



Local Government (Wales) Act 1994

1994 CHAPTER 19

PART I

LOCAL GOVERNMENT AREAS IN WALES

Communities and their councils

12 Community councils: supplemental provisions.

(1) After section 29A of the 1972 Act, insert—

“29B Community councils: applications under section 28, 29 or 29A.

- (1) An application under section 28, 29 or 29A above may be made only if—
 - (a) a poll of the local government electors in the community has been held;
 - (b) a majority of those voting in the poll supports the proposal; and
 - (c) in the case of an application under section 29(1)(a), the application is made jointly with the communities to be grouped under the common community council.
- (2) In the case of an application under section 29A(1), paragraphs (a) and (b) of subsection (1) above apply in relation to each of the communities concerned.
- (3) The consent required by section 29(2)(b) or 29A(3)(b) above may be given by a community meeting only if—
 - (a) a poll of the local government electors in the community has been held; and
 - (b) a majority of those voting in the poll supports the proposal.
- (4) At any community meeting at which there is discussed a proposal—
 - (a) for the establishment, or for the dissolution, of a community council,

Status: Point in time view as at 30/04/2015.

Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Act 1994, Section 12. (See end of Document for details)

- (b) for the grouping of the community with another community or communities (on an application under section 29(1)(a) or (b) above), under a common community council;
 - (c) for the separation of the community from the communities with which it is grouped under a common community council;
 - (d) for the dissolution of the common community council for the communities with which it is grouped;
 - (e) for the giving of the consent required by section 29(2)(b) or 29A(3)(b) above,
- a decision to hold a poll on the question shall be effective only if not less than the required number of local government electors is present and voting.
- (5) The required number of local government electors is such number as is equal to 30% of the local government electorate or, if that number exceeds 300, is 300.
 - (6) No poll shall be held for the purposes of this section before the end of the period of 42 days beginning with the day on which the decision to hold the poll was taken.
 - (7) Paragraph 34 of Schedule 12 to this Act (voting at community meetings) shall have effect subject to the provisions of this section.
 - (8) Where the result of any poll (“the previous poll”) held for the purposes of this section is the rejection of the proposal with respect to which the poll was held, no further poll on that question shall be held before the end of the period of two years beginning with the date on which the previous poll was held.”
- (2) For sub-paragraphs (2) and (3) of paragraph 30 of Schedule 12 to the 1972 Act substitute—
- “(2) Except in a case falling within sub-paragraph (3) below, public notice of any community meeting shall be given not less than 7 clear days before the meeting.
 - (3) Where any business proposed to be transacted at a community meeting relates to any of the matters mentioned in section 29B(4) of this Act, public notice of the meeting shall be given not less than 30 clear days before the meeting.
- (3A) The notice required by sub-paragraph (2) or (3) above shall—
- (a) specify the time and place of the intended meeting;
 - (b) specify the business to be transacted at the meeting; and
 - (c) be signed by the person or persons convening the meeting.”

Status:

Point in time view as at 30/04/2015.

Changes to legislation:

There are currently no known outstanding effects for the Local Government (Wales) Act 1994, Section 12.