

---

STATUTORY INSTRUMENTS

---

**2008 No. 2176**

**The Local Government (Structural Changes) (Transfer of Functions, Property, Rights and Liabilities) Regulations 2008**

**PART 2**

**TRANSFER OF FUNCTIONS**

**Transfer of functions to sole single tier council**

4. If a section 7 order provides for—
- (a) the winding up and dissolution of two or more predecessor councils; and
  - (b) the establishment of a single tier of local government for an area which consists of the entirety of the areas of both or all of the predecessor councils,

the functions of the predecessor councils shall on the reorganisation date become functions of the single tier council.

**Transfer of functions to more than one single tier council**

- 5.—(1) If a section 7 order provides for—
- (a) the winding up and dissolution of two or more predecessor councils; and
  - (b) the establishment, for the area of at least one of those councils, of more than one area for which there is a single tier of local government,

the functions of the predecessor councils shall on the reorganisation date become functions of both or, as the case may be, all of the successor councils, and exercisable by each of them independently of the other or others, but this is subject to paragraph (2).

(2) Functions exercisable by a predecessor council under any local Act in respect of an area that constitutes the area, or part of the area, of only one of the successor councils, shall on the reorganisation date become functions of that council only.