



Local Government Act 2000

2000 CHAPTER 22

PART I

PROMOTION OF ECONOMIC, SOCIAL OR ENVIRONMENTAL WELL-BEING ETC

Interpretation

1 Meaning of “local authority” in Part I.

[^{F1}(1)] In this Part “local authority” means—

- (a) in relation to England—
 - (i) a county council,
 - (ii) a district council,
 - (iii) a London borough council,
 - (iv) the Common Council of the City of London in its capacity as a local authority,
 - (v) the Council of the Isles of Scilly,
 - [^{F2}(vi) an eligible parish council,]
- (b) in relation to Wales, a county council or a county borough council [^{F3}or a community council].

[^{F4}(2) A parish council is “eligible” for the purposes of this Part if the council meets the conditions prescribed by the Secretary of State by order for the purposes of this section.]

Textual Amendments

- F1** S. 1 renumbered as s. 1(1) (1.4.2008 for specified purposes, 31.12.2008 in so far as not already in force) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), **ss. 77(2), 245(5)**; S.I. 2008/917, art. 5; S.I. 2008/3110, art. 3(a)

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- F2** S. 1(1)(a)(vi) inserted (1.4.2008 for specified purposes, 31.12.2008 in so far as not already in force) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 77(3)**, 245(5); S.I. 2008/917, art. 5; S.I. 2008/3110, art. 3(a)
- F3** Words in s. 1(1)(b) inserted (10.7.2011) by Local Government (Wales) Measure 2011 (nawm 4), **ss. 126(1)**, 178(2) (with s. 128)
- F4** S. 1(2) inserted (1.4.2008 for specified purposes, 31.12.2008 in so far as not already in force) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 77(4)**, 245(5); S.I. 2008/917, art. 5; S.I. 2008/3110, art. 3(a)

Commencement Information

- I1** S. 1 wholly in force at 9.4.2001; s. 1 not in force at Royal Assent see s. 108; s. 1 in force (E.) at 18.10.2000 by S.I. 2000/2836, **arts. 1(3)**, 2(a); s. 1 in force (W.) at 9.4.2001 by S.I. 2001/1471, **art. 2**

Promotion of well-being

F62 Promotion of well-being [^{F5}by community councils].

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Textual Amendments

- F5** Words in s. 2 heading inserted (1.11.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 1(2)(f)**; S.I. 2021/231, art. 4(c)
- F6** S. 2 omitted (5.5.2022) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 10**; S.I. 2021/231, art. 6(r) (with art. 7)

F73 Limits on power to promote well-being.

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Textual Amendments

- F7** S. 3 omitted (5.5.2022) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(7), **Sch. 3 para. 10**; S.I. 2021/231, art. 6(r) (with art. 7)

F84 Strategies for promoting well-being.

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Textual Amendments

- F8** S. 4 omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), **ss. 100(1)**, 115(3)(k)

F94A Strategies: parishes

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Textual Amendments

F9 S. 4A omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 100(2)(a)**, 115(3)(k)

^{F10}5 Power to amend or repeal enactments.

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Textual Amendments

F10 S. 5 omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), **Sch. 3 para. 1(4)**; S.I. 2021/231, art. 4(c)

Modification of certain enactments

6 Power to modify enactments concerning plans etc.

- (1) Subject to subsection (3), the Secretary of State may by order amend, repeal, revoke or disapply any enactment (whenever passed or made) which requires a local authority to prepare, produce or publish any plan or strategy relating to any particular matter [^{F11}so far as that enactment has effect in relation to a local authority in England].
- (2) The power under subsection (1) may be exercised in relation to—
 - (a) all local authorities [^{F12}in England],
 - (b) particular local authorities [^{F13}in England], or
 - (c) particular descriptions of local authority [^{F14}in England].
- (3) The power under subsection (1) may be exercised in relation to a local authority only if the Secretary of State considers—
 - (a) that it is not appropriate for any such enactment as is mentioned in that subsection to apply to the authority, or
 - (b) that any such enactment should be amended so that it operates more effectively in relation to the authority.
- (4) The power under subsection (1) to amend or disapply an enactment includes a power to amend or disapply an enactment for a particular period.
- ^{F15}(5)
- ^{F16}(6)
- (7) An order under this section which would, apart from this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument shall proceed in that House as if it were not such an instrument.
- (8) In this section “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978).

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Textual Amendments

- F11** Words in s. 6(1) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(5\)\(a\)](#), 245(2)
- F12** Words in s. 6(2)(a) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(5\)\(b\)](#), 245(2)
- F13** Words in s. 6(2)(b) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(5\)\(b\)](#), 245(2)
- F14** Words in s. 6(2)(c) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(5\)\(c\)](#), 245(2)
- F15** S. 6(5) repealed (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(5\)\(d\)](#), 245(2), [Sch. 18 Pt. 5](#)
- F16** S. 6(6) repealed (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(5\)\(d\)](#), 245(2), [Sch. 18 Pt. 5](#)

Commencement Information

- I2** S. 6 wholly in force at 9.4.2001; s. 6 not in force at Royal Assent see s. 108(4); s. 6 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), [arts. 1\(3\)](#), 2(a); s. 6(6) in force (W.) at 1.11.2000 by [S.I. 2000/2948](#), [art. 2](#); s. 6(1)-(5)(7)(8) in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), [art. 2](#)

7 Power to modify enactments concerning plans etc: Wales.

(1) Subject to ^{F17}subsection (4)], ^{F18}[the Welsh Ministers] may by order amend, repeal, revoke or disapply any enactment ^{F19}[whenever passed or made] which requires a local authority to prepare, produce or publish any plan or strategy relating to any particular matter] so far as that enactment has effect in relation to a local authority in Wales.

^{F20}(2)

(3) The power under subsection (1) may be exercised in relation to—

- (a) all local authorities in Wales,
- (b) particular local authorities in Wales, or
- (c) particular descriptions of local authority in Wales.

(4) The power under subsection (1) may be exercised in relation to a local authority only if ^{F21}[the Welsh Ministers consider]—

- (a) that it is not appropriate for any such enactment as is mentioned in that subsection to apply to the authority, or
- (b) that any such enactment should be amended so that it operates more effectively in relation to the authority.

(5) The power under subsection (1) to amend or disapply an enactment includes a power to amend or disapply an enactment for a particular period.

^{F22}(6)

(7) In this section “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the ^{M1}Interpretation Act 1978).

^{F23}(8) An order under this section may not make a provision which, if it were a provision of ^{F24}[an Act] of the National Assembly for Wales, would be outside the Assembly's legislative competence.

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- (9) For the purposes of subsection (8), [F25 section 108A of the Government of Wales Act 2006 (legislative competence) has effect as if subsection (2)(c) of that section and paragraph 1 of Schedule 7B to that Act were omitted.]
- (10) Subject to subsection (11), a statutory instrument which contains an order under this section is not to be made unless a draft of the instrument has been laid before and approved by a resolution of the National Assembly for Wales.
- (11) A statutory instrument containing an order under this section which is made only for the purpose of amending an earlier such order—
- (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or
 - (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description,
- is to be subject to annulment in pursuance of a resolution of the National Assembly for Wales.]

Textual Amendments

- F17** Words in s. 7(1) substituted (1.11.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\), s. 175\(7\), Sch. 3 para. 1\(5\)](#); S.I. 2021/231, art. 4(c)
- F18** Words in s. 7(1) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 115\(6\)\(a\)\(i\), 245\(2\)](#)
- F19** Words in s. 7(1) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 115\(6\)\(a\)\(ii\), 245\(2\)](#)
- F20** S. 7(2) repealed (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 115\(6\)\(b\), 245\(2\), Sch. 18 Pt. 5](#)
- F21** Words in s. 7(4) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 115\(6\)\(c\), 245\(2\)](#)
- F22** S. 7(6) repealed (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 115\(6\)\(d\), 245\(2\), Sch. 18 Pt. 5](#)
- F23** S. 7(8)-(11) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), ss. 115\(7\), 245\(2\)](#)
- F24** Words in s. 7(8) substituted (5.5.2011) by [The Government of Wales Act 2006 \(Commencement of Assembly Act Provisions, Transitional and Saving Provisions and Modifications\) Order 2011 \(S.I. 2011/1011\), arts. 2, 6\(2\)](#)
- F25** Words in s. 7(9) substituted (1.4.2018) by [Wales Act 2017 \(c. 4\), s. 71\(4\), Sch. 6 para. 57](#) (with [Sch. 7 paras. 1, 6](#)); S.I. 2017/1179, reg. 3(r)

Commencement Information

- I3** S. 7 wholly in force at 1.11.2000; s. 7 not in force at Royal Assent see s. 108(4); s. 7 in force (E.) at 18.10.2000 by [S.I. 2000/2836, arts. 1\(3\), 2\(a\)](#); s. 7 in force (W.) at 1.11.2000 by [S.I. 2000/2948, art. 2](#)

Marginal Citations

- M1** 1978 c. 30.

8 Modification of section 137 of the 1972 Act.

In section 137 of the ^{M2}Local Government Act 1972 (power of local authorities to incur expenditure for certain purposes not otherwise authorised), for subsection (9) there is substituted—

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“(9) Subject to subsection (10) below, in this section “local authority” means a parish or community council.

(10) In subsection (3) above “local authority” means—

- (a) in relation to England, a county council, a district council, a London borough council, the Common Council or a parish council,
- (b) in relation to Wales, a county council, a county borough council or a community council.”

Commencement Information

I4 S. 8 wholly in force at 9.4.2001; s. 8 not in force at Royal Assent see s. 108(4); s. 8 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), [arts. 1\(3\), 2\(a\)](#); s. 8 in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), [art. 2](#)

Marginal Citations

M2 1972 c. 70.

Procedure for orders under ^[F26]this Part

Textual Amendments

F26 Words in [s. 9 cross-heading](#) substituted (1.11.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [s. 175\(7\)](#), [Sch. 3 para. 1\(6\)](#); [S.I. 2021/231](#), [art. 4\(c\)](#)

9 Procedure for orders ^[F27]made by the Secretary of State under section 6].

- (1) Before the Secretary of State makes an order under ^[F28]section 6] he must consult—
 - (a) such local authorities,
 - (b) such representatives of local government, and
 - (c) such other persons (if any),
 as appear to him to be likely to be affected by his proposals.
- (2) Where those proposals affect any local authorities in Wales, the Secretary of State must also consult ^[F29]the Welsh Ministers].
- (3) If, following consultation under the preceding provisions of this section, the Secretary of State proposes to make an order under ^[F30]section 6] he must lay before each House of Parliament a document which—
 - (a) explains his proposals,
 - (b) sets them out in the form of a draft order,
 - (c) gives details of consultation under subsection (1), and
 - (d) where consultation has taken place under subsection (2), sets out the views of ^[F31]the Welsh Ministers].
- (4) Where a document relating to proposals is laid before Parliament under subsection (3), no draft of an order under ^[F32]section 6] to give effect to the proposals (with or without modifications) is to be laid before Parliament in accordance with section 105(6) until after the expiry of the period of sixty days beginning with the day on which the document was laid.

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- (5) In calculating the period mentioned in subsection (4) no account is to be taken of any time during which—
- (a) Parliament is dissolved or prorogued, or
 - (b) either House is adjourned for more than four days.
- (6) In preparing a draft order under [F33section 6] the Secretary of State must consider any representations made during the period mentioned in subsection (4).
- (7) A draft order under [F33section 6] which is laid before Parliament in accordance with section 105(6) must be accompanied by a statement of the Secretary of State giving details of—
- (a) any representations considered in accordance with subsection (6), and
 - (b) any changes made to the proposals contained in the document laid before Parliament under subsection (3).
- [F34(8) Nothing in this section applies to an order under [F33section 6] which is made only for the purpose of amending an earlier order under that section—
- (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or
 - (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description.]

Textual Amendments

- F27** Words in s. 9 heading substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), [37\(4\)\(a\)](#)
- F28** Words in s. 9(1) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), [37\(4\)\(b\)](#)
- F29** Words in s. 9(2) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. [115\(8\)\(a\)](#), 245(2)
- F30** Words in s. 9(3) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), [37\(4\)\(b\)](#)
- F31** Words in s. 9(3)(d) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. [115\(8\)\(b\)](#), 245(2)
- F32** Words in s. 9(4) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), [37\(4\)\(b\)](#)
- F33** Words in s. 9(6)-(8) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), [37\(4\)\(b\)](#)
- F34** S. 9(8) inserted (18.11.2003 for E., 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\)](#), s. 128(6), [Sch. 3 para. 13](#); S.I. 2003/2938, art. 3(a) (with art. 8Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. 1

Commencement Information

- I5** S. 9 wholly in force at 9.4.2001; s. 9 not in force at Royal Assent see s. 108(4); s. 9 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), arts. [1\(3\)](#), 2(a); s. 9 in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), art. 2

[F359A Procedure for orders [F36made by the Welsh Ministers under section F37... 7]

- (1) Before the Welsh Ministers make an order under [F38section F39... 7] they must consult—
- (a) such local authorities in Wales,
 - (b) such representatives of local government in Wales, and

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- (c) such other persons (if any),
 as appear to them to be likely to be affected by their proposals.
- (2) If, following consultation under subsection (1), the Welsh Ministers propose to make an order under [F40section F41... 7] they must lay before the National Assembly for Wales a document which—
- (a) explains their proposals,
 - (b) sets them out in the form of a draft order, and
 - (c) gives details of consultation under subsection (1).
- (3) Where a document relating to proposals is laid before the National Assembly for Wales under subsection (2), no draft of an order under [F42section F43... 7] to give effect to the proposals (with or without modifications) is to be laid before the National Assembly for Wales [F44in accordance with section F45... 7(10)] until after the expiry of the period of sixty days beginning with the day on which the document was laid.
- (4) In calculating the period mentioned in subsection (3) no account is to be taken of any time during which the National Assembly is dissolved or is in recess for more than four days.
- (5) In preparing a draft order under [F46section F47... 7] the Welsh Ministers must consider any representations made during the period mentioned in subsection (3).
- (6) A draft order under [F46section F48... 7] which is laid before the National Assembly for Wales must be accompanied by a statement of the Welsh Ministers giving details of—
- (a) any representations considered in accordance with subsection (5), and
 - (b) any changes made to the proposals contained in the document laid before the National Assembly for Wales under subsection (2).
- (7) Nothing in this section applies to an order under [F46section F49... 7] which is made only for the purpose of amending an earlier order under that section—
- (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or
 - (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description.]

Textual Amendments

- F35** S. 9A inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 115\(9\)](#), [245\(2\)](#)
- F36** Words in s. 9A heading substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), [arts. 1\(1\)](#), [37\(5\)\(a\)](#)
- F37** Words in s. 9A heading omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [s. 175\(7\)](#), [Sch. 3 para. 1\(7\)\(d\)](#); [S.I. 2021/231](#), [art. 4\(c\)](#)
- F38** Words in s. 9A(1) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), [arts. 1\(1\)](#), [37\(5\)\(b\)](#)
- F39** Words in s. 9A(1) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [s. 175\(7\)](#), [Sch. 3 para. 1\(7\)\(a\)](#); [S.I. 2021/231](#), [art. 4\(c\)](#)
- F40** Words in s. 9A(2) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), [arts. 1\(1\)](#), [37\(5\)\(b\)](#)
- F41** Words in s. 9A(2) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [s. 175\(7\)](#), [Sch. 3 para. 1\(7\)\(b\)](#); [S.I. 2021/231](#), [art. 4\(c\)](#)

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- F42** Words in s. 9A(3) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), [37\(5\)\(c\)\(i\)](#)
- F43** Words in s. 9A(3) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), [Sch. 3 para. 1\(7\)\(c\)\(i\)](#); S.I. 2021/231, art. 4(c)
- F44** Words in s. 9A(3) inserted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), [37\(5\)\(c\)\(ii\)](#)
- F45** Words in s. 9A(3) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), [Sch. 3 para. 1\(7\)\(c\)\(ii\)](#); S.I. 2021/231, art. 4(c)
- F46** Words in s. 9A(5)-(7) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), [37\(5\)\(d\)](#)
- F47** Words in s. 9A(5) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), [Sch. 3 para. 1\(7\)\(d\)](#); S.I. 2021/231, art. 4(c)
- F48** Words in s. 9A(6) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), [Sch. 3 para. 1\(7\)\(d\)](#); S.I. 2021/231, art. 4(c)
- F49** Words in s. 9A(7) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), [Sch. 3 para. 1\(7\)\(d\)](#); S.I. 2021/231, art. 4(c)

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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. 21(2ZA) inserted by [2011 nawm 4 s. 59\(3\)](#)
- s. 21(13)(c) inserted by [2011 nawm 4 s. 59\(5\)\(b\)](#)
- s. 21(15A) inserted by [2011 nawm 4 s. 59\(6\)](#)
- s. 21(18) inserted by [2011 nawm 4 s. 59\(7\)](#)
- s. 21C(6)(aa)(ab) inserted by [2012 c. 7 Sch. 5 para. 97\(a\)](#)