



Local Employment Act 1970

CHAPTER 7

ARRANGEMENT OF SECTIONS

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INTERMEDIATE AREAS AND DERELICT LAND CLEARANCE AREAS

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ELIZABETH II



1970 CHAPTER 7

An Act to provide for the exercise, in relation to intermediate areas, of certain of the functions under the Local Employment Acts 1960 to 1966 of the Minister of Technology and other persons and, in relation to derelict land clearance areas, of the powers conferred by section 20 of the Industrial Development Act 1966; to provide for the making of grants out of moneys provided by Parliament towards costs incurred by councils in connection with the bringing into use, or the improvement of the appearance of, derelict, neglected or unsightly land; to withdraw the payments additional to refund of selective employment tax which are made under section 1(1)(a) to (d) of the Selective Employment Payments Act 1966, and to reduce correspondingly the amount of payments to public bodies under section 3 of that Act; to amend section 60 of the Landlord and Tenant Act 1954; and for purposes connected with the matters aforesaid.

[26th February 1970]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

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INTERMEDIATE AREAS AND DERELICT LAND CLEARANCE AREAS

1.—(1) Where the Minister of Technology (in this Act referred to as "the Minister") is of opinion, with respect to a locality in Great Britain, that special measures are necessary for the purpose of encouraging the growth and proper distribution of industry therein, but that the economic problems thereof

Intermediate areas, and functions exercisable in relation thereto.

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1960 c. 18.
1966 c. 34.

are not so acute that all the powers conferred by Part I of the Local Employment Act 1960 and by the Industrial Development Act 1966 in relation to development areas need be available for use in relation to the locality in order that that purpose may be achieved, he may specify it by order as an intermediate area.

(2) Subject to subsection (3) of this section, the functions under Part I of the Local Employment Act 1960 of the Minister, the Secretary of State, the Minister in charge of a Government department, the Board of Trade and the Industrial Estates Corporations (except the power of the Minister under section 4 of that Act to make loans or grants to undertakings in development areas) and the functions under Part II of the Industrial Development Act 1966 of the Minister, the Minister of Housing and Local Government, the Secretary of State and the Industrial Estates Corporations shall be exercisable in relation to intermediate areas, former intermediate areas, and land therein, as they are exercisable in relation to development areas, former development areas, and land therein.

(3) No grant shall be made, by virtue of this section, under section 3 of the Local Employment Act 1960 (building grants), towards the expenditure incurred in providing a building or extension in an intermediate area, in a case where any work on providing that building or extension, being work undertaken by or on behalf of the applicant, was done on the site before 25th June 1969; nor, where any work on providing a building or extension intended for occupation by an undertaking was so done, shall a grant be so made under that section in respect of a purchase of that building or extension for occupation by that undertaking.

(4) In the application, by virtue of this section, of Part I of the Local Employment Act 1960 and Part II of the Industrial Development Act 1966 to intermediate areas, former intermediate areas, and land therein, for the following references to a development area, that is to say, those in sections 1(1), 2, 3(1), 6(1), 7(1) and 14(2) of the first-mentioned Act and in sections 17(1), 19(4), 20(1) and 21(4) of the last-mentioned Act and the first reference in section 15(7) of the last-mentioned Act, there shall be substituted references to an intermediate area.

(5) Where the Minister by order specifies, under subsection (1) above, as an intermediate area a locality that immediately before the order was made was a development area in which, by virtue of section 15(6) of the Industrial Development Act 1966, another locality fell to be treated as being included for the purposes of the provisions of the Local Employment Act 1960 and Part II of the first-mentioned Act, that other locality shall be treated

for the purposes of those provisions as being included in the specified area. PART I

(6) In section 1(1) of the Local Employment Act 1960 and sections 15(7) and 21(4) of the Industrial Development Act 1966, as those provisions apply, by virtue of this section, to intermediate areas or former intermediate areas, references to section 4 of the first-mentioned Act (power of the Minister to make loans or grants to undertakings in development areas) and to assistance under that section shall be omitted. 1960 c. 18.
1966 c. 34.

2.—(1) Where the Minister is of opinion, with respect to a locality in Great Britain, that the economic situation in the locality is such that the exercise, in relation to land therein, of the powers conferred by section 20 of the Industrial Development Act 1966 (power of the Minister to acquire derelict land in a development area, and other land, and carry out works thereon, and power of the Minister of Housing and Local Government and of the Secretary of State to make grants to councils towards cost of acquiring and improving derelict land, &c.) would be particularly appropriate with a view to contributing to the development of industry in the locality, he may specify it by order as a derelict land clearance area, and that section shall have effect in relation to land in a derelict land clearance area as it has effect in relation to land in a development area. Derelict land
clearance
areas.

(2) The reference in section 14(2) of the Local Employment Act 1960 to land acquired by the Board of Trade or the Minister under Part I of that Act shall not, by virtue of section 31(2) of the Industrial Development Act 1966 (Part II of the Industrial Development Act 1966 to be construed as one with Part I of the Local Employment Act 1960) be construed as including a reference to land acquired by the Minister under section 20 of the Industrial Development Act 1966 by virtue of this section, but where land so acquired by virtue of this section is situated in a locality which is not a derelict land clearance area the Minister shall have power, so long as he owns the land, to carry out thereon such work as appears to him expedient for the purpose of enabling so much of the land as appears to him to be derelict, neglected or unsightly to be brought into use or of improving its appearance, with a view to contributing to the development of industry in the locality in which it is situated.

(3) Where at any time a locality ceases to be a derelict land clearance area, the fact that it is no longer such an area shall not prejudice—

(a) the completion by the Minister of works begun before that time in the locality under section 20 of the Industrial Development Act 1966, or the exercise by the

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Minister in relation to land in that locality of his powers under that section so far as may be necessary for the purpose of fulfilling any agreement entered into by the Minister before that time ;

- (b) the making of a grant under that section in any case in which an application for the grant was received by the Minister of Housing and Local Government or the Secretary of State before that time ; or
- (c) the continued operation of any agreement relating to any such grant.

Provisions as to orders under sections 1 and 2.
1966 c. 34.

3.—(1) Section 15(4) of the Industrial Development Act 1966 (description of a development area by reference to employment exchange areas) shall apply to an order under section 1 of this Act specifying a locality as an intermediate area or under section 2 of this Act specifying a locality as a derelict land clearance area as it applies to an order under section 15(2) of the Industrial Development Act 1966 specifying an area as a development area.

(2) The powers conferred by sections 1 and 2 of this Act to make orders shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament ; and the power conferred by each of those sections shall be construed as including power to vary or revoke an order made thereunder by a subsequent order.

Grants towards costs incurred in connection with certain improvement work on derelict land begun before the commencement of this Act.

4.—(1) Where, in the case of land in an intermediate area or a derelict land clearance area,—

- (a) the council of the county, county borough or county district in which the land is situated have carried out work on the land for the purpose of enabling it to be brought into use or of improving its appearance ; and
- (b) it appears to the Minister of Housing and Local Government that, before the work was begun, the land was derelict, neglected or unsightly ; and
- (c) it appears to the Minister that bringing the land into use or improving its appearance has contributed or is likely to contribute to the development of industry in the area ;

then, provided that the work was begun on the land after 24th April 1969 and before the commencement of this Act, the

Minister of Housing and Local Government may, with the consent of the Treasury, make, out of moneys provided by Parliament, grants to the council—

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- (i) towards any cost incurred by the council in acquiring the land, and any other land acquired by the council for the purpose of enabling the first-mentioned land to be brought into use or of improving its appearance ;
- (ii) towards the cost of the carrying out by the council for that purpose of any work on the first-mentioned land or on any other land.

(2) In this section “land” includes land covered with water.

(3) In the application of this section to land in Scotland or in Wales or Monmouthshire, for any reference to the Minister of Housing and Local Government there shall be substituted a reference to the Secretary of State ; and, in the application of this section to land in Scotland, for any reference to the council of the county, county borough or county district in which the land is situated there shall be substituted a reference to any local authority, as defined for the purposes of the Local Government (Scotland) Act 1947, within whose area the land is situated. 1947 c. 43.

5. The enactments mentioned in column 1 of the Schedule to this Act shall have effect subject to the amendments respectively specified in relation thereto in column 2 thereof (being minor amendments or amendments consequential on this Part of this Act). Minor and consequential amendments of enactments.

6. Expenses incurred under section 2(2) of this Act by the Minister, and expenses which, by virtue of this Part of this Act, are incurred under any other enactment by a Government department shall be defrayed out of moneys provided by Parliament, and sums which, by virtue of this Part of this Act, are received under any other enactment by a Government department shall be paid into the Consolidated Fund of the United Kingdom. Expenses and receipts.

PART II

WITHDRAWAL OF PART OF SELECTIVE EMPLOYMENT PREMIUM IN DEVELOPMENT AREAS

7.—(1) The additions specified in paragraphs (a) to (d) of subsection (1) of section 1 (selective employment premium) of the Selective Employment Payments Act 1966 shall not be paid in respect of persons in respect of the contribution week beginning on 6th April 1970 or any subsequent contribution week, nor shall those additions be taken into account in determining under section 3 of that Act an amount to be paid to a public body in Withdrawal of part of selective employment premium in development areas. 1966 c. 32.

PART II respect of persons employed by that body in respect of any such week as aforesaid ; and, accordingly,—

(a) in subsection (1) of the first-mentioned section, the words from “ plus ” onwards shall cease to have effect, except as respects contribution weeks beginning before 6th April 1970 ;

(b) in subsection (2)(a) of the last-mentioned section, for the words from “ the appropriate additions ” to “ this Act ” there shall, as respects the contribution week beginning on 6th April 1970 and subsequent contribution weeks, be substituted the words “ the appropriate increases for the time being specified in paragraphs (a) to (d) of subsection (1) or in subsection (2) of section 26 of the Finance Act 1967 ” ; and

1967 c. 54.

(c) except as respects contribution weeks beginning before 6th April 1970, subsection (3) of section 26 of the Finance Act 1967 shall cease to have effect, and in subsection (5)(b) of that section references to that section shall be construed as including references to section 3(2)(a) of the Selective Employment Payments Act 1966.

1966 c. 32.

(2) In this section “ contribution week ” has the same meaning as it has for the purposes of the National Insurance Act 1965.

1965 c. 51.

PART III

SUPPLEMENTARY

Interpretation. 8.—(1) In this Act—

“ derelict land clearance area ” means a locality for the time being specified as such under section 2 of this Act ;

“ development area ” means an area for the time being specified as such under section 15 of the Industrial Development Act 1966, and “ former development area ” means an area which was at one time so specified but is no longer at the time when a question arises as to the exercise, in relation to the area or land therein, of a function under Part I of the Local Employment Act 1960 or Part II of the Industrial Development Act 1966 ; and

1966 c. 34.

1960 c. 18.

“ intermediate area ” means a locality for the time being specified as such under section 1 of this Act, and “ former intermediate area ” has the like meaning in relation to “ intermediate area ” as “ former development area ” has in relation to “ development area ”.

(2) Except where the context otherwise requires, a reference in this Act to any other enactment shall be construed as referring to that enactment as amended, and as including a reference thereto as applied, by any other enactment (including an enactment contained in this Act).

PART III

9.—(1) This Act may be cited as the Local Employment Act 1970.

Short title, citation, commencement, repeal and extent.

(2) Part I of this Act may be cited together with the Local Employment Acts 1960 to 1966 as the Local Employment Acts 1960 to 1970.

(3) This Act shall come into force on the expiration of the period of seven days beginning with the day on which it is passed.

(4) Section 26(2) of the Local Employment Act 1960 shall cease to have effect.

1960 c. 18.

(5) This Act does not extend to Northern Ireland.

Section 5.

SCHEDULE

MINOR AND CONSEQUENTIAL AMENDMENTS OF ENACTMENTS

*Enactment amended and
Subject-matter thereof*

Amendment

1954 c. 56.

Section 60 of the Landlord and Tenant Act 1954 (special provisions as to premises provided under Distribution of Industry Acts).

In subsection (1) for the words from the beginning to "said Acts" there shall be substituted the words "Where the property comprised in a tenancy consists of premises of which the Minister of Technology or an Industrial Estates Corporation is the landlord, being premises situated in a locality which is either—

1966 c. 34.

(a) a development area or a locality treated, by virtue of section 15(6) of the Industrial Development Act 1966, as included in a development area; or

(b) an intermediate area or a locality treated, by virtue of section 1(5) of the Local Employment Act 1970, as included in an intermediate area;

1960 c. 18.

and the Minister of Technology certifies that it is necessary or expedient for achieving the purposes for which the powers conferred by Part I of the Local Employment Act 1960 are exercisable under section 1(1) of that Act"; in subsection (2), for the words "premises provided" there shall be substituted the words "any such premises", and for the words "the Board of Trade certify" there shall be substituted the words "the Minister of Technology certifies"; and the following subsection shall be added after subsection (2):—

"(3) In this section, 'development area' means an area for the time being specified as such under section 15 of the Industrial Development Act 1966, and 'intermediate area' means a locality for the time being specified as such under section 1 of the Local Employment Act 1970".

*Enactment amended and
Subject-matter thereof*

Amendment

- Section 7 of the Local Employment Act 1960 (power of Minister in charge of a Government department to give financial assistance for improvement of basic services).
- The section shall have effect in relation to a basic service within the meaning of the section for which the Board of Trade are responsible with the substitution, for references to the Minister in charge of any Government department and to the department of which he is in charge, of references to the Board of Trade. 1960 c. 18.
- Section 9(7)(a) of the Local Employment Act 1960 (power of Industrial Estates Corporation to act as agent for the Minister or another Corporation).
- The reference to functions under that Act of the Minister shall be construed as including a reference to functions of his under Part II of the Industrial Development Act 1966. 1966 c. 34.
- Section 23 of the Local Employment Act 1960 (annual report of the Minister).
- The reference to the Minister's functions under the Act shall be construed as including a reference to his functions under Part II of the Industrial Development Act 1966 and under this Act.
- Section 15(7) of the Industrial Development Act 1966 (considerations to be taken into account by the Minister in exercising his powers under certain provisions of the Local Employment Act 1960).
- In paragraph (b), for the words from "that development area" onwards there shall be substituted the words "that area and in any other area which is either a development area or a locality for the time being specified under section 1 of the Local Employment Act 1970 as an intermediate area or treated, by virtue of subsection (5) of that section, as included in an intermediate area".

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