

LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 9: Miscellaneous

Section 161 Head of democratic services

696. [Section 8](#) of the 2011 Measure requires a local authority (defined in section 175 of the Measure as a county or county borough council) to designate one of its officers as its head of democratic services. This officer is responsible for discharging the functions set out in section 9 of the Measure.
697. Under section 8(1)(b) of the 2011 Measure an authority is required to provide their head of democratic services with such staff, accommodation and other resources as are, in the opinion of the authority, sufficient to allow the head of democratic services to discharge their functions.
698. Subsection (1) amends the 2011 Measure so as to require an authority to have regard to any guidance issued by the Welsh Ministers about its function under section 8(1)(b) of the 2011 Measure.
699. Before amendment, section 8(4)(b) of the 2011 Measure prevented a local authority from designating their monitoring officer as their head of democratic services. Subsection (2) repeals paragraph (b) to remove this restriction.
700. Subsection (3) amends section 43 of the Localism Act 2011 to designate the post of head of democratic services as a chief officer for the purposes of the council pay policy statement.