



Local Government and Elections (Wales) Act 2021

2021 asc 1

LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

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- 14 Change of electoral cycle for principal councils from four years to five years

Status: This is the original version (as it was originally enacted).

- 15 Change of electoral cycle for community councils from four years to five years
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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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161 Head of democratic services

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- 2 Representation of the People Act 1983 (c. 2)
- 3 Representation of the People Act 1985 (c. 50)
- 4 Parliamentary Constituencies Act 1986 (c. 56)
- 5 Local Government and Housing Act 1989 (c. 42)
- 6 Local Government (Wales) Act 1994 (c. 19)
- 7 Environment Act 1995 (c. 25)
- 8 Representation of the People Act 2000 (c. 2)
- 9 Local Government Act 2000 (c. 22)
- 10 Countryside and Rights of Way Act 2000 (c. 37)
- 11 Political Parties, Elections and Referendums Act 2000 (c. 41)
- 12 Government of Wales Act 2006 (c. 32)
- 13 Local Government and Public Involvement in Health Act 2007 (c. 28)
- 14 Local Government (Wales) Measure 2011 (nawm 4)
- 15 Senedd and Elections (Wales) Act 2020 (anaw 1)

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- 16 Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341)
- 17 Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 (S.I. 2004/294)
- 18 Business Improvement Districts (Wales) Regulations 2005 (S.I. 2005/1312)
- 19 Local Elections (Principal Areas) (England and Wales) Rules 2006 (S.I. 2006/3304)

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GENERAL POWER

- 1 Local Government Act 2000 (c. 22)
- 2 Local Government Act 2003 (c. 26)
- 3 Local Government and Public Involvement in Health Act 2007 (c. 28)
- 4 Local Government (Wales) Measure 2009 (nawm 2)
- 5 Local Government (Wales) Measure 2011 (nawm 4)
- 6 Localism Act 2011 (c. 20)
- 7 Well-being of Future Generations (Wales) Act 2015 (anaw 2)
- 8 This Act

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- 9 Local Government Act 1972 (c. 70)
- 10 Local Government Act 2000 (c. 22)
- 11 Nationality, Immigration and Asylum Act 2002 (c. 41)
- 12 Local Government Act 2003 (c. 26)
- 13 Local Government (Wales) Measure 2011 (nawm 4)
- 14 Localism Act 2011 (c. 20)

15 This Act

SCHEDULE 4 — Notice of local authority meetings, access to documents and attendance at meetings

PART 1 — NOTICE OF LOCAL AUTHORITY MEETINGS AND ACCESS TO DOCUMENTS

- 1 Notices of local authority meetings
 - 2 In section 100K of the 1972 Act (interpretation and application...
 - 3 In paragraph 4 of Schedule 12 to the 1972 Act...
 - 4 In paragraph 26 of Schedule 12 to the 1972 Act...
 - 5 In section 1 of the Public Bodies (Admission to Meetings)...
 - 6 Copies and publication of documents relating to meetings of local authorities
 - 7 After section 100B of the 1972 Act (access to agenda...
 - 8 (1) Section 100C of the 1972 Act (inspection of minutes...
 - 9 (1) Section 100D of the 1972 Act (background papers) is...
 - 10 (1) Section 100H of the 1972 Act (supplemental provision about...
 - 11 In section 228(1) of the 1972 Act (minutes of community...
 - 12 After paragraph 26 of Schedule 12 to the 1972 Act...
 - 13 Application to committees and sub-committees
 - 14 Application and interpretation
 - 15 In section 100K of the 1972 Act (interpretation and application...
 - 16 In section 270 of the 1972 Act (interpretation), after subsection...
 - 17 Publication of public notices given by local authorities
 - 18 In Schedule 7 to the Environment Act 1995 (c. 25)...
 - 19 Electronic service of summonses on members to attend local authority meetings
 - 20 Venue for community council meetings
 - 21 Notices of community council committee and sub-committee meetings to be published
 - 22 Saving provision
- PART 2 — ATTENDANCE AT LOCAL AUTHORITY MEETINGS:
CONSEQUENTIAL AMENDMENTS
- 23 Attendance at local authority meetings: amendments consequential on section 47

SCHEDULE 5 — Consequential amendments relating to chief executives

- 1 Local Government Act 1972 (c. 70)
- 2 Local Government Finance Act 1988 (c. 41)
- 3 In section 114(3A) (consultation by chief finance officer in preparing...
- 4 In section 114A(3) (consultation by chief finance officer in preparing...
- 5 Local Government and Housing Act 1989 (c. 42)
- 6 In section 1 (disqualification and political restriction of certain officers...
- 7 In section 2 (politically restricted posts)— (a) after subsection (1)...
- 8 In section 4(6) (definition of “relevant authority”)—
- 9 In section 5 (designation and reports of monitoring officer)—
- 10 In section 5A(5) (consultation by monitoring officer on reports where...
- 11 In section 21 (interpretation of Part 1), in subsection (3)...
- 12 Local Government (Wales) Measure 2011 (nawm 4)
- 13 In section 8(4) (officers who may not be designated head...
- 14 In section 9(4) (functions of head of democratic services), for...
- 15 In section 143A (functions of the Independent Remuneration Panel for...
- 16 Police Reform and Social Responsibility Act 2011 (c. 13)

- 17 Localism Act 2011 (c. 20)
- 18 Anti-social Behaviour, Crime and Policing Act 2014 (c. 12)
- 19 Well-being of Future Generations (Wales) Act 2015 (anaw 2)
- 20 This Act

SCHEDULE 6 — Consequential amendments etc. relating to assistants to local authority executives

- 1 Local Government Act 1972 (c. 70)
- 2 (1) Until paragraph 1(3) of Schedule 2 to this Act...
- 3 Pilotage Act 1987 (c. 21)
- 4 Local Government Finance Act 1992 (c. 14)
- 5 Local Government Act 2000 (c. 22)
- 6 Local Government (Wales) Measure 2011 (nawm 4)

SCHEDULE 7 — Job-sharing by executive leaders and executive members

- 1 Local Government Act 2000 (c. 22)
- 2 In section 11 (executives)— (a) after subsection (8) insert—
- 3 In section 83 (interpretation of Part 3), in subsection (1)...
- 4 In section 106 (Wales: orders and regulations), in subsection (6)...
- 5 (1) Schedule 1 (executive arrangements) is amended as follows.
- 6 Local Government and Public Involvement in Health Act 2007 (c. 28)
- 7 Localism Act 2011 (c. 20)

SCHEDULE 8 — Conduct of local government members: investigations by the Public Services Ombudsman for Wales

- 1 Local Government Act 2000 (c. 22)
- 2 In section 69 (investigations by the Public Services Ombudsman for...
- 3 After section 69 of the 2000 Act insert— Possible conflict...
- 4 In section 70 (investigations: further provisions)— (a) omit subsections (1)...
- 5 For section 74 (law of defamation) substitute— Law of defamation...
- 6 In section 106(7) (Wales: orders and regulations), before “may not”...
- 7 Government of Wales Act 2006 (c. 32)
- 8 Localism Act 2011 (c. 20)
- 9 Social Services and Well-being (Wales) Act 2014 (anaw 4)
- 10 Public Services Ombudsman (Wales) Act 2019 (anaw 3)

SCHEDULE 9 — Amendments related to Corporate Joint Committees

PART 1 — CREATION OF STRATEGIC PLANNING FUNCTIONS FOR CERTAIN CORPORATE JOINT COMMITTEES AND REPEAL OF POWERS TO ESTABLISH STRATEGIC PLANNING PANELS ETC.

- 1 Planning and Compulsory Purchase Act 2004 (c. 5)
- 2 In section 38(4) (development plan), for paragraph (b) substitute—
- 3 Omit sections 60D to 60J (strategic planning panels and strategic...
- 4 Before the cross-heading which precedes section 61 insert— Strategic planning...
- 5 In section 62 (local development plan)— (a) in subsection (3A),...
- 6 In section 68A (duty to consider whether to review local...
- 7 In section 113 (validity of strategies, plans and documents)—
- 8 Omit Schedule 2A (strategic planning panels).
- 9 Planning (Wales) Act 2015 (anaw 4)
- 10 Omit sections 4 to 6 and the cross-heading which precedes...
- 11 Omit Schedule 1 (strategic planning panels).

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- 12 In Schedule 2 (development planning: further amendments), omit the following—...
- 13 Local Authorities (Goods and Services) Act 1970 (c. 39)
- 14 Local Government Act 1972 (c. 70)
- 15 Welsh Development Agency Act 1975 (c. 70)
- 16 In section 21A (powers of land acquisition), in subsection (5),...
- 17 In section 21C (powers to advise on land matters), in...
- 18 In section 27 (interpretation), in subsection (1), in the appropriate...
- 19 In Schedule 4 (acquisition of land)— (a) in Part 1...
- 20 Wildlife and Countryside Act 1981 (c. 69)
- 21 In section 27AA (sites of special scientific interest and limestone...
- 22 In section 37A (notification of designation of Ramsar sites), in...
- 23 Town and Country Planning Act 1990 (c. 8)
- 24 In section 83 (making of simplified planning zone schemes), in...
- 25 In section 293A (urgent Crown development: application for planning permission),...
- 26 (1) Section 303A (responsibility of local planning authorities for costs...
- 27 In section 306 (contributions by local authorities and statutory undertakers),...
- 28 In section 324 (rights of entry)— (a) subsection (1B) (as...
- 29 In section 336 (interpretation), in subsection (1)—
- 30 Water Resources Act 1991 (c. 57)
- 31 Coal Industry Act 1994 (c. 21)
- 32 In section 39 (right to withdraw support from land: notice),...
- 33 In section 41 (revocation of right to withdraw support), in...
- 34 Environment Act 1995 (c. 25)
- 35 Local Government Act 2000 (c. 22)
- 36 Freedom of Information Act 2000 (c. 36)
- 37 Countryside and Rights of Way Act 2000 (c. 37)
- 38 Finance Act 2003 (c. 14)
- 39 Planning and Energy Act 2008 (c. 21)
- 40 (1) Section 1 (energy policies) is amended as follows.
- 41 In section 2 (interpretation)— (a) in the appropriate place insert—...
- 42 Marine and Coastal Access Act 2009 (c. 23)
- 43 Equality Act 2010 (c. 15)
- 44 Welsh Language (Wales) Measure 2011 (nawm 1)
- 45 Local Government (Wales) Measure 2011 (nawm 4)
- 46 Environment (Wales) Act 2016 (anaw 3)
- 47 Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017 (anaw 1)
- 48 Public Services Ombudsman (Wales) Act 2019 (anaw 3)
- PART 2 — REPEAL OF POWER TO ESTABLISH JOINT TRANSPORT AUTHORITIES
- 49 Transport (Wales) Act 2006 (c. 5)
- 50 Government of Wales Act 2006 (c. 32)

SCHEDULE 10 — Consequential amendments relating to renaming of principal council audit committees

- 1 Local Government (Wales) Measure 2011 (nawm 4)
- 2 In the title of Chapter 2 of Part 6, before...
- 3 In section 81 (local authorities to appoint audit committees)—
- 4 In section 82 (membership)— (a) in subsection (1), after “of...
- 5 In section 83 (proceedings etc.)— (a) in subsection (1), for...

- 6 In section 84 (frequency of meetings)— (a) in subsection (1),...
- 7 In section 85 (guidance)— (a) in subsection (1)—
- 8 In section 86 (termination of membership)— (a) in subsection (1),...
- 9 In section 87 (interpretation etc.), in subsection (2) omit the...
- 10 This Act

SCHEDULE 11 — Transition committees of merging councils and restructuring councils

PART 1 — MERGING COUNCILS

- 1 Transition committees for merging councils
- 2 Membership of transition committees for merging councils
- 3 Functions of transition committees for merging councils

PART 2 — RESTRUCTURING COUNCILS

- 4 Transition committees for restructuring councils

PART 3 — TRANSITION COMMITTEES OF MERGING COUNCILS AND RESTRUCTURING COUNCILS

- 5 Sub-committees of transition committees for merging councils or restructuring councils
- 6 Provision of funding, facilities and information etc. to transition committees for merging councils or restructuring councils
- 7 Transition committees for merging councils or restructuring councils: further provision

SCHEDULE 12 — Restraints on transactions and recruitment etc. by merging councils and restructuring councils

- 1 Restraining transactions and recruitment etc. by direction
- 2 Directions under paragraph 1: supplementary
- 3 Directions under paragraph 1: further provision about reserves
- 4 Directions under paragraph 1(3): supplementary
- 5 Directions: consequences of contravention
- 6 Interpretation of paragraphs 1 and 7
- 7 Determining whether financial limits have been exceeded
- 8 Financial limits: further provision
- 9 Guidance in relation to transactions, recruitment etc.

SCHEDULE 13 — Abolition of polls consequent on community meetings under the 1972 Act

- 1 Local Government Act 1972 (c. 70)
- 2 Omit sections 33B and 33C (principal council's response to a...)
- 3 In section 150(7) (expenses of polls)— (a) omit, in the...
- 4 In section 243(3) (computation of time)— (a) omit “or community”;
- 5 In Schedule 12, omit paragraphs 26A and 29A (response by...)
- 6 (1) In Schedule 12, paragraph 34 (the making of decisions...)
- 7 In paragraph 37 of Schedule 12 (lending of ballot boxes...)
- 8 In paragraph 38 of Schedule 12 (offences) for “poll consequent...)
- 9 In Schedule 12, omit paragraphs 38A and 38B (notification of...)
- 10 Local Government and Housing Act 1989 (c. 42)
- 11 Local Government (Wales) Measure 2011 (nawm 4)
- 12 This Act

SCHEDULE 14 — Consequential amendments relating to merger and demerger of public services boards

- 1 Well-being of Future Generations (Wales) Act 2015 (anaw 2)

Status: This is the original version (as it was originally enacted).

- 2 Local Government Act 2000 (c. 22)
- 3 Education Act 2002 (c. 32)
- 4 Planning and Compulsory Purchase Act 2004 (c. 5)
- 5 Children Act 2004 (c. 31)
- 6 Children and Families (Wales) Measure 2010 (nawm 1)
- 7 Mental Health (Wales) Measure 2010 (nawm 7)
- 8 Social Services and Well-being (Wales) Act 2014 (anaw 4)
- 9 Violence Against Women, Domestic Abuse and Sexual Violence
(Wales) Act 2015 (anaw 3)