



Localism Act 2011

2011 CHAPTER 20

PART 1

LOCAL GOVERNMENT

CHAPTER 5

GOVERNANCE

24 Timetables for changing English district councils' electoral schemes

- (1) The Local Government and Public Involvement in Health Act 2007 is amended as follows.
- (2) Omit the following provisions (which provide that councils may pass resolutions to change their electoral schemes only in certain permitted periods)—
 - (a) section 33(4), (6) and (7) (district councils changing to whole-council elections),
 - (b) section 38(4), (6) and (7) (non-metropolitan district councils reverting to elections by halves), and
 - (c) section 40(4), (6) and (7) (district councils reverting to elections by thirds).
- (3) In section 33 (resolution for whole-council elections: requirements) after subsection (3) insert—
 - “(3A) The resolution must specify the year for the first ordinary elections of the council at which all councillors are to be elected.
 - (3B) In the case of a district council for a district in a county for which there is a county council, the year specified under subsection (3A) may not be a county-council-elections year; and here “county-council-elections year” means 2013 and every fourth year afterwards.”

Status: Point in time view as at 22/11/2012.

Changes to legislation: Localism Act 2011, Section 24 is up to date with all changes known to be in force on or before 15 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)

- (4) In section 34(2) (years in which whole-council elections to a district council are to be held if scheme under section 34 applies) for paragraphs (a) and (b) substitute—
- “(a) the year specified under section 33(3A) in the resolution, and
 (b) every fourth year afterwards.”
- (5) In section 34 (scheme for whole-council elections) after subsection (4) insert—
- “(4A) Ordinary elections of councillors of the council under the previous electoral scheme are to be held in accordance with that scheme in any year that—
- (a) is earlier than the year specified under section 33(3A) in the resolution for whole-council elections, and
 (b) is a year in which, under the previous electoral scheme, ordinary elections of councillors of the council are due to be held.
- (4B) In subsection (4A) “the previous electoral scheme” means the scheme for the ordinary elections of councillors of the council that applied to it immediately before it passed the resolution for whole-council elections.”
- (6) After section 31 insert—

“31A Minimum period between resolutions to change electoral schemes

If a council passes a resolution under section 32, 37 or 39 (“the earlier resolution”) it may not pass another resolution under any of those sections before the end of five years beginning with the day on which the earlier resolution is passed.”

- (7) In section 57 of the Local Democracy, Economic Development and Construction Act 2009 (requests for review of single-member electoral areas by councils subject to a scheme for whole-council elections) after subsection (4) (meaning of “subject to a scheme for whole-council elections”) insert—
- “(4A) A district council is also “subject to a scheme for whole-council elections” for those purposes if—
- (a) section 34 of the Local Government and Public Involvement in Health Act 2007 (scheme for whole-council elections) applies to the council, but
 (b) by virtue of subsection (4A) of that section (temporary continuation of previous electoral scheme), not all the members of the council are to be elected in a year in which ordinary elections of members of the council are to be held.”

Commencement Information

II S. 24 in force at 15.1.2012 by S.I. 2012/57, art. 4(1)(d) (with arts. 6, 7, arts. 9-11)

Status:

Point in time view as at 22/11/2012.

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