STATUTORY INSTRUMENTS

2018 No. 615

LOCAL GOVERNMENT, ENGLAND

The East Suffolk (Modification of Boundary Change Enactments) Regulations 2018

Made - - - - 23rd May 2018

Coming into force in accordance with regulation 1

The Secretary of State, in exercise of the powers conferred by section 15 of the Cities and Local Government Devolution Act 2016(**a**) ("the 2016 Act"), makes the following Regulations.

Suffolk Coastal District Council and Waveney District Council have consented to the making of these Regulations in accordance with section 15(4) and (5) of the 2016 Act.

A draft of these Regulations was laid before and approved by a resolution of each House of Parliament in accordance with section 15(11) of the 2016 Act.

Citation and commencement

1. These Regulations may be cited as the East Suffolk (Modification of Boundary Change Enactments) Regulations 2018 and come into force on the day after that on which they are made.

Interpretation

2. In these Regulations—

"the 2007 Act" means the Local Government and Public Involvement in Health Act 2007(**b**);

"the relevant authorities" means Suffolk Coastal District Council and Waveney District Council.

Modifications of the Local Government and Public Involvement in Health Act 2007

3. Chapter 1 of Part 1 (structural and boundary change) of the 2007 Act applies to the relevant authorities as if—

(a) in section 8 (review by Local Government Boundary Commission of local government areas)—

(i) after subsection (2) there were inserted—

"(2A) A principal authority may make a proposal to the Secretary of State for boundary change of its area.

(**a**) 2016 c. 1.
(**b**) 2007 c. 28. Relevant amendments were made to sections 8 and 10 by the Local Democracy, Economic Development and Construction Act 2009 (c. 20).

(2B) An authority may make its own proposal under this section, or may make a proposal jointly with any other principal authority.";

(ii) in subsection (4) after "recommended" there were inserted "or proposed";

(iii) in subsection (8) after "Commission" in each place it occurs there were inserted "or the Secretary of State";

(b) in subsection (1) of section 10 (implementation of recommendations by order)—

(i) after "under section 8(2)" there were inserted "or a principal authority makes a proposal to the Secretary of State under section 8(2A)";

(ii) in sub-paragraph (a) after "recommendation" there were inserted "or proposal";

(iii) in sub-paragraph (b) after "recommendation" there were inserted "or proposal".

Pre-commencement proposals

4. A proposal made by either or both of the relevant authorities before the date that these Regulations come into force that otherwise complies with section 8 of the 2007 Act as modified by these Regulations shall be treated as a proposal made under section 8(2A).

Expiry of Regulations

5. These Regulations expire at the end of March 2020 (but without affecting any order made under Part 1 of the 2007 Act as that Part has been applied under these Regulations).

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

Rishi Sunak
Parliamentary Under Secretary of State
23rd May 2018 Ministry of Housing, Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations modify provisions related to boundary changes in the Local Government and Public Involvement in Health Act 2007 (the 2007 Act) as they apply to East Suffolk.

Regulation 3 modifies certain provisions of Part 1 of the 2007 Act for the purposes of boundary change of the local government areas of Suffolk Coastal and Waveney. Section 8 of the 2007 Act is modified to allow for a proposal for boundary change affecting its area to be made by a relevant local authority without the requirement of a review or recommendation from the Local Government Boundary Commission.

Regulation 4 provides for the relevant provisions of the 2007 Act as modified by these Regulations to apply to the implementation of a proposal made before the coming into force of these Regulations.

Regulation 5 provides for the expiry of these Regulations at the end of March 2020.

A full regulatory impact assessment has not been prepared as this instrument will have no impact on the costs of business and the voluntary sector.

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