

Local Authority Boundaries (Referendums) Bill

[AS INTRODUCED]

CONTENTS

- 1 Parliamentary constituency areas to be allowed to form new unitary authority following referendum
- 2 Regulations
- 3 Financial provision
- 4 Extent, commencement and short title

[AS INTRODUCED]

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TO

Make provision to enable parliamentary constituency areas to form new unitary local authority areas if agreed by referendum; to make provision for such referendums; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Parliamentary constituency areas to be allowed to form new unitary authority following referendum

- (1) The Secretary of State must by regulations make provision enabling two or more parliamentary constituency areas in England which if combined are a continuous area to form a new unitary authority for that combined area. 5
- (2) The regulations must—
 - (a) make provision for a petitioning system for local government electors in a constituency area to indicate support for a referendum on the creation of a new unitary authority under subsection (1);
 - (b) require that such a referendum must be held if at least ten percent of local government electors registered in each of the constituency areas that would form part of a proposed new unitary authority area support the petition; 10
 - (c) make provision for referendums under this section to be held among all local authority electors registered in the constituency areas that would form part of a proposed new unitary authority area; 15
 - (d) make provision for orders for the changing of local authority boundaries and the transfer of responsibilities to the new unitary authority.
- (3) The regulations may make further provision in connection with subsection (1) as the Secretary of State sees fit. 20
- (4) In making regulations under this section, the Secretary of State must have regard to Chapter 4 of Part 2 of the Local Government Act 2000 (changing governance arrangements) and regulations made under that Part.
- (5) If a majority of valid votes in a referendum held under this section are cast in favour of the creation of a new unitary authority then— 25

- (a) any local authority within the area of which any part of a constituency which would form part of the new unitary authority falls, and
 - (b) the Secretary of State
- must take all reasonable steps to facilitate the creation of the new unitary authority.

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2 Regulations

- (1) Regulations under section 1—
 - (a) are to be made by statutory instrument;
 - (b) may make different provision for different purposes;
 - (c) may make transitional and saving provision;
 - (d) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (2) The Secretary of State must lay before Parliament a draft statutory instrument containing regulations under section 1 before the end of the period of 90 days beginning on the day on which this Act is passed.

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3 Financial provision

There is to be paid out of money provided by Parliament—

- (a) *any expenditure incurred under or by virtue of this Act; and*
- (b) *any increase attributable to this Act in the sums payable under any other Act out of money so provided.*

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4 Extent, commencement and short title

- (1) This Act extends to England and Wales only.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Local Authority Boundaries (Referendums) Act 2022.

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*Presented by Robbie Moore
supported by Philip Davies.*

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