



# Local Government Act 1972

## 1972 CHAPTER 70

### PART IV

#### CHANGES IN LOCAL GOVERNMENT AREAS

##### *Miscellaneous*

#### 70 Restriction on promotion of Bills for changing local government areas, etc.

[<sup>F1</sup>[<sup>F2</sup>No] local authority or a joint authority . . . <sup>F3</sup>] shall have power to promote a bill for forming or abolishing any local government area . . . <sup>F4</sup> or for altering, or altering the status or electoral arrangements of, any local government area . . . <sup>F4</sup>.

##### Textual Amendments

- F1** Words substituted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 Pt. I para. 1**
- F2** Word substituted by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(1), **Sch. 12 Pt. II para. 41**
- F3** Words repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**
- F4** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 Pt. I para. 1** and repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**

##### Modifications etc. (not altering text)

- C1** S. 70 amended by S.I. 1985/1884, art. 10, **Sch. 3 para. 1(a)**
- C2** S. 70 modified by S.I. 1987/2110, art. 2(2), **Sch. 1 para. 3(a)**
- C3** S. 70 applied (*temp.* from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 4(1)**

#### 71 Modification of seaward boundaries of local government areas.

- (1) [<sup>F5</sup>The Welsh Commission] may at any time review so much of the boundary of any county as lies below the high-water mark of medium tides and does not form a common

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boundary with another county and may make proposals to the Secretary of State for making alterations to any part of the boundary so as to include in the county any area of the sea which at the date of the proposals is not, in whole or in part, comprised in any other county or to exclude from the county any area of the sea which at that date is comprised in the county.

- (2) The Secretary of State may direct [<sup>F5</sup>the Welsh Commission] to conduct a review under this section of a particular boundary or not to undertake during a specified period such a review of a particular boundary, and may give [<sup>F5</sup>the Welsh Commission] directions for their guidance in conducting a review and making proposals under this section.
- (3) Subsections (1), (2), (5), (6) and (7) of section 60 above shall apply in relation to a review under this section as they apply in relation to a review under the provisions of this Part of this Act which precede that section.
- (4) The Secretary of State may if he thinks fit by order give effect to any proposals made to him under this section, either as submitted to him or with modifications.
- (5) A statutory instrument containing an order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### Textual Amendments

**F5** Words in s. 71(1)(2) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 27(1), [Sch. 3 para. 16\(1\)\(2\)](#); [S.I. 1992/2371](#), [art. 2](#)

## 72 Accretions from the sea, etc.

- (1) Subject to subsection (3) below, every accretion from the sea, whether natural or artificial, and any part of the sea-shore to the low water-mark, which does not immediately before the passing of this Act form part of a parish shall be annexed to and incorporated with—
  - (a) in England, the parish or parishes which the accretion or part of the sea-shore adjoins, and
  - (b) in Wales, the community or communities which the accretion or part of the sea-shore adjoins,
 in proportion to the extent of the common boundary.
- (2) Every accretion from the sea or part of the sea-shore which is annexed to and incorporated with a parish or community under this section shall be annexed to and incorporated with the district and county in which that parish or community is situated.
- (3) In England, in so far as the whole or part of any such accretion from the sea or part of the sea-shore as is mentioned in subsection (1) above does not adjoin a parish, it shall be annexed to and incorporated with the district which it adjoins or, if it adjoins more than one district, with those districts in proportion to the extent of the common boundary; and every such accretion or part of the sea-shore which is annexed to and incorporated with a district under this section shall be annexed to and incorporated with the county in which that district is situated.

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### 73 Alteration of local boundaries consequent on alteration of water-course.

- (1) Where, in the exercise of any power [<sup>F6</sup>conferred by the conferred by the Water Resources Act 1991, the Land Drainage Act 1991 or] any other enactment, a water-course forming a boundary line between two or more areas of local government is straightened, widened or otherwise altered so as to affect its character as a boundary line, the drainage board or other persons under whose authority the alteration is made shall forthwith send notice of the alteration to the Secretary of State.
- (2) If after consultation with [<sup>F7</sup>the Local Government Commission for England] or the Welsh Commission, as the case may require, the Secretary of State is satisfied that, having regard to the alteration specified in the notice, a new boundary line may conveniently be adopted, he may by order declare that such line as may be specified in the order (whether or not consisting wholly or in part of the line of the water-course as altered) shall be substituted for so much of the boundary line as, before the alteration, lay along the line of the water-course; and where such an order is made the limits of the areas of which the water-course, before the alteration, was the boundary shall be deemed to be varied accordingly.
- (3) The Secretary of State shall, in such manner as he thinks appropriate, publish notice of any order made by him under this section.

#### Textual Amendments

- F6** Words in s. 73(1) substituted (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 2(1), 4(2), [Sch. 1, para. 22\(1\)](#).
- F7** Words in s. 73(2) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 27(1), [Sch. 3 para.17](#); [S.I. 1992/2371, art. 2](#)

### 74 Change of name of county, district or London borough.

- (1) Subject to subsection (5) below, the council of a county, district or London borough may, by a resolution passed by not less than two-thirds of the members voting thereon at a meeting of the council specially convened for the purpose with notice of the object, change the name of the county, district or borough.
- (2) Where the name of a district which has been granted the status of a city, borough or royal borough or the name of a London borough is changed in pursuance of this section, the charter or other grant or incorporation order shall have effect as if the new name were substituted for the old.
- (3) Notice of any change of name made under this section [<sup>F8</sup>or by virtue of a resolution under section 21(5) above]—
  - (a) shall be sent by the council concerned to the Secretary of State, to the Director General of the Ordnance Survey and to the Registrar General; and
  - (b) shall be published in such manner as the Secretary of State may direct.
- (4) A change of name made in pursuance of this section [<sup>F8</sup>or by virtue of a resolution under section 21(5) above] shall not affect any rights or obligations of any county, district or London borough or of any council, authority or person, or render defective any legal proceedings; and any legal proceedings may be commenced or continued as if there had been no change of name.

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- (5) The name of a county or district shall not be changed under this section before 1st April 1978 unless the change is made with the consent of the Secretary of State.

#### Textual Amendments

**F8** Words inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), s. 160, [Sch. 8 para. 4](#)

### 75 Change of name of parish.

- (1) At the request of the parish council or, where there is no parish council, at the request of the parish meeting, the council of the district in which the parish is situated may change the name of the parish.
- (2) Notice of any change of name made under this section—
- (a) shall be sent by the district council concerned to the Secretary of State, to the Director General of the Ordnance Survey and to the Registrar General; and
  - (b) shall be published by the district council in the parish and elsewhere in such manner as they consider appropriate.
- (3) A change of name made in pursuance of this section shall not affect any rights or obligations of any parish or of any council, authority or person, or render defective any legal proceedings; and any legal proceedings may be commenced or continued as if there had been no change of name.

#### Modifications etc. (not altering text)

**C4** [S. 75](#): functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853, reg. 2\(1\)](#), [Sch. 1](#)

### 76 Change of name of community.

- (1) At the request of the community council or, where there is no community council, at the request of a community meeting, the council of the district in which the community is situated may change the name of the community.
- (2) Notice of any change of name made under this section [<sup>F9</sup>or by virtue of a resolution under section 33(2B) above]—
- (a) shall be sent by the district council concerned to the Secretary of State, to the Director General of the Ordnance Survey and to the Registrar General; and
  - (b) shall be published by the district council in the community and elsewhere in such manner as they consider appropriate.
- (3) A change of name made in pursuance of this section [<sup>F9</sup>or by virtue of a resolution under section 33(2B) above] shall not affect any rights or obligations of any community or of any council, authority or person, or render defective any legal proceedings; and any legal proceedings may be commenced or continued as if there had been no change of name.

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**Textual Amendments**

**F9** Words inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), s. 160, **Sch. 8 para. 5**

**F10** ~~77~~ .....

**Textual Amendments**

**F10** ~~S. 77~~ repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**

**78 Supplementary.**

(1) In this Part of this Act—

“electoral arrangements” means—

- (a) in relation to a principal area, the number of councillors of the council for that area, the number and boundaries of the electoral areas into which that area is for the time being divided for the purpose of the election of councillors, the number of councillors to be elected for any electoral area in that principal area and the name of any electoral area;
- (b) in relation to a parish or community council or a common parish or community council, the number of councillors, the question whether the parish or community or any parish or community, as the case may be, should or should not be or continue to be divided into wards for the purpose of the election of councillors, the number and boundaries of any such wards, the number of councillors to be elected for any such ward or in the case of a common parish or community council for each parish or community and the name of any such ward;
- (c) <sup>F11</sup> .....

“local government area” includes the City, the Inner Temple and the Middle Temple;

“public body” includes any compensation authority for the purposes of the <sup>M1</sup>Licensing Act 1964.

“substantive change” has the meaning assigned to it by [<sup>F12</sup>section 54(1)(e)] above.

(2) In considering the electoral arrangements for local government areas for the purposes of this Part of this Act, the Secretary of State, [<sup>F13</sup>the Welsh Commission] and every district council shall so far as is reasonably practicable comply with the rules set out [<sup>F14</sup>in Schedule 11 to this Act].

**Textual Amendments**

**F11** S. 78(1)(c) (inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 19(5)(6), **Sch. 9 Pt. II para. 2(6)**) repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**

**F12** Words in the definition of "substantive change" in s. 78(1) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 27(1), **Sch. 3 para. 18(1)**; S.I. 1992/2371, **art. 2**

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**F13** Words in s. 78(2) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\), s. 27\(1\), Sch. 3 para. 18\(2\)](#); [S.I. 1992/2371, art.2](#)

**F14** Words substituted by virtue of [Education Reform Act 1988 \(c. 40, SIF 41:1\), ss. 231\(7\), 235\(6\), 237\(2\), Sch. 12 Pt. II para. 42](#)

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**Marginal Citations**

**M1** [1964 c. 26.](#)

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