



# Local Government Act 1972

## 1972 CHAPTER 70

### PART XII

#### MISCELLANEOUS AND GENERAL

*Status, etc.*

#### **245 Status of certain districts, parishes and communities.**

- (1) If, on a petition presented to Her Majesty by the council of a district praying for the grant of a charter under this subsection, Her Majesty by the advice of Her Privy Council thinks fit so to do, She may by the charter confer on that district the status of a borough, and thereupon—
- the council of the district shall bear the name of the council of the borough;
  - the chairman and vice-chairman of the council shall respectively be entitled to the style of mayor and deputy mayor of the borough.

[<sup>F1</sup>(1A) Subsection (1)(b) above does not apply where the council are operating executive arrangements which involve a mayor and cabinet executive or a mayor and council manager executive.]

- (2) A petition for a charter under subsection (1) above shall not be presented except on 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.
- (3) No charter under subsection (1) above shall take effect before 1st April 1974.
- (4) Where a petition is presented to Her Majesty before 1st April 1974 by the council of a district praying for the grant of a charter under subsection (1) above and it is signified on behalf of Her Majesty before that date that She proposes to accede to the petition and that She approves—
- the use for the district of any style previously belonging to an existing borough which on that date will become wholly or partly comprised in the district; and

*Status: Point in time view as at 06/05/2002. This version of this provision has been superseded.*

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- (b) the use for the chairman and vice-chairman of the council of the district of any style previously belonging to the mayor or deputy mayor of that borough; those styles may be so used as from 1st April 1974.

[<sup>F2</sup>(4A) Where—

- (a) a council are operating executive arrangements which involve a mayor and cabinet executive or a mayor and council manager executive; and
- (b) the chairman or vice-chairman of the council has previously used the style of mayor or deputy mayor by virtue of subsection (4)(b), the chairman or vice-chairman, as the case may be, shall no longer use that style.]
- (5) A district which has the status of a borough, or for which the style of borough may be used, by virtue of the foregoing provisions of this section and the council of any such district shall not be treated as a borough or the council of a borough for the purposes of any Act passed before 1st April 1974.
- (6) The council of a parish <sup>F3</sup> . . . which is not grouped with any other parish <sup>F3</sup> . . . may resolve that the parish <sup>F3</sup> . . . shall have the status of a town and thereupon—
- (a) the council of the parish <sup>F3</sup> . . . shall bear the name of the council of the town;
- (b) the chairman and vice-chairman of the council shall be respectively entitled to the style of town mayor and deputy town mayor;
- (c) the parish meeting <sup>F4</sup> . . . shall have the style of town meeting.
- (7) A resolution under subsection (6) above shall cease to have effect if the parish <sup>F3</sup> . . . to which it relates ceases to exist.
- (8) If a parish <sup>F3</sup> . . . council which has passed a resolution under subsection (6) above is dissolved without the parish <sup>F3</sup> . . . ceasing to exist, the dissolution shall not affect the status of the parish <sup>F3</sup> . . . or the application to it of paragraph (c) of that subsection and in England the parish trustees shall have the style of town trustees.
- (9) A parish <sup>F3</sup> . . . council by whom a resolution under subsection (6) above has been passed or, if the council has been dissolved, the parish meeting in England <sup>F5</sup> . . . may resolve that the parish <sup>F3</sup> . . . shall cease to have the status of a town and thereupon subsection (6)(a) to (c) above and subsection (8) above shall cease to apply to the parish <sup>F3</sup> . . .
- (10) The foregoing provisions of this section shall have effect subject to any provision made by a grant under Her Majesty's prerogative and, in particular, to any such provision granting the status of a city or royal borough or conferring the style of lord mayor, deputy lord mayor or right honourable.

#### Textual Amendments

- F1** S. 245(1A) inserted (26.10.2000 (E.) and 28.7.2001 (W.)) by 2000 c. 22, ss. 46, 108(4), **Sch. 3 para. 11(1)(2)**; S.I. 2000/2849, **art. 2(e)**
- F2** S. 245(4A) inserted (E.) (6.5.2002) by The Local Authorities (Executive Arrangements) (Modification of Enactments) (England) Order 2002 (S.I. 2002/1057), **art. 5**
- F3** Words in s. 245(6)-(9) repealed (1.4.1996) by 1994 c. 19, s. 66(5)(8), **Sch. 15 para. 51(a)**, **Sch. 18** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, **art. 4**, **Sch. 2**
- F4** Words in s. 245(6)(c) repealed (1.4.1996) by 1994 c. 19, s. 66(5)(8), **Sch. 15 para. 51(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**

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**F5** Words in s. 245(9) repealed (1.4.1996) by 1994 c. 19, s. 66(5)(8), Sch. 15 para. 51(c), **Sch. 18** (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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