



Local Government (Wales) Measure 2011

2011 nawm 4

PART 3

AVAILABLE GOVERNANCE ARRANGEMENTS

Mayor and council manager executive

34 Abolition of mayor and council manager executive

- (1) The Local Government Act 2000 is amended as follows.
- (2) In section 11 (local authority executives)—
 - (a) omit subsection (4) (mayor and council manager executive);
 - (b) in subsection (10)—
 - (i) omit “or an officer”;
 - (ii) omit “or (4)(b)”.
- (3) Omit section 16.
- (4) In section 26 (proposals not requiring referendum), in subsection (2)—
 - (a) at the end of paragraph (a) insert “ or ”;
 - (b) omit paragraph (b).
- (5) In section 48 (interpretation of Part 2), in subsection (1), omit the definition of “council manager”.
- (6) In Schedule 1 (executive arrangements: further provision), omit paragraph 3.
- (7) In the Local Government Act 1972—
 - (a) in section 21 (constitution of principal councils in Wales), in subsection (1A), omit “or a mayor and council manager executive”;
 - (b) in section 22 (chairman), in subsection (4A), omit “or a mayor and council manager executive”;

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- (c) in section 25A (title of chairman or vice-chairman of county borough council), in subsection (3), omit “or a mayor and council manager executive”;
 - (d) in section 245 (status of certain districts, parishes and communities), in subsections (1A) and (4A), omit “or a mayor and council manager executive”;
 - (e) in section 270 (general provisions as to interpretation), in subsection (1), in the definition “ “mayor and cabinet executive” and “mayor and council manager executive”” omit “and “mayor and council manager executive””.
- (8) In the Local Government and Housing Act 1989—
- (a) in section 5 (designation and reports of monitoring officer), in subsection (3) (b), omit the words from “and, in a case where” to the end of paragraph (b);
 - (b) in section 5A (reports of monitoring officer — local authorities operating executive arrangements), in subsection (5)(b), omit the words from “and, where” to the end of paragraph (b);
 - (c) in section 13 (voting rights of members of certain committees: England and Wales)—
 - (i) omit subsection (5A);
 - (ii) in subsection (9), omit “and “mayor and council manager executive””;
 - (d) in section 21 (interpretation of Part 1), in subsection (3), omit “ “council manager”” and “and “mayor and council manager executive””.
- (9) In section 106 of the Local Government Finance Act 1992 (council tax and community charge: restrictions on voting)—
- (a) in subsection (1), omit “or a council manager within the meaning of section 11(4)(b) of the Local Government Act 2000”;
 - (b) in subsection (2), omit “or a council manager”.

Alternative arrangements

35 Authorities to replace alternative arrangements with executive arrangements

- (1) A local authority that is operating alternative arrangements must—
 - (a) cease to operate alternative arrangements, and
 - (b) start to operate executive arrangements.
- (2) Schedule 1 contains provision supplementing this section.
- (3) In complying with this section and Schedule 1, a local authority must comply with directions given by the Welsh Ministers.

36 Consequential provision etc

- (1) In the Local Government Act 2000—
 - (a) in section 29 (operation of, and publicity for, executive arrangements), omit subsection (3);
 - ^{F1}(b)
 - ^{F1}(c)
 - (d) omit section 33 (operation of alternative arrangements);

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- (e) in section 34 (referendum following petition), in subsection (3), for “29 or 33” substitute “ or 29 ”;
 - (f) in section 35 (referendum following direction), in subsection (3), for “29 or 33” substitute “ or 29 ”;
 - (g) in section 36 (referendum following order), in subsection (3), for “29 or 33” substitute “ or 29 ”.
- (2) In this Measure, omit section 87(3).
- (3) In the Local Government Act 1972—
- (a) in section 70 (restriction on promotion of Bills for changing local government areas, etc), in subsection (3), omit “or alternative arrangements”;
 - (b) in section 270 (general provisions as to interpretation), in subsection (1) omit the definition of “alternative arrangements”.
- (4) The following regulations are revoked—
- (a) the Local Authorities (Proposals for Alternative Arrangements) (Wales) Regulations 2001 (S.I. 2001/2293);
 - (b) the Local Authorities (Changing Executive Arrangements and Alternative Arrangements) (Wales) Regulations 2004 (S.I. 2004/3158);
 - (c) the Local Authorities (Alternative Arrangements) (Wales) Regulations 2007 (S.I. 2007/397).
- (5) Subsections (1) to (4) do not prevent a local authority which is operating alternative arrangements on the commencement day from continuing to operate those arrangements on and after that day.
- (6) Subsections (1) to (4) do not have effect in relation to a local authority if, and for as long as, the local authority continues to operate alternative arrangements on and after the commencement day.
- (7) Subsections (5) and (6) do not affect a local authority's duty under section 35.
- (8) In this section “commencement day”, in relation to an amendment made by this section, means the day on which that amendment comes into force.

Textual Amendments

F1 S. 36(1)(b)(c) repealed (4.5.2012) by *Localism Act 2011* (c. 20), s. 240(2), **Sch. 25 Pt. 4**; S.I. 2012/1008, art. 4(c); S.I. 2012/1008, art. 4(c)

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