
STATUTORY INSTRUMENTS

2000 No. 2852

**The Local Authorities (Referendums) (Petitions
and Directions) (England) Regulations 2000**

PART IV

ACTION TO BE TAKEN AFTER REFERENDUMS

Action where referendum proposals approved

23. If the result of a referendum held under Part II or in pursuance of a direction under Part III is to approve the proposals that were the subject of the referendum, the authority shall implement those proposals in accordance with the timetable included in the proposals under regulation 17(3) (a) or regulation 19(1)(c), as the case may be.

Action where referendum proposals rejected

24.—(1) If the result of a referendum held under Part II or in pursuance of a direction under Part III is to reject the proposals that were the subject of the referendum—

- (a) the authority may not implement those proposals; and
- (b) if they are not then operating alternative arrangements (within the meaning given by section 32(1)) or executive arrangements, shall draw up detailed fall-back proposals which are based on their outline fall-back proposals; or
- (c) if they are then operating executive arrangements or alternative arrangements, shall continue to operate those arrangements (as summarised in accordance with regulation 17(7)(b) or 20(3)(b), as the case may be).

(2) Detailed fall-back proposals shall comprise—

- (a) the details (if any) specified in a direction under regulation 18(1);
- (b) such other details of the executive arrangements or alternative arrangements to which they relate as the Secretary of State may direct; and
- (c) details of any transitional arrangements which are necessary for the implementation of the proposals.

(3) In drawing up detailed fall-back proposals the authority—

- (a) shall comply with any directions given by the Secretary of State; and
- (b) where those proposals involve executive arrangements shall, unless a direction has been given in relation to that matter, decide the extent to which the functions specified in regulations under section 13(3)(b) are to be the responsibility of the executive.

(4) Except to the extent that detailed fall-back proposals involving executive arrangements or alternative arrangements are specified in a direction under regulation 18(1)—

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- (a) before drawing up proposals in accordance with paragraph (1)(b) above, the authority shall take reasonable steps to consult the local government electors for, and other interested persons in, the authority's area; and
 - (b) in drawing up those proposals, the authority shall consider the extent to which the proposals, if implemented, are likely to assist in securing continuous improvement in the way in which the authority's functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- (5) Where detailed fall-back proposals are drawn up in accordance with paragraph (1)(b), the authority shall send a copy of them to the Secretary of State.
- (6) Subject to paragraph (7), the authority shall implement detailed fall-back proposals in accordance with the timetable included pursuant to regulation 17(7)(a)(ii) or, as the case may be, regulation 20(3)(a)(iii).
- (7) Where detailed fall-back proposals are based on proposals approved under subsection (1) of section 28 (approval of outline fall-back proposals), the timetable referred to in paragraph (6) shall be extended to the extent that there is any delay in making the necessary regulations under section 11(5) or 32 (as the case may be).