STATUTORY INSTRUMENTS

1984 No. 1760

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Government (Interim Provisions) (Consultation) Regulations 1984

Made - - - -	*9th November* 1984
Laid before Parliament	*14th November* 1984
Coming into Operation	*6th December* 1984

The Secretary of State for the Environment, in exercise of his powers under section 11(3)*(c)* and (4) of the Local Government (Interim Provisions) Act 1984(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1.— (1) These regulations may be cited as the Local Government (Interim Provisions) (Consultation) Regulations 1984 and shall come into operation on 6th December 1984.

(2) In these regulations, "the principal provision" means paragraphs *(a)* to *(g)* of regulation 3 of the Industrial and Commercial Ratepayers (Consultation) Regulations 1984(**b**).

2.— (1) For the purposes of section 11(3) of the Local Government (Interim Provisions) Act 1984 the following information is hereby prescribed:—

(a) the information set out in the principal provision;

(b) statements of any proposals for expenditure in or after the financial year beginning on 1st April 1986, as prepared for consideration by the authority or a committee or sub-committee of the authority, if those proposals may result in the authority entering into a contract which requires the consent of the Secretary of State under section 9 of the Local Government (Interim Provisions) Act 1984;

(c) statements, in relation to the proposals described in paragraph *(b)* above, of—

(i) the objectives sought to be achieved by expenditure at the level proposed;

(ii) the implications of the proposals for the authority's manpower, and

(iii) the implications of the proposals in relation to expenditure in and after the financial year beginning on 1st April 1986.

(2) For the purposes of these regulations, in the principal provision the expression "the current year" shall be construed as meaning the financial year beginning on 1st April 1984, and the expressions "the preceding year" and "the next financial year" shall be construed accordingly.

(**a**) 1984 c. 53.
(**b**) S.I. 1984/1355.

(3) Paragraph (1)*(b)* above does not require the making available of a statement of proposals other than to a council whose area the expenditure reflected in the statement is proposed to benefit.

(4) The information prescribed by this regulation is prescribed separately—

(a) in relation to the Greater London Council acting as such, and

(b) in relation to that Council acting as the Inner London Education Authority.

Patrick Jenkin,
Secretary of State for
the Environment.

9th November 1984.

EXPLANATORY NOTE

(This note is not part of the regulations.)

Section 11(2) of the Local Government (Interim Provisions) Act 1984 requires the Greater London Council and each metropolitan county council to consult its constituent councils about its proposals for expenditure and the financing of expenditure in the financial year beginning on 1st April 1985, and about any other proposal that would involve expenditure in a subsequent financial year. The constituent councils are, in relation to the Greater London Council, the London borough councils and the Common Council of the City of London; and in relation to each metropolitan county council, the councils of the metropolitan districts comprised in the county.

Authorities are required by section 11(3)*(c)* to make available to the constituent councils such information concerning past and proposed expenditure as may be prescribed by regulations. The regulations prescribe as the information to be provided the information set out in regulation 3 of the Industrial and Commercial Ratepayers (Consultation) Regulations 1984. This includes, inter alia, information in relation to the authority's accounts, proposals for expenditure, estimates of the amounts of precepts required by such proposals, estimates of rate support grant entitlement and any level for maximum expenditure or precept set by the Secretary of State under the Rates Act 1984 (c. 33). Information in relation to proposals for expenditure which may result in a contract which would require the Secretary of State's consent under section 9 of the Local Government (Interim Provisions) Act 1984 is also prescribed.

In performing the duty imposed by section 11, authorities are required to have regard to any guidance issued by the Secretary of State concerning the timing and manner of consultation. Such guidance is to be issued by the Secretary of State under cover of a letter to be sent on 14th November 1984 to the Greater London Council, the metropolitan county councils and their constituent councils by the Department of the Environment.

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