



Local Government and Public Involvement in Health Act 2007

2007 CHAPTER 28

PART 5

CO-OPERATION OF ENGLISH AUTHORITIES WITH LOCAL PARTNERS, ETC

CHAPTER 1

^{F1}...COMMUNITY STRATEGIES

Textual Amendments

- F1** Words in Pt. 5 Ch. 1 heading omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), ss. [101\(2\)](#), [115\(3\)\(k\)](#)

103 Application of Chapter: responsible local authorities

For the purposes of this Chapter, each of the following is a responsible local authority—

- (a) a county council in England;
- (b) a district council in England, other than a council for a district in a county for which there is a county council;
- (c) a London borough council;
- (d) the Council of the Isles of Scilly;
- (e) the Common Council of the City of London in its capacity as a local authority.

Commencement Information

- II** S. 103 in force at 30.12.2007, see [s. 245\(2\)](#)

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104 Application of Chapter: partner authorities

(1) For the purposes of this Chapter, each of the following is a partner authority in relation to a responsible local authority—

- (a) any person mentioned in subsection (2) who acts or is established for an area which, or any part of which, coincides with or falls within the responsible local authority's area;
- (b) any person mentioned in subsection (3) who provides services at or from a hospital or other establishment or facility which falls within the responsible local authority's area; and
- (c) any person mentioned in subsection (4).

(2) The persons referred to in subsection (1)(a) are—

- (a) any district council which is not a responsible local authority;
- (b) a fire and rescue authority;
- (c) a National Park authority;
- (d) the Broads Authority;
- [^{F2}(e) a local policing body;]
- (f) a chief officer of police;
- ^{F3}(g)
- (h) a waste disposal authority established under section 10 of the Local Government Act 1985 (c. 51);
- [^{F4}(i) an Integrated Transport Authority for an integrated transport area in England;]
- [^{F5}(ia) an economic prosperity board established under section 88 of the Local Democracy, Economic Development and Construction Act 2009;
- (ib) a combined authority established under section 103 of that Act;]
- [^{F6}(ic) a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;]
- (j) Transport for London;
- [^{F7}[^{F8}(ja) an integrated care board;]
- (jb) [^{F9}NHS England];]
- ^{F10}(k)
- ^{F11}(l)
- (m) a local probation board established by section 4 of the Criminal Justice and Court Services Act 2000 (c. 43);
- (n) a youth offending team established under section 39 of the Crime and Disorder Act 1998 (c. 37).

(3) The persons referred to in subsection (1)(b) are—

- (a) a National Health Service trust;
- (b) an NHS foundation trust.

(4) The persons referred to in subsection (1)(c) are—

- (a) the Arts Council of England;
- (b) the English Sports Council;
- (c) the Environment Agency;
- (d) the Health and Safety Executive;
- [^{F12}(da) the Office for Nuclear Regulation;]
- (e) the Historic Buildings and Monuments Commission;

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- [^{F13}(ea) the Homes and Communities Agency;]
^{F14}(f)
^{F15}(fa)
(g) the Museums, Libraries and Archives Council;
(h) Natural England;
(i) the Secretary of State, but only in relation to—
(i) his functions under section 2 of the Employment and Training Act 1973 (c. 50) (arrangements with respect to obtaining etc employment or employees);
(ii) functions which he has as highway authority by virtue of section 1 of the Highways Act 1980 (c. 66);^{F16} ...
(iii) functions which he has as traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (c. 27).
[^{F17}(iv) his functions under sections 2 and 3 of the Offender Management Act 2007 (responsibility for ensuring the provision of probation services throughout England and Wales).]
- (5) In this section, “fire and rescue authority” means—
(a) a fire and rescue authority constituted by—
(i) a scheme under section 2 of the Fire and Rescue Services Act 2004 (c. 21); or
(ii) a scheme to which section 4 of that Act applies;
[^{F18}(aa) a fire and rescue authority created by an order under section 4A of that Act;]
(b) a metropolitan county fire and rescue authority; or
[^{F19}(c) the London Fire Commissioner.]
- [^{F20}(5A) The Secretary of State's functions under this Chapter as a partner authority of a local authority in relation to the functions referred to in subsection (4)(i)(iv) are functions to which section 2(1)(c) of the Offender Management Act 2007 (functions to be performed through arrangements under section 3 of that Act) applies.]
- (6) In subsection (1)(a), references to the area for which a person acts or is established are references—
(a) in the case of the Commissioner of Police of the Metropolis, to the metropolitan police district (within the meaning of the Police Act 1996 (c. 16));
(b) in the case of the Commissioner of the City of London Police, to the City of London police area (within the meaning of that Act);
(c) in the case of any other chief officer of police, to the police area listed in Schedule 1 to that Act for which his police force is maintained;
(d) in the case of Transport for London, Greater London.
- (7) The Secretary of State may by order—
(a) amend subsection (2), (3) or (4) by—
(i) adding to it any person who has functions of a public nature;
(ii) removing from it any person for the time being mentioned in it; or
(iii) adding to subsection (4)(i) any function of the Secretary of State or removing from it any function for the time being mentioned in it; and
(b) make such other amendments of this section as appear to him to be necessary or expedient in consequence of provision made under paragraph (a).

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- (8) Before making an order under subsection (7) the Secretary of State must consult such representatives of local government and such other persons (if any) as he considers appropriate.

Textual Amendments

- F2** S. 104(2)(e) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 367](#); S.I. 2011/3019, art. 3, Sch. 1
- F3** S. 104(2)(g) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), [Sch. 13 para. 6\(34\)\(a\)](#); S.I. 2015/994, art. 6(g)
- F4** S. 104(2)(i) substituted (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 4 para. 68\(2\)](#); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F5** S. 104(2)(ia)(ib) inserted (17.12.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), s. 148(6), [Sch. 6 para. 121\(3\)](#); S.I. 2009/3318, art. 2(c)
- F6** S. 104(2)(ic) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(2)(c), [Sch. 4 para. 174](#) (with s. 247)
- F7** S. 104(2)(ja) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), [ss. 26\(2\)](#), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F8** S. 104(2)(ja)(jb) inserted (1.4.2013) by [The Health and Social Care Act 2012 \(Consequential Amendments\) Order 2013 \(S.I. 2013/594\)](#), arts. 1(2), [6\(a\)](#)
- F9** Words in s. 104 substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), Sch. 1 para. 1(1)(2); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F10** S. 104(2)(k) omitted (1.4.2013) by virtue of [The Health and Social Care Act 2012 \(Consequential Amendments\) Order 2013 \(S.I. 2013/594\)](#), arts. 1(2), [6\(b\)](#)
- F11** S. 104(2)(l) repealed (1.7.2012 at 0.02 a.m.) by [Public Bodies Act 2011 \(c. 24\)](#), s. 38(3), [Sch. 6](#) (with Note 1); S.I. 2012/1662, art. 2(2)(b)
- F12** S. 104(4)(da) inserted (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), [Sch. 2 para. 24](#) (with Sch. 4)
- F13** S. 104(4)(ea) inserted (1.12.2008) by [Housing and Regeneration Act 2008 \(c. 17\)](#), s. 325(1), [Sch. 8 para. 83](#); S.I. 2008/3068, art. 2(1)(w)(3) (with arts. 6-13)
- F14** S. 104(4)(f) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(g), [Sch. 14 para. 59](#)
- F15** S. 104(4)(fa) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 16 para. 39](#); S.I. 2012/924, art. 2
- F16** Word in s. 104(4)(i) omitted (1.4.2008) by virtue of the [Offender Management Act 2007 \(c. 21\)](#), s. 41, [Sch. 3 para. 5\(2\)\(a\)](#), Sch. 5 Pt. 1; S.I. 2008/504, [art. 3\(1\)\(n\)](#)
- F17** S. 104(4)(i)(iv) and semi-colon inserted (1.4.2008) by the [Offender Management Act 2007 \(c. 21\)](#), s. 41, [Sch. 3 para. 5\(2\)\(b\)](#); S.I. 2008/504, [art. 3\(1\)](#)
- F18** S. 104(5)(aa) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 1 para. 84](#); S.I. 2017/399, reg. 2, Sch. para. 38
- F19** S. 104(5)(c) 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. 114](#); S.I. 2018/227, [reg. 4\(c\)](#)
- F20** S. 104(5A) inserted (1.4.2008) by the [Offender Management Act 2007 \(c. 21\)](#), s. 41, [Sch. 3 para. 5\(3\)](#); S.I. 2008/504, [art. 3\(1\)](#)

Commencement Information

- I2** S. 104 in force at 30.12.2007, see s. 245(2)

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F21 105 “Local improvement targets”: interpretation

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Textual Amendments

F21 Ss. 105-113 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 101(1)(a), 115(3)(k)**

F21 106 Duty to prepare and submit draft of a local area agreement

.....

Textual Amendments

F21 Ss. 105-113 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 101(1)(a), 115(3)(k)**

F21 107 Approval of draft local area agreement by Secretary of State

.....

Textual Amendments

F21 Ss. 105-113 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 101(1)(a), 115(3)(k)**

F21 108 Duty to have regard to local improvement targets

.....

Textual Amendments

F21 Ss. 105-113 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 101(1)(a), 115(3)(k)**

F21 109 Designated targets

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Textual Amendments

F21 Ss. 105-113 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 101(1)(a), 115(3)(k)**

F21 110 Revision and addition of targets

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Textual Amendments

F21 Ss. 105-113 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 101(1)(a), 115(3)(k)**

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F21 111 Designated targets: revision proposals

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Textual Amendments
F21 Ss. 105-113 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 101(1)(a), 115(3)(k)**

F21 112 Approval of revision proposal

.....

Textual Amendments
F21 Ss. 105-113 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 101(1)(a), 115(3)(k)**

F21 113 Duty to publish information about local area agreement

.....

Textual Amendments
F21 Ss. 105-113 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 101(1)(a), 115(3)(k)**

F22 114 Preparation of community strategy

.....

Textual Amendments
F22 S. 114 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 100(2)(d), 115(3)(k)**

115 Orders under Part 1 of Local Government Act 2000: Wales

(1) Part 1 of the Local Government Act 2000 (promotion of economic, social or environmental well-being etc) is amended as follows.

F23(2)

F24(3)

F25(4)

- (5) In section 6 (power to modify enactments concerning plans etc)—
 - (a) in subsection (1), at the end insert “so far as that enactment has effect in relation to a local authority in England”;
 - (b) in subsection (2)(a) and (b), after “authorities” insert “ in England ”;
 - (c) in subsection (2)(c), after “authority” insert “ in England ”; and
 - (d) omit subsections (5) and (6).

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- (6) In section 7 (power to modify enactments concerning plans etc: Wales)—
- (a) in subsection (1)—
 - (i) for “the National Assembly for Wales” substitute “ the Welsh Ministers ”; and
 - (ii) for “to which subsection (2) applies” substitute “ (whenever passed or made) which requires a local authority to prepare, produce or publish any plan or strategy relating to any particular matter ”;
 - (b) omit subsection (2);
 - (c) in subsection (4), for “the National Assembly for Wales considers” substitute “ the Welsh Ministers consider ”; and
 - (d) omit subsection (6).
- (7) At the end of that section insert—
- “(8) An order under this section may not make a provision which, if it were a provision of a Measure of the National Assembly for Wales, would be outside the Assembly's legislative competence.
 - (9) For the purposes of subsection (8), section 94(4) of the Government of Wales Act 2006 has effect as if paragraph (a) (matters within legislative competence) 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.”.
- (8) In section 9 (procedure for orders under section 5 or 6)—
- (a) in subsection (2), for “the National Assembly for Wales” substitute “ the Welsh Ministers ”; and
 - (b) in subsection (3)(d), for “the National Assembly for Wales” substitute “ the Welsh Ministers ”.
- (9) After section 9 insert—

“9A Procedure for orders under section 7

- (1) Before the Welsh Ministers make an order under section 7 they must consult—
- (a) such local authorities in Wales,
 - (b) such representatives of local government in Wales, and
 - (c) such other persons (if any),
- as appear to them to be likely to be affected by their proposals.

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- (2) If, following consultation under subsection (1), the Welsh Ministers propose to make an order under section 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 section 7 to give effect to the proposals (with or without modifications) is to be laid before the National Assembly for Wales 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 section 7 the Welsh Ministers must consider any representations made during the period mentioned in subsection (3).
- (6) A draft order under section 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 section 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

- F23** S. 115(2) repealed (4.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 25 Pt. 1**; S.I. 2012/1008, art. 2(d)
- F24** S. 115(3) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), **Sch. 3 para. 3**; S.I. 2021/231, art. 4(c)
- F25** S. 115(4) omitted (1.11.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), **Sch. 3 para. 3**; S.I. 2021/231, art. 4(c)

Commencement Information

- I3** S. 115 in force at 30.12.2007, see s. 245(2)

116 Health and social care: joint strategic needs assessments

- (1) An assessment of relevant needs must be prepared in relation to the area of each responsible local authority.

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- (2) A further assessment of relevant needs in relation to the area of a responsible local authority—
 - (a) must be prepared if the Secretary of State so directs; and
 - (b) may be prepared at any time.
- (3) A direction under subsection (2)(a) may be revoked.
- (4) It is for—
 - (a) the responsible local authority, and
 - ^{F26}(b) each of its partner integrated care boards,]to prepare any assessment of relevant needs under this section in relation to the area of the responsible local authority.
- (5) The responsible local authority must publish each assessment of relevant needs prepared under this section in relation to its area.
- ^{F27}(5A) The responsible local authority must give a copy of each assessment of relevant needs prepared under this section to any integrated care partnership established under section 116ZA whose area coincides with or includes the whole or part of the area of the responsible local authority.]
- (6) For the purposes of this section, there is a relevant need in relation to so much of the area of a responsible local authority as falls within the area ^{F28}of a partner ^{F29}[integrated care board]] if there appears to the responsible local authority and ^{F30}[the partner ^{F29}[integrated care board]] to be a need ^{F31}[or to be likely to be a need] to which subsection (7) applies.
- (7) This subsection applies to a need—
 - (a) which—
 - (i) is capable of being met to a significant extent by the exercise by the responsible local authority of any of its functions; and
 - (ii) could also be met, or could otherwise be affected, to a significant extent by the exercise by ^{F32}[the partner ^{F33}[integrated care board]] or ^{F34}[NHS England]] of any of its functions; or
 - (b) which—
 - (i) is capable of being met to a significant extent by the exercise by ^{F35}[the partner ^{F33}[integrated care board]] or ^{F34}[NHS England]] of any of its functions; and
 - (ii) could also be met, or could otherwise be affected, to a significant extent by the exercise by the responsible local authority of any of its functions.
- (8) In preparing an assessment under this section, the responsible local authority and ^{F36}[each of its partner ^{F37}[integrated care boards]] must—
 - (a) co-operate with one another;
 - (b) have regard to any guidance issued by the Secretary of State;
 - ^{F38}(ba) involve the Local Healthwatch organisation for the area of the responsible local authority;
 - (bb) involve the people who live or work in that area;] and
 - (c) if the responsible local authority is a county council, ^{F39}[involve] each relevant district council.

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[^{F40}(8A) In preparing an assessment under this section, the responsible local authority or a partner [^{F41}integrated care board] may consult any person it thinks appropriate.]

(9) In this section—

[^{F42}“partner [^{F43}integrated care board]”, in relation to a responsible local authority, means any [^{F43}integrated care board] whose area coincides with or falls wholly or partly within the area of the authority;]

“relevant district council” means—

- (a) in relation to a responsible local authority, any district council which is a partner authority of it; and
- (b) in relation to [^{F44}a partner [^{F43}integrated care board]] of a responsible local authority, any district council which is a partner authority of the responsible local authority and whose district falls wholly or partly within [^{F45}the area of the [^{F43}integrated care board]].

Textual Amendments

- F26** S. 116(4)(b) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), ss. 26(3)(a), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F27** S. 116(5A) inserted (1.7.2022) by Health and Care Act 2022 (c. 31), ss. 26(3)(b), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F28** Words in s. 116(6) substituted (1.4.2013) by Health and Social Care Act 2012 (c. 7), ss. 192(3)(a), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F29** Words in s. 116(6) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), ss. 26(3)(c), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F30** Words in s. 116(6) substituted (1.4.2013) by Health and Social Care Act 2012 (c. 7), ss. 192(3)(b), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F31** Words in s. 116(6) inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), ss. 192(3)(c), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F32** Words in s. 116(7)(a)(ii) substituted (1.4.2013) by Health and Social Care Act 2012 (c. 7), ss. 192(4)(a), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F33** Words in s. 116(7) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), ss. 26(3)(c), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F34** Words in s. 116 substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), Sch. 1 para. 1(1)(2); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F35** Words in s. 116(7)(b)(i) substituted (1.4.2013) by Health and Social Care Act 2012 (c. 7), ss. 192(4)(b), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F36** Words in s. 116(8) substituted (1.4.2013) by Health and Social Care Act 2012 (c. 7), ss. 192(5)(a), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F37** Words in s. 116(8) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), ss. 26(3)(d), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F38** S. 116(8)(ba)(bb) inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), ss. 192(5)(b), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F39** Word in s. 116(8)(c) substituted (1.4.2013) by Health and Social Care Act 2012 (c. 7), ss. 192(5)(c), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F40** S. 116(8A) inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), ss. 192(6), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F41** Words in s. 116(8A) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), ss. 26(3)(e), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F42** Words in s. 116(9) substituted (1.4.2013) by Health and Social Care Act 2012 (c. 7), ss. 192(7)(a), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)

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F43 Words in s. 116(9) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), ss. 26(3)(e), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)

F44 Words in s. 116(9) substituted (1.4.2013) by Health and Social Care Act 2012 (c. 7), ss. 192(7)(b)(i), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)

F45 Words in s. 116(9) substituted (1.4.2013) by Health and Social Care Act 2012 (c. 7), ss. 192(7)(b)(ii), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)

Modifications etc. (not altering text)

C1 Ss. 116-116B modified by 2006 c. 41, s. 13Z4(3) (as inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by Health and Social Care Act 2012 (c. 7), ss. 23(1), 306(1)(d)(4); S.I. 2013/160, art. 2(2)

C2 Ss. 116-116B modified by 2006 c. 41, s. 14Z24(3) (as inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by Health and Social Care Act 2012 (c. 7), ss. 26, 306(1)(d)(4); S.I. 2013/160, art. 2(2)

Commencement Information

I4 S. 116 in force at 1.4.2008 by S.I. 2008/461, art. 2(3), Sch.

[^{F46}116Z] Integrated care partnerships

- (1) An integrated care board and each responsible local authority whose area coincides with or falls wholly or partly within the board's area must establish a joint committee for the board's area (an "integrated care partnership").
- (2) The integrated care partnership for an area is to consist of—
 - (a) one member appointed by the integrated care board,
 - (b) one member appointed by each of the responsible local authorities, and
 - (c) any members appointed by the integrated care partnership.
- (3) An integrated care partnership may determine its own procedure (including quorum).

Textual Amendments

F46 Ss. 116ZA, 116ZB inserted (1.7.2022) by Health and Care Act 2022 (c. 31), ss. 26(4), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)

116ZB Integrated care strategies

- (1) An integrated care partnership must prepare a strategy (an "integrated care strategy") setting out how the assessed needs in relation to its area are to be met by the exercise of functions of—
 - (a) the integrated care board for its area,
 - (b) NHS England, or
 - (c) the responsible local authorities whose areas coincide with or fall wholly or partly within its area.
- (2) In preparing a strategy under this section, an integrated care partnership must, in particular, consider the extent to which the needs could be met more effectively by the making of arrangements under section 75 of the National Health Service Act 2006 (rather than in any other way).

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- (3) In preparing a strategy under this section, an integrated care partnership must have regard to—
- (a) the mandate published by the Secretary of State under section 13A of the National Health Service Act 2006, and
 - (b) any guidance issued by the Secretary of State.
- (4) In preparing a strategy under this section, an integrated care partnership must—
- (a) involve the Local Healthwatch organisations whose areas coincide with or fall wholly or partly within its area, and
 - (b) involve the people who live or work in that area.
- (5) An integrated care partnership may include in a strategy under this section a statement of its views on how arrangements for the provision of health-related services in its area could be more closely integrated with arrangements for the provision of health services and social care services in that area.
- (6) Each time that an integrated care partnership receives an assessment of relevant needs under section 116(5A) it must—
- (a) consider whether the current integrated care strategy should be revised, and
 - (b) if so, prepare a revised integrated care strategy under subsection (1).
- (7) An integrated care partnership must—
- (a) publish each integrated care strategy, and
 - (b) give a copy of each integrated care strategy to—
 - (i) each responsible local authority whose area coincides with or falls wholly or partly within its area, and
 - (ii) each partner integrated care board of those responsible local authorities.
- (8) In this section—
- (a) “assessed needs”, in relation to the area of an integrated care partnership, means the needs assessed under section 116 in relation to the areas of the responsible local authorities so far as those needs relate to the integrated care partnership’s area;
 - (b) “partner integrated care board”, in relation to a responsible local authority, has the same meaning as in section 116;
 - (c) “health services”, “health-related services” and “social care services” have the same meaning as in section 195 of the Health and Social Care Act 2012.]

Textual Amendments

F46 Ss. 116ZA, 116ZB inserted (1.7.2022) by Health and Care Act 2022 (c. 31), ss. 26(4), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)

[^{F47} 116A Health and social care: joint [^{F48} local] health and wellbeing strategies

- [^{F49}(1) This section applies where a responsible local authority and each of its partner integrated care boards receive an integrated care strategy under section 116ZB(7)(b).
- (2) The responsible local authority and each of its partner integrated care boards must prepare a strategy (“a joint local health and wellbeing strategy”) setting out how the

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assessed needs in relation to the responsible local authority's area are to be met by the exercise of functions of—

- (a) the responsible local authority,
- (b) its partner integrated care boards, or
- (c) NHS England.

(2A) But the responsible local authority and its partner integrated care boards need not prepare a new joint local health and wellbeing strategy if, having considered the integrated care strategy, they consider that the existing joint local health and wellbeing strategy is sufficient.]

(3) In preparing a strategy under this section, the responsible local authority and each of its partner [F50;integrated care boards] must, in particular, consider the extent to which the [F51;assessed] needs could be met more effectively by the making of arrangements under section 75 of the National Health Service Act 2006 (rather than in any other way).

(4) In preparing a strategy under this section, the responsible local authority and each of its partner [F52;integrated care boards] must have regard to—

[F53;(za) the integrated care strategy prepared under section 116ZB,]

- (a) the mandate published by the Secretary of State under section 13A of the National Health Service Act 2006, and
- (b) any guidance issued by the Secretary of State.

(5) In preparing a strategy under this section, the responsible local authority and each of its partner [F54;integrated care boards] must—

- (a) involve the Local Healthwatch organisation for the area of the responsible local authority, and
- (b) involve the people who live or work in that area.

(6) The responsible local authority must publish each strategy prepared by it under this section.

(7) The responsible local authority and each of its partner [F55;integrated care boards] may include in the strategy a statement of their views on how arrangements for the provision of health-related services in the area of the local authority could be more closely integrated with arrangements for the provision of health services and social care services in that area.

(8) In this section and section 116B—

- [F56;(a) “partner integrated care board”, in relation to a responsible local authority, has the same meaning as in section 116,
- (aa) “assessed needs”, in relation to the area of a local authority, means the needs assessed in relation to its area under section 116, and]
- (b) “health services”, “health-related services” and “social care services” have the same meaning as in section 195 of the Health and Social Care Act 2012.

Textual Amendments

F47 Ss. 116A, 116B inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), ss. 193, 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)

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- F48** Word in s. 116A heading inserted (1.7.2022) by Health and Care Act 2022 (c. 31), **ss. 26(5)(a)**, 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F49** S. 116A(1)-(2A) substituted for s. 116A(1)(2) (1.7.2022) by Health and Care Act 2022 (c. 31), **ss. 26(5)(b)**, 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F50** Words in s. 116A(3) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), **ss. 26(5)(c)(i)**, 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F51** Word in s. 116A(3) inserted (1.7.2022) by Health and Care Act 2022 (c. 31), **ss. 26(5)(c)(ii)**, 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F52** Words in s. 116A(4) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), **ss. 26(5)(d)(i)**, 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F53** S. 116A(4)(za) inserted (1.7.2022) by Health and Care Act 2022 (c. 31), **ss. 26(5)(d)(ii)**, 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F54** Words in s. 116A(5) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), **ss. 26(5)(e)**, 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F55** Words in s. 116A(7) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), **ss. 26(5)(e)**, 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F56** S. 116A(8)(a)(aa) substituted for s. 116A(8)(a) (1.7.2022) by Health and Care Act 2022 (c. 31), **ss. 26(5)(f)**, 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)

Modifications etc. (not altering text)

- C1** Ss. 116-116B modified by 2006 c. 41, s. 13Z4(3) (as inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by Health and Social Care Act 2012 (c. 7), **ss. 23(1)**, 306(1)(d)(4)); S.I. 2013/160, art. 2(2)
- C2** Ss. 116-116B modified by 2006 c. 41, s. 14Z24(3) (as inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by Health and Social Care Act 2012 (c. 7), **ss. 26**, 306(1)(d)(4)); S.I. 2013/160, art. 2(2)

[^{F57} 116B Duty to have regard to assessments and strategies

- (1) A responsible local authority and each of its partner integrated care boards must, in exercising any functions, have regard to the following so far as relevant—
- (a) any assessment of relevant needs prepared under section 116 in relation to the responsible local authority's area,
 - (b) any integrated care strategy prepared under section 116ZB in relation to an area that coincides with or includes the whole or part of the responsible local authority's area, and
 - (c) any joint local health and wellbeing strategy prepared under section 116A by the responsible local authority and its partner integrated care boards.
- (2) NHS England must, in exercising any functions in arranging for the provision of health services in relation to the area of a responsible local authority, have regard to the following so far as relevant—
- (a) any assessment of relevant needs prepared under section 116 in relation to that area,
 - (b) any integrated care strategy prepared under section 116ZB in relation to an area that coincides with or includes the whole or part of that area, and
 - (c) any joint local health and wellbeing strategy prepared under section 116A by the responsible local authority and its partner integrated care boards.]]

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Textual Amendments

- F47** Ss. 116A, 116B inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 193**, 306(4); S.I. 2013/160, **art. 2(2)** (with **arts. 7-9**)
- F57** [S. 116B](#) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), **ss. 26(6)**, 186(6); S.I. 2022/734, **reg. 2(a)**, **Sch.** (with **regs. 13, 29, 30**)

Modifications etc. (not altering text)

- C1** Ss. 116-116B modified by 2006 c. 41, s. 13Z4(3) (as inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 23(1)**, 306(1)(d)(4); S.I. 2013/160, **art. 2(2)**)
- C2** Ss. 116-116B modified by 2006 c. 41, s. 14Z24(3) (as inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 26**, 306(1)(d)(4); S.I. 2013/160, **art. 2(2)**)
- C3** [S. 116B](#) applied (1.9.2014) by [Children and Families Act 2014 \(c. 6\)](#), **ss. 27(4)**, 139(6); S.I. 2014/889, **art. 7(a)** (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505))
- C4** [S. 116B](#) applied (1.9.2014) by [Children and Families Act 2014 \(c. 6\)](#), **ss. 26(7)**, 139(6); S.I. 2014/889, **art. 7(a)** (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505))

[^{F58}116C Sections 116 to 116B: references to functions

Section 275A of the National Health Service Act 2006 (references to functions of a person to include delegated functions etc) applies for the purposes of sections 116 to 116B of this Act as it applies for the purposes of that Act.]

Textual Amendments

- F58** [S. 116C](#) inserted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), **Sch. 9 para. 15**; S.I. 2022/734, **reg. 2(a)**, **Sch.** (with **regs. 13, 29, 30**)

117 Interpretation of Chapter

In this Chapter—

F59
...
F59
...
F59
...

“partner authority”, in relation to a responsible local authority, has the meaning given by section 104;

“responsible local authority” has the meaning given by section 103;^{F60} ...

F59
...

Textual Amendments

- F59** Words in s. 117 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 101(1)(b)(i)**, 115(3)(k)
- F60** Words in s. 117 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 101(1)(b)(ii)**, 115(3)(k)

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Commencement Information

I5 S. 117 in force at 30.12.2007, see [s. 245\(2\)](#)

118 Transitional provision

^{F61}(1)

^{F62}(2)

(3) The Offender Management Act 2007 (c. 21) is amended as follows.

(4) In paragraph 5 of Schedule 3 (which adds functions of the Secretary of State in relation to probation services to the functions in relation to which the Secretary of State is a partner authority)—

- (a) in sub-paragraph (1), for “Section 80” substitute “ Section 104 ”;
- (b) in sub-paragraph (2), for “subsection (3)(g)” substitute “ subsection (4)(i) ”; and
- (c) in sub-paragraph (3), in the inserted subsection (5A), for “subsection (3)(g) (iv)” substitute “ subsection (4)(i)(iv) ”.

(5) In Part 1 of Schedule 5 (repeals relating to probation services), in the entry relating to this Act—

- (a) for “section 80(3)” substitute “ section 104(4) ”; and
- (b) for “(g)(ii)” substitute “ (i)(ii) ”.

Textual Amendments

F61 S. 118(1) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), [ss. 101\(1\)\(c\)](#), [115\(3\)\(k\)](#)

F62 S. 118(2) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), [ss. 101\(1\)\(c\)](#), [115\(3\)\(k\)](#)

Commencement Information

I6 S. 118 in force at 30.12.2007, see [s. 245\(2\)](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2024/414 art. 5Sch. 1 para. 15](#)