



# 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 [<sup>F4</sup>local well-being plan for its area published under section 39 [<sup>F5</sup>, 44(5) or 47(6) or (11)] of the Well-being of Future Generations (Wales) Act 2015 (anaw 2).]

[<sup>F6</sup>(3C) The local well-being plan for the area of a community council is the plan referred to in subsection (3B) that is published by the public services board that includes as a member 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—
- (a) incur expenditure,

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- (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** Words in s. 2(3B) substituted (1.4.2016) by [Well-being of Future Generations \(Wales\) Act 2015 \(anaw 2\)](#), s. 56(2), **Sch. 4 para. 3**; S.I. 2016/86, **art. 3**
- F5** Words in s. 2(3B) substituted (20.3.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(3)(q), **Sch. 14 para. 2**
- F6** S. 2(3C) substituted (1.4.2016) by [Well-being of Future Generations \(Wales\) Act 2015 \(anaw 2\)](#), s. 56(2), **Sch. 4 para. 4**; S.I. 2016/86, **art. 3**

#### 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>F7</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>F8</sup>(3A) The power under subsection (3) may be exercised in relation to—

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- (a) all local authorities,
  - (b) particular local authorities, or
  - (c) particular descriptions of local authority.]
- (4) [<sup>F9</sup>Subject to subsection (4A),] before making an order under subsection (3), the [<sup>F7</sup>Welsh Ministers] must consult such representatives of local government and such other persons (if any) as he considers appropriate.
- [<sup>F10</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>F7</sup>Welsh Ministers] about the exercise of that power.
- (6) Before issuing any guidance under subsection (5), the [<sup>F7</sup>Welsh Ministers] must consult such representatives of local government and such other persons (if any) as he considers appropriate.
- <sup>F11</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**

- F7** 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)
- F8** 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
- F9** 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
- F10** 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
- F11** 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**

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**Marginal Citations**

M1 1978 c. 30.

**F12 4 Strategies for promoting well-being.**

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**Textual Amendments**

F12 S. 4 omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), ss. 100(1), 115(3)(k)

**F13 4A Strategies: parishes**

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**Textual Amendments**

F13 S. 4A omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), ss. 100(2)(a), 115(3)(k)

**5 Power to amend or repeal enactments.**

- (1) If the [F14Welsh Ministers think] that an enactment (whenever passed or made) prevents or obstructs local authorities from exercising their power under section 2(1) [F15they] 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.

[F16(3A) Subject to subsection (3B), a statutory instrument which contains an order under this section is not to be made unless a draft of the instrument has been laid before and approved by a resolution of the National Assembly for Wales.

- (3B) A statutory instrument containing an order under this section which is made only for the purpose of amending an earlier such order—
  - (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 authorities of a particular description,
 is subject to annulment in pursuance of a resolution of the National Assembly for Wales.]

F17(4) .....

F18(4A) .....

F19(4B) .....

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<sup>F20</sup>(5) .....

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

[<sup>F21</sup>(7) The reference to local authorities in subsection (1) does not include community councils.]

#### Textual Amendments

- F14** Words in s. 5(1) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(2)(a)(i)**
- F15** Word in s. 5(1) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(2)(a)(ii)**
- F16** S. 5(3A)(3B) inserted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(2)(b)**
- F17** S. 5(4) omitted (24.5.2018) by virtue of [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(2)(c)**
- F18** S. 5(4A) omitted (24.5.2018) by virtue of [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(2)(c)**
- F19** S. 5(4B) omitted (24.5.2018) by virtue of [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(2)(c)**
- F20** S. 5(5) omitted (24.5.2018) by virtue of [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **37(2)(c)**
- F21** 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

- I3** 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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