



Local Government Act 1972

1972 CHAPTER 70

PART IV

CHANGES IN LOCAL GOVERNMENT AREAS

Conduct of reviews

60 Procedure for reviews.

- (1) [^{F1}The Welsh Commission or a][^{F2}Welsh principal] council proposing to conduct a review under the foregoing provisions of this Part of this Act shall take such steps as they think fit to secure that persons who may be interested in the review are informed of the proposal to conduct it and of any directions of the Secretary of State which are relevant to it.
- (2) In conducting any such review [^{F3}the Welsh Commission] or [^{F2}Welsh principal] council shall—
 - (a) consult—
 - (i) the council of any local government area [^{F4}and the police authority for any police area] affected by the review, and such other local authorities and public bodies as appear to them to be concerned;
 - (ii) any bodies representative of staff employed by local authorities who have asked the Commission or the council, as the case may be, to be consulted; and
 - (iii) such other persons as they think fit;
 - (b) take such steps as they think fit for securing that persons who may be interested in the review are informed of any draft proposals or recommendations, any draft of an order under section ^{F5}. . . 57(4) above or any interim decision not to make proposals or recommendations or any such order and of the place or places where those proposals or recommendations or that order or decision can be inspected;
 - (c) in particular, deposit copies of those proposals or recommendations or that order or decision at the offices of any principal council [^{F6}or police authority]

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- whose area may be affected thereby and require any such [^{F7}principal] council to keep the copies available for inspection at their offices for a period specified in the requirement; and
- (d) take into consideration any representations made to them within that period.
- (3) In considering any recommendations made by a [^{F2}Welsh principal] council in consequence of a review conducted by them under this Part of this Act [^{F3}the Welsh Commission] may consult the council of any local government area affected by the review, such other local authorities and public bodies as appear to them to be concerned and such other persons as they think fit.
- (4) Where [^{F3}the Welsh Commission] propose to modify any proposals recommended by a [^{F2}Welsh principal] council as aforesaid or not to submit any such proposals, the Commission shall—
- (a) take such steps as they think fit for securing that persons who may be interested in any modification or decision are informed of it and of the place or places where it can be inspected;
- (b) deposit copies of any draft modification or the decision at the offices of [^{F8}the principal council and of any other principal council in Wales] whose area may be affected thereby and require any such council to keep the copies available for inspection at their offices for a period specified in the requirement; and
- (c) take into consideration any representations which may be made to them with respect to any such modification or decision within that period.
- (5) Where [^{F3}the Welsh Commission]. . . make a report, proposals or recommendations under this Part of this Act they shall—
- (a) take such steps as they think fit for securing that persons who may be interested in the report, proposals or recommendations are informed of the report, proposals or recommendations and of the place or places where they can be inspected;
- (b) in particular, deposit copies of the report, proposals or recommendations at the offices of any principal council [^{F9}or police authority] whose area may be affected thereby and require any such [^{F10}principal] council to keep the copies available for inspection at their offices until the expiration of six months after the making of an order giving effect, with or without modifications, to the proposals or recommendations or after a notification by the Commission that they have no proposals to put forward or, as the case may be, by the Secretary of State that he does not propose to give effect to the proposals of the Commission.
- [^{F11}(5A) Where a Welsh principal council make a report, proposals or recommendations under this Part of this Act they shall—
- (a) make copies of the report, proposals or recommendations available for inspection at their offices for the period mentioned in subsection (5)(b) above;
- (b) take the steps mentioned in subsection (5)(a); and
- (c) comply with the requirements of subsection (5)(b) above in relation to any other principal council in Wales whose area may be affected by the report, proposals or recommendations.]
- (6) Subject to subsections (1) to [^{F12}(5A)] above, the Secretary of State may make regulations prescribing the procedure by which [^{F3}the Welsh Commission] or, as the case may be, a [^{F2}Welsh principal] council are to conduct a review under this Part of

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this Act or by which [^{F3}the Welsh Commission] are to consider recommendations of a district council thereunder.

- (7) Subject to those subsections and to any regulations made under subsection (6) above, the procedure of [^{F3}the Welsh Commission] or a [^{F2}Welsh principal] council in conducting any such review and the procedure of the Commission in considering any such recommendations shall be such as they may determine.

^{F13}(8)

Textual Amendments

- F1** Words in s. 60(1) substituted (31.10.1992) by Local Government Act 1992 (c. 19), s. 27(1), **Sch. 3 para. 13(1)**; S.I. 1992/2371, **art. 2**
- F2** Words in s. 60 substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 13(2)** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 4, **Sch. 2**
- F3** Words in s. 60(2)-(7) substituted (31.10.1992) by Local Government Act 1992 (c. 19), s. 27(1), **Sch. 3 para. 13(2)**; S.I. 1992/2371, **art. 2**
- F4** Words in s. 60(2)(a)(i) inserted (1.4.1995) by 1994 c. 29, **s. 40(4)(a)**; S.I. 1994/3262, art. 4(1), **Sch.**
- F5** Words in s. 60(2)(b) repealed (31.10.1992) by Local Government Act 1992 (c. 19), s. 29(2), **Sch. 4 Pt. II**; S.I. 1992/2371, **art. 2**
- F6** Words in s. 60(2)(c) inserted (1.4.1995) by 1994 c. 29, **s. 40(4)(b)**; S.I. 1994/3262, art. 4(1), **Sch.**
- F7** Word in s. 60(2)(c) inserted (1.4.1995) by 1994 c. 29, **s. 40(4)(b)**; S.I. 1994/3262, art. 4(1), **Sch.**
- F8** Words in s. 60(4)(b) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 13(3)** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 4, **Sch. 2**
- F9** Words in s. 60(5)(b) inserted (1.4.1995) by 1994 c. 29, **s. 40(4)(c)**; S.I. 1994/3262, art. 4(1), **Sch.**
- F10** Word in s. 60(5)(b) inserted (1.4.1995) by 1994 c. 29, **s. 40(4)(c)**; S.I. 1994/3262, art. 4(1), **Sch.**
- F11** S. 60(5A) inserted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 13(5)** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 4, **Sch. 2**
- F12** Words in s. 60(6) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 13(6)** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 4, **Sch. 2**
- F13** S. 60(8) (inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 19(5)(6), **Sch. 9 Pt. II para. 2(4)**) repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**

Modifications etc. (not altering text)

- C1** S. 60: power to transfer or modify functions conferred (30.11.2000 for specified purposes otherwise *prosp.*) by 2000 c. 41, **ss. 20(3)(b), 163(2)(3)(d)** (with s. 156(6))

61 Local inquiries.

- (1) [^{F14}The Welsh Commission or a] [^{F15}Welsh principal] council may cause a local inquiry to be held with respect to any review carried out by them under this Part of this Act.
- (2) Section 250(2), (3) and (5) below shall apply in relation to an inquiry held under this section with the substitution for references to a Minister of references to the Commission or [^{F15}Welsh principal] council causing the inquiry to be held.

Textual Amendments

- F14** Words in s. 61(1) substituted (31.10.1992) by Local Government Act 1992 (c. 19), s. 27(1), **Sch. 3 para. 14**; S.I. 1992/2371, **art. 2**

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F15 Words in s. 61(1)(2) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 14** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**

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