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STATUTORY INSTRUMENTS

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**2008 No. 2840**

**The Legislative Reform (Local Authority Consent Requirements) (England and Wales) Order 2008**

**Hackney carriage licence zones**

**3.—(1)** Subject to paragraph (2), in paragraph 25 of Schedule 14 to the Local Government Act 1972 (amendment and modification of Public Health Acts 1875 to 1925) (“paragraph 25”)(**1**)—

- (a) in sub-paragraph (1), for “sub-paragraphs (2) and (4)” there shall be substituted “sub-paragraph (2)”;
- (b) sub-paragraph (4) shall be repealed; and
- (c) in sub-paragraph (6)—
  - (i) in paragraph (a), the words from “except” to “any area,” shall be omitted; and
  - (ii) paragraph (b) and the preceding “and” shall be repealed.

(2) Where, before the date on which this Order comes into force—

- (a) a local authority(**2**), after giving the requisite notice, passes a resolution under paragraph 25 that section 171(4) of the Public Health Act 1875 (incorporation of certain provisions of the Town Police Clauses Act 1847(**3**))(**4**) shall apply throughout its area; and
- (b) that resolution is neither approved nor disapproved by the Secretary of State or, in relation to a local authority in Wales, the Welsh Ministers,

the date on which that resolution is to take effect shall be the date which is 35 days after the date on which this Order comes into force.

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(1) 1972 c. 70. The functions of the Secretary of State under paragraph 25 of Schedule 14 were formerly exercisable by the National Assembly for Wales concurrently with the Secretary of State, *see* article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and the entry for the Local Government Act 1972 in Schedule 1 to that Order. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32), the functions exercisable by the National Assembly for Wales were transferred to the Welsh Ministers.

(2) *See* section 270(1) of the Local Government Act 1972 (general provisions as to interpretation) for the definition of “local authority”, as amended by Schedule 17 to the Local Government Act 1985 (c.51), and section 1(5) of the Local Government (Wales) Act 1994 (c.19).

(3) 1847 c. 89.

(4) 1875 c. 55; section 171 was amended by the Public Health Act 1936 (c.49), section 346 and Schedule 3, Part 1.