Draft Order laid before Parliament under section 105(6) of the Local Government Act 2000, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2012 No.

LOCAL GOVERNMENT, ENGLAND

The City of Wakefield (Mayoral Referendum) Order 2012

Made - - - - ***

Coming into force in accordance with article 1

The Secretary of State makes the following Order in exercise of the powers conferred by sections 9N and 105 of the Local Government Act 2000(**a**).

In accordance with section 105(6) of that Act, a draft of this instrument has been laid before and approved by a resolution of each House of Parliament.

Citation and commencement

1. This Order may be cited as the City of Wakefield (Mayoral Referendum) Order 2012 and comes into force on the day after the day on which it is made.

Interpretation

2. In this Order "the authority" means Wakefield City Council.

Referendum on whether to operate a mayor and cabinet executive

3. The authority must, on 3rd May 2012, hold a referendum on whether to operate a mayor and cabinet executive.

Action to be taken after referendum

4.—(1) If the result of the referendum held by virtue of this Order is to approve a change to a mayor and cabinet executive, the authority must implement that change.

(2) If the result of the referendum held by virtue of this Order is to reject a change to a mayor and cabinet executive, the authority shall continue to operate their existing form of governance.

Default powers of the Secretary of State

5. The Secretary of State may, in the event of any failure by the authority to take any action which must be taken by the authority by virtue of this Order, take that action.

(**a**) 2000 c.22. Section 9N was inserted into the Local Government Act 2000 by Schedule 2 to the Localism Act 2011 (c.20). Section 105 was amended by paragraph 70 of Schedule 3 to the Localism Act 2011.

Signed by authority of the Secretary of State for Communities and Local Government

Minister of State
Date Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for Wakefield City Council, on the date specified in Article 3, to hold a referendum on whether to cease to operate their existing form of governance arrangements and to start to operate a mayor and cabinet executive instead. The result of the referendum required to be held by virtue of this Order is binding. Article 5 enables the Secretary of State to take any action that the authority are required to take by virtue of this Order if the authority fails to take that action.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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