

*Status: Point in time view as at 30/12/2007.*

**Changes to legislation:** There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Cross Heading: Local Government Act 1972 (c. 70). (See end of Document for details)

## SCHEDULES

### SCHEDULE 3

#### EXECUTIVES: FURTHER AMENDMENTS

##### *Local Government Act 1972 (c. 70)*

1 The Local Government Act 1972 is amended as follows.

#### Commencement Information

**I1** Sch. 3 para. 1 in force at 30.12.2007, see s. 245(2)

2 (1) Section 2 (constitution of principal councils in England) is amended as follows.

(2) After subsection (2A) insert—

“(2B) In such a case, a reference in this Act to a member of a council is a reference to—

- (a) the elected mayor of the council,
- (b) the chairman of the council, or
- (c) a councillor of the council.”

#### Commencement Information

**I2** Sch. 3 para. 2 in force at 30.12.2007, see s. 245(2)

3 (1) Section 3 (chairman) is amended as follows.

(2) In subsection (4A) omit “or a mayor and council manager executive”.

#### Commencement Information

**I3** Sch. 3 para. 3 in force at 30.12.2007, see s. 245(2)

4 (1) Section 21 (constitution of principal councils in Wales) is amended as follows.

(2) After subsection (1A) insert—

“(1B) In such a case, a reference in this Act to a member of a council is a reference to—

- (a) the elected mayor of the council,
- (b) the chairman of the council, or
- (c) a councillor of the council.”

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**Commencement Information**

**I4** Sch. 3 para. 4 in force at 30.12.2007, see s. 245(2)

- 5 (1) Section 79 (qualifications for election and holding office) is amended as follows.  
 (2) In subsection (1) omit “, or be qualified to be elected and to be an elected mayor.”.

**Commencement Information**

**I5** Sch. 3 para. 5 in force at 30.12.2007, see s. 245(2)

- 6 (1) Section 80 (disqualification for election and holding office) is amended as follows.  
 (2) In subsection (1) in the words before paragraph (a) omit “, and be disqualified for being elected or being an elected mayor.”.

**Commencement Information**

**I6** Sch. 3 para. 6 in force at 30.12.2007, see s. 245(2)

- 7 (1) Section 100G (principal councils to publish additional information) is amended as follows.  
 (2) In subsection (1)(a) for the second “and” substitute “ together with, in the case of a councillor, ”.

**Commencement Information**

**I7** Sch. 3 para. 7 in force at 30.12.2007, see s. 245(2)

- 8 (1) Section 100J (application of Part 5A to new authorities, Common Council, etc) is amended as follows.  
 (2) In subsection (4)(a)—  
 (a) for “from “ward” onwards” substitute “ after “together with” ”;  
 (b) before “name” insert “ the ”.  
 (3) In subsection (4)(aa)—  
 (a) for “from “ward” onwards” substitute “ after “together with” ”;  
 (b) before “name” insert “ the ”.  
 (4) In subsection (4)(b) for “from “and the ward” onwards” substitute “ after “for the time being” ”.  
 (5) In subsection (4)(c)—  
 (a) before “ward” insert “ , in the case of a councillor, the ”;  
 (b) before “constituent” insert “ the ”.  
 (6) In subsection (4A)—  
 (a) before “the ward” insert “ together with, in the case of a councillor, ”;  
 (b) before the first “whether” insert “ and ”.

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**Commencement Information**

**I8** Sch. 3 para. 8 in force at 30.12.2007, see s. 245(2)

- 9 (1) Section 249 (honorary aldermen and freemen) is amended as follows.
- (2) In subsection (1) for “councillors” substitute “ members ”.
- (3) In subsection (2) for “councillor” substitute “ member ”.

**Commencement Information**

**I9** Sch. 3 para. 9 in force at 30.12.2007, see s. 245(2)

- 10 (1) Section 270 (general provisions as to interpretation) is amended as follows.
- (2) In subsection (1) for the definition of “leader and cabinet executive” substitute—
- ““leader and cabinet executive means”—
- (a) in relation to England: a leader and cabinet executive (England);
- (b) in relation to Wales: a leader and cabinet executive (Wales);”.
- (3) In subsection (1) insert the following definitions at the appropriate places—
- ““leader and cabinet executive (England)” has the same meaning as in Part 2 of the Local Government Act 2000;”;
- ““leader and cabinet executive (Wales)” has the same meaning as in Part 2 of the Local Government Act 2000;”.
- (4) In subsection (4A) omit “or a mayor and council manager executive”.

**Commencement Information**

**I10** Sch. 3 para. 10 in force at 30.12.2007, see s. 245(2)

- 11 (1) Schedule 2 (constitution and membership of London borough councils) is amended as follows.
- (2) For paragraph 5C substitute—
- “5C (1) The council shall consist of an elected mayor, a chairman and councillors.
- (2) A reference in this Act to a member of the council is a reference to—
- (a) the chairman of the council,
- (b) a councillor of the council, or
- (c) the elected mayor of the council.”

**Commencement Information**

**I11** Sch. 3 para. 11 in force at 30.12.2007, see s. 245(2)

- 12 (1) Schedule 12 (meetings and proceedings of local authorities) is amended as follows.

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(2) In paragraph 5(5) (who presides over meeting of council operating mayoral executive) omit “or a mayor and council manager executive”.

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**Commencement Information**

**I12** Sch. 3 para. 12 in force at 30.12.2007, see s. 245(2)

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