Draft Order laid before Parliament under section 7(2) of the Localism Act 2011 to which the Secretary of State has recommended that the negative resolution procedure under section 16 of the Legislative and Regulatory Reform Act 2006 should apply.

DRAFT STATUTORY INSTRUMENTS

2014 No.

LOCAL GOVERNMENT, ENGLAND

The Harrogate Stray Act 1985 (Tour de France) Order 2014

Made - - - - ***

Coming into force in accordance with article 1.

The Secretary of State, in the exercise of the powers conferred by section 5(1), (4), (5)(b) and (6) of the Localism Act 2011(**1**), makes the following Order.

The Secretary of State considers that there are statutory provisions which prevent or restrict the general power conferred by section 1 of the Localism Act 2011, which Harrogate Borough Council seeks to exercise.

The Secretary of State considers the conditions contained within section 6(2) of the Localism Act 2011 are satisfied.

The Secretary of State has consulted in accordance with section 5(7) of the Localism Act 2011 and has, following this consultation and in accordance with section 7(2) of the Localism Act 2011, laid a draft Order and explanatory document before Parliament.

Pursuant to section 15 of the Legislative and Regulatory Reform Act 2006(**2**), the negative resolution procedure (within the meaning of Part 1 of that Act) applies in relation to the making of the Order.

Neither House of Parliament resolved within the 40-day period referred to in section 16(3) of that Act that the Secretary of State should not make the Order(**3**).

Citation and commencement

1. This Order may be cited as the Harrogate Stray Act 1985 (Tour de France) Order 2014 and shall come into force on the day after the day on which this Order is made.

(**1**) 2011 c.20
(**2**) 2006 c.51
(**3**) The expression "40-day period" is defined in section 16(7)(b) of the Legislative and Regulatory Reform Act 2006

Temporary disapplication and amendment of the provisions of the Harrogate Stray Act 1985

2.—(1) To enable Harrogate Borough Council to host the 2014 Tour de France the following provisions of the Harrogate Stray Act 1985(**4**) are disapplied for the period specified in paragraph (4) in relation to the areas specified in paragraph (5)—

(a) section 4(2) to (4) (management of the Stray);

(b) section 5 (access to the Stray); and

(c) section 6(4) (limitations on the ability of Harrogate Borough Council to grant a licence to inclose the Stray for specified purposes).

(2) To enable Harrogate Borough Council to host the 2014 Tour de France, section 6(1)(d) of the Harrogate Stray Act 1985 is amended for the period specified in paragraph (4) in relation to the areas specified in paragraph (5) so that the words "not more than 12" and "in any year" are omitted.

(3) The following are to be disregarded for the purposes of section 6 of the Harrogate Stray Act 1985 as it applies to the year in which the period specified in paragraph (4) falls (other than to that period)—

(a) any temporary encroachments of the kind mentioned in subsection (1)(d) of that section during that period, and

(b) any period during that period for which the Harrogate Stray is inclosed.

(4) The period specified for the purpose of paragraphs (1) and (2) begins at 07:00 on Monday 23rd June 2014 and ends at 22:00 on Tuesday 8th July 2014.

(5) The areas specified for the purpose of paragraphs (1) and (2) are the areas identified as Areas 1, 2 and 3 (shown by shading and outlined with a thick black line) on the set of maps, numbered 1 and 2, prepared by Harrogate Borough Council, marked "Maps referred to by the Harrogate Stray Act 1985 (Tour de France) Order 2014", of which prints, signed by a member of the Senior Civil Service in the Department for Communities and Local Government and dated 24 February 2014, are deposited and available for inspection at the offices of the Secretary of State for Communities and Local Government and at the offices of Harrogate Borough Council.

Signed by authority of the Secretary of State for Communities and Local Government

Name
Parliamentary Under Secretary of State
Department for Communities and Local Government

Date

(**4**) 1985 c.xxii