



Local Government and Public Involvement in Health Act 2007

2007 CHAPTER 28

PART 2

ELECTORAL ARRANGEMENTS

CHAPTER 2

MISCELLANEOUS

Electoral Commission and Boundary Committee: reviews and recommendations

56 Electoral Commission and Boundary Committee: reviews and recommendations

(1) Section 13 of the Local Government Act 1992 (c. 19) (reviews and recommendations of Electoral Commission and Boundary Committee) is amended as follows.

(2) For subsection (5)(d) substitute—

“(d) in the case of a district council that is subject to a scheme for elections by halves or by thirds, or that has resolved to revert to being subject to such a scheme under Chapter 1 of Part 2 of the Local Government and Public Involvement in Health Act 2007, the desirability of securing that each ward in the district returns an appropriate number of councillors.”

(3) After subsection (5) insert—

“(5A) For the purposes of this section—

(a) a council is “subject to a scheme for elections by halves” if one half (or as nearly as may be) of its councillors are to be elected in each year in which it holds ordinary elections of councillors;

Status: This is the original version (as it was originally enacted).

- (b) a council is “subject to a scheme for elections by thirds” if one third (or as nearly as may be) of its councillors are to be elected in each year in which it holds ordinary elections of councillors;
- (c) the number of councillors returned by a ward is “appropriate”—
 - (i) in the case of a scheme for elections by halves, if it is divisible by 2, and
 - (ii) in the case of a scheme for elections by thirds, if it is divisible by 3.”

57 Procedure in connection with reviews

- (1) The Local Government Act 1992 (c. 19) is amended as follows.
- (2) In section 13 (electoral reviews and recommendations), after subsection (7) insert—
 - “(8) A local authority must, if requested by the Boundary Committee for England to do so, provide that Committee, by such date as that Committee may specify, with any information that that Committee may reasonably require in connection with any of their functions under this section.”
- (3) In section 15 (procedure on a review)—
 - (a) in subsection (1)—
 - (i) at the end of paragraph (a) insert “and”;
 - (ii) omit paragraph (c) and the word “and” immediately preceding it;
 - (b) omit subsection (2);
 - (c) in subsection (3)—
 - (i) omit paragraph (a);
 - (ii) in paragraph (b) after “prepare” insert “and publish”;
 - (iii) at the end of paragraph (b) insert “and”;
 - (iv) omit paragraph (c);
 - (d) for subsections (4) and (5) substitute—
 - “(4) In conducting a review, the Boundary Committee for England may at any time before publishing draft recommendations consult such persons as they consider appropriate.
 - (5) As soon as the Boundary Committee for England are in a position to submit recommendations to the Electoral Commission they must—
 - (a) submit them; and
 - (b) publish the recommendations and take such steps as they consider sufficient to secure that persons who may be interested in the recommendations are informed of them.”;
 - (e) in subsection (6)—
 - (i) for “the report on a review is” substitute “recommendations are”;
 - (ii) for “(4) above” substitute “(5) above”;
 - (iii) in paragraph (a), omit the words “a further report under subsection (4) containing”;
 - (iv) in paragraph (b), for “report relates” substitute “recommendations relate”;
 - (f) after subsection (6) insert—

“(6A) Where the Boundary Committee for England submit recommendations under subsection (6)(a), they must publish the recommendations and take such steps as they consider sufficient to secure that persons who may be interested in the recommendations are informed of them.”;

(g) omit subsection (8).

(4) Omit section 15A.

(5) In section 17(2) (implementation of recommendations by order), omit the words “or the submission of a report”.