
STATUTORY INSTRUMENTS

2000 No. 2852

The Local Authorities (Referendums) (Petitions and Directions) (England) Regulations 2000

PART III

DIRECTIONS AND REFERENDUMS

Requirements as to proposals

- 20.**—(1) In drawing up proposals under regulation 19(1)(c) the authority shall—
- (a) where the direction specifies details, a form of executive or a timetable, include those details, that form of executive or that timetable;
 - (b) where the direction requires regard to be had to principles or matters, have regard to those principles or matters;
 - (c) where the direction requires consultation with specified persons, or in a specified manner or about specified matters, consult those persons, in that manner or about those matters, as the case may be;
 - (d) consider the extent to which their proposals, if implemented, are likely to assist in securing continuous improvement in the way in which their functions are exercised, having regard to a combination of economy, efficiency and effectiveness;
 - (e) subject to sub-paragraphs (a) to (d)—
 - (i) decide which form the executive is to take;
 - (ii) decide the extent to which the functions specified in regulations under section 13(3) (b) are to be the responsibility of the executive; and
 - (iii) take reasonable steps to consult the local government electors for, and other interested persons in, the authority's area.
- (2) Without prejudice to paragraph (1)(a), proposals under regulation 19(1)(c) shall include—
- (a) such details of the executive arrangements as the Secretary of State may direct,
 - (b) a timetable with respect to the implementation of the proposals, and
 - (c) details of any transitional arrangements which are necessary for the implementation of the proposals.
- (3) The authority's proposals under regulation 19(1)(d)—
- (a) where the authority are not then operating executive arrangements or alternative arrangements—
 - (i) may not be drawn up before the authority have taken reasonable steps to consult the local government electors for, and other interested persons in, their area;
 - (ii) shall include such details of the executive arrangements or alternative arrangements to which they relate as the Secretary of State may direct;

- (iii) shall include a timetable with respect to the implementation of the detailed fall-back proposals in the event that the proposals that are to be the subject of the referendum are rejected; and
 - (iv) may include, as the authority's outline fall-back proposals, any proposals under subsection (1) of section 28 (approval of outline fall-back proposals) approved by the Secretary of State;
- (b) where the authority are then operating executive arrangements or alternative arrangements, shall consist of a summary of those arrangements.
- (4) In drawing-up proposals under regulation 19(1)(c) and (d) an authority—
 - (a) shall comply with any directions given by the Secretary of State; and
 - (b) shall have regard to any guidance for the time being issued by the Secretary of State under section 38.
- (5) Not later than two months before the date on which the referendum is to be held, the authority shall send to the Secretary of State—
 - (a) a copy of the proposals drawn up under regulation 19(1)(c) and (d); and
 - (b) a statement which describes—
 - (i) the steps which the authority took to consult the local government electors for, and other interested persons in, the authority's area, and
 - (ii) the outcome of that consultation and the extent to which that outcome is reflected in the proposals.