



# Local Government Act 1972

## 1972 CHAPTER 70

### PART XI

#### GENERAL PROVISIONS AS TO LOCAL AUTHORITIES

##### *Miscellaneous provisions*

#### **239 Power to promote or oppose local or personal Bills.**

- (1) Subject to the provisions of this Act, where a [<sup>F1</sup>local authority in England, other than a parish council], are satisfied that it is expedient to promote, or any local authority [<sup>F2</sup>in England] are satisfied that it is expedient to oppose, any local or personal Bill in Parliament, the local authority may, but only in accordance with the procedure hereinafter provided by this section, promote or oppose the Bill accordingly, and may defray the expenses incurred in relation thereto.
- (2) A resolution of a local authority to promote or oppose a Bill under subsection (1) above shall be—
  - (a) passed by a majority of the whole number of the members of the authority at a meeting of the authority held after the requisite notice of the meeting and of its purpose has been given by advertisement in one or more local newspapers circulating in the area of the authority, such notice being given in addition to the ordinary notice required to be given for the convening of a meeting of the authority; and
  - (b) in the case of the promotion of a Bill, confirmed by a like majority at a further such meeting convened in accordance with paragraph (a) above and held as soon as may be after the expiration of fourteen days after the Bill has been deposited in Parliament and, if the resolution is not confirmed, the local authority shall take all necessary steps to withdraw the Bill.
- (3) For the purposes of subsection (2) above the requisite notice is thirty clear days' notice in the case of promotion of a Bill and ten clear days' notice in the case of opposition to a Bill.

*Changes to legislation: Local Government Act 1972, Section 239 is up to date with all changes known to be in force on or before 23 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*

- (4) The power conferred on a local authority by subsection (1) above shall be in substitution for any power conferred on that authority by a local Act.
- [<sup>F3</sup>(4A) The powers conferred on a local authority by sub-section (1) above shall also be exercisable by a joint authority [<sup>F4</sup>, an economic prosperity board][<sup>F5</sup>, a combined authority and a combined county authority]<sup>F6</sup>. . .]
- (5) No payment shall be made by a [<sup>F7</sup>an authority] to a member of the authority for acting as counsel or agent in promoting or opposing a Bill under this section.

#### Textual Amendments

- F1** Words in s. 239(1) substituted (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\), s. 75\(2\)\(d\), Sch. 1 para. 1\(10\)\(a\)](#)
- F2** Words in s. 239(1) inserted (30.9.2013) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\), s. 75\(2\)\(d\), Sch. 1 para. 1\(10\)\(b\)](#)
- F3** S. 239(4A) inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\), s. 84, Sch. 14 para. 32\(1\)](#)
- F4** Words in s. 239(4A) inserted (17.12.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\), ss. 119, 148\(6\), Sch. 6 para. 37; S.I. 2009/3318, art. 2\(c\)](#)
- F5** Words in s. 239(4A) substituted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\), s. 255\(2\)\(c\), Sch. 4 para. 50 \(with s. 247\)](#)
- F6** Words repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\), ss. 231\(7\), 235\(6\), 237\(2\), Sch. 13 Pt. 1](#)
- F7** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\), s. 84, Sch. 14 para. 32\(2\)](#)

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

- C1** S. 239 amended by [Local Government Act 1985 \(c. 51, SIF 81:1\), s. 57\(7\), Sch. 13 para. 12\(h\)](#)  
S. 239 extended (5.7.1994) by [1994 c. 19, ss. 39\(2\), 66\(2\)\(b\), Sch. 13 para. 19\(h\) \(with ss. 54\(5\)\(7\), 55\(5\), Sch. 17 paras. 22\(1\), 23\(2\)\)](#)  
S. 239 extended (with modifications)(19.9.1995) by [1995 c. 25, ss. 65\(7\), 125\(2\), Sch. 8 para. 7\(1\) \(with ss. 7\(6\), 115, 117, Sch. 8 para. 7\)](#)  
S. 239: 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](#)
- C2** S. 239 modified (22.7.2004) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1777\), art. 32](#)  
S. 239 modified (22.7.2004) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1778\), art. 32](#)
- C3** S. 239 modified (1.4.2018) by [The Sub-national Transport Body \(Transport for the North\) Regulations 2018 \(S.I. 2018/103\), regs. 1\(2\), 19\(3\)\(g\)](#)
- C4** S. 239(4A) amended by [S.I. 1985/1884, art. 10, Sch. 3 para. 1\(o\)](#)

**Changes to legislation:**

Local Government Act 1972, Section 239 is up to date with all changes known to be in force on or before 23 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.

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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](#)