

## Steps required for Revocation of Byelaws under Part 4 of The Byelaws (Alternative Procedure) (England) Regulations 2016

### Step 1 – Assessment and Consultation

- Determine the need to revoke the byelaw/s
- Confirm the local authority power, refer to the Constitution
- NHDC Internal Mechanism
- Consultation
- Prepare a draft of the proposed revoking byelaw or the Model Revocation Byelaw can be used
- Undertake a regulatory assessment of the proposed revocation which is too include the following considerations:
  - What is the objective of revoking the byelaw?
  - Can the objective be achieved in any other way?
  - Consider the impact on those affected by this decision
  - How does revoking the byelaw compare with taking no action
- Local Authority to publish a notice of its proposal to revoke the byelaw on its website, in a local newspaper plus any other method as it sees fit
- Notice to include the consultation period of not less than 28 days, within which the public may inspect the draft byelaws and also publish an address to which representation on the byelaws can be made within this period
- Local Authority must consider all representations before the decision to revoke is made

### Step 2 – Deciding to revoke the Byelaw

- Once the consultation period has expired the Local Authority has 6 months within which to decide whether to revoke the byelaw or not
- The revocation must be what was originally intended and consulted upon. To revoke anything additional would require returning back to Step One.

### Step 3 – Revoking the Byelaw

- Formally resolve to revoke the byelaw
- Under the Common Seal of the Council which should be placed after any schedule or plan included with the revoking byelaw.
- Must be signed and dated

### Step 4 – Publicity after revoking the Byelaw

- The Local Authority must publicise that the byelaw has been revoked via a notice on the Council website, in a local newspaper plus any other method the Council sees fit
- A copy of the revoking byelaw must be made available to anyone who wishes to have a copy, for which a reasonable charge can be made
- Signs and any literature relating to the now revoked byelaw must now be removed

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