

Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Cross Heading: Local Government Act 1972 (c. 70). (See end of Document for details)

SCHEDULES

SCHEDULE 3

EXECUTIVES: FURTHER AMENDMENTS

Local Government Act 1972 (c. 70)

1 The Local Government Act 1972 is amended as follows.

Commencement Information

I1 Sch. 3 para. 1 in force at 30.12.2007, see s. 245(2)

2 (1) Section 2 (constitution of principal councils in England) is amended as follows.

(2) After subsection (2A) insert—

“(2B) In such a case, a reference in this Act to a member of a council is a reference to—

- (a) the elected mayor of the council,
- (b) the chairman of the council, or
- (c) a councillor of the council.”

Commencement Information

I2 Sch. 3 para. 2 in force at 30.12.2007, see s. 245(2)

3 (1) Section 3 (chairman) is amended as follows.

(2) In subsection (4A) omit “or a mayor and council manager executive”.

Commencement Information

I3 Sch. 3 para. 3 in force at 30.12.2007, see s. 245(2)

4 (1) Section 21 (constitution of principal councils in Wales) is amended as follows.

(2) After subsection (1A) insert—

“(1B) In such a case, a reference in this Act to a member of a council is a reference to—

- (a) the elected mayor of the council,
- (b) the chairman of the council, or
- (c) a councillor of the council.”

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I4 Sch. 3 para. 4 in force at 30.12.2007, see s. 245(2)

- 5 (1) Section 79 (qualifications for election and holding office) is amended as follows.
- (2) In subsection (1) omit “, or be qualified to be elected and to be an elected mayor,”.

Commencement Information

I5 Sch. 3 para. 5 in force at 30.12.2007, see s. 245(2)

- 6 (1) Section 80 (disqualification for election and holding office) is amended as follows.
- (2) In subsection (1) in the words before paragraph (a) omit “, and be disqualified for being elected or being an elected mayor,”.

Commencement Information

I6 Sch. 3 para. 6 in force at 30.12.2007, see s. 245(2)

- 7 (1) Section 100G (principal councils to publish additional information) is amended as follows.
- (2) In subsection (1)(a) for the second “and” substitute “ together with, in the case of a councillor, ”.

Commencement Information

I7 Sch. 3 para. 7 in force at 30.12.2007, see s. 245(2)

- 8 (1) Section 100J (application of Part 5A to new authorities, Common Council, etc) is amended as follows.
- (2) In subsection (4)(a)—
- for “from “ward” onwards” substitute “ after “together with” ”;
 - before “name” insert “ the ”.
- (3) In subsection (4)(aa)—
- for “from “ward” onwards” substitute “ after “together with” ”;
 - before “name” insert “ the ”.
- (4) In subsection (4)(b) for “from “and the ward” onwards” substitute “ after “for the time being” ”.
- (5) In subsection (4)(c)—
- before “ward” insert “ , in the case of a councillor, the ”;
 - before “constituent” insert “ the ”.

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Textual Amendments

- F1** Sch. 3 para. 8(6) repealed (31.1.2017 for specified purposes, 1.4.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 2 para. 123\(b\)](#); S.I. 2018/227, [reg. 4\(c\)](#)

Commencement Information

- I8** Sch. 3 para. 8 in force at 30.12.2007, see [s. 245\(2\)](#)

- 9 (1) Section 249 (honorary aldermen and freemen) is amended as follows.
- (2) In subsection (1) for “councillors” substitute “ members ”.
- (3) In subsection (2) for “councillor” substitute “ member ”.

Commencement Information

- I9** Sch. 3 para. 9 in force at 30.12.2007, see [s. 245\(2\)](#)

- 10 (1) Section 270 (general provisions as to interpretation) is amended as follows.
- (2) In subsection (1) for the definition of “leader and cabinet executive” substitute—
- ““leader and cabinet executive means”—
- (a) in relation to England: a leader and cabinet executive (England);
- (b) in relation to Wales: a leader and cabinet executive (Wales);”.
- (3) In subsection (1) insert the following definitions at the appropriate places—
- ““leader and cabinet executive (England)” has the same meaning as in Part 2 of the Local Government Act 2000;”;
- ““leader and cabinet executive (Wales)” has the same meaning as in Part 2 of the Local Government Act 2000;”.
- (4) In subsection (4A) omit “or a mayor and council manager executive”.

Commencement Information

- I10** Sch. 3 para. 10 in force at 30.12.2007, see [s. 245\(2\)](#)

- 11 (1) Schedule 2 (constitution and membership of London borough councils) is amended as follows.
- (2) For paragraph 5C substitute—
- “5C (1) The council shall consist of an elected mayor, a chairman and councillors.
- (2) A reference in this Act to a member of the council is a reference to—
- (a) the chairman of the council,
- (b) a councillor of the council, or
- (c) the elected mayor of the council.”

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I11 Sch. 3 para. 11 in force at 30.12.2007, see s. 245(2)

- 12 (1) Schedule 12 (meetings and proceedings of local authorities) is amended as follows.
- (2) In paragraph 5(5) (who presides over meeting of council operating mayoral executive) omit “or a mayor and council manager executive”.

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I12 Sch. 3 para. 12 in force at 30.12.2007, see s. 245(2)

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