



Local Government Act 1929

1929 CHAPTER 17

PART IV

MISCELLANEOUS LOCAL GOVERNMENT PROVISIONS.

Rearrangement of County Districts.

46 First general review of districts by county councils.

- (1) The council of every county shall as soon as may be after the commencement of this Act, after conferences with representatives of the councils of the several districts wholly or partly within the county, review the circumstances of all such districts and consider whether it is desirable to effect any of the following changes:—
- (a) any alteration or definition of the boundaries of any such district or of any parish;
 - (b) the union of any such district or parish with another such district or parish;
 - (c) the transfer of any part of such district or parish to another district or parish;
 - (d) the conversion of any such district or any part thereof, if it is a rural district, into an urban district, or if it is an urban district, into or so as to form part of a rural district;
 - (e) the formation of any new district or parish;

and shall forthwith after the review is completed as respects the whole or any part of the county, and before the first day of April, nineteen hundred and thirty-two, or such later date as the Minister may in any case allow, send to the Minister a report of the review, together with proposals as to the changes, if any, which they consider desirable:

Provided that, before making any such proposals the county council shall consult with the councils of the county boroughs adjoining the county, and the Minister shall give those councils an opportunity of laying before him their views on the proposals made by the county council.

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- (2) The proposals may include proposals for the transfer of a par of a non-county borough to another district, or of another district or part of another district to a non-county borough, and, if the council of the county borough concerned agree, for an alteration of boundaries between a county borough and the county and any district therein; but, save as aforesaid, the proposals shall not affect any borough.
- (3) As soon as any such proposals are made to the Minister, the council making the proposals shall send copies thereof to the councils of the several districts affected thereby and shall publish in one or more newspapers circulating in those districts a notice stating that proposals have been made and that a copy thereof is open to inspection at a specified place, and that representations with respect thereto may be made to the Minister within six weeks after the publication of the notice.
- (4) The Minister shall consider the proposals and any representations with respect to the proposals, or any of them, which may have been made by any local authorities (including parish councils and parish meetings) or any local government electors affected thereby, and either may make an order giving effect to the proposals, or any of them, with or without modifications, or may refuse to make such an order:

Provided that, if an objection with respect to any proposal is made by a local authority affected thereby, and is not withdrawn, the Minister shall not make an order giving effect to the proposal without first holding a local inquiry into the objection.
- (5) If, either on representations made by a district council or otherwise it appears to the Minister, after consultation with such authorities as appear to him to be interested, that there is a prima facie case for making any such change as aforesaid, and that the county council have failed to make a proposal for the purpose within the time allowed, the Minister shall publish in one or more newspapers circulating in the districts affected a notice stating that he proposes to make the change, and that a copy of his proposals is open to inspection at a specified place, and that representations with respect thereto may be made to him within six weeks after the publication of the notice; and the Minister after considering any representations which may be made within that period, and, if any objections are made by any local authority and are not withdrawn, after holding a local inquiry with respect to the proposals to which the objections relate, may make an order effecting the change or such modified change as appears to him to be expedient.
- (6) If it appears to the Minister that the council of a county have within three years before the commencement of this Act undertaken a general review of the circumstances of districts within the county, the Minister may direct that such review, whether completed before or after the commencement of this Act, shall for the purposes of this Part of this Act be treated as a review for which provision is made under subsection (1) of this section.
- (7) An order under this section shall be laid before Parliament as soon as may be after it is made.

47 Subsequent periodical reviews.

- (1) A county council may subsequently whenever they think it desirable, and shall if so required by the Minister, review generally the circumstances of the districts within the county, so, however, that the interval between the original review and the first review under this section, or between any two reviews under this section, shall in no case be less than ten years.

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- (2) The provisions of the last foregoing section shall apply to every review under this section with such modifications as are necessary, and with this modification that if within four weeks after the making by the Minister of an order under this section objection thereto is made by the council of a borough to which the order relates and is not withdrawn, the order of the Minister shall be provisional only and shall not have effect unless and until confirmed by Parliament.

48 Saving of powers under and amendments of s.57 of 51 & 52 Vict. c.41.

- (1) Nothing in this Part of this Act shall affect the power of making orders under section fifty-four or section fifty-seven of the Local Government Act, 1888, but the said section fifty-seven shall have effect subject to the following amendments:—
- (a) it shall be lawful for a county council to make an order under the section without a proposal having been made to the council:
 - (b) the county council on making, and the Minister on confirming, an order may make such modifications in the original proposals or the order as the county council or Minister think fit; but before any such modifications are made, notice of the intention to make them shall be given to all local authorities concerned, and such local authorities shall be given an opportunity of making representations thereon:
 - (c) it shall be lawful for the Minister either to modify or to refuse to confirm an order under the section whether or not a petition against the order has been presented, but before doing so the Minister shall, if so requested by the county council or the council or parish meeting, if any, by whom the proposals were made, cause a local inquiry to be held:
 - (d) if a proposal under the section has been made by the council of a district or parish, or by a parish meeting, and the county council refuse or neglect to hold a local inquiry or to make an order under the section, the council or meeting which made the proposal may apply to the Minister, and the Minister may, after giving the county council an opportunity of making representations, hold a local inquiry, or make any such order as the county council might have made, as the case may be.
- (2) The said section fifty-seven shall in its application to county borough councils have effect subject to the amendments effected by this section so far as applicable, and as if for references to county councils there were therein substituted references to county borough councils.
- (3) This section so far as it amends the said section fifty-seven shall extend to the county of London.

49 Adjustment of boundaries of counties and county boroughs.

- (1) Where at the commencement of this Act any district or parish is not wholly comprised within one county, or where a part of a county is wholly detached therefrom, the county councils concerned shall as soon as may be take the case into consideration, and if as a result of such consideration a joint representation is made to the Minister by those councils, the Minister may, after holding a local inquiry, except in cases where he is satisfied that an inquiry is unnecessary, by order make such alteration of the counties as may be necessary to secure that the whole of the district or parish shall be within a single county, or to provide that such detached part shall be included in or divided amongst the county or counties surrounding it.

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- (2) The Minister may, on a joint representation being made by the council of a county and the council of a county borough, after holding a local inquiry, except in cases where he is satisfied that an inquiry is unnecessary, by order alter or define the boundary between the county and the county borough.
- (3) An order under this section shall be laid before Parliament as soon as may be after it is made.