



Local Government Act 2000

2000 CHAPTER 22

[^{F1}PART 1A

ARRANGEMENTS WITH RESPECT TO LOCAL AUTHORITY GOVERNANCE IN ENGLAND

CHAPTER 4

CHANGING GOVERNANCE ARRANGEMENTS

[^{F1}Changes to governance arrangements by local authorities: general provision

Textual Amendments

- F1** Pt. 1A inserted (3.12.2011 for specified purposes, 15.1.2012 for the insertion of Pt. 1A Ch. 4 so far as not already in force and ss. 9B, 9C and 9R for specified purposes, 9.3.2012 for the insertion of ss. 9H-9HE in so far as not already in force and s. 9R for specified purposes, 4.5.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 2 para. 1](#); [S.I. 2011/2896, art. 2\(e\)](#); [S.I. 2012/57, art. 4\(1\)\(b\)](#) (with arts. 6, 7, 9-11); [S.I. 2012/628, art. 2\(a\)](#); [S.I. 2012/1008, art. 4\(b\)](#)

9K Changing from one form of governance to another

- (1) A local authority may—
 - (a) cease to operate its existing form of governance, and
 - (b) start to operate a different form of governance.
- (2) This section is subject to section 9NA (effect of order requiring, and giving effect to, referendum on change to mayor and cabinet executive).

9KA Executive arrangements: different form of executive

- (1) A local authority which operates executive arrangements may—

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- (a) vary the arrangements so that they provide for a different form of executive, and
 - (b) if it makes such a variation, vary the arrangements in such other respects (if any) as it considers appropriate.
- (2) This section is subject to section 9NA (effect of order requiring, and giving effect to, referendum on change to mayor and cabinet executive).

9KB Executive arrangements: other variation of arrangements

A local authority which operates executive arrangements may vary those arrangements so that they—

- (a) differ from the existing arrangements in any respect, but
- (b) still provide for the same form of executive.

9KC Resolution of local authority

- (1) A resolution of a local authority is required in order for the authority to make a change in governance arrangements.
- (2) As soon as practicable after passing such a resolution a local authority must—
- (a) secure that copies of a document setting out the provisions of the arrangements that are to have effect following the resolution are available at its principal office for inspection by members of the public, and
 - (b) publish in one or more newspapers circulating in its area a notice which—
 - (i) states that the authority has resolved to make a change in its governance arrangements,
 - (ii) states the date on which the change is to have effect,
 - (iii) describes the main features of the change,
 - (iv) states that copies of a document setting out the provisions of the arrangements that are to have effect following the resolution are available at the authority's principal office for inspection by members of the public, and
 - (v) specifies the address of the authority's principal office.
- (3) Subsection (4) applies if a local authority passes a resolution in accordance with this section (“Resolution A”) which makes a change in governance arrangements of the kind set out in—
- (a) section 9K (change from one form of governance to another), or
 - (b) section 9KA (change to a different form of executive).
- (4) The local authority may not pass another resolution that makes a change in governance arrangements of a kind mentioned in subsection (3) (“Resolution B”) before the end of the period of 5 years beginning with the date Resolution A is passed, unless
- [Resolution B is approved in a referendum held in accordance with this
 - ^{F2}(a) Chapter^{F3}, or
 - (b) subsection (4A) applies and Resolution B is passed in accordance with subsection (4E).]

^{F4}[This subsection applies where Resolution B—
 (4A) (a) makes a change in governance arrangements—

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- (i) under section 9K for the local authority to start to operate executive arrangements, or
 - (ii) under section 9KA for the local authority to vary its executive arrangements so that they provide for a mayor and cabinet executive, and
- (b) has not been approved in a referendum held in accordance with this Chapter.
- (4B) Where subsection (4A) applies, the local authority may submit a proposal to the Secretary of State for consent to pass Resolution B before the end of the period of 5 years beginning with the date Resolution A is passed.
- (4C) A proposal must specify—
- (a) the change in governance arrangements to be made by Resolution B, and
 - (b) how the change is likely to improve the economic, social and environmental well-being of some or all of the people who live or work in the area of the local authority.
- (4D) The Secretary of State may consent to a proposal only if the Secretary of State considers that the change in governance arrangements is likely to improve the economic, social and environmental well-being of some or all of the people who live or work in the area of the local authority.
- (4E) If the Secretary of State consents to a proposal, the local authority may pass Resolution B—
- (a) before the end of the 5 year period beginning with the date Resolution A is passed, but
 - (b) not later than the end of the 3 year period beginning with the date consent is given.
- (4F) The Secretary of State may by regulations make further provision about—
- (a) the matters which must be addressed by a proposal under this section, and
 - (b) how a proposal is to be considered by the Secretary of State.]
- (5) This section does not apply to a change in governance arrangements effected by an order under section 9N (power by order to require, and give effect to, referendum on change to mayor and cabinet executive).]
- [^{F5}(6) See sections 9NC and 9ND (transfer of functions: changes in governance arrangements) for further provision about when a resolution under this section may be passed.]

Textual Amendments

- F2** Words in s. 9KC(4) renumbered as s. 9KC(4)(a) (26.10.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. 71(2)(a)(i), 255(2)(k)** (with s. 247)
- F3** S. 9KC(4)(b) and word inserted (26.10.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. 71(2)(a)(ii), 255(2)(k)** (with s. 247)
- F4** S. 9KC(4A)-(4F) inserted (26.10.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. 71(2)(b), 255(2)(k)** (with s. 247)
- F5** S. 9KC(6) inserted (26.10.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. 72(2), 255(2)(k)** (with s. 247)

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Modifications etc. (not altering text)

- C1** S. 9KC(2) applied (with modifications) (9.2.2012) by [The Local Authorities \(Conduct of Referendums\)\(England\) Regulations 2012 \(S.I. 2012/323\)](#), regs. 1, **17(8)**

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(2ZA) inserted by [2011 nawm 4 s. 59\(3\)](#)
- s. 21(13)(c) inserted by [2011 nawm 4 s. 59\(5\)\(b\)](#)
- s. 21(15A) inserted by [2011 nawm 4 s. 59\(6\)](#)
- s. 21(18) inserted by [2011 nawm 4 s. 59\(7\)](#)
- s. 21C(6)(aa)(ab) inserted by [2012 c. 7 Sch. 5 para. 97\(a\)](#)