

This Statutory Instrument corrects an omission from S.I. 2004/2307 and is being issued free of charge to all known recipients of that Statutory Instrument

STATUTORY INSTRUMENTS

2004 No.2573

LOCAL GOVERNMENT, ENGLAND

**Local Government (Best Value Authorities) (Power to Trade)
(England) (Amendment No. 2) Order 2004**

<i>Made</i> - - - -	<i>29th September 2004</i>
<i>Laid before Parliament</i>	<i>6th October 2004</i>
<i>Coming into force</i> - -	<i>27th October 2004</i>

The First Secretary of State, in exercise of the powers conferred by sections 95, 96 and 123 of the Local Government Act 2003(a), hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Local Government (Best Value Authorities) (Power to Trade) (England) (Amendment No. 2) Order 2004 and shall come into force on 27th October 2004.

Amendment of the Local Government (Best Value Authorities) (Power to Trade) (England) Order 2004

2. The Local Government (Best Value Authorities) (Power to Trade) (England) Order 2004(b) is amended, in the Schedule (fire and rescue authorities to which article 4 applies and services that may be provided for a commercial purpose), in the entry for Essex Fire Authority, by the insertion in column 2 of—

“(10) Vehicle maintenance and repair.”.

Signed by authority of the First Secretary of State

29th September 2004

Phil Hope
Parliamentary Under Secretary of State
Office of the Deputy Prime Minister

(a) 2003 c. 26.

(b) S.I. 2004/1705 amended by S.I. 2004/2307.

EXPLANATORY NOTE

(This note is not part of the Order)

The Local Government (Best Value Authorities) (Power to Trade) (England) Order 2004 (“the principal Order”) authorises certain local authorities to trade in any of their ordinary functions subject to certain conditions. Under section 95(4) of the Local Government Act 2003 the power to trade must be exercised through a company. The principal Order was amended by S.I. 2004/2307 from 1st October 2004 to provide transitional arrangements in respect of certain fire and rescue authorities - allowing those authorities to continue trading in specified functions notwithstanding the repeal of the Fire Services Act 1947 by the Fire and Rescue Services Act 2004.

This Order corrects an omission in S.I. 2004/2307 in relation to Essex Fire Authority. The effect of the correction is to allow that Authority to provide vehicle maintenance and repair services for commercial purposes until 30th September 2007.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business, voluntary bodies or public authorities.

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