STATUTORY INSTRUMENTS

1986 No. 379

LOCAL GOVERNMENT, ENGLAND AND WALES

LONDON GOVERNMENT

The Local Government Reorganisation (Miscellaneous Provision) (No. 3) Order 1986

Made - - - -	*3rd March* 1986
Laid before Parliament	*6th March* 1986
Coming into Operation	*10th March* 1986

The Secretary of State for the Environment, in exercise of the powers conferred on him by section 101 of the Local Government Act 1985(**a**), and of all other powers enabling him in that behalf, hereby makes the following order:—

Citation, commencement and interpretation

1.—(1) This order may be cited as the Local Government Reorganisation (Miscellaneous Provision) (No. 3) Order 1986 and shall come into operation on 10th March 1986.

(2) In this order—

"abolished council" means the Greater London Council or a metropolitan county council; and

"relevant committee" means a committee or sub-committee of an abolished council or any joint committee which ceases to exist by reason of the abolition of any such council.

Minutes of last meeting of abolished councils etc

2.—(1) The minutes of the last meeting of an abolished council or a relevant committee shall, if practicable, be signed at that meeting.

(2) If the minutes are not so signed—

(a) the abolished council in question shall, within twenty one days of the meeting, send, or secure that there is sent, to every member of the council or of the relevant committee a statement of the purport of this paragraph and paragraphs (4) and (5) together with, in the case of a council meeting, a copy of the minutes or, in the case of a relevant committee meeting, a copy of the minutes or information as to the time and place at which a copy may be inspected; and

(**a**) 1985 c.51.

(b) the person who presided at the meeting shall, not earlier than the seventh nor later than the twenty-first day following the sending of documents or information in accordance with sub-paragraph *(a)*, or such later date as the Secretary of State may determine, sign those minutes after taking into consideration any representations made by any such member.

(3) Where paragraph 2*(a)* is not complied with before the abolition date, that sub-paragraph shall have effect with the substitution of the words "appropriate residuary body" for the words "the abolished council in question" and of the words "as soon as practicable" for the words "within twenty one days of the meeting".

(4) Where minutes are not duly signed in accordance with paragraph 2*(b)*, the Secretary of State may direct that a person nominated by him shall, after taking into consideration any representations made by any member, sign the minutes within such period as may be specified in the direction.

(5) Any minute purporting to be signed in accordance with paragraphs (2) or (4) shall be received in evidence without further proof and, until the contrary is proved—

(i) the meeting a minute of whose proceedings has been made and so signed shall be deemed to have been duly convened and held;

(ii) all the members present shall be deemed to have been duly qualified; and

(iii) where the meeting is a meeting of a relevant committee, the committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

Redundancy payments

3. In relation to the calculation under Schedule 4 to the Employment Protection (Consolidation) Act 1978(**a**) of any such redundancy payment as is mentioned in section 59(1) of the Local Government Act 1985, the calculation date for the purposes of Part II of Schedule 14 (a week's pay) to the 1978 Act shall be 31st March 1986.

Revocation of previous instrument

4. The Local Government Reorganisation (Miscellaneous Provision) (No. 2) Order 1986 (**b**) is hereby revoked.

Kenneth Baker,
Secretary of State
for the Environment.

3rd March 1986.

(**a**) 1978 c.44. (**b**) S.I. 1986/300.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order replaces the Local Government Reorganisation (Miscellaneous Provision) (No. 2) Order 1986. It makes provision consequential on the Local Government Act 1985 which abolishes the Greater London Council and the metropolitan county councils ('the abolished councils') on 1st April 1986. The only difference of substance is that the date of coming into operation of this order is 10th March 1986, not 1st April 1986.

Article 2 provides for the signing of the minutes of the last meetings of the abolished councils, their committees and sub-committees and joint committees which cease to exist on that date. It also deals with the probative value of any minute signed in accordance with these provisions.

Article 3 makes provision in relation to the payments to be made to such employees of the abolished councils as are made redundant. The date by reference to which the amount of a week's pay is to be calculated for the purposes of those payments is 31st March 1986.

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