
STATUTORY INSTRUMENTS

1998 No. 3232

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Government Act 1988 (Defined Activities) (Exemptions) (No. 4) Order 1998

<i>Made</i>	- - - -	<i>21st December 1998</i>
<i>Laid before Parliament</i>		<i>6th January 1999</i>
<i>Coming into force</i>	- -	<i>27th January 1999</i>

The Secretary of State, in exercise of the powers conferred on him by sections 2(9) and 15(5) of the Local Government Act 1988(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Local Government Act 1988 (Defined Activities) (Exemptions) (No. 4) Order 1998 and shall come into force on 27th January 1999.

Exemption of collection of refuse

2. The collection of refuse(2) by Kennet District Council shall not be treated as a defined activity so long as it is carried out during the period beginning with 27th January 1999 and ending immediately before 1st April 2001.

Exemption of construction and property services

3.—(1) The provision of construction and property services(3) by the local authorities listed in paragraph (2) shall not be treated as a defined activity so long as it is carried out during the period beginning with 27th January 1999 and ending immediately before 1st April 2001.

(2) The local authorities referred to in paragraph (1) are—

Bournemouth Borough Council
Dorset County Council

(1) 1988 c. 9.

(2) See section 2(2)(a) of, and paragraph 1 of Schedule 1 to, the Local Government Act 1988 which were amended by the Environmental Protection Act 1990 (c. 43), Schedule 15, paragraph 27 and Schedule 16, Part II.

(3) See section 2(2)(k) of, and paragraph 12 of Schedule 1 to, the Local Government Act 1988, which were added by S.I.1994/2888.

Lancashire County Council
Norfolk County Council
Rotherham Metropolitan Borough Council
Council of the City of Salford
Sandwell Metropolitan Borough Council
Staffordshire County Council
Stockport Metropolitan Borough Council
Swindon Borough Council.

Exemption of financial services

4. The provision of financial services(4) by Bath & North East Somerset District Council and Ryedale District Council shall not be treated as a defined activity so long as it is carried out during the period beginning with 27th January 1999 and ending immediately before 1st April 2001.

Exemption of other cleaning

5. Other cleaning(5) by Kennet District Council shall not be treated as a defined activity so long as it is carried out during the period beginning with 27th January 1999 and ending immediately before 1st April 2001.

Exemption of repair and maintenance of vehicles

6. The repair and maintenance of vehicles(6) by Dorset County Council and Stockport Metropolitan Borough Council shall not be treated as a defined activity so long as it is carried out during the period beginning with 27th January 1999 and ending immediately before 1st April 2001.

Signed by authority of the Secretary of State

Hilary Armstrong
Minister of State,
Department of the Environment, Transport and
the Regions

21st December 1998

(4) See section 2(2)(1) of, and paragraph 13 of Schedule 1 to, the Local Government Act 1988, which were added by S.I. 1995/1915.
(5) See section 2(2)(c) of, and paragraph 3 of Schedule 1 to, the Local Government Act 1988.
(6) See section 2(2)(g) of, and paragraph 7 of Schedule 1 to, the Local Government Act 1988.

EXPLANATORY NOTE

(This note is not part of the Order)

Under Part I (competition) of the Local Government Act 1988 work falling within certain defined activities may be carried out by local authorities only if particular conditions are fulfilled.

Articles 2 to 6 of this Order exempt from the requirements of Part I–

- (a) the collection of refuse by Kennet District Council;
- (b) the provision of construction and property services by the local authorities listed in article 3(2);
- (c) the provision of financial services by Bath & North East Somerset District Council and Ryedale District Council;
- (d) the cleaning of streets, street name plates and traffic signs, the emptying of gullies and litter bins and the removal of litter by Kennet District Council; and
- (e) the repair and maintenance of vehicles by Dorset County Council and Stockport Metropolitan Borough Council.

The condition applicable to all of the exemptions is that the activities may be undertaken only between 27th January 1999 and 1st April 2001.