



# Local Government and Public Involvement in Health Act 2007

## 2007 CHAPTER 28

### PART 2

#### ELECTORAL ARRANGEMENTS

#### CHAPTER 1

##### POWER OF DISTRICT COUNCILS IN ENGLAND TO CHANGE ELECTORAL SCHEME

##### *Power of district councils to revert to partial-council elections*

#### **38 Resolution for elections by halves: requirements**

- (1) A council must comply with this section in passing a resolution for elections by halves.
- (2) The council must not pass the resolution unless it has taken reasonable steps to consult such persons as it thinks appropriate on the proposed change.
- (3) The resolution must be passed—
  - (a) at a meeting which is specially convened for the purpose of deciding the resolution with notice of the object, and
  - (b) by a majority of at least two thirds of the members voting on it.
- (4) The council must pass the resolution in a permitted resolution period.
- (5) In subsection (3) the reference to the members of the council includes, in a case where the council are operating a mayor and cabinet executive, the elected mayor of the council.

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*Status: Point in time view as at 30/12/2007. This version of this provision has been superseded.*  
*Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Section 38. (See end of Document for details)*

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- (6) In this section “permitted resolution period” means the period in 2008, or in any fourth year afterwards, that starts with the day after that council's annual meeting and ends with 31 December.
- (7) The Secretary of State may by order provide that a permitted resolution period is to end later than the day determined in accordance with subsection (6).

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**Commencement Information**

**II** S. 38 in force at 30.12.2007, see s. 245(2)

**Status:**

Point in time view as at 30/12/2007. This version of this provision has been superseded.

**Changes to legislation:**

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