



# Local Government and Public Involvement in Health Act 2007

## 2007 CHAPTER 28

### PART 1

#### STRUCTURAL AND BOUNDARY CHANGE IN ENGLAND

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#### STRUCTURAL AND BOUNDARY CHANGE

##### *Implementation of changes*

## **12 Provision relating to membership etc of authorities**

- (1) In [<sup>F1</sup>section 11(3)] “electoral matters” means any of the following—
- (a) the total number of members of any local authority or parish council (“councillors”);
  - (b) the number and boundaries of electoral areas for the purposes of the election of councillors;
  - (c) the number of councillors to be returned by any electoral area;
  - (d) the name of any electoral area;
  - (e) the election of councillors for any electoral areas;
  - (f) the order of retirement of councillors;
  - (g) the election of a mayor of a local authority;
  - (h) the election of an executive of a local authority;
  - (i) the appointment by the Secretary of State of members of an existing local authority to be members of a new local authority for a transitional period;
  - (j) the appointment for a transitional period of an executive of a new local authority;

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**Changes to legislation:** There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Section 12. (See end of Document for details)

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(k) the functions of a new local authority, and the discharge of those functions, during a transitional period.

[<sup>F2</sup>(l) the ordinary year of election for a parish council.]

(2) In subsection (1)(i) to (k)—

“a new local authority” means a local authority established by the order;

“a transitional period” means a period before the coming into office of members of the authority elected at the first election after the establishment of the authority.

(3) In subsection (2) “established” and “establishment” are to be read in accordance with section 11(5).

(4) An order under section 7 or 10 may provide for an electoral division of a non-metropolitan county to return more than one councillor, and in such a case section 6(2) (a) of the Local Government Act 1972 (c. 70) does not apply.

(5) As soon as practicable after the making of an order under section 7 or 10, [<sup>F3</sup>the Local Government Boundary Commission must consider whether to exercise its power under section 56(2) of the Local Democracy, Economic Development and Construction Act 2009 (electoral reviews)].

<sup>F4</sup>(6) .....

#### Textual Amendments

- F1** Words in s. 12(1) substituted (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), **ss. 65(6)(a)**, 148(3)(b); S.I. 2009/3318, art. 4(l)
- F2** S. 12(1)(l) inserted (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), **ss. 65(6)(b)**, 148(3)(b); S.I. 2009/3318, art. 4(l)
- F3** Words in s. 12(5) substituted (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), s. 148(3)(b), **Sch. 4 para. 19**; S.I. 2009/3318, art. 4(ff)
- F4** S. 12(6) repealed (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), ss. 146(3), 148(3), **Sch. 7 Pt. 3**; S.I. 2009/3318, art. 4(hh)

#### Commencement Information

- I1** S. 12 in force at 1.11.2007 for E. by [S.I. 2007/3136](#), **art. 2(a)**

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Section 12.