



# Local Government Act 1972

## 1972 CHAPTER 70

### PART XII

#### MISCELLANEOUS AND GENERAL

*Status, etc.*

#### **245 Status of certain districts, parishes and communities.**

- (1) If, on a petition presented to Her Majesty by the council of a district praying for the grant of a charter under this subsection, Her Majesty by the advice of Her Privy Council thinks fit so to do, She may by the charter confer on that district the status of a borough, and thereupon—
- (a) the council of the district shall bear the name of the council of the borough;
  - (b) the chairman and vice-chairman of the council shall respectively be entitled to the style of mayor and deputy mayor of the borough.

[<sup>F1</sup>(1A) Subsection (1)(b) above does not apply where the council are operating executive arrangements which involve a mayor and cabinet executive <sup>F2</sup>...]

- (2) A petition for a charter under subsection (1) above shall not be presented except on 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.
- (3) No charter under subsection (1) above shall take effect before 1st April 1974.
- (4) Where a petition is presented to Her Majesty before 1st April 1974 by the council of a district praying for the grant of a charter under subsection (1) above and it is signified on behalf of Her Majesty before that date that She proposes to accede to the petition and that She approves—
- (a) the use for the district of any style previously belonging to an existing borough which on that date will become wholly or partly comprised in the district; and
  - (b) the use for the chairman and vice-chairman of the council of the district of any style previously belonging to the mayor or deputy mayor of that borough;

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those styles may be so used as from 1st April 1974.

[<sup>F3</sup>(4A) Where—

- (a) a council are operating executive arrangements which involve a mayor and cabinet executive <sup>F4</sup>...; and
- (b) the chairman or vice-chairman of the council has previously used the style of mayor or deputy mayor by virtue of subsection (4)(b), the chairman or vice-chairman, as the case may be, shall no longer use that style.]

(5) A district which has the status of a borough, or for which the style of borough may be used, by virtue of the foregoing provisions of this section and the council of any such district shall not be treated as a borough or the council of a borough for the purposes of any Act passed before 1st April 1974.

(6) The council of a parish <sup>F5</sup>... which is not grouped with any other parish <sup>F5</sup>... may resolve that the parish <sup>F5</sup>... shall have the status of a town and thereupon—

- (a) the council of the parish <sup>F5</sup>... shall bear the name of the council of the town;
- (b) the chairman and vice-chairman of the council shall be respectively entitled to the style of town mayor and deputy town mayor;
- (c) the parish meeting <sup>F6</sup>... shall have the style of town meeting.

(7) A resolution under subsection (6) above shall cease to have effect if the parish <sup>F5</sup>... to which it relates ceases to exist.

[<sup>F7</sup>(7A) A resolution under subsection (6) shall cease to have effect if the parish has an alternative style (within the meaning of section 17A) by virtue of any of the following—

- (a) an order under section 11;
- (b) a resolution under section 12A;
- (c) an order under section 86 of the Local Government and Public Involvement in Health Act 2007.]

(8) If a parish <sup>F5</sup>... council which has passed a resolution under subsection (6) above is dissolved without the parish <sup>F5</sup>... ceasing to exist, the dissolution shall not affect the status of the parish <sup>F5</sup>... or the application to it of paragraph (c) of that subsection and in England the parish trustees shall have the style of town trustees.

(9) A parish <sup>F5</sup>... council by whom a resolution under subsection (6) above has been passed or, if the council has been dissolved, the parish meeting in England <sup>F8</sup>... may resolve that the parish <sup>F5</sup>... shall cease to have the status of a town and thereupon subsection (6)(a) to (c) above and subsection (8) above shall cease to apply to the parish <sup>F5</sup>... .

(10) The foregoing provisions of this section shall have effect subject to any provision made by a grant under Her Majesty's prerogative and, in particular, to any such provision granting the status of a city or royal borough or conferring the style of lord mayor, deputy lord mayor or right honourable.

#### Textual Amendments

**F1** S. 245(1A) inserted (26.10.2000 (E.) and 28.7.2001 (W.)) by [2000 c. 22, ss. 46, 108\(4\)](#), [Sch. 3 para. 11\(1\)\(2\)](#); [S.I. 2000/2849, art. 2\(e\)](#)

**F2**

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- Words in s. 245(1A) repealed (10.7.2011) by Local Government (Wales) Measure 2011 (nawm 4), ss. 34(7)(d), 178(2), **Sch. 4 Pt. B** and words in s. 245(1A) repealed (4.5.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 3 para. 5, **Sch. 25 Pt. 4**; S.I. 2012/1008, art. 4(b)(c)
- F3** S. 245(4A) inserted (E.) (6.5.2002) by The Local Authorities (Executive Arrangements) (Modification of Enactments) (England) Order 2002 (S.I. 2002/1057), **art. 5**
- F4** Words in s. 245(4A) repealed (10.7.2011) by Local Government (Wales) Measure 2011 (nawm 4), ss. 34(7)(d), 178(2), **Sch. 4 Pt. B** and words in s. 245(4A)(a) repealed (4.5.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 3 para. 5, **Sch. 25 Pt. 4**; S.I. 2012/1008, art. 4(b)(c)
- F5** Words in s. 245(6)-(9) repealed (1.4.1996) by 1994 c. 19, s. 66(5)(8), Sch. 15 para. 51(a), **Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F6** Words in s. 245(6)(c) repealed (1.4.1996) by 1994 c. 19, s. 66(5)(8), Sch. 15 para. 51(b), **Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F7** S. 245(7A) inserted (13.2.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 101, 245, **Sch. 5 para. 8(2)**; S.I. 2008/337, **art. 2(c)**
- F8** Words in s. 245(9) repealed (1.4.1996) by 1994 c. 19, s. 66(5)(8), Sch. 15 para. 51(c), **Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**

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

- C1** S. 245 applied (25.5.2018) by The West Suffolk (Local Government Changes) Order 2018 (S.I. 2018/639), arts. 1, **17(1) Table**
- C2** S. 245 applied (25.5.2018) by The East Suffolk (Local Government Changes) Order 2018 (S.I. 2018/640), arts. 1, **17(1) Table**
- C3** S. 245 applied (26.5.2018) by The Bournemouth, Dorset and Poole (Structural Changes) Order 2018 (S.I. 2018/648), arts. 1, **36(1)**
- C4** S. 245 applied (26.5.2018) by The Somerset West and Taunton (Local Government Changes) Order 2018 (S.I. 2018/649), arts. 1, **17(1) Table**
- C5** S. 245 applied (26.5.2018) by The Bournemouth, Dorset and Poole (Structural Changes) Order 2018 (S.I. 2018/648), arts. 1, **21(1)**

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