



Local Government and Public Involvement in Health Act 2007

CHAPTER 28

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

PART 1

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CHAPTER 1

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230 Abolition of functions of Patients' Forums

231 Abolition of Patients' Forums

232 Abolition of Commission for Patient and Public Involvement in Health

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Part 1 — AMENDMENTS OF LOCAL GOVERNMENT ACT 1992

1 The Local Government Act 1992 (c. 19) is amended in...

2 In section 13 (reviews and recommendations), omit the following—

3 In section 14 (changes that may be recommended), omit the...

4 In section 15 (procedure on a review), omit subsection (7A)(a)...

5 Omit section 16.

- 6 In section 17 (implementation of recommendations by order), omit the...
- 7 Omit section 18.
- 8 In section 19 (regulations for supplementing orders), omit subsection (2)....
- 9 Omit sections 20 to 22.
- 10 In section 26 (orders, regulations and directions), omit the following —...

Part 2 — OTHER AMENDMENTS

- 11 Local Government Act 1972 (c. 70)
- 12 Race Relations Act 1976 (c. 74)
- 13 Rent Act 1977 (c. 42)
- 14 Interpretation Act 1978 (c. 30)
- 15 Coroners Act 1988 (c. 13)
- 16 Local Government Finance Act 1988 (c. 41)
- 17 Food Safety Act 1990 (c. 16)
- 18 Environment Act 1995 (c. 25)
- 19 Police Act 1996 (c. 16)
- 20 Freedom of Information Act 2000 (c. 36)
- 21 Regional Assemblies (Preparations) Act 2003 (c. 10)
- 22 Fire and Rescue Services Act 2004 (c. 21)

SCHEDULE 2 — Electoral arrangements: consequential amendments

- 1 Local Government and Housing Act 1989 (c. 42)
- 2 In subsection (11), in paragraph (a) of the definition of...

SCHEDULE 3 — Executives: further amendments

- 1 Local Government Act 1972 (c. 70)
- 2 (1) Section 2 (constitution of principal councils in England) is...
- 3 (1) Section 3 (chairman) is amended as follows.
- 4 (1) Section 21 (constitution of principal councils in Wales) is...
- 5 (1) Section 79 (qualifications for election and holding office) is...
- 6 (1) Section 80 (disqualification for election and holding office) is...
- 7 (1) Section 100G (principal councils to publish additional information) is...
- 8 (1) Section 100J (application of Part 5A to new authorities,...
- 9 (1) Section 249 (honorary aldermen and freemen) is amended as...
- 10 (1) Section 270 (general provisions as to interpretation) is amended...
- 11 (1) Schedule 2 (constitution and membership of London borough councils)...
- 12 (1) Schedule 12 (meetings and proceedings of local authorities) is...
- 13 Local Government Act 1974 (c. 7)
- 14 (1) Section 30 (reports on investigation) is amended as follows....
- 15 (1) Section 34 (interpretation of Part 3) is amended as...
- 16 Representation of the People Act 1983 (c. 2)
- 17 In section 24 (returning officers: England and Wales) in subsection...
- 18 Local Government Act 1985 (c. 51)
- 19 (1) Section 35 (disqualification) is amended as follows.
- 20 Local Government Finance Act 1988 (c. 41)
- 21 (1) Section 111 (interpretation of Part 8) is amended as...
- 22 Local Government Act 2000 (c. 22)
- 23 In section 29 (operation of and publicity for executive arrangements),...
- 24 In section 30 (operation of different executive arrangements), in subsection...

- 25 In section 33 (operation of alternative arrangements), before subsection (1)...
- 26 In section 83 (interpretation of Part 3) in the definition...
- 27 In section 105 (orders and regulations), in subsection (6) after...
- 28 After paragraph 1 of Schedule 1 (executive arrangements: further provision)...
- 29 (1) For the heading before paragraph 2 of Schedule 1...

SCHEDULE 4 — New arrangements for executives: transitional provision

Part 1 — OLD-STYLE LEADER AND CABINET EXECUTIVE

- 1 Application of Part
- 2 Continued operation of existing executive
- 3 Change in form of executive
- 4 Failure to change form of executive: automatic change
- 5 Interpretation
- Part 2 — MAYOR AND COUNCIL MANAGER EXECUTIVE
- 6 Application of Part
- 7 Continued operation of existing executive
- 8 Change in form of executive
- 9 (1) This paragraph applies if the proposals drawn up in...
- 10 (1) This paragraph applies if the proposals drawn up in...
- 11 Failure to change form of executive: automatic change
- 12 Interpretation
- Part 3 — OTHER TRANSITIONAL PROVISION
- 13 (1) The Secretary of State may by order make transitional,...

SCHEDULE 5 — Parishes: further amendments

- 1 The Local Government Act 1972 (c. 70) is amended in...
- 2 (1) Section 9 (parish meetings and councils) is amended as...
- 3 (1) Section 10 (power to dissolve parish councils in small...
- 4 (1) Section 11 (orders for grouping parishes etc) is amended...
- 5 (1) Section 12 (provision supplementary to sections 9 to 11)...
- 6 (1) Section 16 (parish councillors) is amended as follows.
- 7 (1) Section 137 (power of local authorities to incur expenditure...
- 8 (1) Section 245 (status of certain districts, parishes and communities)...
- 9 (1) Schedule 3 (establishment of new authorities in England) is...
- 10 (1) The Local Government and Rating Act 1997 (c. 29)...

SCHEDULE 6 — Byelaws: further amendments

- 1 Public Health Acts Amendment Act 1907 (c. 53)
- 2 Public Health Act 1936 (c. 49)
- 3 Public Health (Control of Disease) Act 1984 (c. 22)
- 4 Police Reform Act 2002 (c. 30)

SCHEDULE 7 — Amendments consequential on removing parish councils etc from best value duties

- 1 Local Government, Planning and Land Act 1980 (c. 65)
- 2 Local Government Act 1999 (c. 27)
- 3 Local Government Act 2003 (c. 26)

SCHEDULE 8 — Best value: minor and consequential amendments

Part 1 — PART 1 OF LOCAL GOVERNMENT ACT 1999

- 1 Part 1 of the Local Government Act 1999 (c. 27)...

- 2 (1) Section 1 (best value authorities) is amended as follows....
- 3 (1) Section 2 (power to extend or disapply) is amended...
- 4 (1) Section 2A (power of National Assembly for Wales to...
- 5 For the heading immediately preceding section 3 substitute “Duties:
general”....
- 6 (1) Section 4 (performance indicators and standards) is amended as...
- 7 In section 6 (best value performance plans), in subsections (2),...
- 8 In the heading immediately before section 7, at the end...
- 9 (1) Section 7 (audit of best value performance plans) is...
- 10 Omit section 8 (Audit Commission’s code of practice and fees)....
- 11 In section 8A(5)— (a) in paragraph (a), for “Assembly” substitute...
- 12 In section 8B (auditor’s duty in relation to codes) omit—...
- 13 In section 9 (response to audit)— (a) in subsections (1)...
- 14 (1) Section 10 (best value inspections by Audit Commission) is...
- 15 (1) Section 10A (best value inspections by Auditor General for...
- 16 In section 11 (inspectors’ powers and duties), in subsection (4)(b)...
- 17 In section 12A(4)(b) (consultation about fees for inspections by
Auditor...
- 18 In section 13 (reports by Audit Commission) omit subsection (5)...
- 19 In section 13A (reports by Auditor General for Wales), in...
- 20 In section 15(2) (Secretary of State’s powers)—
- 21 (1) Section 23 (accounts) is amended as follows.
- 22 (1) Section 29 (modification for Wales) is amended as follows....
Part 2 — OTHER MINOR AND CONSEQUENTIAL AMENDMENTS
- 23 Housing Associations Act 1985 (c. 69)
- 24 Railways and Transport Safety Act 2003 (c. 20)
- 25 Local Government Act 2003 (c. 26)
- 26 Fire and Rescue Services Act 2004 (c. 21)
- 27 Public Audit (Wales) Act 2004 (c. 23)

SCHEDULE 9 — Consequential amendments relating to change of name of the
Audit Commission

- 1 Amendment of references to the current name of the Commission
- 2 Amendment of references to the old name of the Commission
- 3 Repeal of provision in the Audit Commission Act 1998 (c. 18) relating
to the previous change of name of the Commission

SCHEDULE 10 — Benefit Fraud Inspectorate: transfer schemes

- 1 Transfer of staff
- 2 (1) The individual’s contract of employment— (a) is not terminated...
- 3 (1) A transfer scheme may make provision with respect to...
- 4 In paragraphs 2 and 3, “pension scheme” includes a scheme...
- 5 Property, rights and liabilities etc.

SCHEDULE 11 — Schedule to be inserted in Audit Commission Act 1998

SCHEDULE 12 — The Commission for Local Administration in England: minor and
consequential amendments

Part 1 — AMENDMENTS OF PART 3 OF LOCAL GOVERNMENT ACT 1974

- 1 Part 3 of the Local Government Act 1974 (c. 7)...
- 2 In section 23(12) (three-yearly reviews by the Commission), for
“complaints”...
- 3 (1) Section 26 (matters subject to investigation) is amended as...

- 4 (1) Section 28 (payments to complainants and persons assisting with...
- 5 (1) Section 29 (further provisions about investigations) is amended as...
- 6 (1) Section 31A (consideration of adverse reports) is amended as...
- 7 (1) Section 32 (law of defamation and disclosure of information)...
- 8 (1) Section 33 (consultation with other Commissioners etc) is amended...
- 9 (1) Section 33ZA (collaborative working between Local Commissioners and other...
- 10 In section 34(1) (interpretation of Part)— (a) in the definition...
- 11 (1) Schedule 4 (the Commission) is amended as follows.
- 12 In Schedule 5 (matters not subject to investigation), in paragraphs...
 - Part 2 — OTHER AMENDMENTS
 - 13 Parliamentary Commissioner Act 1967 (c. 13)
 - 14 Local Government and Housing Act 1989 (c. 42)
 - 15 Health Service Commissioners Act 1993 (c. 46)
 - 16 Greater London Authority Act 1999 (c. 29)
 - 17 Local Government Act 2000 (c. 22)
 - 18 Health and Social Care (Community Health and Standards) Act 2003 (c. 43)

SCHEDULE 13 — Consequential amendments relating to joint waste authorities

Part 1 — AMENDMENTS OF LOCAL GOVERNMENT ACT 1972

- 1 The Local Government Act 1972 (c. 70) is amended in...
- 2 In section 70 (restriction on promotion of Bills for changing...
- 3 In section 80(2) (disqualifications for election and holding office as...
- 4 In section 85(4) (vacation of office by failure to attend...
- 5 In section 86(2) (declaration by local authority of vacancy in...
- 6 In section 92 (proceedings for disqualification), after subsection (7) insert—...
- 7 In section 98(1A) (interpretation), after “joint authority,” insert “a joint...
- 8 In section 100J (application to new authorities)—
- 9 In section 101(13) (arrangements for discharge of functions by local...
- 10 In section 146A(1) (joint authorities etc), after “joint authority,” insert...
- 11 In section 175(3B) (allowances for attending conferences and meetings), after...
- 12 In section 176(3) (payment of expenses of official visits), after...
- 13 In section 223(2) (appearance of local authorities in legal proceedings),...
- 14 In section 224(2) (arrangements by principal councils for custody of...
- 15 In section 225(3) (deposit of documents with proper officer of...
- 16 In section 228 (inspection of documents), after subsection (7A) insert —...
- 17 In section 229(8) (photographic copies of documents), after “joint authority”...
- 18 In section 230(2) (reports and returns), at the end insert...
- 19 In section 231(4) (service of notices on local authorities), after...
- 20 In section 232(1A) (public notices), after “joint authority” insert “,...
- 21 In section 233(11) (service of notices by local authorities), after...
- 22 In section 234(4) (authentication of documents), after “joint authority” insert...
- 23 In section 239(4A) (power to promote or oppose local or...
- 24 In section 270(1) (general provisions as to interpretation), after the...

Part 2 — OTHER AMENDMENTS

- 25 Landlord and Tenant Act 1954 (c. 56)
- 26 Trustee Investments Act 1961 (c. 62)
- 27 Leasehold Reform Act 1967 (c. 88)
- 28 Employers' Liability (Compulsory Insurance) Act 1969 (c. 57)
- 29 Local Authorities (Goods and Services) Act 1970 (c. 39)
- 30 Employment Agencies Act 1973 (c. 35)
- 31 Local Government Act 1974 (c. 7)
- 32 Health and Safety at Work etc Act 1974 (c. 37)
- 33 Local Government (Miscellaneous Provisions) Act 1976 (c. 57)
- 34 Rent (Agriculture) Act 1976 (c. 80)
- 35 Rent Act 1977 (c. 42)
- 36 Local Government, Planning and Land Act 1980 (c. 65)
- 37 Acquisition of Land Act 1981 (c. 67)
- 38 Local Government (Miscellaneous Provisions) Act 1982 (c. 30)
- 39 Stock Transfer Act 1982 (c. 41)
- 40 County Courts Act 1984 (c. 28)
- 41 Housing Act 1985 (c. 68)
- 42 Landlord and Tenant Act 1985 (c. 70)
- 43 Local Government Act 1988 (c. 9)
- 44 Housing Act 1988 (c. 50)
- 45 Road Traffic Act 1988 (c. 52)
- 46 Local Government and Housing Act 1989 (c. 42)
- 47 In section 21(1) (interpretation of Part 1), after paragraph (g)...
- 48 In section 152(2) (interpretation of sections 150 and 151), after...
- 49 Environmental Protection Act 1990 (c. 43)
- 50 Local Government (Overseas Assistance) Act 1993 (c. 25)
- 51 Housing Grants, Construction and Regeneration Act 1996 (c. 53)
- 52 Audit Commission Act 1998 (c. 18)
- 53 Local Government Act 1999 (c. 27)
- 54 Freedom of Information Act 2000 (c. 36)
- 55 Local Government Act 2003 (c. 26)

SCHEDULE 14 — Consequential amendments relating to entities controlled etc by local authorities

- 1 Prevention of Corruption Act 1916 (c. 64)
- 2 Local Government Act 1972 (c. 70)
- 3 Local Government, Planning and Land Act 1980 (c. 65)
- 4 Environment Act 1995 (c. 25)
- 5 Local Government Act 2003 (c. 26)
- 6 Public Audit (Wales) Act 2004 (c. 23)

SCHEDULE 15 — The Valuation Tribunal for England

- 1 Introduction
- 2 Establishment of the Tribunal
- 3 Schedule 11 to be divided into Parts
- 4 Retention of existing arrangements for Wales
- 5 After paragraph 1 insert— In this Part, references to a tribunal are references to...
- 6 (1) Omit paragraph 3 (transfer of jurisdiction of local valuation...
- 7 In paragraph 5(1) (regulations about membership of tribunals), in sub-paragraph...
- 8 In paragraph 6(1) (staff) omit “, so far as relating...

- 9 In paragraph 7(1) (accommodation and equipment) omit “, so far...
- 10 (1) For the italic heading before paragraph 8 substitute— Dealing...
- 11 Amendment of provisions relating to England and to Wales
- 12 In paragraph 9(2) for “paragraph 1” substitute “paragraph A19 or...
- 13 In paragraph 10(2) for “paragraph 1” substitute “paragraph A19 or...
- 14 In paragraph 10A(2) for “paragraph 1” substitute “paragraph A19 or...
- 15 In paragraph 11(1) for “paragraph 1” substitute “paragraph A19 or...
- 16 In paragraph 12(1) for “paragraph 1” substitute “paragraph A19 or...
- 17 After paragraph 12 insert— Meaning of tribunal In this Part references to a tribunal are—
- 18 (1) For the italic heading before paragraph 13 substitute— Finance:...
- 19 In paragraph 15 for “paragraph 4” substitute “paragraph A3 or...

SCHEDULE 16 — Consequential amendments relating to the creation of the
Valuation Tribunal for England

- 1 House of Commons Disqualification Act 1975 (c. 24)
- 2 Local Government Finance Act 1988 (c. 41)
- 3 (1) Section 55 (alteration of lists) is amended in accordance...
- 4 (1) Schedule 4A (non-domestic rating: new buildings (completion days)) is...
- 5 (1) Schedule 9 (non-domestic rating: administration) is amended in accordance...
- 6 Land Drainage Act 1991 (c. 59)
- 7 Local Government Finance Act 1992 (c. 14)
- 8 Tribunals and Inquiries Act 1992 (c. 53)
- 9 Finance Act 2003 (c. 14)
- 10 Local Government Act 2003 (c. 26)
- 11 (1) Section 105 (the Valuation Tribunal Service) is amended in...
- 12 In section 124 (general interpretation), omit the definition of “valuation...”
- 13 (1) Schedule 4 (the Valuation Tribunal Service) is amended in...
- 14 Constitutional Reform Act 2005 (c. 4)
- 15 (1) Schedule 7 (protected functions of the Lord Chancellor) is...
- 16 (1) Schedule 14 (Judicial Appointments Commission: relevant offices and enactments)...

SCHEDULE 17 — Powers of National Assembly for Wales

- 1 Schedule 5 to the Government of Wales Act 2006 (c....
- 2 In Part 1, after the heading “Field 12: local government”...
- 3 In Part 2, after paragraph 2 insert— Police areas A provision of an Assembly Measure cannot make any alteration...
- 4 In Part 3, after paragraph 7 insert— Police areas Part 2 does not prevent a provision of an Assembly...

SCHEDULE 18 — Repeals

- Part 1 — STRUCTURAL AND BOUNDARY CHANGE
- Part 2 — ELECTORAL ARRANGEMENTS
- Part 3 — EXECUTIVE ARRANGEMENTS
- Part 4 — PARISHES
- Part 5 — COMMUNITY STRATEGIES
- Part 6 — OVERVIEW AND SCRUTINY COMMITTEES
- Part 7 — BYELAWS
- Part 8 — BEST VALUE

Status: This is the original version (as it was originally enacted).

- Part 9 — CHANGE OF NAME OF THE AUDIT COMMISSION
- Part 10 — INTERACTION OF THE AUDIT COMMISSION WITH OTHER
AUTHORITIES
- Part 11 — STUDIES AND REPORTS ETC OF THE AUDIT COMMISSION
- Part 12 — AUDIT COMMISSION AND AUDITORS: MISCELLANEOUS
- Part 13 — AUDITOR GENERAL FOR WALES AND AUDITORS
- Part 14 — THE COMMISSION FOR LOCAL ADMINISTRATION IN ENGLAND
- Part 15 — ETHICAL STANDARDS
- Part 16 — ENTITIES CONTROLLED ETC BY LOCAL AUTHORITIES
- Part 17 — VALUATION TRIBUNALS
- Part 18 — PATIENT AND PUBLIC INVOLVEMENT IN HEALTH
- Part 19 — CONTRACTING OUT