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STATUTORY INSTRUMENTS

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**2018 No. 1128**

**The Local Government (Boundary Changes) Regulations 2018**

**PART 5**

**Governance**

**Establishment of parishes and parish councils under the 2007 Act**

**14.**—(1) This regulation applies where a predecessor council undertakes, or has undertaken, a community governance review under Part 4 of the 2007 Act (parishes), where the predecessor council has not exercised its powers under section 86 of the 2007 Act (reorganisation of community governance) to give effect to the review’s recommendations before the beginning of the transitional period.

(2) Sections 86 and 96 to 100 of the 2007 Act shall have effect as if the successor council were the principal council<sup>(1)</sup>.

(3) Where a predecessor council undertakes a community governance review during the transitional period and its successor council is a shadow authority—

(a) section 79(3) of the 2007 Act shall have effect as if the requirement for a district council to notify the county council were a requirement to notify both the county council and the shadow authority; and

(b) section 92 of that Act shall have effect as if the shadow authority were a principal council.

(4) Where a predecessor council receives a community governance petition under section 80 or a community governance application under section 80A<sup>(2)</sup> of the 2007 Act during the transitional period, the predecessor council may resolve that the review be undertaken by the successor council after the reorganisation date.

(5) Where a resolution is made by a predecessor council under paragraph (4)—

(a) section 93(8) of the 2007 Act has effect as if the reference to the period of 12 months were a reference to the period of 12 months starting with the reorganisation date; and

(b) sections 86 and 96 to 100 of the 2007 Act have effect as if the successor council were the principal council for the purposes of the review mentioned in paragraph (4).

**Petitions on executive arrangements**

**15.** Part 1A of the Local Government Act 2000 (arrangements with respect to local authority governance in England) shall have effect in relation to a predecessor council as if any regulations made under section 9MC<sup>(3)</sup> (referendum following petition) did not apply to that council.

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<sup>(1)</sup> See section 102 of the Local Government and Housing Act 1989 for meaning of “principal council”.

<sup>(2)</sup> Section 80A was inserted by [S.I. 2015/998](#).

<sup>(3)</sup> [2000 c. 22](#). Part 1A was inserted by the Localism Act [2011 \(c.20\)](#) section 21 and Schedule 2.