

**Changes to legislation:** Local Government Act 1972, Schedule 5 is up to date with all changes known to be in force on or before 28 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 5 **E+W**

#### ESTABLISHMENT OF NEW PRINCIPAL COUNCILS

##### Textual Amendments

- F1** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

#### <sup>F2</sup>*Election of councillors*

##### Textual Amendments

- F2** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

- <sup>F3</sup><sub>1</sub> The elections of councillors of the new principal councils which are to be held in 1995 shall be held on a date fixed by the Secretary of State by order.

##### Textual Amendments

- F3** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

#### <sup>F4</sup>*Electoral divisions*

##### Textual Amendments

- F4** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

- <sup>F5</sup><sub>2</sub> (1) For the purpose of any election of such councillors, each principal area shall be divided into electoral divisions specified in an order made by the Secretary of State after carrying out (either before or after the passing of the Local Government (Wales) Act 1994) such consultations as he thinks appropriate.
- (2) An order under this paragraph for any area shall specify the number of councillors to be returned for each electoral division.
- (3) There shall be a separate election of councillors for each electoral division.
- (4) An order under this paragraph may contain such incidental, consequential, transitional or supplemental provision as the Secretary of State considers appropriate.

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**Textual Amendments**  
F5 Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

*F6 First elections of new councils*

**Textual Amendments**  
F6 Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

3 F7 .....

**Textual Amendments**  
F7 Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*F8 Declarations of acceptance of office*

**Textual Amendments**  
F8 Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

4 F9 .....

**Textual Amendments**  
F9 Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*F10 First meetings of new principal councils*

**Textual Amendments**  
F10 Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

5 F11 .....

**Textual Amendments**  
F11 Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

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6 F12 .....

**Textual Amendments**

**F12** Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

7 F13 .....

**Textual Amendments**

**F13** Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*F14* Qualification for membership

**Textual Amendments**

**F14** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

8 F15 .....

**Textual Amendments**

**F15** Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*F16* Suspension of elections

**Textual Amendments**

**F16** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

9 F17 .....

**Textual Amendments**

**F17** Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

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*F18* *Appropriate transition committee*

**Textual Amendments**

**F18** Sch. 5 (paras. 1-10) substituted (5.7.1994) for Sch. 5 (paras. 1-15) by 1994 c. 19, ss. 3, 66(2)(a)(b), Sch. 3 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

10 **F19** ..... ]

**Textual Amendments**

**F19** Sch. 5 paras. 3-10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 10 Group 1}

*Qualification for membership of local authority*

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11 For the purposes of section 79 above, in its application to a candidate for membership of a new local authority, the new local government areas shall be treated as having been established not less than 12 months before the day of his nomination as such a candidate or, in relation to an election not preceded by the nomination of candidates, before the day of election.

*Suspension of elections*

- .....
- 12 (1) No election of councillors of an existing county, borough, urban or rural district or rural parish shall be held after the end of the year 1972, except an election to fill a casual vacancy in an office where before the end of that year the office has been declared to be vacant or notice of the vacancy has been given under section 67(1) of the 1933 Act; and any such councillor holding office immediately before the end of that year or elected after the end of that year to fill a casual vacancy occurring before the end of that year shall, unless he resigns his office or it otherwise becomes vacant, continue to hold office until 1st April 1974.
- (2) As respects an existing county or borough—
- (a) no ordinary election of aldermen shall be held after the passing of this Act;
  - (b) any alderman whose term of office would apart from this Act have expired between the passing of this Act and 1st April 1974 shall (unless he resigns his office or it otherwise becomes vacant) continue to hold office until that day; and
  - (c) any casual vacancy in the office of alderman occurring before 1st April 1974 shall not be filled unless the county or borough council resolve that it should be filled.
- (3) It shall not be necessary to fill any casual vacancy occurring during March 1974 in the office of—

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- (a) chairman or vice-chairman of the council of an existing county or urban or rural district or of an existing parish council;
- (b) mayor of an existing borough; or
- (c) chairman of the parish meeting of an existing rural parish.

*Annual meetings*

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13 In the year 1973 the annual meeting of a borough council shall be held on such day in the month of March, April or May as the council may fix.

.....

14 In the year 1974 it shall not be necessary for the parish meeting of a rural parish to assemble as required by paragraph 1(1) of Part VI of Schedule 3 to the 1933 Act.

*Supplemental*

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15 In this Schedule “relevant year of election” means—

- (a) in relation to county councillors, the first ordinary year of election of such councillors occurring after the making of the order constituting the new electoral divisions of the county as the result of the review of county electoral arrangements under Schedule 10 to this Act;
- (b) in relation to district councillors, the first ordinary year of election of such councillors occurring after the making of the order constituting the new wards of the district in consequence of the review of district electoral arrangements under that Schedule;
- (c) in relation to community councillors, the first ordinary year of election of such councillors occurring after the making of the order or the last of the orders with respect to the district comprising the community in consequence of the special community review under that Schedule.

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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](#)