



Local Government Act 2000

2000 CHAPTER 22

PART I

PROMOTION OF ECONOMIC, SOCIAL OR ENVIRONMENTAL WELL-BEING ETC

Interpretation

1 Meaning of “local authority” in Part I.

[^{F1}(1)] In this Part “local authority” means—

- (a) in relation to England—
 - (i) a county council,
 - (ii) a district council,
 - (iii) a London borough council,
 - (iv) the Common Council of the City of London in its capacity as a local authority,
 - (v) the Council of the Isles of Scilly,
 - [^{F2}(vi) an eligible parish council,]
- (b) in relation to Wales, a county council or a county borough council.

[^{F3}(2) A parish council is “eligible” for the purposes of this Part if the council meets the conditions prescribed by the Secretary of State by order for the purposes of this section.]

Textual Amendments

F1 S. 1 renumbered as s. 1(1) (1.4.2008 for specified purposes, 31.12.2008 in so far as not already in force) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 77\(2\), 245\(5\)](#); S.I. 2008/917, art. 5; S.I. 2008/3110, art. 3(a)

F2 S. 1(1)(a)(vi) inserted (1.4.2008 for specified purposes, 31.12.2008 in so far as not already in force) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 77\(3\), 245\(5\)](#); S.I. 2008/917, art. 5; S.I. 2008/3110, art. 3(a)

Status: Point in time view as at 25/05/2010.

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F3 S. 1(2) inserted (1.4.2008 for specified purposes, 31.12.2008 in so far as not already in force) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 77\(4\)](#), [245\(5\)](#); [S.I. 2008/917](#), [art. 5](#); [S.I. 2008/3110](#), [art. 3\(a\)](#)

Commencement Information

II S. 1 wholly in force at 9.4.2001; s. 1 not in force at Royal Assent see s. 108; s. 1 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), [arts. 1\(3\)](#), [2\(a\)](#); s. 1 in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), [art. 2](#)

Promotion of well-being

2 Promotion of well-being.

- (1) Every local authority are to have power to do anything which they consider is likely to achieve any one or more of the following objects—
- (a) the promotion or improvement of the economic well-being of their area,
 - (b) the promotion or improvement of the social well-being of their area, and
 - (c) the promotion or improvement of the environmental well-being of their area.

- (2) The power under subsection (1) may be exercised in relation to or for the benefit of—
- (a) the whole or any part of a local authority's area, or
 - (b) all or any persons resident or present in a local authority's area.

- (3) In determining whether or how to exercise the power under subsection (1), a local authority [^{F4}in England] must have regard to their strategy under section 4.

[^{F5}(3A) But, in the case of an eligible parish council, that is subject to section 4A.]

[^{F6}(3B) In determining whether or how to exercise the power under subsection (1), a local authority in Wales must have regard to the community strategy for its area published under section 39(4) of the Local Government (Wales) Measure 2009 or, where the strategy has been amended following a review under section 41 of that Measure, the strategy most recently published under section 41(6).]

- (4) The power under subsection (1) includes power for a local authority to—
- (a) incur expenditure,
 - (b) give financial assistance to any person,
 - (c) enter into arrangements or agreements with any person,
 - (d) co-operate with, or facilitate or co-ordinate the activities of, any person,
 - (e) exercise on behalf of any person any functions of that person, and
 - (f) provide staff, goods, services or accommodation to any person.
- (5) The power under subsection (1) includes power for a local authority to do anything in relation to, or for the benefit of, any person or area situated outside their area if they consider that it is likely to achieve any one or more of the objects in that subsection.
- (6) Nothing in subsection (4) or (5) affects the generality of the power under subsection (1).

Textual Amendments

F4 Words in s. 2(3) inserted (1.1.2010) by [Local Government \(Wales\) Measure 2009 \(nawm 2\)](#), s. 53(2), [Sch. 2 para. 2\(a\)](#) (with [Sch. 3 para. 2](#)); [S.I. 2009/3272](#), [art. 2](#), [Sch. 1](#)

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- F5** S. 2(3A) inserted (31.12.2008) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), [ss. 78\(2\)](#), 245(5); S.I. 2008/3110, art. 3(b)
- F6** S. 2(3B) inserted (1.1.2010) by [Local Government \(Wales\) Measure 2009](#) (nawm 2), s. 53(2), [Sch. 2 para. 2\(b\)](#) (with [Sch. 3 para. 2](#)); S.I. 2009/3272, art. 2, Sch. 1

Modifications etc. (not altering text)

- C1** S. 2 restricted (8.1.2003) by [2002 c. 41, s. 55](#) (with s. 159); S.I. 2002/2811, art. 2, [Sch.](#)
S. 2 restricted (8.1.2003) by [2002 c. 41, ss. 54, 162\(2\)](#), [Sch. 3](#) (with s. 159); S.I. 2002/2811, art. 2, Sch.

Commencement Information

- I2** S. 2 wholly in force at 9.4.2001; s. 2 not in force at Royal Assent see s. 108; s. 2 in force (E.) at 18.10.2000 by [S.I. 2000/2836, arts. 1\(3\)](#), 2(a); s. 2 in force (W.) at 9.4.2001 by [S.I. 2001/1471, art. 2](#)

3 Limits on power to promote well-being.

- (1) The power under section 2(1) does not enable a local authority to do anything which they are unable to do by virtue of any prohibition, restriction or limitation on their powers which is contained in any enactment (whenever passed or made).
- (2) The power under section 2(1) does not enable a local authority to raise money (whether by precepts, borrowing or otherwise).
- (3) The Secretary of State may by order make provision preventing local authorities from doing, by virtue of section 2(1), anything which is specified, or is of a description specified, in the order.

[^{F7}(3A) The power under subsection (3) may be exercised in relation to—

- (a) all local authorities,
- (b) particular local authorities, or
- (c) particular descriptions of local authority.]

- (4) [^{F8}Subject to subsection (4A),] before making an order under subsection (3), the Secretary of State must consult such representatives of local government and such other persons (if any) as he considers appropriate.

[^{F9}(4A) Subsection (4) does not apply to an order under this section which is made only for the purpose of amending an earlier order under this section—

- (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or
- (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description.]

- (5) Before exercising the power under section 2(1), a local authority must have regard to any guidance for the time being issued by the Secretary of State about the exercise of that power.
- (6) Before issuing any guidance under subsection (5), the Secretary of State must consult such representatives of local government and such other persons (if any) as he considers appropriate.
- (7) In its application to Wales, this section has effect as if for any reference to the Secretary of State there were substituted a reference to [^{F10}the Welsh Ministers].

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- (8) In this section “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the ^{M1}Interpretation Act 1978).

Textual Amendments

- F7** S. 3(3A) inserted (18.11.2003 for E.; 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\)](#), s. 128(6), [Sch. 3 para. 12\(2\)](#); S.I. 2003/2938, art. 3(a) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F8** Words in s. 3(4) inserted (18.11.2003 for E.; 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\)](#), s. 128(6), [Sch. 3 para. 12\(3\)](#); S.I. 2003/2938, art. 3(a) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F9** S. 3(4A) inserted (18.11.2003 for E.; 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\)](#), s. 128(6), [Sch. 3 para. 12\(4\)](#); S.I. 2003/2938, art. 3(a) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F10** Words in s. 3(7) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(2\)](#), 245(2)

Modifications etc. (not altering text)

- C2** S. 3(2) excluded (18.11.2003) by [Local Government Act 2003 \(c. 26\)](#), [ss. 93](#), 128(2)(d)

Commencement Information

- I3** S. 3 wholly in force at 9.4.2001; s. 3 not in force at Royal Assent see s. 108; s. 3 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), [arts. 1\(3\)](#), 2(a); s. 3(3)-(7) in force (W.) at 1.11.2000 by [S.I. 2000/2948](#), [art. 2](#); s. 3(1)(2)(8) in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), [art. 2](#)

Marginal Citations

- M1** 1978 c. 30.

4 Strategies for promoting well-being.

- (1) Every local authority [^{F11}in England] must prepare a strategy (referred to in this section as a [^{F12}sustainable community strategy]) for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development in the United Kingdom.
- (2) A local authority may from time to time modify their [^{F13}sustainable community strategy].
- (3) In preparing or modifying their [^{F14}sustainable community strategy], a local authority—
 - (a) must consult and seek the participation of [^{F15}—
 - (i) in the case of a responsible local authority, each partner authority and such other persons as the responsible local authority consider appropriate, or
 - (ii) in any other case, such persons as the authority consider appropriate, ^{F16}...]
 - [^{F17}(aa) must, if it is a local authority in England, have regard to the following, so far as they relate to the authority's area—
 - (i) any arrangements made under section 21 of the Child Poverty Act 2010 (co-operation to reduce child poverty in local area);
 - (ii) any local child poverty needs assessment prepared under section 22 of that Act (local child poverty needs assessment);

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- (iii) any joint child poverty strategy prepared under section 23 of that Act (joint child poverty strategy for local area), and]
- (b) must have regard to any guidance for the time being issued by the Secretary of State.
- (4) Before issuing any guidance under this section, the Secretary of State must consult such representatives of local government and such other persons (if any) as he considers appropriate.

^{F18}(5)

[^{F19}(6) In subsection (3)(a), “responsible local authority” and “partner authority”, in relation to a responsible local authority, have the same meanings as in Chapter 1 (local area agreements) of Part 5 of the Local Government and Public Involvement in Health Act 2007 (see sections 103 and 104 of that Act).]

Textual Amendments

- F11** Words in s. 4(1) inserted (1.1.2010) by [Local Government \(Wales\) Measure 2009 \(nawm 2\)](#), s. 53(2), [Sch. 2 para. 3\(a\)](#); [S.I. 2009/3272](#), art. 2, Sch. 1
- F12** Words in s. 4(1) substituted (23.10.2007) by [Sustainable Communities Act 2007 \(c. 23\)](#), s. 7(1)(2)(a)
- F13** Words in s. 4(2) substituted (23.10.2007) by [Sustainable Communities Act 2007 \(c. 23\)](#), s. 7(1)(2)(a)
- F14** Words in s. 4(3) substituted (23.10.2007) by [Sustainable Communities Act 2007 \(c. 23\)](#), s. 7(1)(2)(a)
- F15** Words in s. 4(3)(a) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 114\(2\)](#), 245(2)
- F16** Word in s. 4(3)(a) omitted (25.5.2010) by virtue of [Child Poverty Act 2010 \(c. 9\)](#), [ss. 24\(a\)](#), 31(2)
- F17** [S. 4\(3\)\(aa\)](#) inserted (25.5.2010) by [Child Poverty Act 2010 \(c. 9\)](#), [ss. 24\(b\)](#), 31(2)
- F18** [S. 4\(5\)](#) repealed (1.1.2010) by [Local Government \(Wales\) Measure 2009 \(nawm 2\)](#), s. 53(2), [Sch. 2 para. 3\(b\)](#), [Sch. 4](#); [S.I. 2009/3272](#), art. 2, Sch. 1
- F19** [S. 4\(6\)](#) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 114\(3\)](#), 245(2)

Modifications etc. (not altering text)

- C3** [S. 4](#): functions of local authority not to be sole responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853](#), reg. 4(1), [Sch. 3](#)

Commencement Information

- I4** [S. 4](#) wholly in force at 9.4.2001; [s. 4](#) not in force at Royal Assent see [s. 108](#); [s. 4](#) in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), [arts. 1\(3\)](#), 2(a); [s. 4\(3\)\(b\)\(4\)\(5\)](#) in force (W.) at 1.11.2000 by [S.I. 2000/2948](#), [art. 2](#); [s. 4\(1\)\(2\)\(3\)\(a\)](#) in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), [art. 2](#)

[^{F20}4A Strategies: parishes

- (1) The duty in section 4 to prepare a community strategy does not apply to an eligible parish council.
- (2) But in exercising the power under section 2(1), an eligible parish council must have regard to any community strategy prepared by a relevant principal council.
- (3) In this section “relevant principal council”, in relation to a parish council, means any county council, district council or London borough council whose area the parish lies within.]

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Textual Amendments

F20 S. 4A inserted (31.12.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 78\(3\)](#), 245(5); S.I. 2008/3110, art. 3(b)

5 Power to amend or repeal enactments.

- (1) If the Secretary of State thinks that an enactment (whenever passed or made) prevents or obstructs local authorities from exercising their power under section 2(1) he may by order amend, repeal, revoke or disapply that enactment.
- (2) The power under subsection (1) may be exercised in relation to—
 - (a) all local authorities,
 - (b) particular local authorities, or
 - (c) particular descriptions of local authority.
- (3) The power under subsection (1) to amend or disapply an enactment includes a power to amend or disapply an enactment for a particular period.
- [^{F21}(4) In exercising the power under subsection (1), the Secretary of State must not make any provision which has effect in relation to Wales unless he has consulted the Welsh Ministers.
- (4A) In exercising the power under subsection (1), the Secretary of State—
 - (a) must not make any provision amending, repealing or disapplying any Measure or Act of the National Assembly for Wales without the consent of the National Assembly for Wales, and
 - (b) must not make any provision amending, revoking or disapplying subordinate legislation made by the Welsh Ministers (or the National Assembly for Wales established under the Government of Wales Act 1998) without the consent of the Welsh Ministers.
- (4B) Subsection (4A) does not apply to the extent that the Secretary of State is making incidental or consequential provision.]
- (5) [^{F22}The Welsh Ministers] may submit proposals to the Secretary of State that the power under subsection (1) should be exercised in relation to Wales in accordance with those proposals.
- (6) In this section “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the ^{M2}Interpretation Act 1978).

Textual Amendments

F21 S. 5(4)-(4B) substituted for s. 5(4) (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(3\)](#), 245(2)

F22 Words in s. 5(5) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(4\)](#), 245(2)

Commencement Information

I5 S. 5 wholly in force at 9.4.2001; s. 5 not in force at Royal Assent see s. 108(4); s. 5 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), [arts. 1\(3\)](#), 2(a); s. 5(5) in force (W.) at 1.11.2000 by [S.I. 2000/2948](#), [art. 2](#); s. 5(1)-(4)(6) in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), [art. 2](#)

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Marginal Citations

M2 1978 c. 30.

Modification of certain enactments

6 Power to modify enactments concerning plans etc.

- (1) Subject to subsection (3), the Secretary of State may by order amend, repeal, revoke or disapply any enactment (whenever passed or made) which requires a local authority to prepare, produce or publish any plan or strategy relating to any particular matter [^{F23}so far as that enactment has effect in relation to a local authority in England].
- (2) The power under subsection (1) may be exercised in relation to—
 - (a) all local authorities [^{F24}in England],
 - (b) particular local authorities [^{F25}in England], or
 - (c) particular descriptions of local authority [^{F26}in England].
- (3) The power under subsection (1) may be exercised in relation to a local authority only if the Secretary of State considers—
 - (a) that it is not appropriate for any such enactment as is mentioned in that subsection to apply to the authority, or
 - (b) that any such enactment should be amended so that it operates more effectively in relation to the authority.
- (4) The power under subsection (1) to amend or disapply an enactment includes a power to amend or disapply an enactment for a particular period.
- ^{F27}(5)
- ^{F28}(6)
- (7) An order under this section which would, apart from this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument shall proceed in that House as if it were not such an instrument.
- (8) In this section “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978).

Textual Amendments

- F23** Words in s. 6(1) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 115\(5\)\(a\), 245\(2\)](#)
- F24** Words in s. 6(2)(a) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 115\(5\)\(b\), 245\(2\)](#)
- F25** Words in s. 6(2)(b) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 115\(5\)\(b\), 245\(2\)](#)
- F26** Words in s. 6(2)(c) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 115\(5\)\(c\), 245\(2\)](#)
- F27** S. 6(5) repealed (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 115\(5\)\(d\), 245\(2\), Sch. 18 Pt. 5](#)
- F28** S. 6(6) repealed (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 115\(5\)\(d\), 245\(2\), Sch. 18 Pt. 5](#)

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Commencement Information

I6 S. 6 wholly in force at 9.4.2001; s. 6 not in force at Royal Assent see s. 108(4); s. 6 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), [arts. 1\(3\), 2\(a\)](#); s. 6(6) in force (W.) at 1.11.2000 by [S.I. 2000/2948](#), [art. 2](#); s. 6(1)-(5)(7)(8) in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), [art. 2](#)

7 Power to modify enactments concerning plans etc: Wales.

(1) Subject to subsections (4) and (6), [^{F29}the Welsh Ministers] may by order amend, repeal, revoke or disapply any enactment [^{F30}(whenever passed or made) which requires a local authority to prepare, produce or publish any plan or strategy relating to any particular matter] so far as that enactment has effect in relation to a local authority in Wales.

^{F31}(2)

(3) The power under subsection (1) may be exercised in relation to—
(a) all local authorities in Wales,
(b) particular local authorities in Wales, or
(c) particular descriptions of local authority in Wales.

(4) The power under subsection (1) may be exercised in relation to a local authority only if [^{F32}the Welsh Ministers consider]—
(a) that it is not appropriate for any such enactment as is mentioned in that subsection to apply to the authority, or
(b) that any such enactment should be amended so that it operates more effectively in relation to the authority.

(5) The power under subsection (1) to amend or disapply an enactment includes a power to amend or disapply an enactment for a particular period.

^{F33}(6)

(7) In this section “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the ^{M3}Interpretation Act 1978).

[^{F34}(8) An order under this section may not make a provision which, if it were a provision of a Measure of the National Assembly for Wales, would be outside the Assembly’s legislative competence.

(9) For the purposes of subsection (8), section 94(4) of the Government of Wales Act 2006 has effect as if paragraph (a) (matters within legislative competence) were omitted.

(10) Subject to subsection (11), a statutory instrument which contains an order under this section is not to be made unless a draft of the instrument has been laid before and approved by a resolution of the National Assembly for Wales.

(11) A statutory instrument containing an order under this section which is made only for the purpose of amending an earlier such order—
(a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or
(b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description,

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is to be subject to annulment in pursuance of a resolution of the National Assembly for Wales.]

Textual Amendments

- F29** Words in s. 7(1) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(6\)\(a\)\(i\)](#), 245(2)
- F30** Words in s. 7(1) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(6\)\(a\)\(ii\)](#), 245(2)
- F31** S. 7(2) repealed (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(6\)\(b\)](#), 245(2), [Sch. 18 Pt. 5](#)
- F32** Words in s. 7(4) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(6\)\(c\)](#), 245(2)
- F33** S. 7(6) repealed (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(6\)\(d\)](#), 245(2), [Sch. 18 Pt. 5](#)
- F34** S. 7(8)-(11) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(7\)](#), 245(2)

Commencement Information

- I7** S. 7 wholly in force at 1.11.2000; s. 7 not in force at Royal Assent see s. 108(4); s. 7 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), [arts. 1\(3\)](#), 2(a); s. 7 in force (W.) at 1.11.2000 by [S.I. 2000/2948](#), [art. 2](#)

Marginal Citations

- M3** 1978 c. 30.

8 Modification of section 137 of the 1972 Act.

In section 137 of the ^{M4}Local Government Act 1972 (power of local authorities to incur expenditure for certain purposes not otherwise authorised), for subsection (9) there is substituted—

“(9) Subject to subsection (10) below, in this section “local authority” means a parish or community council.

(10) In subsection (3) above “local authority” means—

- (a) in relation to England, a county council, a district council, a London borough council, the Common Council or a parish council,
- (b) in relation to Wales, a county council, a county borough council or a community council.”

Commencement Information

- I8** S. 8 wholly in force at 9.4.2001; s. 8 not in force at Royal Assent see s. 108(4); s. 8 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), [arts. 1\(3\)](#), 2(a); s. 8 in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), [art. 2](#)

Marginal Citations

- M4** 1972 c. 70.

Status: Point in time view as at 25/05/2010.

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Procedure for orders under section 5 or 6

9 Procedure for orders under section 5 or 6.

- (1) Before the Secretary of State makes an order under section 5 or 6 he must consult—
 - (a) such local authorities,
 - (b) such representatives of local government, and
 - (c) such other persons (if any),
 as appear to him to be likely to be affected by his proposals.
- (2) Where those proposals affect any local authorities in Wales, the Secretary of State must also consult [^{F35}the Welsh Ministers].
- (3) If, following consultation under the preceding provisions of this section, the Secretary of State proposes to make an order under section 5 or 6 he must lay before each House of Parliament a document which—
 - (a) explains his proposals,
 - (b) sets them out in the form of a draft order,
 - (c) gives details of consultation under subsection (1), and
 - (d) where consultation has taken place under subsection (2), sets out the views of [^{F36}the Welsh Ministers].
- (4) Where a document relating to proposals is laid before Parliament under subsection (3), no draft of an order under section 5 or 6 to give effect to the proposals (with or without modifications) is to be laid before Parliament in accordance with section 105(6) until after the expiry of the period of sixty days beginning with the day on which the document was laid.
- (5) In calculating the period mentioned in subsection (4) no account is to be taken of any time during which—
 - (a) Parliament is dissolved or prorogued, or
 - (b) either House is adjourned for more than four days.
- (6) In preparing a draft order under section 5 or 6 the Secretary of State must consider any representations made during the period mentioned in subsection (4).
- (7) A draft order under section 5 or 6 which is laid before Parliament in accordance with section 105(6) must be accompanied by a statement of the Secretary of State giving details of—
 - (a) any representations considered in accordance with subsection (6), and
 - (b) any changes made to the proposals contained in the document laid before Parliament under subsection (3).
- [^{F37}(8) Nothing in this section applies to an order under section 5 or 6 which is made only for the purpose of amending an earlier order under that section—
 - (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or
 - (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description.]

Status: Point in time view as at 25/05/2010.

Changes to legislation: Local Government Act 2000, Part 1 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F35** Words in s. 9(2) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(8\)\(a\)](#), 245(2)
- F36** Words in s. 9(3)(d) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(8\)\(b\)](#), 245(2)
- F37** S. 9(8) inserted (18.11.2003 for E., 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\)](#), s. 128(6), [Sch. 3 para. 13](#); S.I. 2003/2938, art. 3(a) (with art. 8Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I

Commencement Information

- I9** S. 9 wholly in force at 9.4.2001; s. 9 not in force at Royal Assent see s. 108(4); s. 9 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), [arts. 1\(3\)](#), 2(a); s. 9 in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), [art. 2](#)

[^{F38}9A Procedure for orders under section 7

- (1) Before the Welsh Ministers make an order under section 7 they must consult—
 - (a) such local authorities in Wales,
 - (b) such representatives of local government in Wales, and
 - (c) such other persons (if any),as appear to them to be likely to be affected by their proposals.
- (2) If, following consultation under subsection (1), the Welsh Ministers propose to make an order under section 7 they must lay before the National Assembly for Wales a document which—
 - (a) explains their proposals,
 - (b) sets them out in the form of a draft order, and
 - (c) gives details of consultation under subsection (1).
- (3) Where a document relating to proposals is laid before the National Assembly for Wales under subsection (2), no draft of an order under section 7 to give effect to the proposals (with or without modifications) is to be laid before the National Assembly for Wales until after the expiry of the period of sixty days beginning with the day on which the document was laid.
- (4) In calculating the period mentioned in subsection (3) no account is to be taken of any time during which the National Assembly is dissolved or is in recess for more than four days.
- (5) In preparing a draft order under section 7 the Welsh Ministers must consider any representations made during the period mentioned in subsection (3).
- (6) A draft order under section 7 which is laid before the National Assembly for Wales must be accompanied by a statement of the Welsh Ministers giving details of—
 - (a) any representations considered in accordance with subsection (5), and
 - (b) any changes made to the proposals contained in the document laid before the National Assembly for Wales under subsection (2).
- (7) Nothing in this section applies to an order under section 7 which is made only for the purpose of amending an earlier order under that section—
 - (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or

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- (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description.]

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Textual Amendments

F38 S. 9A inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(9\), 245\(2\)](#)

Status:

Point in time view as at 25/05/2010.

Changes to legislation:

Local Government Act 2000, Part I is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.