

Local Government and Public Involvement in Health Act 2007

2007 CHAPTER 28

PART 2

ELECTORAL ARRANGEMENTS

CHAPTER 2

MISCELLANEOUS

Electoral areas in England

58 Metropolitan districts: councillors per ward

- (1) Section 6 of the Local Government Act 1972 (c. 70) (term of office and retirement of councillors) is amended as follows.
- (2) For subsection (2)(b) substitute—
 - "(b) every metropolitan district shall be divided into wards, each returning such number of councillors as may be provided as mentioned in subsection (3) below;".
- (3) For subsection (3) substitute—
 - "(3) The number of councillors referred to in subsection (2)(b) or (c) above may be provided—
 - (a) under or by virtue of the provisions of section 7 below;
 - (b) by an order under Part 2 of the Local Government Act 1992 (c. 19);
 - (c) by an order under section 14 of the Local Government and Rating Act 1997 (c. 29);

Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Cross Heading: Electoral areas in England. (See end of Document for details)

(d) by an order under Part 1 of the Local Government and Public Involvement in Health Act 2007."

Commencement Information

II S. 58 in force at 30.12.2007, see s. 245(2)

59 Change of name of electoral area

- (1) A local authority may, by resolution, change the name of any of the authority's electoral areas.
- (2) A local authority must comply with subsections (3) to (5) in passing a resolution to change the name of an electoral area.
- (3) The local authority must not pass the resolution unless it has taken reasonable steps to consult such persons as it considers appropriate on the proposed name.
- (4) The resolution must be passed—
 - (a) at a meeting which is specially convened for the purpose of deciding the resolution with notice of the object, and
 - (b) by a majority of at least two thirds of the members voting on it.
- (5) If the name of the electoral area is protected, the resolution may not be passed unless the [^{F1}Local Government Boundary Commission] has first agreed to the proposed change.
- (6) As soon as practicable after a resolution is passed, the local authority must give notice of the change of name to all of the following—
 - (a) the [^{F2}Local Government Boundary Commission];
 - (b) the Boundary Commission for England;
 - (c) the Office of National Statistics;
 - (d) the Director General of the Ordnance Survey;
 - (e) if the local authority is a county council, the district council (if any) within whose area the electoral area lies;
 - (f) if the local authority is a district council, the county council (if any) within whose area the electoral area lies.
- (7) The change of name does not take effect until the [^{F3}Local Government Boundary Commission] have been given notice of the change.
- (8) For the purposes of this section the name of an electoral area is "protected" if-
 - (a) the name was given to the electoral area by or in pursuance of an order under section 17 of the Local Government Act 1992 (c. 19)[^{F4}, section 59 of the Local Democracy, Economic Development and Construction Act 2009] or section 14 of the Local Government and Rating Act 1997 (c. 29), and
 - (b) that order was made during the period of five years ending with the day on which a resolution to change the name is to be passed.
- (9) In subsection (4) the reference to the members of the council includes, in a case where the council are operating a mayor and cabinet executive, the elected mayor of the council.

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(10) In this section—

"electoral area", in relation to a local authority, means any area for which councillors are elected to the authority;

- "local authority" means-
- (a) a county council in England;
- (b) a district council in England; or
- (c) a London borough council.

Textual Amendments

- F1 Words in s. 59(5) substituted (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), s. 148(3)(b), Sch. 4 para. 30(2); S.I. 2009/3318, art. 4(ff)
- F2 Words in s. 59(6)(a) substituted (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), s. 148(3)(b), Sch. 4 para. 30(2); S.I. 2009/3318, art. 4(ff)
- F3 Words in s. 59(7) substituted (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), s. 148(3)(b), Sch. 4 para. 30(2); S.I. 2009/3318, art. 4(ff)
- F4 Words in s. 59(8)(a) inserted (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), s. 148(3)(b), Sch. 4 para. 30(3); S.I. 2009/3318, art. 4(ff)

Modifications etc. (not altering text)

C1 S. 59: transfer of functions (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), ss. 60(2)(3)(c), 148(3)(b) (with s. 63(4)); S.I. 2009/3318, art. 4(i)

Commencement Information

I2 S. 59 in force at 30.12.2007, see s. 245(2)

Changes to legislation:

There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Cross Heading: Electoral areas in England.