



# Local Government Act 2000

## 2000 CHAPTER 22

### PART II

#### ARRANGEMENTS WITH RESPECT TO EXECUTIVES ETC.

##### *Referendums*

#### **34 Referendum following petition.**

- (1) The Secretary of State may by regulations make provision for or in connection with requiring a local authority which receive a petition which complies with the provisions of the regulations to hold a referendum, in such circumstances as may be prescribed in the regulations, on whether the authority should [<sup>F1</sup>operate a relevant form of executive].

[<sup>F2</sup>(1A) In this section “relevant form of executive” means—

- (a) in relation to England, an executive which takes such form permitted by or under section 11 as may be specified in the regulations;
  - (b) in relation to Wales, executive arrangements involving a form of executive for which a referendum is required.]
- (2) The provision which may be made by regulations under subsection (1) includes provision—
- (a) as to the form and content of petitions (including provision for petitions in electronic form),
  - (b) as to the minimum number of local government electors for a local authority’s area who must support any petition presented to the authority during any period specified in the regulations,
  - (c) for or in connection with requiring an officer of a local authority to publish the number of local government electors for the authority’s area who must support any petition presented to the authority,

*Status: Point in time view as at 30/12/2007. This version of this provision has been superseded.*

*Changes to legislation: Local Government Act 2000, Section 34 is up to date with all changes known to be in force on or before 03 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (d) as to the way in which local government electors for a local authority's area are to support a petition (including provision enabling local government electors to support petitions by telephone or by electronic means),
  - (e) as to the action which may, may not or must be taken by a local authority in connection with any petition,
  - (f) as to the manner in which a petition is to be presented to a local authority,
  - (g) as to the verification of any petition,
  - (h) as to the date on which, or the time by which, a referendum must be held,
  - (i) as to the action which may, may not or must be taken by a local authority before or in connection with a referendum,
  - (j) as to the action which may, may not or must be taken by a local authority after a referendum, and
  - (k) for or in connection with enabling the Secretary of State, in the event of any failure by a local authority to take any action permitted or required by virtue of the regulations, to take that action.
- (3) The provision which may be made by virtue of subsection (2) includes provision which applies or reproduces (with or without modifications) any provisions of section 25, 27, 28, 29 or 33 [<sup>F3</sup>or of any of sections 33A to 33O].
- (4) The number of local government electors mentioned in subsection (2)(b) is to be calculated at such times as may be provided by regulations under this section and (unless such regulations otherwise provide) is to be 5 per cent. of the number of local government electors at each of those times.
- (5) Nothing in subsection (2), (3) or (4) affects the generality of the power under subsection (1).

#### Textual Amendments

- F1** Words in s. 34(1) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 65\(2\)](#), [245\(2\)](#)
- F2** S. 34(1A) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 65\(3\)](#), [245\(2\)](#)
- F3** Words in s. 34(3) inserted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), [ss. 65\(4\)](#), [245\(2\)](#)

#### Commencement Information

- I1** S. 34 wholly in force at 1.11.2000; s. 34 not in force at Royal Assent s. 108; s. 34 in force at 7.8.2000 in relation to England only by [S.I. 2000/2187](#), [arts. 1\(3\)](#), [2\(a\)](#); s. 34 in force at 1.11.2000 in relation to Wales by [S.I. 2000/2948](#), [art. 2](#)

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