



# Local Government Act 2000

## 2000 CHAPTER 22

### PART I

#### PROMOTION OF ECONOMIC, SOCIAL OR ENVIRONMENTAL WELL-BEING ETC

##### *Promotion of well-being*

### 2 Promotion of well-being.

- (1) Every local authority [<sup>F1</sup>in Wales] are to have power to do anything which they consider is likely to achieve any one or more of the following objects—
  - (a) the promotion or improvement of the economic well-being of their area,
  - (b) the promotion or improvement of the social well-being of their area, and
  - (c) the promotion or improvement of the environmental well-being of their area.
- (2) The power under subsection (1) may be exercised in relation to or for the benefit of—
  - (a) the whole or any part of a local authority's area, or
  - (b) all or any persons resident or present in a local authority's area.

<sup>F2</sup>(3) .....

<sup>F2</sup>(3A) .....

[<sup>F3</sup>(3B) In determining whether or how to exercise the power under subsection (1), a local authority in Wales must have regard to the community strategy for its area published under section 39(4) of the Local Government (Wales) Measure 2009 or, where the strategy has been amended following a review under section 41 of that Measure, the strategy most recently published under section 41(6).]

[<sup>F4</sup>(3C) The community strategy for the area of a community council is the strategy referred to in subsection (3B) that is published by the county council or county borough council in whose area lies the community or communities for which the community council is established.]

- (4) The power under subsection (1) includes power for a local authority to—

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- (a) incur expenditure,
  - (b) give financial assistance to any person,
  - (c) enter into arrangements or agreements with any person,
  - (d) co-operate with, or facilitate or co-ordinate the activities of, any person,
  - (e) exercise on behalf of any person any functions of that person, and
  - (f) provide staff, goods, services or accommodation to any person.
- (5) The power under subsection (1) includes power for a local authority to do anything in relation to, or for the benefit of, any person or area situated outside their area if they consider that it is likely to achieve any one or more of the objects in that subsection.
- (6) Nothing in subsection (4) or (5) affects the generality of the power under subsection (1).

#### Textual Amendments

- F1** Words in s. 2(1) inserted (4.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 1 para. 3**; S.I. 2012/1008, art. 2(b) (with arts. 7, 8)
- F2** S. 2(3)(3A) repealed (4.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 25 Pt. 1**; S.I. 2012/1008, art. 2(d)
- F3** S. 2(3B) inserted (1.1.2010) by [Local Government \(Wales\) Measure 2009 \(nawm 2\)](#), s. 53(2), **Sch. 2 para. 2(b)** (with [Sch. 3 para. 2](#)); S.I. 2009/3272, art. 2, Sch. 1
- F4** S. 2(3C) inserted (10.7.2011) by [Local Government \(Wales\) Measure 2011 \(nawm 4\)](#), **ss. 126(2), 178(2)** (with s. 128)

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

- C1** S. 2 restricted (8.1.2003) by [2002 c. 41, s. 55](#) (with s. 159); S.I. 2002/2811, art. 2, **Sch.**  
 S. 2 restricted (8.1.2003) by [2002 c. 41, ss. 54, 162\(2\)](#), **Sch. 3** (with s. 159); S.I. 2002/2811, art. 2, Sch.
- C2** S. 2 functions made exercisable concurrently (1.4.2011) by [The Greater Manchester Combined Authority Order 2011 \(S.I. 2011/908\)](#), arts. 1, 10, **Sch. 3 para. 7**

#### Commencement Information

- I1** S. 2 wholly in force at 9.4.2001; s. 2 not in force at Royal Assent see s. 108; s. 2 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), **arts. 1(3), 2(a)**; s. 2 in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), **art. 2**

### 3 Limits on power to promote well-being.

- (1) The power under section 2(1) does not enable a local authority to do anything which they are unable to do by virtue of any prohibition, restriction or limitation on their powers which is contained in any enactment (whenever passed or made).
- (2) The power under section 2(1) does not enable a local authority to raise money (whether by precepts, borrowing or otherwise).
- (3) The [<sup>F5</sup>Welsh Ministers] may by order make provision preventing local authorities from doing, by virtue of section 2(1), anything which is specified, or is of a description specified, in the order.

[<sup>F6</sup>(3A) The power under subsection (3) may be exercised in relation to—

- (a) all local authorities,
- (b) particular local authorities, or
- (c) particular descriptions of local authority.]

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(4) [<sup>F7</sup>Subject to subsection (4A),] before making an order under subsection (3), the [<sup>F5</sup>Welsh Ministers] must consult such representatives of local government and such other persons (if any) as he considers appropriate.

[<sup>F8</sup>(4A) Subsection (4) does not apply to an order under this section which is made only for the purpose of amending an earlier order under this section—

- (a) so as to extend the earlier order, or any provision of the earlier order, to a particular authority or to authorities of a particular description, or
- (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular authority or to authorities of a particular description.]

(5) Before exercising the power under section 2(1), a local authority must have regard to any guidance for the time being issued by the [<sup>F5</sup>Welsh Ministers] about the exercise of that power.

(6) Before issuing any guidance under subsection (5), the [<sup>F5</sup>Welsh Ministers] must consult such representatives of local government and such other persons (if any) as he considers appropriate.

[<sup>F9</sup>(7) . . . . .]

(8) In this section “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the <sup>M1</sup>Interpretation Act 1978).

#### Textual Amendments

- F5** Words in s. 3(3)-(6) substituted (4.4.2012) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 1 para. 4](#); S.I. 2012/1008, art. 2(b) (with arts. 7, 8)
- F6** S. 3(3A) inserted (18.11.2003 for E.; 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\), s. 128\(6\), Sch. 3 para. 12\(2\)](#); S.I. 2003/2938, art. 3(a) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F7** Words in s. 3(4) inserted (18.11.2003 for E.; 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\), s. 128\(6\), Sch. 3 para. 12\(3\)](#); S.I. 2003/2938, art. 3(a) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F8** S. 3(4A) inserted (18.11.2003 for E., 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\), s. 128\(6\), Sch. 3 para. 12\(4\)](#); S.I. 2003/2938, art. 3(a) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I
- F9** S. 3(7) repealed (4.4.2012) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 25 Pt. 1](#); S.I. 2012/1008, art. 2(d)

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

- C3** S. 3(2) excluded (18.11.2003) by [Local Government Act 2003 \(c. 26\), ss. 93, 128\(2\)\(d\)](#)

#### Commencement Information

- I2** S. 3 wholly in force at 9.4.2001; s. 3 not in force at Royal Assent see s. 108; s. 3 in force (E.) at 18.10.2000 by [S.I. 2000/2836, arts. 1\(3\), 2\(a\)](#); s. 3(3)-(7) in force (W.) at 1.11.2000 by [S.I. 2000/2948, art. 2](#); s. 3(1)(2)(8) in force (W.) at 9.4.2001 by [S.I. 2001/1471, art. 2](#)

#### Marginal Citations

- M1** 1978 c. 30.

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#### 4 Strategies for promoting well-being.

- (1) Every local authority [<sup>F10</sup>in England] must prepare a strategy (referred to in this section as a [<sup>F11</sup>sustainable community strategy ]) for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development in the United Kingdom.
- (2) A local authority may from time to time modify their [<sup>F12</sup>sustainable community strategy ].
- (3) In preparing or modifying their [<sup>F13</sup>sustainable community strategy ], a local authority—
- (a) must consult and seek the participation of [<sup>F14</sup>—
    - (i) in the case of a responsible local authority, each partner authority and such other persons as the responsible local authority consider appropriate, or
    - (ii) in any other case, such persons as the authority consider appropriate, <sup>F15</sup>...]
  - [<sup>F16</sup>(aa) must, if it is a local authority in England, have regard to the following, so far as they relate to the authority's area—
    - (i) any arrangements made under section 21 of the Child Poverty Act 2010 (co-operation to reduce child poverty in local area);
    - (ii) any local child poverty needs assessment prepared under section 22 of that Act (local child poverty needs assessment);
    - (iii) any joint child poverty strategy prepared under section 23 of that Act (joint child poverty strategy for local area), and]
  - (b) must have regard to any guidance for the time being issued by the Secretary of State.
- (4) Before issuing any guidance under this section, the Secretary of State must consult such representatives of local government and such other persons (if any) as he considers appropriate.
- <sup>F17</sup>(5) .....
- [<sup>F18</sup>(6) In subsection (3)(a), “responsible local authority” and “partner authority”, in relation to a responsible local authority, have the same meanings as in Chapter 1 (local area agreements) of Part 5 of the Local Government and Public Involvement in Health Act 2007 (see sections 103 and 104 of that Act).]

#### Textual Amendments

- F10** Words in s. 4(1) inserted (1.1.2010) by [Local Government \(Wales\) Measure 2009 \(nawm 2\)](#), s. 53(2), [Sch. 2 para. 3\(a\)](#); S.I. 2009/3272, art. 2, Sch. 1
- F11** Words in s. 4(1) substituted (23.10.2007) by [Sustainable Communities Act 2007 \(c. 23\)](#), s. 7(1)(2)(a)
- F12** Words in s. 4(2) substituted (23.10.2007) by [Sustainable Communities Act 2007 \(c. 23\)](#), s. 7(1)(2)(a)
- F13** Words in s. 4(3) substituted (23.10.2007) by [Sustainable Communities Act 2007 \(c. 23\)](#), s. 7(1)(2)(a)
- F14** Words in s. 4(3)(a) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 114\(2\)](#), 245(2)
- F15** Word in s. 4(3)(a) omitted (25.5.2010) by virtue of [Child Poverty Act 2010 \(c. 9\)](#), [ss. 24\(a\)](#), 31(2)
- F16** S. 4(3)(aa) inserted (25.5.2010) by [Child Poverty Act 2010 \(c. 9\)](#), [ss. 24\(b\)](#), 31(2)
- F17** S. 4(5) repealed (1.1.2010) by [Local Government \(Wales\) Measure 2009 \(nawm 2\)](#), s. 53(2), [Sch. 2 para. 3\(b\)](#), [Sch. 4](#); S.I. 2009/3272, art. 2, Sch. 1
- F18** S. 4(6) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 114\(3\)](#), 245(2)

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

- C4** S. 4: functions of local authority not to be sole responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853](#), [reg. 4\(1\)](#), [Sch. 3](#)
- C5** S. 4(1) functions made exercisable concurrently (1.4.2011) by [The Greater Manchester Combined Authority Order 2011 \(S.I. 2011/908\)](#), [arts. 1, 10](#), [Sch. 3 para. 8](#)

#### Commencement Information

- I3** S. 4 wholly in force at 9.4.2001; s. 4 not in force at Royal Assent see s. 108; s. 4 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), [arts. 1\(3\)](#), 2(a); s. 4(3)(b)(4)(5) in force (W.) at 1.11.2000 by [S.I. 2000/2948](#), [art. 2](#); s. 4(1)(2)(3)(a) in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), [art. 2](#)

### [<sup>F19</sup>4A Strategies: parishes

(1) The duty in section 4 to prepare a community strategy does not apply to an eligible parish council.

<sup>F20</sup>(2) .....

<sup>F20</sup>(3)] .....

#### Textual Amendments

- F19** S. 4A inserted (31.12.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 78\(3\)](#), 245(5); [S.I. 2008/3110](#), [art. 3\(b\)](#)
- F20** S. 4A(2)(3) repealed (4.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 25 Pt. 1](#); [S.I. 2012/1008](#), [art. 2\(d\)](#)

## 5 Power to amend or repeal enactments.

(1) If the Secretary of State thinks that an enactment (whenever passed or made) prevents or obstructs local authorities from exercising their power under section 2(1) he may by order amend, repeal, revoke or disapply that enactment.

(2) The power under subsection (1) may be exercised in relation to—

- (a) all local authorities,
- (b) particular local authorities, or
- (c) particular descriptions of local authority.

(3) The power under subsection (1) to amend or disapply an enactment includes a power to amend or disapply an enactment for a particular period.

[<sup>F21</sup>(4) In exercising the power under subsection (1), the Secretary of State must not make any provision which has effect in relation to Wales unless he has consulted the Welsh Ministers.

(4A) In exercising the power under subsection (1), the Secretary of State—

- (a) must not make any provision amending, repealing or disapplying any Measure or Act of the National Assembly for Wales without the consent of the National Assembly for Wales, and
- (b) must not make any provision amending, revoking or disapplying subordinate legislation made by the Welsh Ministers (or the National Assembly for Wales

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established under the Government of Wales Act 1998) without the consent of the Welsh Ministers.

(4B) Subsection (4A) does not apply to the extent that the Secretary of State is making incidental or consequential provision.]

(5) [<sup>F22</sup>The Welsh Ministers] may submit proposals to the Secretary of State that the power under subsection (1) should be exercised in relation to Wales in accordance with those proposals.

(6) In this section “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the <sup>M2</sup>Interpretation Act 1978).

[<sup>F23</sup>(7) The reference to local authorities in subsection (1) does not include community councils.]

#### Textual Amendments

- F21** S. 5(4)-(4B) substituted for s. 5(4) (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 115(3)**, 245(2)
- F22** Words in s. 5(5) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), **ss. 115(4)**, 245(2)
- F23** S. 5(7) inserted (10.7.2011) by [Local Government \(Wales\) Measure 2011 \(nawm 4\)](#), **ss. 126(3)**, 178(2) (with s. 128)

#### Commencement Information

- I4** S. 5 wholly in force at 9.4.2001; s. 5 not in force at Royal Assent see s. 108(4); s. 5 in force (E.) at 18.10.2000 by [S.I. 2000/2836](#), **arts. 1(3)**, 2(a); s. 5(5) in force (W.) at 1.11.2000 by [S.I. 2000/2948](#), **art. 2**; s. 5(1)-(4)(6) in force (W.) at 9.4.2001 by [S.I. 2001/1471](#), **art. 2**

#### Marginal Citations

- M2** 1978 c. 30.

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