

Sustainable Communities Act 2007 (Amendment) Bill

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TO

Amend the Sustainable Communities Act 2007 to make further provision regarding the consideration of proposals and the representation of parish councils; 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 Submission of proposals by the selector

- (1) The Sustainable Communities Act 2007 (c. 23) (“the 2007 Act”) is amended as follows.
- (2) After section 3 of the 2007 Act insert—

“3A Proposals made by the selector

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- (1) The first short list of proposals drawn up by the selector subsequent to the passing of this Act may contain as many proposals as the selector thinks it is reasonably practicable for the Secretary of State to consider.
- (2) After that first short list of proposals has been submitted the selector may submit such further proposals as in his opinion it is reasonably practicable for the Secretary of State to consider. 10
- (3) The selector must, provided that he has sufficient proposals from local authorities, ensure that there is always a reasonable number of proposals under consideration by the Secretary of State at any given time. 15
- (4) The selector must publish his reasons for rejecting any proposals from local authorities.”

2 Representation of parish councils

- (1) A panel of representatives of local persons (“a panel”) established or recognised pursuant to section 5(4) of the 2007 Act must, subject to subsection (2), include representatives of parish councils in that local authority’s area. 20

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- (2) A local authority that has established or recognised such a panel shall select representatives of parish councils to be members of any such panel unless –
- (a) the parish councils within its area have selected at least two members to serve on the panel within 6 months of the coming into force of this Act; or 5
 - (b) there are no parish councils within the authority’s area.
- (3) For the purpose of making proposals to the Secretary of State pursuant to section 2(1) of the 2007 Act “local authorities” shall be taken to include any county association of parish councils in a local authority area.
- (4) Before it makes any proposals a county association of parish councils must consult and try to reach agreement with parish councils in its area about those proposals. 10
- 3 Petitions and referendums**
- (1) Where a local authority has decided not to make proposals to the Secretary of State pursuant to section 2 of the 2007 Act and it receives a petition signed by at least 5 per cent of electors in its area requesting that such proposals should be submitted, the authority must hold a referendum of all its electors on the proposals outlined in that petition. 15
- (2) If a majority of those voting in a referendum held under subsection (1) support the petition the local authority must make proposals to the Secretary of State under section 2 of the 2007 Act. 20
- (3) The Secretary of State must, within 12 months of the passing of this Act, make regulations about the drawing up and submission of petitions and the holding of referendums under this Act.
- 4 Regulations** 25
- (1) The power to make regulations under this Act is exercisable by statutory instrument.
- (2) A statutory instrument containing regulations under this Act is subject to annulment in pursuance of a resolution of either House of Parliament.
- 5 Short title and extent** 30
- (1) This Act may be cited as the Sustainable Communities 2007 (Amendment) Act 2009.
- (2) This Act extends to England only.

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*Presented by Mr David Drew
supported by
Julia Goldsworthy and Mr Nick Hurd.*

*Ordered, by The House of Commons,
to be Printed, 3 June 2009.*

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