



# Local Government Act 1972

## 1972 CHAPTER 70

### PART IV

#### CHANGES IN LOCAL GOVERNMENT AREAS

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

- C1 Pt. IV (ss. 46–78) extended with modifications by [Local Government Act 1985](#) (c. 51, SIF 81:1), ss. 1, 19(5)(6), [Sch. 9 para. 3\(2\)](#)
- C2 Pt. IV (ss. 46–78) modified by [Caldey Island Act 1990](#) (c. 44, SIF 81:1), [s. 4\(2\)](#)

#### *Proposals by Local Government Boundary Commission for England*

<sup>F1</sup>46 .....

##### Textual Amendments

- F1 Ss. 46-52 repealed (31.10.1992) by [Local Government Act 1992](#) (c. 19), s. 29(2)(3), [Sch. 4 Pt.II](#); S.I. 1992/2371, [art. 2](#)

<sup>F2</sup>47 .....

##### Textual Amendments

- F2 Ss. 46-52 repealed (31.10.1992) by [Local Government Act 1992](#) (c. 19), s. 29(2)(3), [Sch. 4 Pt.II](#); S.I. 1992/2371, [art. 2](#)

<sup>F3</sup>48 .....

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**Textual Amendments**

**F3** Ss. 46-52 repealed (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 29(2)(3), [Sch. 4 Pt.II](#); S.I. 1992/2371, [art. 2](#)

**F4** **49** .....

**Textual Amendments**

**F4** Ss. 46-52 repealed (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 29(2)(3), [Sch. 4 Pt.II](#); S.I. 1992/2371, [art.2](#)

**F5** **50** .....

**Textual Amendments**

**F5** Ss. 46-52 repealed (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 29(2)(3), [Sch. 4 Pt.II](#); S.I. 1992/2371, [art.2](#)

**F6** **51** .....

**Textual Amendments**

**F6** Ss. 46-52 repealed (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 29(2), [Sch. 4 Pt.II](#); S.I. 1992/2371, [art.2](#)

**F7** **52** .....

**Textual Amendments**

**F7** Ss. 46-52 repealed (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 29(2), [Sch. 4 Pt.II](#); S.I. 1992/2371, [art. 2](#)

*Proposals by Local Government Boundary Commission for Wales*

**F8** **53** **Local Government Boundary Commission for Wales.**

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**Textual Amendments**

**F8** S. 53 repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)

**<sup>F9</sup>54 Proposals for changes in local government areas in Wales.**

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**Textual Amendments**

**F9** S. 54 repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)

**<sup>F10</sup>55 Review of local government areas in Wales.**

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**Textual Amendments**

**F10** S. 55 repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)

**<sup>F11</sup>56 Power of Secretary of State to direct holding of reviews.**

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**Textual Amendments**

**F11** S. 56 repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)

**<sup>F12</sup>57 Substantive changes in electoral arrangements.**

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**Textual Amendments**

**F12** S. 57 repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)

**<sup>F13</sup>57A Exercise of functions by the Welsh Commission on behalf of principal councils**

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**Textual Amendments**

**F13** S. 57A repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)

**<sup>F14</sup>58 Commission’s reports and their implementation.**

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**Textual Amendments**

**F14** S. 58 repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)

**<sup>F15</sup>59 Directions about reviews.**

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**Textual Amendments**

**F15** S. 59 repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)

*Conduct of reviews*

**<sup>F16</sup>60 Procedure for reviews.**

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**Textual Amendments**

**F16** S. 60 repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)

**<sup>F17</sup>61 Local inquiries.**

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**Textual Amendments**

**F17** S. 61 repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)

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*Border between England and Wales*

<sup>F18</sup>**62** .....

**Textual Amendments**

**F18** S. 62 repealed (31.10.1992) by [Local Government Act 1992 \(c. 19\), s. 29\(2\), Sch. 4 Pt.II](#); S.I. 1992/2371, [art. 2](#)

*Initial reviews*

<sup>F19</sup>**63** .....

**Textual Amendments**

**F19** S. 63 repealed (31.10.1992) by [Local Government Act 1992 \(c. 19\), s. 29\(2\), Sch. 4 Pt.II](#); S.I. 1992/2371, [art.2](#)

**64**     **Review of electoral arrangements for Welsh principal areas.**

<sup>F20</sup> .....

**Textual Amendments**

**F20** S. 64 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), s. 1\(1\)](#), {Sch. 1 Pt. 10 Group 1}

*Supplementary provisions*

<sup>F21</sup>**65**     **Delegation of functions of Commission.**

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**Textual Amendments**

**F21** S. 65 repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\), s. 75\(2\)\(d\), Sch. 2](#)

<sup>F22</sup>**66** .....

**Textual Amendments**

**F22** S. 66 repealed (31.10.1992) by [Local Government Act 1992 \(c. 19\), s. 29\(2\), Sch. 4 Pt. II](#); S.I. 1992/2371, [art.2](#)

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**[<sup>F23</sup>67 Consequential and transitional arrangements relating to Part IV.**

- (1) The Secretary of State may by regulations of general application make such incidental, consequential, transitional or supplementary provision as may appear to him to be necessary or proper for the purposes or in consequence of orders under this Part of this Act or for giving full effect thereto; and nothing in any other provision of this Act shall be construed as prejudicing the generality of this subsection.
- (2) Regulations under this section may in particular include, in addition to any provision made by virtue of section 255 below, provision of general application with respect to—
  - (a) the transfer and management or custody of property (whether real or personal) and the transfer of rights and liabilities;
  - (b) the functions or areas of jurisdiction of any public body, [<sup>F24</sup>justice of the peace other than a District Judge (Magistrates’ Courts),] coroner, custos rotulorum, lord-lieutenant, lieutenant, high sheriff and other officers (including police officers) [<sup>F25</sup>, and the functions of any District Judge (Magistrates’ Courts),] within any area affected by any such order, and the costs and expenses of such public bodies and persons as aforesaid;
  - (c) the transfer of legal proceedings;
 and may apply, with or without modifications, or extend, exclude or amend, or repeal or revoke, with or without savings, any provision of an Act, an instrument made under an Act or a charter.
- (3) A statutory instrument containing regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) An order under this Part of this Act may include the like provision in relation to the order as may be made by regulations of general application under this section by virtue of subsections (1) and (2) above; and nothing in any other provision of this Act shall be construed as prejudicing the generality of this subsection.
- (5) Any such order may also include provision with respect to—
  - (a) the name of any altered area;
  - (b) the constitution [<sup>F26</sup>, election and membership] of public bodies in any area affected by the order;
  - [<sup>F27</sup>(c) the total number of councillors, the apportionment of councillors among electoral areas, the assignment of existing councillors to new or altered electoral areas and the first election of councillors for any new or altered electoral area;]
  - (d) without prejudice to paragraph (c) above, the holding of a fresh election of councillors for all electoral areas in the local government area in question in a case where substantial changes have been made to some of those areas;
  - (e) without prejudice to paragraph (c) above, the order of retirement of councillors for any such electoral area;
  - <sup>F28</sup>(f) .....
  - (g) the abolition or establishment, or the restriction or extension, of the jurisdiction of any public body in or over any part of the area affected by the order.
- [<sup>F29</sup>(5A) Without prejudice to subsection (5), an order under section 58 which makes provision altering any police areas may make provision as to who is to be a police and crime commissioner, including—

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- (a) provision for the police and crime commissioner for a police area affected by the order to become the police and crime commissioner for a police area resulting from the order;
- (b) provision for the holding of an election for the police and crime commissioner for any police area resulting from the order.

(5B) Such an order which includes provision within subsection (5A)(b) may, in particular, require the election in question to be held before the alteration of police areas takes effect.]

<sup>F30</sup>(6) . . . . .]

#### Textual Amendments

- F23** S. 67 repealed (W.) (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)
- F24** Words in s. 67(2)(b) substituted (31.8.2000) by [1999 c. 22, s. 78\(2\)](#), [Sch. 11 para. 20\(a\)](#) (with s. 107, [Sch. 14 para. 7\(2\)](#)); [S.I. 2000/1920, art. 3\(a\)](#)
- F25** Words in s. 67(2)(b) inserted (31.8.2000) by [1999 c. 22, s. 78\(2\)](#), [Sch. 11 para. 20\(b\)](#) (with s. 107, [Sch. 14 para. 7\(2\)](#)); [S.I. 2000/1920, art. 3\(a\)](#)
- F26** Words in s. 67(5)(b) substituted (1.4.1995) by [1994 c. 29, s. 40\(5\)](#); [S.I. 1994/3262, art. 4\(1\)](#), [Sch.](#)
- F27** S. 67(5)(c) substituted by [S.I. 1977/1710, art. 3\(a\)](#)
- F28** S. 67(5)(f) repealed (1.4.1996) by [1994 c. 19, s. 66\(5\)\(8\)](#), [Sch. 15 para. 15](#), [Sch. 18](#) (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); [S.I. 1996/396, art. 4](#), [Sch. 2](#)
- F29** S. 67(5A)(5B) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 10 para. 2](#); [S.I. 2012/1129, art. 2\(g\)](#)
- F30** S. 67(6) (inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 19(5)(6), [Sch. 9 Pt. II para. 2\(5\)](#)) repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237(2), [Sch. 13 Pt. I](#)

#### [<sup>F31</sup>68 Transitional agreements as to property and finance.

- (1) Any public bodies affected by the alteration, abolition or constitution of any area by an order under this Part of this Act [<sup>F32</sup>or by an order under section 162 of the Local Government (Wales) Measure 2011] may from time to time make agreements with respect to any property, income, rights, liabilities and expenses (so far as affected by the alteration, abolition or constitution) of, and any financial relations between, the parties to the agreement.
- (2) The agreement may provide—
  - (a) for the transfer or retention of any property, rights and liabilities, with or without conditions, and for the joint use of any property;
  - (b) for the making of payments by either party to the agreement in respect of property, rights and liabilities so transferred or retained, or of such joint use, and in respect of the remuneration or compensation payable to any person; and
  - (c) for the making of any such payment either by way of a capital sum or of a terminable annuity.
- (3) In default of agreement as to any matter, the matter shall be referred to the arbitration of a single arbitrator agreed on by the parties, or in default of agreement appointed by the Secretary of State, and the award of the arbitrator may provide for any matter for which an agreement under this section might have provided.

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- (4) Any sum required to be paid by a public body in pursuance of an agreement or award under this section may be paid out of such fund or rate as may be specified in the agreement or award, or if no fund or rate was specified, either out of the fund or rate from which the general expenses of the public body are defrayed, or out of such fund or rate as the public body may direct.
- (5) For the purposes of paying any capital sum required to be paid by a public body in pursuance of any such agreement or award—
  - (a) a local authority may borrow without the approval of the Secretary of State, but so that the sum borrowed shall be repaid within such period as the authority with the consent of the Secretary of State may determine;
  - (b) any other public body having power under any enactment or any instrument made under any Act to borrow may borrow under that enactment or instrument; and
  - (c) a public body having no power under any enactment or any such instrument to borrow may be empowered by an order made by the Secretary of State to borrow in such manner and in accordance with such conditions as may be provided by the order.

<sup>F33</sup>(6) . . . . .

- (8) Any agreement or award under this section which relates to the profits of local taxation licences shall, so far as it so relates, be carried out in accordance with regulations made by the Secretary of State.
- (9) Subsection (8) above shall apply to—
  - (a) an adjustment made under section 151 of the 1933 Act, whether as originally enacted or as applied by any other enactment or any instrument made under any Act; and
  - (b) an adjustment made under section 32 or 62 of the <sup>M1</sup>Local Government Act 1888, whether as originally enacted or as so applied, and consequent on an alteration of areas effected after 31st March 1930;
 as it applies in relation to an agreement or award under this section.]

**Textual Amendments**

**F31** S. 68 repealed (W.) (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)

**F32** Words in s. 68(1) inserted (31.8.2011) by [Local Government \(Wales\) Measure 2011 \(nawm 4\)](#), [ss. 168\(5\)](#), [178\(3\)](#); S.I. 2011/2011, art. 2(s)

**F33** S. 68(6)(7) repealed by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), s. 194(2), [Sch. 12 Pt. I](#)

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**Marginal Citations**

**M1** 1888 c. 41.

<sup>F34</sup>**69 Variation and revocation of orders under Part IV, etc.**

- (1) The power conferred by section 266 below to vary and revoke orders under this Act shall, in the case of orders under this Part of this Act, apply only in relation to any supplementary provision contained in any such order, and an order varying or revoking



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any such provision shall only be made after compliance with subsections (2) and (3) below.

- (2) The Secretary of State or [<sup>F35</sup>Welsh principal] council proposing to make any such varying or revoking order shall prepare a draft of the order, shall send copies of the draft to such local or public authorities as appear to him or them to be concerned, and shall give public notice, in such manner as appears to him or them sufficient for informing persons likely to be concerned, that the draft has been prepared, that a copy of the draft is available for inspection at a place specified in the notice and that representations with respect to the draft may be made to him or them within two months of the publication of the notice.
- (3) The Secretary of State or [<sup>F35</sup>Welsh principal] council shall consider any representations duly made with respect to the draft and may, if he or they think fit, make an order either in the form of the draft or subject to modifications.
- (4) The Secretary of State or a [<sup>F36</sup>Welsh principal] council may cause a local inquiry to be held with respect to the draft and section 250(2), (3) and (5) below shall apply in relation to an inquiry held under this subsection by a <sup>F37</sup> . . . council with the substitution for references to a Minister of references to the council.
- (5) Any supplementary provision contained in an order made by a Minister of the Crown under any of the following enactments (being enactments making provision corresponding to some or all of the foregoing provisions of this Part of this Act), that is to say—
  - (a) section 46 of the <sup>M2</sup>Local Government Act 1929;
  - (b) Part VI of the 1933 Act;
  - (c) Part II of the <sup>M3</sup>Local Government Act 1958;
  - (d) section 6 of the 1963 Act;
  - (e) any enactment repealed by the 1933 Act and corresponding to any enactment in the said Part VI;

may be varied or revoked by an order made by the Secretary of State, and subsections (2) to (4) above shall apply in relation to any such order as they apply in relation to orders varying or revoking orders under this Part of this Act.

- (6) Any supplementary provision contained in an order made under any of the enactments mentioned in subsection (5) above by [<sup>F38</sup>any predecessor of a Welsh principal council] may be varied or revoked in relation to any [<sup>F39</sup>Welsh principal area] to which or part of which that provision relates by an order made by the council of [<sup>F40</sup>that area], and subsections (2) to (4) above shall apply with all necessary modifications in relation to any such order as they apply in relation to orders varying or revoking orders under this Part of this Act.
- (7) In this section “supplementary provision” means any such provision as could be made by an order under this Part of this Act by virtue of section 67 above or section 255 below.]

#### Textual Amendments

**F34** S. 69 repealed (W.) (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)

**F35** Words in s. 69(2)(3) substituted (1.4.1996) by [1994 c. 19, s. 66\(5\)](#), [Sch. 15 para. 16\(a\)](#) (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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- F36** Words in s. 69(4) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 16(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F37** Word in s. 69(4) repealed (1.4.1996) by 1994 c. 19, s. 66(5)(8), **Sch. 15 para. 16(b)**, **Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F38** Words in s. 69(6) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 16(c)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F39** Words in s. 69(6) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 16(c)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F40** Words in s. 69(6) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 16(c)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**

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

- C3** S. 69: 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))

#### Marginal Citations

- M2** 1929 c. 17.  
**M3** 1958 c. 55.

### Miscellaneous

#### 70 Restriction on promotion of Bills for changing local government areas, etc.

[<sup>F41</sup>(1)] [<sup>F42</sup>[<sup>F43</sup>No] local authority [<sup>F44</sup>in England][<sup>F45</sup>, joint authority [<sup>F46</sup>economic prosperity board][<sup>F47</sup>, combined authority or combined county authority][<sup>F48</sup>...]] shall have power to promote a bill for forming or abolishing any local government area <sup>F49</sup>... or for altering, or altering the status or electoral arrangements of, any local government area <sup>F49</sup>...

[<sup>F50</sup>(2) Subsection (1) above shall have effect as if the reference to a joint authority included a reference to the London Fire Commissioner.]

[<sup>F51</sup>(3) No local authority [<sup>F52</sup>in England][<sup>F53</sup>, joint authority [<sup>F46</sup>economic prosperity board][<sup>F54</sup>, combined authority or combined county authority]] shall have power to promote a Bill for forming, altering or abolishing executive arrangements <sup>F55</sup>..., or for altering arrangements for electing an elected mayor.]

#### Textual Amendments

- F41** Words in s. 70 inserted (3.7.2000) by 1999 c. 29, s. 328(8), **Sch. 29 Pt. I para. 14** (with Sch. 12 para. 9(1)); S.I. 2000/1094, **art. 4(a)(h)**
- F42** Words substituted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 Pt. I para. 1**
- F43** Word substituted by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(1), **Sch. 12 Pt. II para. 41**
- F44** Words in s. 70(1) inserted (30.9.2013) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), s. 75(2)(d), **Sch. 1 para. 1(5)(a)**
- F45** Words in s. 70(1) substituted (1.4.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 209, 245, **Sch. 13 para. 2**; S.I. 2008/917, {art. 2(1)(p)}
- F46** Words in s. 70(1)(3) inserted (17.12.2009) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), ss. 119, 148(6), **Sch. 6 para. 11**; S.I. 2009/3318, **art. 2**
- F47** Words in s. 70(1) substituted (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 24(2)** (with s. 247)

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- F48** Words repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**
- F49** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 Pt. I para. 1** and repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**
- F50** S. 70(2) substituted (31.1.2017 for specified purposes, 1.4.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 2 para. 36**; S.I. 2018/227, **reg. 4(c)**
- F51** S. 70(3) added (E.) (11.7.2001) by S.I. 2001/2237, art. 3 and (W.) (1.4.2002) by S.I. 2002/808, **art. 3**
- F52** Words in s. 70(3) inserted (30.9.2013) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), s. 75(2)(d), **Sch. 1 para. 1(5)(b)**
- F53** Words in s. 70(3) substituted (1.4.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 209, 245, **Sch. 13 para. 2**; S.I. 2008/917, {art. 2(1)(p)}
- F54** Words in s. 70(3) substituted (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 24(3)** (with s. 247)
- F55** Words in s. 70(3) repealed (10.7.2011) by Local Government (Wales) Measure 2011 (nawm 4), ss. 36(3)(a), 178(2), **Sch. 4 Pt. B** (with s. 36(5)-(8))

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

- C4** S. 70 amended by S.I. 1985/1884, art. 10, **Sch. 3 para. 1(a)**
- C5** S. 70 modified by S.I. 1987/2110, art. 2(2), **Sch. 1 para. 3(a)**
- C6** S. 70 applied (*temp.* from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 4(1)**  
S. 70 extended (3.7.2000) by 1999 c. 29, s. 77(2) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**

**F5671 Modification of seaward boundaries of local government areas.**

.....

**Textual Amendments**

- F56** S. 71 repealed (30.9.2013) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), s. 75(2)(d), **Sch. 2**

**72 Accretions from the sea, etc.**

- (1) Subject to subsection (3) below, every accretion from the sea, whether natural or artificial, and any part of the sea-shore to the low water-mark, which does not immediately before the passing of this Act form part of a parish shall be annexed to and incorporated with—
  - (a) in England, the parish or parishes which the accretion or part of the sea-shore adjoins, and
  - <sup>F57</sup>(b) .....  
in proportion to the extent of the common boundary.
- (2) Every accretion from the sea or part of the sea-shore which is annexed to and incorporated with a parish <sup>F58</sup>... under this section shall be annexed to and incorporated with the district and county in which that parish <sup>F58</sup>... is situated.

<sup>F59</sup>(2A) .....

- (3) In England, in so far as the whole or part of any such accretion from the sea or part of the sea-shore as is mentioned in subsection (1) above does not adjoin a parish, it

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shall be annexed to and incorporated with the district which it adjoins or, if it adjoins more than one district, with those districts in proportion to the extent of the common boundary; and every such accretion or part of the sea-shore which is annexed to and incorporated with a district under this section shall be annexed to and incorporated with the county in which that district is situated.

#### Textual Amendments

- F57** S. 72(1)(b) repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)
- F58** Words in s. 72(2) repealed (24.10.1994) by 1994 c. 19, s. 66(5)(8), [Sch. 15 para. 18](#), [Sch. 18](#) (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); S.I. 1994/2790, art. 2(1), [Sch.](#)
- F59** S. 72(2A) repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)

### 73 Alteration of local boundaries consequent on alteration of water-course.

- (1) Where, in the exercise of any power [<sup>F60</sup>conferred by the conferred by the Water Resources Act 1991, the Land Drainage Act 1991 or] any other enactment, a water-course forming a boundary line between two or more areas of local government [<sup>F61</sup>in England] is straightened, widened or otherwise altered so as to affect its character as a boundary line, the drainage board or other persons under whose authority the alteration is made shall forthwith send notice of the alteration to the Secretary of State.
- (2) If after consultation with [<sup>F62</sup>the [<sup>F63</sup>Local Government Boundary Commission for England]]<sup>F64</sup> ... the Secretary of State is satisfied that, having regard to the alteration specified in the notice, a new boundary line may conveniently be adopted, he may by order declare that such line as may be specified in the order (whether or not consisting wholly or in part of the line of the water-course as altered) shall be substituted for so much of the boundary line as, before the alteration, lay along the line of the water-course; and where such an order is made the limits of the areas of which the water-course, before the alteration, was the boundary shall be deemed to be varied accordingly.
- (3) The Secretary of State shall, in such manner as he thinks appropriate, publish notice of any order made by him under this section.
- [<sup>F65</sup>(4) For the purposes of this section a preserved county is an area of local government.]

#### Textual Amendments

- F60** Words in s. 73(1) substituted (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 2(1), 4(2), [Sch. 1](#), para. 22(1).
- F61** Words in s. 73(1) inserted (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 1 para. 1\(6\)](#)
- F62** Words in s. 73(2) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 27(1), [Sch. 3 para. 17](#); S.I. 1992/2371, [art. 2](#)
- F63** Words in s. 73(2) substituted (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), ss. 67(1), 148(3), [Sch. 4 para. 3](#); S.I. 2009/3318, [art. 4\(ff\)](#)
- F64** Words in s. 73(2) repealed (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)

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**F65** S. 73(4) added (24.10.1994) by 1994 c. 19, s. 66(5), **Sch. 15 para. 19** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1994/2790, art. 2(1), **Sch.**

## 74 Change of name of county, district or London borough.

- (1) Subject to subsection (5) below, the council of a county [<sup>F66</sup>, county borough], district or London borough may, by a resolution passed by not less than two-thirds of the members voting thereon at a meeting of the council specially convened for the purpose with notice of the object, change the name of the county [<sup>F66</sup>, county borough], district or borough.
- (2) Where the name of a district which has been granted the status of a city, borough or royal borough or the name of a London borough is changed in pursuance of this section, the charter or other grant or incorporation order shall have effect as if the new name were substituted for the old.
- [<sup>F67</sup>(2A) Where a Welsh principal area which has, by charter or other grant or incorporation order, been granted the status of a county borough, city or royal borough subsequently changes the name of the council in pursuance of this section, the charter or other grant or incorporation order shall have effect as if the new name were substituted for the old.]
- (3) Notice of any change of name made under this section <sup>F68</sup> . . . —
  - (a) shall be sent by the council concerned to [<sup>F69</sup>the relevant Minister], to the Director General of the Ordnance Survey and to the Registrar General; and
  - (b) shall be published in such manner as [<sup>F70</sup>the relevant Minister] may direct.
- [<sup>F71</sup>(3A) Where any change of name under this section relates to a Welsh principal area, notice must also be sent to the Local Democracy and Boundary Commission for Wales.]
- (4) A change of name made in pursuance of this section <sup>F72</sup> . . . shall not affect any rights or obligations of any county [<sup>F73</sup>, county borough], district or London borough or of any council, authority or person, or render defective any legal proceedings; and any legal proceedings may be commenced or continued as if there had been no change of name.
- (5) <sup>F74</sup> . . . . .
- [<sup>F75</sup>(6) <sup>F76</sup> . . . . .
- (7) If the name of a Welsh principal area is changed under this section, and there are generally accepted alternative English and Welsh forms of that name, or alternative English and Welsh names, both forms of the new name or (as the case may be) both names shall be published.]
- [<sup>F77</sup>(8) In this section the “relevant Minister” is—
  - (a) in relation to the change of name of a Welsh principal area, the Welsh Ministers, and
  - (b) in relation to any other change of name, the Secretary of State.]

### Textual Amendments

- F66** Words in s. 74(1) inserted (3.4.1995) by 1994 c. 19, s. 66(5), **Sch. 15 para. 20(1)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 9(1)(2), **Sch. 5**
- F67** S. 74(2A) inserted (3.4.1995) by 1994 c. 19, s. 66(5), **Sch. 15 para. 20(2)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 9(1)(2), **Sch. 5**

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- F68** Words in s. 74(3) repealed (3.4.1995) by 1994 c. 19, s. 66(5)(8), Sch. 15 para. 20(3), **Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 9(1)(2), **Sch. 5**
- F69** Words in s. 74(3)(a) substituted (30.9.2013) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), s. 75(2)(d), **Sch. 1 para. 1(7)(a)**
- F70** Words in s. 74(3)(b) substituted (30.9.2013) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), s. 75(2)(d), **Sch. 1 para. 1(7)(b)**
- F71** S. 74(3A) inserted (30.9.2013) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), s. 75(2)(d), **Sch. 1 para. 1(7)(c)**
- F72** Words in s. 74(4) repealed (3.4.1995) by 1994 c. 19, s. 66(5)(8), Sch. 15 para. 20(3), **Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 9(1)(2), **Sch. 5**
- F73** Words in s. 74(4) inserted (3.4.1995) by 1994 c. 19, s. 66(5), **Sch. 15 para. 20(4)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 3(1), **Sch. 1**
- F74** S. 74(5) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. **1(1)**, {Sch. 1 Pt. 10 Group 1}
- F75** S. 74(6)(7) added (3.4.1995) by 1994 c. 19, s. 66(5), **Sch. 15 para. 20(5)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, art. 9(1)(2), **Sch. 5**
- F76** S. 74(6) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. **1(1)**, {Sch. 1 Pt. 10 Group 1}
- F77** S. 74(8) inserted (30.9.2013) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), s. 75(2)(d), **Sch. 1 para. 1(7)(d)**

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

- C7** S. 74: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, reg. 2(1), **Sch. 1**
- C8** S. 74(1) applied (with modifications)(1.8.1995) by S.I. 1995/1748, reg. 7

**75 Change of name of parish.**

- (1) At the request of the parish council or, where there is no parish council, at the request of the parish meeting, the council of the district in which the parish is situated may change the name of the parish.
- (2) Notice of any change of name made under this section—
- (a) shall be sent by the district council concerned to the Secretary of State, to the Director General of the Ordnance Survey and to the Registrar General; and
  - (b) shall be published by the district council in the parish and elsewhere in such manner as they consider appropriate.
- (3) A change of name made in pursuance of this section shall not affect any rights or obligations of any parish or of any council, authority or person, or render defective any legal proceedings; and any legal proceedings may be commenced or continued as if there had been no change of name.

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

- C9** S. 75: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, reg. 2(1), **Sch. 1**



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## 76 Change of name of community.

- (1) At the request of the community council or, where there is no community council, at the request of a community meeting, the council of the [<sup>F78</sup>principal area] in which the community is situated may change the name of the community.
- (2) Notice of any change of name made under this section <sup>F79</sup> . . . —
  - (a) shall be sent by the [<sup>F80</sup>principal] council concerned to the [<sup>F81</sup>Welsh Ministers, to the Local Democracy and Boundary Commission for Wales,] to the Director General of the Ordnance Survey and to the Registrar General; and
  - (b) shall be published by the [<sup>F80</sup>principal] council in the community and elsewhere in such manner as they consider appropriate.
- (3) A change of name made in pursuance of this section <sup>F82</sup> . . . shall not affect any rights or obligations of any community or of any council, authority or person, or render defective any legal proceedings; and any legal proceedings may be commenced or continued as if there had been no change of name.
- [<sup>F83</sup>(4) If the name of any community is changed under this section, and there are generally accepted alternative English and Welsh forms of that name, or alternative English and Welsh names, both forms of the new name or (as the case may be) both names shall be published.]

### Textual Amendments

- F78** Words in s. 76(1) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 21(1)(a)** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 4, **Sch. 2**
- F79** Words in s. 76(2) repealed (1.4.1996) by 1994 c. 19, s. 66(5)(8), **Sch. 15 para. 21(1)(b)**, **Sch. 18** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 4, **Sch. 2**
- F80** Word in s. 76(2) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 21(1)(c)** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 4, **Sch. 2**
- F81** Words in s. 76(2)(a) substituted (30.9.2013) by Local Government (Democracy) (Wales) Act 2013 (anaw 4), s. 75(2)(d), **Sch. 1 para. 1(8)**
- F82** Words in s. 76(3) repealed (1.4.1996) by 1994 c. 19, s. 66(5)(8), **Sch. 15 para. 21(1)(b)**, **Sch. 18** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 4, **Sch. 2**
- F83** S. 76(4) added (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 21(2)** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 4, **Sch. 2**

<sup>F84</sup>77 .....

### Textual Amendments

- F84** S. 77 repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, **Sch. 17**

## 78 Supplementary.

- (1) In this Part of this Act—
  - <sup>F85</sup>“electoral arrangements” means—
    - (a) in relation to a principal area, the number of councillors of the council for that area, the number and boundaries of the electoral areas into which

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that area is for the time being divided for the purpose of the election of councillors, the number of councillors to be elected for any electoral area in that principal area and the name of any electoral area;

- (b) in relation to a parish or community council or a common parish or community council, the number of councillors, the question whether the parish or community or any parish or community, as the case may be, should or should not be or continue to be divided into wards for the purpose of the election of councillors, the number and boundaries of any such wards, the number of councillors to be elected for any such ward or in the case of a common parish or community council for each parish or community and the name of any such ward;

- (c) <sup>F86</sup> .....]

“local government area” includes the City, the Inner Temple and the Middle Temple;

<sup>F87</sup>  
.....

“substantive change” has the meaning assigned to it by [<sup>F88</sup>section 54(1)(e)] above.

- [<sup>F89</sup>(2) In considering the electoral arrangements for local government areas for the purposes of this Part of this Act, the Secretary of State, [<sup>F90</sup>the Welsh Commission] and every [<sup>F91</sup>Welsh principal council and] district council shall so far as is reasonably practicable comply with the rules set out [<sup>F92</sup>in Schedule 11 to this Act].]

#### Textual Amendments

- F85** Words in s. 78(1) repealed (W.) (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)
- F86** S. 78(1): para. (c) in definition of "electoral arrangements" (which was inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 19(5)(6), [Sch. 9 Pt. II para. 2\(6\)](#)) repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237(2), [Sch. 13 Pt. I](#)
- F87** S. 78(1): definition of "public body" repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), s. 1(1), [Sch. 1](#), and expressed to be repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), ss. 198, 201(2), [Sch. 6 para. 57](#), [Sch. 7 \(with ss. 2\(3\), 15\(2\), 195\)](#); S.I. 2005/3056, art. 2(2) (with art. 4)
- F88** Words in the definition of "substantive change" in s. 78(1) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 27(1), [Sch. 3 para. 18\(1\)](#); S.I. 1992/2371, [art. 2](#)
- F89** S. 78(2) repealed (W.) (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), s. 75(2)(d), [Sch. 2](#)
- F90** Words in s. 78(2) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 27(1), [Sch. 3 para. 18\(2\)](#); S.I. 1992/2371, [art. 2](#)
- F91** Words in s. 78(2) inserted (1.4.1996) by 1994 c. 19, s. 66(5), [Sch. 15 para. 22 \(with ss. 54\(5\)\(7\), 55\(5\), Sch. 17 paras. 22\(1\), 23\(2\)\)](#); S.I. 1996/396, art. 4, [Sch. 2](#)
- F92** Words substituted by virtue of [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237(2), [Sch. 12 Pt. II para. 42](#)



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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. 80(3B) omitted by [2021 asc 1 Sch. 2 para. 1\(3\)\(c\)](#)
- s. 101(6ZA) inserted by [2023 c. 55 Sch. 12 para. 2](#)
- s. 123(2C) inserted by [2023 c. 55 s. 75](#)
- s. 131(2)(n) and word inserted by [2023 asc 3 Sch. 13 para. 16](#)