



Local Government and Elections (Wales) Act 2021

2021 asc 1

PART 4

LOCAL AUTHORITY EXECUTIVES, MEMBERS, OFFICERS AND COMMITTEES

Executives of principal councils

57 Appointment of assistants to executive

- (1) Schedule 1 to the 2000 Act (executive arrangements in Wales: further provision) is amended as follows.
- (2) Before paragraph 4 insert—

“Assistants to the executive

- 3A (1) Executive arrangements by a local authority may make provision for councillors of the authority to be appointed to assist the executive in discharging functions which are the responsibility of the executive.
- (2) Such a councillor is referred to in this Schedule as an assistant to the executive of the authority.
- (3) Assistants to the executive of an authority are to be appointed—
 - (a) in the case of an authority operating a mayor and cabinet executive, by the elected mayor;
 - (b) in the case of an authority operating a leader and cabinet executive (Wales), by the executive leader or the authority.
- (4) Executive arrangements which make provision for the appointment of assistants to an executive may include provision about—
 - (a) the number of assistants that may be appointed,

- (b) their term of office, and
- (c) their responsibilities.
- (5) The assistants to the executive of a local authority may not include—
 - (a) the chairman and vice-chairman of the authority;
 - (b) the presiding member and deputy presiding member of the authority (if the authority has a presiding member).
- (6) An assistant to the executive of an authority is not a member of the executive of the authority.
- (7) Section 101 of the Local Government Act 1972 (arrangements for discharge of functions by local authorities) does not apply to a local authority’s function of making appointments under sub-paragraph (3)(b).”
- (3) In paragraph 5—
 - (a) at the beginning insert—
 - “(1) An assistant to the executive of a local authority is entitled to attend, and speak at, any meeting of the executive or of a committee of the executive.
 - (2)”;
 - (b) for “not a member of the authority’s executive” substitute “neither a member of the authority’s executive nor an assistant to the executive”.
- (4) Schedule 6 to this Act makes consequential amendments.

58 Job-sharing: executive leaders and executive members

Schedule 7 provides for amendments to the 2000 Act to make provision—

- (a) requiring local authorities to include in their executive arrangements provision enabling two or more councillors to share office on an executive, including the office of executive leader,
- (b) changing the maximum number of members of an executive when members of the executive share office, and
- (c) about voting and quorum where members of an executive share office.

59 Content of, and duty to have regard to, guidance under section 38 of the 2000 Act

- (1) Section 38 of the 2000 Act (guidance) is amended as follows.
- (2) In subsection (1), after “local authority” insert “, an elected mayor or an executive leader”.
- (3) After subsection (1) insert—
 - “(1A) The guidance may, among other things, include provision designed to encourage good practice in relation to equality and diversity (within the meaning of section 8(2) of the Equality Act 2006).”