



# Local Government Act 2000

## 2000 CHAPTER 22

### [<sup>F1</sup>PART 1A

#### ARRANGEMENTS WITH RESPECT TO LOCAL AUTHORITY GOVERNANCE IN ENGLAND

### [<sup>F1</sup>CHAPTER 1

#### PERMITTED FORMS OF GOVERNANCE

##### Textual Amendments

- F1** Pt. 1A inserted (3.12.2011 for specified purposes, 15.1.2012 for the insertion of Pt. 1A Ch. 4 so far as not already in force and ss. 9B, 9C and 9R for specified purposes, 9.3.2012 for the insertion of ss. 9H-9HE in so far as not already in force and s. 9R for specified purposes, 4.5.2012 in so far as not already in force) by *Localism Act 2011* (c. 20), s. 240(2), **Sch. 2 para. 1**; S.I. 2011/2896, art. 2(e); S.I. 2012/57, art. 4(1)(b) (with arts. 6, 7, 9-11); S.I. 2012/628, art. 2(a); S.I. 2012/1008, art. 4(b)

##### Modifications etc. (not altering text)

- C1** Pt. 1A modified (26.5.2018) by *The Bournemouth, Dorset and Poole (Structural Changes) Order 2018* (S.I. 2018/648), arts. 1, **27(8)**
- C2** Pt. 1A modified (26.5.2018) by *The Bournemouth, Dorset and Poole (Structural Changes) Order 2018* (S.I. 2018/648), arts. 1, **12(5)-(8)**
- C3** Pt. 1A modified in part (26.5.2018) by *The Somerset West and Taunton (Local Government Changes) Order 2018* (S.I. 2018/649), arts. 1, **8(7)**
- C4** Pt. 1A modified in part (23.5.2019) by *The Buckinghamshire (Structural Changes) Order 2019* (S.I. 2019/957), arts. 1, **6(17)**

## **9B Permitted forms of governance for local authorities in England**

- (1) A local authority must operate—
- (a) executive arrangements,
  - (b) a committee system, or

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- (c) prescribed arrangements.
- (2) Executive arrangements must conform with any provisions made by or under this Part which relate to such arrangements (see, in particular, Chapter 2).
- (3) A committee system must conform with any provisions made by or under this Part which relate to such a system (see, in particular, Chapter 3).
- (4) In this Part—
- “a committee system” means the arrangements made by a local authority, which does not operate executive arrangements or prescribed arrangements, for or in connection with the discharge of its functions in accordance with—
- (a) Part 6 of the Local Government Act 1972, and
- (b) this Part;
- “executive arrangements” means arrangements by a local authority—
- (a) for and in connection with the creation and operation of an executive of the authority, and
- (b) under which certain functions of the authority are the responsibility of the executive;
- “prescribed arrangements” means such arrangements as may be prescribed in regulations made by the Secretary of State under section 9BA.

**Modifications etc. (not altering text)**

- C5** S. 9B(2) applied (26.5.2018) by [The Bournemouth, Dorset and Poole \(Structural Changes\) Order 2018 \(S.I. 2018/648\)](#), arts. 1, **29(2)**
- C6** S. 9B(2) applied (26.5.2018) by [The Bournemouth, Dorset and Poole \(Structural Changes\) Order 2018 \(S.I. 2018/648\)](#), arts. 1, **14(2)**
- C7** S. 9B(2) applied (23.5.2019) by [The Buckinghamshire \(Structural Changes\) Order 2019 \(S.I. 2019/957\)](#), arts. 1, **8(2)**

**9BA Power of Secretary of State to prescribe additional permitted governance arrangements**

- (1) The Secretary of State may by regulations make provision prescribing arrangements that local authorities may operate for and in connection with the discharge of their functions.
- (2) In particular, the regulations—
- (a) must include provision about how, and by whom, the functions of a local authority are to be discharged, and
- (b) may include provision enabling functions to be delegated.
- (3) Regulations under this section may, in particular, include provision which applies or reproduces (with or without modifications) any provisions of, or any provision made under, Chapters 2 to 4 of this Part.
- (4) In considering whether or how to exercise the power in this section, the Secretary of State must have regard to any proposals made under subsection (5).

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- (5) A local authority may propose to the Secretary of State that the Secretary of State make regulations prescribing arrangements specified in the proposal if the authority considers that the conditions in subsection (6) are met.
- (6) The conditions are—
- (a) that the operation by the authority of the proposed arrangements would be an improvement on the arrangements which the authority has in place for the discharge of its functions at the time that the proposal is made to the Secretary of State,
  - (b) that the operation by the authority of the proposed arrangements would be likely to ensure that the decisions of the authority are taken in an efficient, transparent and accountable way, and
  - (c) that the arrangements, if prescribed under this section, would be appropriate for all local authorities, or for any particular description of local authority, to consider.
- (7) A proposal under subsection (5)—
- (a) must describe the provision which the authority considers should be made under subsection (2) in relation to the proposed arrangements, and
  - (b) explain why the conditions in subsection (6) are met in relation to the proposed arrangements.]

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(2ZA) inserted by [2011 nawm 4 s. 59\(3\)](#)
- s. 21(13)(c) inserted by [2011 nawm 4 s. 59\(5\)\(b\)](#)
- s. 21(15A) inserted by [2011 nawm 4 s. 59\(6\)](#)
- s. 21(18) inserted by [2011 nawm 4 s. 59\(7\)](#)
- s. 21C(6)(aa)(ab) inserted by [2012 c. 7 Sch. 5 para. 97\(a\)](#)