



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.

Annotations:

Amendments (Textual)

- 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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