990 Act to a development plan being prepared for the area of an authority shall include a reference to a part of that area.”;
  - (d) delete regulations 19 (fire services—disciplinary proceedings) and 20 (police—disciplinary proceedings);
  - (e) in regulation 25 (charter trustees)—
    - (i) in paragraph (1)—
      - (a) after “the 1972 Act” add “or, established by the Charter Trustees Regulations 1996 or any other statutory instrument made under Part II of the Act”;<sup>(1)</sup>
      - (b) delete sub-paragraph (a);
      - (c) in sub-paragraph (b), for “a parish” substitute “an existing parish”; and
      - (d) in sub-paragraph (c), after “more” insert “existing”; and
    - (ii) in paragraph (2)<sup>(2)</sup> delete “(a) or”; and
  - (f) after regulation 27 (maps) insert—

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(1) S.I. 1996/263.

(2) a new paragraph (2) was substituted in this regulation by S.I. 1995/1748.

### “Mereing of boundaries

**27A.**—(1) The boundaries of any area established by the order shall be mered by Ordnance Survey.

(2) Where—

(a) a boundary of any area is defined on a map referred to in the order by reference to proposed works; and

(b) those works have not been executed at the time the boundary is mered after the coming into operation of the order,

the boundary shall be mered as if it had not been so defined.”.

### Amendment of other Regulations

**3.**—(1) In the Local Government Changes for England (Direct Labour and Service Organisations) Regulations 1994<sup>(3)</sup>, in paragraph (1)(c) of regulation 12 (interpretation etc), for “the successor authority”, in both places where the expression occurs, substitute “a relevant authority”.

(2) In the Local Government Changes for England (Miscellaneous Provision) Regulations 1995<sup>(4)</sup>, in regulation 8 (sheriffs), for paragraph (2) substitute—

“(2) In section 219 of the 1972 Act (sheriffs and under-sheriffs), in subsection (8), after “section” insert “county”, in relation to England, has the same meaning as in the Sheriffs Act 1887 and”.

(3) In section 24 of the Representation of the People Act 1983 (returning officers: England and Wales), in subsection (1)(a) after “county”, where it second occurs, insert “as defined by section 38 of the Sheriffs Act 1887”.<sup>(5)</sup>

(3) In the Civil Defence (General Local Authority Functions) Regulations 1993<sup>(6)</sup>, in regulation 4 (civil defence functions of county councils), after paragraph (2) insert—

“(3) Where, after he has had regard to such recommendations as are mentioned in section 18(4) of the Local Government Act 1992 (“the 1992 Act”), the Secretary of State makes a combination scheme under the Fire Services Act 1947<sup>(7)</sup> with respect to a combined area which includes the area of a county council affected by a structural or boundary change (within the meaning of Part II of the 1992 Act), that council—

(a) shall, when making or revising plans under paragraph (1)(a) above, consult with the fire authority constituted by that scheme for that combined area; and

(b) may enter into an arrangement with that authority for the carrying out of all or any of the functions assigned to that council by paragraphs (1) and (2) above.

(4) Where a district council has, by virtue of the making of a structural change, the functions of a county council in relation to its district—

(a) the foregoing provisions of this regulation shall apply, in relation to that district, as if any reference to a county council were a reference to the district council; and

(b) regulation 5 shall not apply in relation to that district.”.

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(3) [S.I. 1994/3167](#). Regulation 12 is amended by regulation 4 of the Local Government Changes for England and Local Government Act 1988 (Competition) (Miscellaneous Amendment) Regulations 1995 ([S.I. 1995/1326](#)).

(4) [S.I. 1995/1748](#).

(5) Paragraph 6 of Schedule 2 to the Local Government (Wales) Act 1994 (“the 1994 Act”), which amends section 219 of the 1972 Act by the addition of a subsection (9), comes into force on 1st April 1996: see [S.I. 1995/3198](#).

(6) [S.I. 1993/1812](#).

(7) [1947 c. 41](#); for combination schemes, see sections 5 to 10 of the Act.

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

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