



# Local Government and Elections (Wales) Act 2021

2021 asc 1

## PART 4

### LOCAL AUTHORITY EXECUTIVES, MEMBERS, OFFICERS AND COMMITTEES

#### *Chief executives*

#### **54 Chief executives**

- (1) A principal council must appoint a chief executive.
- (2) The chief executive of a principal council must—
  - (a) keep each of the matters specified in subsection (3) under review, and
  - (b) where the chief executive considers it appropriate to do so, make a report to the council setting out the chief executive's proposals in respect of any of those matters.
- (3) The matters are—
  - (a) the manner in which the exercise by the council of its different functions is co-ordinated;
  - (b) the council's arrangements in relation to—
    - (i) financial planning,
    - (ii) asset management, and
    - (iii) risk management;
  - (c) the number and grades of staff required by the council for the exercise of its functions;
  - (d) the organisation of the council's staff;
  - (e) the appointment of the council's staff;
  - (f) the arrangements for the management of the council's staff (including arrangements for training and development).

*Status: Point in time view as at 05/05/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, Cross Heading: Chief executives. (See end of Document for details)*

- (4) As soon as reasonably practicable after preparing a report for the purposes of subsection (2)(b), the chief executive of a principal council must arrange for the report to be sent to each member of the council.
- (5) A principal council must consider a report made under subsection (2)(b) at a meeting held not more than three months after copies of the report are first sent to members of the council; and section 101 of the 1972 Act (arrangements for discharge of functions by local authorities) does not apply to the duty imposed by this subsection.
- (6) A principal council must provide its chief executive with such staff, accommodation and other resources as are, in the chief executive's opinion, sufficient to allow the chief executive's duties under this section to be carried out.
- (7) Schedule 5 makes consequential amendments.

#### **Commencement Information**

**II** S. 54 in force at 5.5.2022 by S.I. 2021/231, art. 6(h)

### **55 Replacement of references to “salary” in section 143A of the 2011 Measure**

- (1) Section 143A of the 2011 Measure is amended as follows.
- (2) In subsections (1), (3), (3A), (3B), (5A) and (5B), for “salary” and “a salary” in each place they occur substitute “remuneration”.
- (3) In subsection (3), for “salaries” substitute “remuneration”.
- (4) In subsection (3A), for “payable” substitute “provided”.
- (5) In subsection (5B), for “pay” substitute “provide” and for “paying” substitute “providing”.
- (6) In subsection (7)—
  - (a) omit the definition of “salary”, and
  - (b) at the appropriate place insert—
 

““remuneration” (“*cydnabyddiaeth ariannol*”) has the meaning given in section 43 of the Localism Act 2011;”.
- (7) In the heading, for “salaries” substitute “remuneration”.
- (8) In the 1972 Act, in section 112(2A) (appointment of staff) for “salaries” substitute “remuneration”.

### **56 Reconsideration of remuneration following direction by the Welsh Ministers**

In section 143A of the 2011 Measure (functions of Independent Remuneration Panel for Wales in respect of remuneration of chief executives), after subsection (5B) insert—

“(5C) If the Welsh Ministers give a direction under subsection (5B) to a qualifying relevant authority—

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- (a) the function of reconsidering the remuneration is not to be the responsibility of an executive of the authority under executive arrangements (within the meaning of section 10 of the Local Government Act 2000);
- (b) an elected mayor (within the meaning of section 39(1) of that Act) is to be treated as a member of the authority for the purposes of that function, and
- (c) section 101 of the Local Government Act 1972 (arrangements for discharge of functions by local authorities) does not apply to that function.”

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**Commencement Information**

**I2** S. 56 in force at 5.5.2022 by S.I. 2021/231, art. 6(i)

**Status:**

Point in time view as at 05/05/2022.

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, Cross Heading: Chief executives.