



Local Government and Elections (Wales) Act 2021

2021 asc 1

PART 7

MERGERS AND RESTRUCTURING OF PRINCIPAL AREAS

CHAPTER 2

RESTRUCTURING OF PRINCIPAL AREAS

Conditions to be met

129 Conditions to be met before making restructuring regulations

- (1) If the conditions set out in this section are satisfied, the Welsh Ministers may make restructuring regulations (as to which, see section 131).
- (2) The first condition is that the Welsh Ministers have received—
 - (a) a report of a special inspection of a principal council by the Auditor General for Wales under section 95(7), or
 - (b) an abolition request under section 130 from a principal council.
- (3) The second condition is that the Welsh Ministers have—
 - (a) given notice to the affected councils that the Welsh Ministers have received the report or abolition request, and
 - (b) published the notice.
- (4) The third condition is that the Welsh Ministers have consulted—
 - (a) the council which was the subject of the report mentioned in subsection (2) (a) or which made the abolition request mentioned in subsection (2)(b) (“the council under consideration”),

Status: This is the original version (as it was originally enacted).

- (b) every other principal council whose area will be, or is likely to be, affected by any restructuring regulations made in respect of the council under consideration, and
 - (c) such other persons as the Welsh Ministers consider appropriate,about the steps that the Welsh Ministers are considering taking as a consequence of receipt of the report or request.
- (5) The fourth condition is that, following consultation in accordance with subsection (4), the Welsh Ministers are satisfied that, unless restructuring regulations are made, effective and convenient local government is not likely to be achieved in the area of the council under consideration.
- (6) The fifth condition is that, if each of the conditions in subsections (2) to (5) are satisfied and the Welsh Ministers propose to make restructuring regulations, they have given notice of their proposals to the council under consideration and—
 - (a) if the transfer of a part or parts of the area of the council under consideration is proposed, the principal council for the principal area which is (or the principal councils for the principal areas which are) to include a part of the area of the council under consideration;
 - (b) if the creation of a new principal area is proposed, the principal council for a principal area which is (or the principal councils for principal areas which are) to be merged with all or part of the area of the council under consideration into a new principal area;
 - (c) every other principal council consulted as described in subsection (4)(b).