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STATUTORY INSTRUMENTS

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**2018 No. 1128**

**The Local Government (Boundary Changes) Regulations 2018**

**PART 10**

Miscellaneous transitional provisions

**Community right to challenge**

**29.**—(1) This regulation applies in relation to an expression of interest received by a predecessor council under Chapter 2 of Part 5 of the Localism Act 2011(1) (“the 2011 Act”) (community right to challenge) where the predecessor council has not considered the expression of interest in accordance with that chapter before the beginning of the transitional period.

(2) The predecessor council may resolve that consideration of the expression of interest be undertaken by the successor council after the reorganisation date.

(3) Where a resolution is made under paragraph (2)—

- (a) except for the references in sections 81(1)(a), 82 and 84(6), Chapter 2 of Part 5 of the 2011 Act has effect as if the references to relevant authority were references to the successor council;
- (b) sections 81(1)(a) and 82(1), (2) and (3) of the 2011 Act have effect as if the references to relevant authority were references to the predecessor council;
- (c) section 82(4) of the 2011 Act has effect as if the reference to the relevant authority—
  - (i) before the reorganisation date were reference to the predecessor council; and
  - (ii) after the reorganisation date were reference to the successor council; and
- (d) section 84 of the 2011 Act has effect as if—
  - (i) in subsection (3)(a) the reference to the date on which the relevant authority receives an expression of interest were reference to the reorganisation date;
  - (ii) in subsection (6)—
    - (aa) the reference to a relevant authority receiving an expression of interest were reference to the predecessor council receiving such an expression of interest; and
    - (bb) the reference to a relevant authority notifying the relevant body in writing were reference to the successor council so notifying the relevant body; and
  - (iii) in subsection (7) each time it occurs reference to the period of 30 days were reference to the period of 30 days beginning with the reorganisation date.