



# Local Government and Elections (Wales) Act 2021

2021 asc 1

## PART 7

### MERGERS AND RESTRUCTURING OF PRINCIPAL AREAS

#### CHAPTER 4

##### REMUNERATION ARRANGEMENTS FOR NEW PRINCIPAL COUNCILS

#### **143 Reports of Panel relating to shadow councils and new principal councils**

- (1) This section applies where Part 8 of the 2011 Measure applies in the case of a council by virtue of a direction under section 142.
- (2) The first report under Part 8 of the 2011 Measure that relates (wholly or partly) to the shadow council for the new principal area (“the first report”)—
  - (a) must be published no later than the date specified in the direction under section 142 for that purpose, and
  - (b) may be an annual report or a supplementary report, subject to the requirement imposed by virtue of paragraph (a) and the requirements under sections 147(2) and 148(1) and (1A)(a) of the 2011 Measure.
- (3) Section 148(1A)(b) of the 2011 Measure (time limit on publication) does not apply in relation to the first report if it is a supplementary report.
- (4) Where any annual report or supplementary report relates (wholly or partly) to—
  - (a) the shadow council, or
  - (b) the principal council for the new principal area and that council will not be established at the time of publication of the report,the Panel must take the step set out in subsection (5).

- (5) The Panel must, before publishing the report under section 147 of the 2011 Measure, send a draft of the report to the following (if the Panel is not already required to do so under section 147(8)(a) of the 2011 Measure)—
  - (a) the merging councils or restructuring councils whose areas are to be merged to create the new principal area;
  - (b) the shadow council (if established);
  - (c) the persons (if any) specified for that purpose in the direction under section 142.
- (6) A supplementary report may impose on the merging councils or restructuring councils whose areas are to be merged to create the new principal area, or on the shadow council—
  - (a) requirements of a kind specified in section 150(1) or (3) of the 2011 Measure;
  - (b) requirements of a kind specified in section 151(1) of that Measure.
- (7) Where a supplementary report relates (wholly or partly) to the shadow council, section 150(2) of the 2011 Measure applies in relation to that report (to the extent that it requires a payment to be made to or by the shadow council) as it applies in relation to an annual report.
- (8) The references in sections 153, 154 and 157 of the 2011 Measure to requirements imposed by an annual report include a reference to requirements imposed by a supplementary report by virtue of this section.
- (9) An annual or supplementary report must specify in relation to the council for the new principal area (whether it is a shadow council or a principal council at the time of publication) the information mentioned in section 146(3) of the 2011 Measure.
- (10) The matters required by virtue of this section and section 142 to be included in a report of the Panel in relation to the financial year in which the transfer date falls must be included in the annual report for that financial year.
- (11) But, if the Panel considers it appropriate to do so, it may at any time before the transfer date publish a supplementary report in relation to so much of that first financial year as falls on or after that date.