



Local Government and Public Involvement in Health Act 2007

2007 CHAPTER 28

PART 1

STRUCTURAL AND BOUNDARY CHANGE IN ENGLAND

CHAPTER 1

STRUCTURAL AND BOUNDARY CHANGE

Boundary change

10 Implementation of recommendations by order

- (1) Where the [^{F1}Local Government Boundary Commission] make a recommendation to the Secretary of State under section 8(2), the Secretary of State may do any of the following—
 - (a) by order implement the recommendation, with or without modification;
 - (b) decide to take no action with respect to the recommendation;
 - (c) make a request under section 8 for a further review.
- (2) Where the [^{F2}Local Government Boundary Commission] make a recommendation to the Secretary of State under section 8(5) the Secretary of State may—
 - (a) make a request under section 8 for a further review; or
 - (b) decide not to make such a request.

[^{F3}(2A) Subsections (2B) to (2D) apply where the Local Government Boundary Commission make a recommendation to the Secretary of State under section 8(6A) or (6E) in consequence of a recommendation under section 8(2).

Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Section 10. (See end of Document for details)

- (2B) Where under subsection (1)(a) the Secretary of State implements the recommendation under section 8(2) without modification, the Secretary of State must by order implement the recommendation under section 8(6A) or (6E).
- (2C) Where pursuant to subsection (1)(a) the Secretary of State proposes to implement the recommendation under section 8(2) with modification, the Secretary of State must request the Local Government Boundary Commission to recommend whether a modification is needed to their recommendation under section 8(6A) or (6E).
- (2D) Where under section (1)(a) the Secretary of State implements a recommendation under section 8(2) with modification—
- (a) if the Local Government Boundary Commission have recommended under subsection (2C) that a modification is needed to their recommendation under section 8(6A) or (6E), the Secretary of State must by order implement the recommendation under section 8(6A) or (6E) with that modification;
 - (b) if the Local Government Boundary Commission have recommended under subsection (2C) that no modification is needed to the recommendation under section 8(6A) or (6E), the Secretary of State must by order implement that recommendation.]
- (3) The Secretary of State may not do as mentioned in paragraph (a), (b) or (c) of subsection (1) or paragraph (a) or (b) of subsection (2) before the end of six weeks beginning with the recommendation date (as defined by section 9(5)).
- (4) Before doing as mentioned in any of those paragraphs the Secretary of State may request the [^{F4}Local Government Boundary Commission] to provide him with information or advice on any matter relating to the recommendation.
- (5) Where they receive such a request the [^{F5}Local Government Boundary Commission] may provide the information or advice requested.

Textual Amendments

- F1** Words in s. 10(1) substituted (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), s. 148(3)(b), **Sch. 4 para. 18**; S.I. 2009/3318, art. 4(ff)
- F2** Words in s. 10(2) substituted (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), s. 148(3)(b), **Sch. 4 para. 18**; S.I. 2009/3318, art. 4(ff)
- F3** S. 10(2A)-(2D) inserted (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), **ss. 65(4)**, 148(3)(b); S.I. 2009/3318, art. 4(l)
- F4** Words in s. 10(4) substituted (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), s. 148(3)(b), **Sch. 4 para. 18**; S.I. 2009/3318, art. 4(ff)
- F5** Words in s. 10(5) substituted (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), s. 148(3)(b), **Sch. 4 para. 18**; S.I. 2009/3318, art. 4(ff)

Commencement Information

- I1** S. 10 in force at 1.11.2007 for E. by [S.I. 2007/3136](#), **art. 2(a)**

Changes to legislation:

There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Section 10.