



# Local Government (Democracy) (Wales) Act 2013

2013 anaw 4

## PART 3

### ARRANGEMENTS FOR LOCAL GOVERNMENT

#### CHAPTER 2

#### AREA REVIEWS

##### *Communities*

#### **25 Review of community boundaries by principal council**

- (1) A principal council may conduct a review of one or more communities in its area—
  - (a) of its own initiative, or
  - (b) at the request of—
    - (i) a community council in its area, or
    - (ii) a community meeting in its area.
- (2) But a principal council must not conduct a review under subsection (1) at the request of a community council or a community meeting if it considers that doing so would impede the proper exercise of its functions.
- (3) The changes that a principal council may recommend in relation to a review under this section are—
  - (a) such community boundary changes as it considers appropriate, and
  - (b) in consequence of any community boundary changes, such community council changes and associated changes to the electoral arrangements of—
    - (i) the community or communities under review,
    - (ii) the principal area,

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*Changes to legislation: There are currently no known outstanding effects for the Local Government (Democracy) (Wales) Act 2013, Cross Heading: Communities. (See end of Document for details)*

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as it considers appropriate.

- (4) For the purposes of subsection (3)(b)(ii), section 30 applies to a principal council as it applies to the Commission.
- (5) A principal council may enter into an agreement with the Commission for the Commission (under section 26) to exercise the council's functions under this section.
- (6) The agreement may be on such terms and conditions as the principal council and the Commission consider appropriate.

## **26 Review of community boundaries by the Commission**

- (1) The Commission may, in any of the circumstances described in subsection (2), conduct a review of one or more communities in a principal area.
- (2) The circumstances are—
  - (a) where the Commission has agreed to exercise a principal council's functions under section 25(5),
  - (b) where a principal council has submitted recommendations to the Commission under section 36(5) and—
    - (i) the council's recommendation is that no community boundary changes should be made,
    - (ii) the council and the Commission are unable to agree to such modifications to the recommendations as the Commission considers necessary for it to implement them,
    - (iii) the Commission does not consider it appropriate to implement any of the council's recommendations, or
    - (iv) the Commission considers that the review has not been conducted by the council in accordance with this Part or has otherwise been defective in some material way,
  - (c) where a principal council has not complied with a direction by the Welsh Ministers to conduct a review of one or more of its communities.
- (3) The changes that the Commission may recommend in relation to a review under this section are—
  - (a) such community boundary changes as it considers appropriate, and
  - (b) in consequence of any community boundary changes, such community council changes and associated changes to the electoral arrangements of—
    - (i) the community or communities under review,
    - (ii) the principal area,
 as it considers appropriate.
- (4) Where the Commission conducts a review in the circumstances described in subsection (2)(b)(iv) or (c), it may recover the cost of doing so from the principal council.
- (5) In the event of a disagreement between the Commission and the principal council as to the amount payable to the Commission under subsection (4), the Welsh Ministers may determine that amount.
- (6) Any sum payable to the Commission under this section is recoverable as a debt due to the Commission.

**Changes to legislation:**

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