Local Government (Wales) Act 2015

2015 anaw 6

Introductory

1 Overview

(1) This Act makes provision for, and in connection with, the merger of 2 or more existing principal areas into a single new principal area, with a new principal local authority; and more specifically—

(a) sections 3 to 10 make provision enabling the Welsh Ministers to make regulations merging existing principal areas into a new principal area, with a new principal local authority, in response to an application made by the existing principal local authorities;

(b) sections 11 to 15 make provision for transition committees to be established by principal local authorities for existing principal areas which are proposed to be merged into a new principal area (whether by regulations or by a Bill introduced in the National Assembly for Wales by the Welsh Ministers);

(c) sections 16 to 24 make provision for electoral arrangements and related matters in relation to new principal areas;

(d) sections 25 to 28 make provision for and in connection with the remuneration of members of principal local authorities for new principal areas and their senior officials;

(e) sections 29 to 36 make provision enabling the Welsh Ministers to impose restraints on transactions by, and other activities of, principal local authorities for principal areas which are proposed to be merged into a new principal area;

(f) sections 37 and 38 provide for the imposition of requirements on those principal local authorities to provide information.

(2) This Act also makes other amendments to local government law; and more specifically—

(a) section 39 makes provision for controls on the salaries of heads of paid service of principal local authorities to apply to other chief officers for a temporary period;

(b) section 40 makes changes to the duty of certain local authorities to have regard to recommendations of the Independent Remuneration Panel for Wales;

(c) section 41 makes provision about the membership of the Independent Remuneration Panel for Wales;

(d) section 42 amends the provisions relating to surveys of councillors and unsuccessful candidates for election as councillors;

(e) section 43 provides for the saving of electoral proposals submitted to the Welsh Ministers before the commencement of Part 3 of the Local Government (Democracy) (Wales) Act 2013 came into force.

2 Main definitions

(1) The following definitions have effect for the purposes of this Act.

(2) "Merger regulations" means regulations under section 6.

(3) "Merging authority" means—

(a) a principal local authority for a principal area which is to be merged into a new principal area by virtue of merger regulations, or

(b) (except where the context otherwise provides) a principal local authority for a principal area which is to be merged into a new principal area by virtue of provisions of a Bill introduced in the National Assembly for Wales by the Welsh Ministers or an Act of the National Assembly for Wales.

(4) "Principal area" means a county or county borough in Wales.

(5) "Principal local authority" means the local authority for a principal area.

(6) "Proposed principal area" means an area specified as a new principal area—

(a) in an application under section 3(1) or in merger regulations, or

(b) in proposals published by the Welsh Ministers (whether or not in a draft Bill), in a Bill introduced in the National Assembly for Wales by the Welsh Ministers or in an Act of the National Assembly for Wales.

(7) "Shadow authority" means—

(a) an authority which has been established as a shadow authority in accordance with provision included in merger regulations under section 7, or

(b) an authority which has been elected as a shadow authority for a new principal area specified in an Act of the National Assembly for Wales in accordance with provision made by the Act.

(8) "Transfer date" means—

(a) in relation to a case in which the areas of principal local authorities are (or are to be) merged into a new principal area by virtue of merger regulations, 1 April 2018;

(b) in relation to a case in which the areas of principal local authorities are (or are to be) merged into a new principal area by virtue of an Act of the National Assembly for Wales, 1 April 2020.

(9) "Transition committee" means a transition committee established in accordance with regulations under section 11.