



Ministry of Housing,
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Jonathan Owen
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Dear Jonathan

Modernisation of MHCLG Model Byelaws

The Department has undertaken an exercise to bring model byelaws, for which this Department has policy responsibility, up-to-date. I have written to Chief Executives of principal local authorities in England, the Local Government Association and the Society of Local Council Clerks but would welcome your help in reaching smaller authorities to inform them of the changes.

The Department makes available model byelaw sets, covering a range of eventualities, for local authorities to use when drafting byelaws to address issues within their local communities. Byelaws can be an effective vehicle for addressing local issues in specified locations and which cannot be addressed through existing legislation or local measures.

The exercise to update the Department's model byelaws sets and accompanying guidance notes has been undertaken in consultation with Government Departments and agencies, and follows on from the new framework set out in the Byelaws (Alternative Procedure) (England) Regulations 2016. Both the updated model sets and guidance notes can be viewed at <https://www.gov.uk/guidance/local-government-legislation-byelaws#model-byelaws>.

This exercise has brought the Department's model byelaws up-to-date, and removed those byelaws which have now been superseded by national legislation. It is important to note that these changes have in no way reduced any regulatory protections on the public. For example, the refresh removes only the fire and health and safety model byelaws which the Home Office and the Health and Safety Executive have both agreed are now captured and enforceable through national legislation, including through the Regulatory Reform (Fire Safety) Order 2005. Further guidance and support on fire safety legislation is available at: <https://www.gov.uk/government/collections/fire-safety-law-and-guidance->

[documents-for-business](#) and <http://www.hse.gov.uk/construction/safetytopics/fire.htm>.

Please note there is no requirement for councils to update their existing byelaws at this time. However when the council decides to review, amend or put in place new byelaws it is then necessary to use the updated model byelaws.

We hope you continue to find the model byelaws and guidance helpful. Should you require further details please contact the Byelaws Team at byelaws@communities.gsi.gov.uk

Yours sincerely

A handwritten signature in black ink that reads "A. Powell". The signature is written in a cursive, slightly slanted style.

Alex Powell
Deputy Director
Local Government Stewardship Team