



Sustainable Communities Act 2007

2007 CHAPTER 23

5 Proposals: regulations

- (1) The Secretary of State must make regulations about the procedure to be followed in relation to proposals under section 2.
- (2) Before making regulations the Secretary of State must consult—
 - (a) the selector, and
 - (b) such other persons who represent the interests of local authorities as the Secretary of State thinks fit.
- (3) Regulations may, in particular—
 - (a) specify, or authorise the selector to specify, steps to be taken by a local authority before making proposals;
 - (b) specify steps to be taken by the selector in considering the proposals and drawing up a short-list;
 - (c) require the selector to prepare, and give to the Secretary of State, a report on the proposals.
- (4) Regulations must—
 - (a) require a local authority, before making any proposal under section 2, to establish or recognise a panel of representatives of local persons and consult it about the proposal;
 - (b) require a local authority to try to reach agreement about proposals with the panel or other persons consulted under paragraph (a); and
 - (c) require a local authority to have regard to any guidance issued under subsection (5).
- (5) The Secretary of State must issue guidance to local authorities about making proposals, which—
 - (a) must include guidance about the inclusion among representatives of local persons (for the purposes of subsection (4)(a)) of persons from under-represented groups, and
 - (b) may include other guidance about establishing and consulting a panel of representatives of local persons.

Changes to legislation: There are currently no known outstanding effects for the Sustainable Communities Act 2007, Section 5. (See end of Document for details)

- (6) Before issuing or revising guidance under subsection (5) the Secretary of State must consult—
- (a) local authorities, or
 - (b) persons who represent the interests of local authorities.
- (7) For the purposes of subsection (2) or (6) any consultation undertaken before the day on which this Act is passed is as effective as it would have been if undertaken after that day.
- (8) In this section—
- “local person” means, in relation to a proposal by a local authority under section 2, a person who is likely to be affected by, or interested in, the proposal;
 - “panel” means a panel constituted in accordance with regulations;
 - “representative” means, in relation to local persons, a person who appears to the local authority to be representative of the local persons;
 - “under-represented groups” has the meaning given by regulations.
- (9) Regulations under this section—
- (a) must be made by statutory instrument, and
 - (b) are subject to annulment in pursuance of a resolution of either House of Parliament.

Changes to legislation:

There are currently no known outstanding effects for the Sustainable Communities Act 2007, Section 5.