

Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Paragraph 10. (See end of Document for details)

SCHEDULES

SCHEDULE 4

NEW ARRANGEMENTS FOR EXECUTIVES: TRANSITIONAL PROVISION

Modifications etc. (not altering text)

- C1** Sch. 4 modified (29.8.2008) by [The Local Government \(Structural Changes\) \(Transitional Arrangements\) Regulations 2008 \(S.I. 2008/2113\)](#), regs. 1, **9**

PART 2

MAYOR AND COUNCIL MANAGER EXECUTIVE

Change in form of executive

- 10 (1) This paragraph applies if the proposals drawn up in accordance with section 33E provide for a change to a leader and cabinet executive (England).
- (2) Section 33K(2), (3), (5) and (6) of the LGA 2000 apply to the change as they would if the change were, by virtue of section 33M of the LGA 2000, subject to approval in a referendum.
- (3) Any resolution to make the change in governance arrangements must be passed on or before the earlier of these days—
- (a) the last day of the period of 28 days that begins with the day when the referendum is held;
 - (b) 31 December 2008, or such later date as the Secretary of State may by order provide.
- (4) Section 45(1) of the LGA 2000 does not prevent a referendum from being held in accordance with section 33K of the LGA 2000 as applied by sub-paragraph (2).
- (5) The proposals must provide for the local authority to cease operating the mayor and council manager executive and start operating the leader and cabinet executive (England) on the day which is expected to be the last day of the relevant mayoral term.
- (6) The following sub-paragraphs apply if the local authority adopt the leader and cabinet executive (England).
- (7) On the day specified in accordance with sub-paragraph (5), the local authority must—
- (a) cease operating the mayor and council manager executive, and
 - (b) start operating the leader and cabinet executive (England).
- (8) Subject to sub-paragraph (7), the local authority must implement the change in governance arrangements in accordance with the timetable in the proposals.

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- (9) If the local authority has held its annual meeting in 2009 before changing to the leader and cabinet executive (England), the authority must hold a meeting within the 21 days following the day on which it changes to that form of executive.
- (10) For the purposes of section 44B of the LGA 2000, that meeting is to be treated as a relevant annual meeting.

Commencement Information

II Sch. 4 para. 10 in force at 30.12.2007, see s. 245(2)

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