

Local Government Act 1972 c. 70

s. 239 Power to promote or oppose local or personal Bills.



Law In Force

Version 5 of 5

26 May 2015 - Present

Subjects

Legislation; Local government

Keywords

Local and Personal Acts; Local authorities' powers and duties; Personal Bills

239.— Power to promote or oppose local or personal Bills.

- (1) Subject to the provisions of this Act, where a [local authority in England, other than a parish council]¹, are satisfied that it is expedient to promote, or any local authority [in England]¹ are satisfied that it is expedient to oppose, any local or personal Bill in Parliament, the local authority may, but only in accordance with the procedure hereinafter provided by this section, promote or oppose the Bill accordingly, and may defray the expenses incurred in relation thereto.
- (2) A resolution of a local authority to promote or oppose a Bill under subsection (1) above shall be—
- (a) passed by a majority of the whole number of the members of the authority at a meeting of the authority held after the requisite notice of the meeting and of its purpose has been given by advertisement in one or more local newspapers circulating in the area of the authority, such notice being given in addition to the ordinary notice required to be given for the convening of a meeting of the authority; and
- (b) in the case of the promotion of a Bill, confirmed by a like majority at a further such meeting convened in accordance with paragraph (a) above and held as soon as may be after the expiration of fourteen days after the Bill has been deposited in Parliament and, if the resolution is not confirmed, the local authority shall take all necessary steps to withdraw the Bill.
- (3) For the purposes of subsection (2) above the requisite notice is thirty clear days' notice in the case of promotion of a Bill and ten clear days' notice in the case of opposition to a Bill.
- (4) The power conferred on a local authority by subsection (1) above shall be in substitution for any power conferred on that authority by a local Act.
- [
- (4A) The powers conferred on a local authority by subsection (1) above shall also be exercisable by a joint authority [, an economic prosperity board]³[and a combined authority]⁴[.]⁵
-]²
- (5) No payment shall be made by [an authority]⁶ to a member of the authority for acting as counsel or agent in promoting or opposing a Bill under this section.

Notes

¹ Amended by Local Government (Democracy) (Wales) Act 2013 anaw. 4 [Sch.1 para.1\(10\)](#) (September 30, 2013)

Notes

- 2 S. 239(4A) inserted by Local Government Act 1985 (c. 51), s. 84, Sch. 14 para. 32(1)
 - 3 Words inserted by Local Democracy, Economic Development and Construction Act 2009 c. 20 [Sch.6 para.37](#) (December 17, 2009)
 - 4 Words substituted by Deregulation Act 2015 c. 20 [Sch.13\(3\) para.6\(7\)\(u\)](#) (May 26, 2015)
 - 5 Words inserted by Local Government and Public Involvement in Health Act 2007 c. 28 [Sch.13\(1\) para.23](#) (April 1, 2008)
 - 6 Words substituted by Local Government Act 1985 (c.51), s. 84, Sch. 14 para. 32(2)
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Part XI GENERAL PROVISIONS AS TO LOCAL AUTHORITIES > Miscellaneous provisions > s. 239 Power to promote or oppose local or personal Bills.

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