



# Local Government (Wales) Act 2015

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An Act of the National Assembly for Wales to make provision for and in connection with a reduction in the number of principal local authorities in Wales and to make other amendments of local government law as it applies in relation to Wales. [25 November 2015]

**Having been passed by the National Assembly for Wales and having received the assent of Her Majesty, it is enacted as follows:**

## *Introductory*

### **1 Overview**

<sup>F1</sup>(1) .....

(2) This Act also makes other amendments to local government law; and more specifically—

<sup>F2</sup>(a) .....

- (b) section 40 makes changes to the duty of certain local authorities to have regard to recommendations of the Independent Remuneration Panel for Wales;
- (c) section 41 makes provision about the membership of the Independent Remuneration Panel for Wales;
- (d) section 42 amends the provisions relating to surveys of councillors and unsuccessful candidates for election as councillors;
- (e) section 43 provides for the saving of electoral proposals submitted to the Welsh Ministers before the commencement of Part 3 of the Local Government (Democracy) (Wales) Act 2013 came into force.

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#### **Textual Amendments**

**F1** S. 1(1) omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), ss. [150\(3\)\(a\)](#), [175\(1\)\(f\)\(2\)](#)

*Status: Point in time view as at 21/01/2021.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Act 2015. (See end of Document for details)*

**F2** S. 1(2)(a) omitted (21.1.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), ss. 150(3)(a), 175(1)(f)(2)

**F3<sub>2</sub> Main definitions**

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**Textual Amendments**

**F3** Ss. 2-39 omitted (21.1.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), ss. 150(3)(b), 175(1)(f)(2)

*Voluntary mergers of local authorities*

**F3<sub>3</sub> Proposals for merger**

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**Textual Amendments**

**F3** Ss. 2-39 omitted (21.1.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), ss. 150(3)(b), 175(1)(f)(2)

**F3<sub>4</sub> Consultation before making merger application**

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**Textual Amendments**

**F3** Ss. 2-39 omitted (21.1.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), ss. 150(3)(b), 175(1)(f)(2)

**F3<sub>5</sub> Guidance about merger applications**

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**Textual Amendments**

**F3** Ss. 2-39 omitted (21.1.2021) by virtue of Local Government and Elections (Wales) Act 2021 (asc 1), ss. 150(3)(b), 175(1)(f)(2)

**F3<sub>6</sub> Power to make merger regulations**

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**Textual Amendments**

**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\), 175\(1\)\(f\)\(2\)](#)

**F37 Shadow authorities**

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**Textual Amendments**

**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\), 175\(1\)\(f\)\(2\)](#)

**F38 Elections and councillors**

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**Textual Amendments**

**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\), 175\(1\)\(f\)\(2\)](#)

**F39 Mayor and cabinet executive model authorities**

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**Textual Amendments**

**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\), 175\(1\)\(f\)\(2\)](#)

**F310 Other consequential etc. provision**

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**Textual Amendments**

**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\), 175\(1\)\(f\)\(2\)](#)

*Transition committees*

**F311 Transition committees**

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*Status: Point in time view as at 21/01/2021.*  
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**Textual Amendments**  
**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 150(3)(b), 175(1)(f)(2)**

**F3 12 Composition of transition committees**

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**Textual Amendments**  
**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 150(3)(b), 175(1)(f)(2)**

**F3 13 Functions of transition committees**

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**Textual Amendments**  
**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 150(3)(b), 175(1)(f)(2)**

**F3 14 Sub-committees of transition committees**

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**Textual Amendments**  
**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 150(3)(b), 175(1)(f)(2)**

**F3 15 Provision of funding, facilities and information to transition committees**

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**Textual Amendments**  
**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 150(3)(b), 175(1)(f)(2)**

*Electoral arrangements etc. for new principal areas*

**F3 16 Directions to conduct initial review**

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*Status: Point in time view as at 21/01/2021.*

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**Textual Amendments**

- F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\), 175\(1\)\(f\)\(2\)](#)

**F3 17 Directions and guidance to Commission**

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**Textual Amendments**

- F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\), 175\(1\)\(f\)\(2\)](#)

**F3 18 Conduct of initial review**

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**Textual Amendments**

- F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\), 175\(1\)\(f\)\(2\)](#)

**F3 19 Pre-review procedure**

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**Textual Amendments**

- F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\), 175\(1\)\(f\)\(2\)](#)

**F3 20 Consultation and investigation**

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**Textual Amendments**

- F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\), 175\(1\)\(f\)\(2\)](#)

**F3 21 Reporting on initial review**

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*Status: Point in time view as at 21/01/2021.*  
*Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Act 2015. (See end of Document for details)*

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**Textual Amendments**  
F3 Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\)](#), [175\(1\)\(f\)\(2\)](#)

**F322 Implementation by Welsh Ministers**

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**Textual Amendments**  
F3 Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\)](#), [175\(1\)\(f\)\(2\)](#)

**F323 Electoral regulations if no recommendations made**

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**Textual Amendments**  
F3 Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\)](#), [175\(1\)\(f\)\(2\)](#)

**F324 Future review periods**

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**Textual Amendments**  
F3 Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\)](#), [175\(1\)\(f\)\(2\)](#)

*Remuneration etc. arrangements for new principal local authorities*

**F325 Directions to Independent Remuneration Panel for Wales to perform relevant functions**

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**Textual Amendments**  
F3 Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\)](#), [175\(1\)\(f\)\(2\)](#)

**F326 Reports of Panel**

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*Status: Point in time view as at 21/01/2021.*

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**Textual Amendments**

**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\)](#), [175\(1\)\(f\)\(2\)](#)

**F327 Directions and guidance to Panel**

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**Textual Amendments**

**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\)](#), [175\(1\)\(f\)\(2\)](#)

**F328 Pay policy statements**

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**Textual Amendments**

**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\)](#), [175\(1\)\(f\)\(2\)](#)

*Restraints on transactions and recruitment etc. by merging authorities*

**F329 Restraining transactions and recruitment etc. by direction**

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**Textual Amendments**

**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\)](#), [175\(1\)\(f\)\(2\)](#)

**F330 Directions under section 29(1): supplementary**

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**Textual Amendments**

**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\)](#), [175\(1\)\(f\)\(2\)](#)

**F331 Directions under section 29(1): further provision about reserves**

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*Status: Point in time view as at 21/01/2021.*  
*Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Act 2015. (See end of Document for details)*

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**Textual Amendments**  
**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 150(3)(b), 175(1)(f)(2)**

**F332 Directions under section 29(3): supplementary**

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**Textual Amendments**  
**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 150(3)(b), 175(1)(f)(2)**

**F333 Directions: consequences of contravention**

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**Textual Amendments**  
**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 150(3)(b), 175(1)(f)(2)**

**F334 Interpretation of sections 29 to 36**

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**Textual Amendments**  
**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 150(3)(b), 175(1)(f)(2)**

**F335 Determining whether financial limits have been exceeded**

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**Textual Amendments**  
**F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), **ss. 150(3)(b), 175(1)(f)(2)**

**F336 Guidance in relation to transactions, recruitment etc.**

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**Textual Amendments**

- F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\), 175\(1\)\(f\)\(2\)](#)

*Information requirements*

**F3 37 Requirement on merging authority to provide information to Welsh Ministers**

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**Textual Amendments**

- F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\), 175\(1\)\(f\)\(2\)](#)

**F3 38 Requirement on merging authority to provide information to other authorities**

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**Textual Amendments**

- F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\), 175\(1\)\(f\)\(2\)](#)

*Other provisions relating to Independent Remuneration Panel for Wales*

**F3 39 Temporary extension of functions of Panel relating to heads of paid service to chief officers**

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**Textual Amendments**

- F3** Ss. 2-39 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 150\(3\)\(b\), 175\(1\)\(f\)\(2\)](#)

**40 Changes to duty to have regard to Panel recommendations about salaries**

(1) Section 143A of the Local Government (Wales) Measure 2011 (functions of Panel in relation to salaries of heads of paid service) is amended as follows.

(2) After subsection (3) insert—

“(3A) But a qualifying relevant authority that has consulted the Panel about a proposed reduction in salary may make the reduction before receiving a recommendation from the Panel if the contract under which the salary is

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payable does not prevent the authority from changing the salary after receiving a recommendation.

(3B) A qualifying relevant authority that makes a change to the salary of its head of paid service in accordance with subsection (3A) and subsequently receives a recommendation from the Panel about the change—

- (a) must reconsider the salary, and
- (b) when doing so, must have regard to the recommendation.”

(3) After subsection (4) insert—

“(4A) The Panel must notify the Welsh Ministers of every recommendation it makes under this section.”

(4) After subsection (5) insert—

“(5A) A qualifying relevant authority—

- (a) must notify the Panel and the Welsh Ministers of its response to a recommendation made by the Panel about a change to the salary of its head of paid service before the end of the period of 14 days starting with the day on which the authority determines the response, and
- (b) must not make a change to the salary before—
  - (i) the end of the period of eight weeks starting with the day on which the authority notifies the Welsh Ministers under paragraph (a), or
  - (ii) if, before the end of that period, the Welsh Ministers notify the authority that they will not be giving the authority a direction under subsection (5B), the day on which that notice is received.

(5B) If the Welsh Ministers consider that a qualifying relevant authority's response to a recommendation made by the Panel about a change of salary means that the authority will pay (or, under subsection (3A), is paying) a salary which is inconsistent with the recommendation, the Welsh Ministers—

- (a) may direct the authority to reconsider the salary, and
- (b) may specify in the direction the time by which the authority must do so.”

#### **41 Panel membership**

- (1) Paragraph 1 of Schedule 2 to the Local Government (Wales) Measure 2011 (membership of Panel) is amended as follows.
- (2) In sub-paragraph (1), for “five” substitute “ not fewer than 3, and not more than 7, ”.
- (3) Omit sub-paragraph (5) (employees of local authorities etc. not disqualified from membership).

*Status: Point in time view as at 21/01/2021.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Act 2015. (See end of Document for details)*

*Miscellaneous*

**42 Survey of councillors and unsuccessful candidates for election as councillors**

- (1) Section 1 of the Local Government (Wales) Measure 2011 (duty to conduct survey of councillors and unsuccessful candidates for election as councillors) is amended as follows.
- (2) In subsection (2) (local authority to conduct survey after each ordinary election), for “after” substitute “, or arrange for the conduct of a survey, in relation to ”.
- (3) After subsection (3) insert—
  - “(3A) A survey in the case of an ordinary election may be conducted—
    - (a) entirely after the ordinary election, or
    - (b) by asking the candidates for election to the office of councillor to answer the prescribed questions before the ordinary election and collating the information provided afterwards.”
- (4) In subsection (5) (no duty to provide information) for “a councillor or an unsuccessful candidate for election to the office of councillor” substitute “ any individual ”.
- (5) Omit subsection (6) (local authority to arrange for information to be provided anonymously).

**43 Proposals submitted before commencement of Part 3 of Local Government (Democracy) (Wales) Act 2013**

In section 74(2) of the Local Government (Democracy) (Wales) Act 2013 (reviews under Part 4 of Local Government Act 1972 ongoing at commencement of Part 3 of Local Government (Democracy) (Wales) Act 2013), insert at the end “ and for the purposes of proposals submitted to the Welsh Ministers before that time. ”

*Supplementary*

**<sup>F4</sup>44 Regulations**

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**Textual Amendments**

- F4** S. 44 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), ss. [150\(3\)\(c\)](#), [175\(1\)\(f\)\(2\)](#)

**<sup>F5</sup>45 Interpretation**

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*Status: Point in time view as at 21/01/2021.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Act 2015. (See end of Document for details)*

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#### **Textual Amendments**

- F5** S. 45 omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), ss. [150\(3\)\(c\)](#), [175\(1\)\(f\)\(2\)](#)

#### **46 Commencement**

- (1) Sections 25 to 28 and 37 to 43 come into force at the end of the period of 2 months beginning with the day on which this Act receives Royal Assent.
- (2) Subject to that, this Act comes into force on the day following that on which this Act receives Royal Assent.

#### **47 Short title**

The short title of this Act is the Local Government (Wales) Act 2015.

**Status:**

Point in time view as at 21/01/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government (Wales) Act 2015.