

These notes refer to the Local Government and Elections (Wales) Act 2021 (c.1) which received Royal Assent on 20 January 2021

LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 of Schedule 11: Transition committees of merging councils and restructuring councils

Section 139 – Prohibition of changes to executive arrangements

637. Following receipt of a voluntary merger application or having given notice of a restructuring proposal under section 129(6), the Welsh Ministers may direct the merging councils or the restructuring councils that they must not take any steps to change their executive arrangements (including holding a referendum on a proposal to change those arrangements) until merger or restructuring regulations have come into force or the Welsh Ministers have given notice to the principal councils concerned that they do not propose to make such regulations.
638. While a direction is in force, a council is not subject to any duty imposed by or under another enactment to take steps to change its form of executive. A council subject to such a direction would therefore not, for example, be required by any regulations made under section 34 of the 2000 Act to act on a petition calling for a referendum on a proposal to introduce a directly elected mayor.