



Local Government Act 1972

1972 CHAPTER 70

PART VI

DISCHARGE OF FUNCTIONS

102 Appointment of committees.

- (1) For the purpose of discharging any functions in pursuance of arrangements made under section 101 above [^{F1}or]^{F2}section 53 of the Children Act 1989]—
- (a) a local authority may appoint a committee of the authority; or
 - (b) two or more local authorities may appoint a joint committee of those authorities; or
 - (c) any such committee may appoint one or more sub-committees.

^{F3}(1A) For the purpose of discharging any function in pursuance of arrangements made under [^{F4}section 9E(2)(b)(iv), (3)(b), (4)(a) or (5)(a)] of the Local Government Act 2000 [^{F5}or under regulations made under section 18 of that Act] (discharge of functions by area committees)—

- (a) a local authority may appoint a committee of the authority; or
 - (b) any such committee may appoint one or more sub-committees.]
- (2) Subject to the provisions of this section, the number of members of a committee appointed under subsection (1) [^{F6}or (1A)] above, their term of office, and the area (if restricted) within which the committee are to exercise their authority shall be fixed by the appointing authority or authorities or, in the case of a sub-committee, by the appointing committee.
- (3) A committee appointed under subsection (1) [^{F6}or (1A)] above, other than a committee for regulating and controlling the finance of the local authority or of their area, may, subject to section 104 below, include persons who are not members of the appointing authority or authorities or, in the case of a sub-committee, the authority or authorities of whom they are a sub-committee, ^{F7}. . .
- (4) A local authority may appoint a committee, and two or more local authorities may join in appointing a committee, to advise the appointing authority or authorities

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[^{F8}, or, where the appointing authority or each of the authorities operate executive arrangements, any executive of that or those authorities, or a committee or member of that executive,] on any matter relating to the discharge of their functions, and any such committee—

- (a) may consist of such persons (whether members of the appointing authority or authorities or not) appointed for such term as may be determined by the appointing authority or authorities; and
- (b) may appoint one or more sub-committees to advise the committee with respect to any such matter.

(5) Every member of a committee appointed under this section who at the time of his appointment was a member of the appointing authority or one of the appointing authorities shall upon ceasing to be a member of that authority also cease to be a member of the committee; but for the purposes of this section a member of a local authority shall not be deemed to have ceased to be a member of the authority by reason of retirement if he has been re-elected a member thereof not later than the day of his retirement.

[^{F9}(6) Subsection (7) applies in relation to—

- (a) a committee or sub-committee appointed by a local authority in England wholly or partly for the purposes of discharging functions of a fire and rescue authority,
- (b) a joint committee appointed by two or more local authorities in England wholly or partly for the purposes of discharging such functions, or
- (c) a sub-committee appointed by any such committee or joint committee wholly or partly for the purposes of discharging such functions.

(7) A relevant police and crime commissioner may only be appointed to a committee or sub-committee to which this subsection applies in response to a request made by the commissioner to the appointing authority or authorities or, in the case of a sub-committee, to the appointing committee.

(8) If a request under subsection (7) is made to an appointing authority or authorities or an appointing committee, they must—

- (a) consider the request,
- (b) give reasons for their decision to agree to or refuse the request, and
- (c) publish those reasons in such manner as they think appropriate.

(9) A relevant police and crime commissioner may attend, speak at and vote at a meeting of a committee [^{F10}described in subsection (6)] only if and to the extent that the business of the meeting relates to the functions of a fire and rescue authority.

(10) Subsection (11) defines “relevant police and crime commissioner” for the purposes of this section in relation to—

- (a) a committee or sub-committee appointed by a local authority,
- (b) a joint committee appointed by two or more local authorities, or
- (c) a sub-committee appointed by a committee of a local authority or a joint committee of two or more local authorities.

(11) For those purposes “relevant police and crime commissioner” means a police and crime commissioner—

- (a) whose area is the same as, or contains all of, the area of that local authority or (as the case may be) one or more of those local authorities, or

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- (b) all or part of whose area falls within the area of that local authority or (as the case may be) one or more of those local authorities.]

Textual Amendments

- F1** Words inserted by [Health and Social Services and Social Security Adjudications Act 1983 \(c. 41, SIF 113:3\)](#), s. 29, [Sch. 9 Pt. I para. 16](#)
- F2** Words in s. 102(1) substituted (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(5), [Sch. 13 para. 31\(1\)](#); S. I. 1991/828, [art. 3\(2\)](#)
- F3** S. 102(1A) inserted (E.) (18.5.2001) by [S.I. 2001/1517](#), [art. 4\(a\)](#) and (W.) (1.4.2002) by [S.I. 2002/803](#), [art. 4\(a\)](#)
- F4** Words in s. 102(1A) substituted (4.5.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 3 para. 4\(a\)](#); [S.I. 2012/1008](#), [art. 4\(b\)](#)
- F5** Words in s. 102(1A) inserted (4.5.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 3 para. 4\(b\)](#); [S.I. 2012/1008](#), [art. 4\(b\)](#)
- F6** Words in s. 102(2)(3) inserted (E.) (18.5.2001) by [S.I. 2001/1517](#), [art. 4\(b\)](#) and (W.) (1.4.2002) by [S.I. 2002/803](#), [art. 4\(b\)](#)
- F7** Words repealed (16.1.1990 to the extent mentioned in [S.I. 1989/2445](#), [art. 4](#) otherwise 1.8.1990 and 1.1.1991 as provided by [S.I. 1990/1552](#), [art. 3](#), [Sch.](#)) by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1, 2\)](#), ss. 13(8), 194(4), [Sch. 12 Pt. II](#)
- F8** Words in s. 102(4) inserted (E.) (18.5.2001) by [S.I. 2001/1517](#), [art. 4\(c\)](#) and (W.) (1.4.2002) by [S.I. 2002/803](#), [art. 4\(c\)](#)
- F9** S. 102(6)-(11) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), ss. 7(2), 183(1)(5)(e); [S.I. 2017/399](#), reg. 2, [Sch. para. 3](#)
- F10** Words in s. 102(9) substituted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), ss. 74, 255(2)(l) (with s. 247)

Modifications etc. (not altering text)

- C1** S. 102 applied (7.8.1991) by [S.I. 1991/1773](#), arts. 6, 8, [Sch. 1](#)
S. 102 applied (10.1.1992) by [S.I. 1991/2913](#), artS. 6, 8, [Sch. 1](#)
Ss. 101-106 applied (with modifications) (20.11.1996) by: [S.I. 1996/2912](#), [art. 2](#), [Sch. para. 20\(1\)](#); [S.I. 1996/2916](#), [art. 2](#), [Sch. para. 20\(1\)](#); [S.I. 1996/2917](#), [art. 2](#), [Sch. para. 20\(1\)](#); [S.I. 1996/2918](#), [art. 2](#), [Sch. para. 20\(1\)](#); [S.I. 1996/2919](#), [art. 2](#), [Sch. para. 20\(1\)](#); [S.I. 1996/2920](#), [art. 2](#), [Sch. para. 20\(1\)](#); [S.I. 1996/2921](#), [art. 2](#), [Sch. para. 20\(1\)](#); [S.I. 1996/2922](#), [art. 2](#), [Sch. para. 20\(1\)](#); [S.I. 1996/2923](#), [art. 2](#), [Sch. para. 20\(1\)](#); [S.I. 1996/2924](#), [art. 2](#), [Sch. para. 20\(1\)](#)
Ss. 101-106 applied (with modifications) (11.12.1995) by: [S.I. 1995/3218](#), [art. 2](#), [Sch. para. 20\(1\)](#); [S.I. 1995/3229](#), [art. 2](#), [Sch. para. 20\(1\)](#); [S.I. 1995/3230](#), [art. 2](#), [Sch. para. 20\(1\)](#)
Ss. 101-106 applied (with modifications) (5.12.1995) by: [S.I. 1995/3127](#), [art. 2](#), [Sch. para. 20\(1\)](#); [S.I. 1995/3132](#), [art. 2](#), [Sch. para. 20\(1\)](#); [S.I. 1995/3133](#), [art. 2](#), [Sch. para. 20\(1\)](#)
S. 102 applied (with modifications) (3.7.2000) by 1999 c. 29, s. 244(8)(a) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/801](#), [art. 2\(2\)\(c\)](#), [Sch. Pt. 3](#)
- C2** S. 102: certain functions transferred (10.1.1992) by [S.I. 1991/2913](#), [art. 8\(1\)\(3\)](#), [Sch. 1](#)
S. 102: certain functions transferred (subject to modifications) (7.8.1991) by [S.I. 1991/1773](#), arts. 6, 8, [Sch. 1](#)
S. 102: certain functions transferred (temp. from 4.5.1995 to 31.3.1996) by [S.I. 1995/1042](#), [art. 3\(3\)](#)
- C3** Ss. 101-106 extended (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), [Sch. 7 para. 13\(1\)](#) (with ss. 7(6), 115, 117, [Sch. 8 para. 7](#))
- C4** S. 102 modified (3.7.2000) by 1984 c. 27, s. 55(8) (as added (3.7.2000) by 1999 c. 29, s. 282(5) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/801](#), [art. 2\(2\)\(c\)](#), [Sch. Pt. 3](#)
S. 102 modified (3.7.2000) by 1991 c. 40, s. 73(1A) (as substituted (3.7.2000) by 1999 c. 29, s. 283(2) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/801](#), [art. 2\(2\)\(c\)](#), [Sch. Pt. 3](#)

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- S. 102 modified (8.5.2000) by 1999 c. 29, s. **39(1)(2)(4)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b), **Sch. Pt. 2**
- C5** Ss. 101-104 applied (22.7.2004) by The Cotswolds Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1777), **art. 17(1)**
Ss. 101-104 applied (22.7.2004) by The Chilterns Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1778), **art. 17(1)**
- C6** Ss. 101-106 applied (with modifications) (E.) (24.3.2011) by The Hull and Goole Port Health Authority Order 2011 (S.I. 2011/939), arts. 1(1), 7, **Sch. 1**
- C7** S. 102 applied (with modifications) (1.4.2013) by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (S.I. 2013/218), regs. 1(2), **4**
- C8** Ss. 101-103 applied (with modifications) (1.4.2015) by The Dorset and Wiltshire Fire and Rescue Authority (Combination Scheme) Order 2015 (S.I. 2015/435), art. 1(2), **Sch. para. 17**
- C9** Ss. 101, 102 modified by 1990 c. 8, s. 319ZC (as inserted (6.9.2015 for specified purposes, 5.5.2017 in so far as not already in force) by Planning (Wales) Act 2015 (anaw 4), **ss. 39(1)**, 58(2)(b)(4)(b); S.I. 2017/546, art. 3(a))
- C10** Ss. 101-102 applied (with modifications) (E.) (31.3.2017) by The Weymouth Port Health Authority Order 2017 (S.I. 2017/558), arts. 1(1), 8, **Sch. 1**
- C11** Ss. 101-103 applied (with modifications) (1.4.2020) by The Hampshire and Isle of Wight Fire and Rescue Authority (Combination Scheme) Order 2020 (S.I. 2020/186), art. 1(2), **Sch. para. 17**
- C12** S. 102(1)(b)(c)(2)(3)(5) modified (8.5.2000) by 1999 c. 29, s. 154(4), **Sch. 10 para. 9(1)(b)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b), **Sch. Pt. 2**
- C13** S. 102(2) excluded (28.11.2008) by The Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008 (S.I. 2008/2867), **reg. 16(8)**
- C14** S. 102(2)(5) applied (E.) (2.4.2001) by S.I. 2001/1299, **reg. 6(11)**
S. 102(2)(5) applied (W.) (28.7.2001) by S.I. 2001/2284, **reg. 6(11)**
- C15** S. 102(2)(3) excluded (3.4.1995) by 1994 c. 19, **ss. 30(11)(13)**, 31(9)(11); S.I. 1995/852, **art. 5**
- C16** S. 102(2)(5) applied (E.) (26.10.2000) and (W.) (28.7.2001) by 2000 c. 22, **ss. 21(12)**, 108(4); S.I. 2000/2849, **art. 2(a)**
- C17** S. 102(2) applied (with modifications) (30.4.2009 for E. and 1.10.2009 for W.) by Police and Justice Act 2006 (c. 48), **ss. 19, 53, Sch. 8 para. 9**; S.I. 2009/936, **art. 2**; S.I. 2009/2540, **art. 2**
- C18** S. 102(2) applied (W.) (16.2.2007) by The Local Authorities (Alternative Arrangements) (Wales) Regulations 2007 (S.I. 2007/397), **reg. 9(7)**
- C19** S. 102(2) applied by 2000 c. 22, s. 9FA(7) (as inserted (3.12.2011 for specified purposes, 4.5.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 2 para. 1**; S.I. 2011/2896, art. 2(e); S.I. 2012/1008, art. 4(b))
- C20** S. 102(2) applied (4.5.2012) by The Local Authorities (Committee System) (England) Regulations 2012 (S.I. 2012/1020), regs. 1, **5(4)**
- C21** S. 102(2)-(5) applied by 1972 c. 70, Sch. 5A para. 2(5) (as inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by Cities and Local Government Devolution Act 2016 (c. 1), s. 25(2), **Sch. 3**)
- C22** S. 102(2)-(5) applied (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 1 para. 2(5)** (with s. 247)
- C23** S. 102(5) applied (with modifications) (30.4.2009 for E. and 1.10.2009 for W.) by Police and Justice Act 2006 (c. 48), **ss. 19, 53, Sch. 8 para. 9**; S.I. 2009/936, **art. 2**; S.I. 2009/2540, **art. 2**
- C24** S. 102(5) applied (W.) (16.2.2007) by The Local Authorities (Alternative Arrangements) (Wales) Regulations 2007 (S.I. 2007/397), **reg. 9(7)**
- C25** S. 102(5) applied by 2000 c. 22, s. 9FA(7) (as inserted (3.12.2011 for specified purposes, 4.5.2012 in so far as not already in force) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 2 para. 1**; S.I. 2011/2896, art. 2(e); S.I. 2012/1008, art. 4(b))
- C26** S. 102(5) applied (4.5.2012) by The Local Authorities (Committee System) (England) Regulations 2012 (S.I. 2012/1020), regs. 1, **5(4)**

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C27 S. 102(6)-(11) excluded (8.5.2017) by [The Greater Manchester Combined Authority \(Transfer of Police and Crime Commissioner Functions to the Mayor\) Order 2017 \(S.I. 2017/470\)](#), art. 1(2), **Sch. 2 para. 2(a)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 80(3B) omitted by [2021 asc 1 Sch. 2 para. 1\(3\)\(c\)](#)
- s. 101(6ZA) inserted by [2023 c. 55 Sch. 12 para. 2](#)
- s. 123(2C) inserted by [2023 c. 55 s. 75](#)
- s. 131(2)(n) and word inserted by [2023 asc 3 Sch. 13 para. 16](#)