

Changes to legislation: There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, SCHEDULE 7. (See end of Document for details)

SCHEDULE 7

(introduced by section 58)

JOB-SHARING BY EXECUTIVE LEADERS AND EXECUTIVE MEMBERS

Local Government Act 2000 (c. 22)

1 The 2000 Act is amended as follows.

Commencement Information

11 Sch. 7 para. 1 in force at 5.5.2022 by S.I. 2021/231, art. 6(u)

2 In section 11 (executives)—

(a) after subsection (8) insert—

“(8ZA) But if two or more councillors are elected to share office as executive leader (by virtue of paragraph 2(2A) of Schedule 1) or are appointed to the executive to share office (by virtue of paragraph 2A of Schedule 1), the number of members of the executive may exceed 10 but not 13; and where the number of members of the executive is—

(a) 11 or 12, at least two of the members must have been elected or appointed to share office;

(b) 13, at least three of the members must have been elected or appointed to share office.”;

(b) in subsection (8A) for “subsection (8)” substitute “ subsections (8) and (8ZA) ”;

(c) for subsection (9) substitute—

“(9) The Welsh Ministers may by regulations amend subsections (8) and (8ZA) so as to provide for different maximum numbers of members of an executive to which those subsections apply; but the power under this subsection may not be exercised so as to provide—

(a) for a maximum number in subsection (8) which exceeds 10, or

(b) for a maximum number in subsection (8ZA) which exceeds 13.”

Commencement Information

12 Sch. 7 para. 2 in force at 5.5.2022 by S.I. 2021/231, art. 6(u)

3 In section 83 (interpretation of Part 3), in subsection (1) omit the definition of “executive leader”.

Commencement Information

13 Sch. 7 para. 3 in force at 5.5.2022 by S.I. 2021/231, art. 6(u)

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- 4 In section 106 (Wales: orders and regulations), in subsection (6) after “made under” insert “ section 11(9), ”.

Commencement Information

I4 Sch. 7 para. 4 in force at 5.5.2022 by S.I. 2021/231, art. 6(u)

- 5 (1) Schedule 1 (executive arrangements) is amended as follows.
- (2) In paragraph 1(2), after “section 11(8)” insert “ and (8ZA) ”.
- (3) In paragraph 2—
- (a) after sub-paragraph (2) insert—
- “(2A) The executive arrangements must include provision under which two or more councillors may be elected by the authority to share office as executive leader; and references in any enactment to an executive leader include executive leaders elected by virtue of that provision.”;
- (b) in sub-paragraph (3), after “section 11(8)” insert “ and (8ZA) ”.
- (4) After paragraph 2 insert—

“Appointment of councillors to executive to share the same position

- 2A Executive arrangements by a local authority must include provision under which two or more councillors may be appointed to the executive to share office.

Voting and quorum where members of executive share their position

- 2B (1) This paragraph applies where two or more councillors of a local authority are—
- (a) appointed to a mayor and cabinet executive to share office,
- (b) appointed to a leader and cabinet executive (Wales) to share office, or
- (c) elected to share office as executive leader of a leader and cabinet executive (Wales).
- (2) The members of the executive who share the same office have between them one vote in respect of any matter on which they have a right to vote because they are a member of the executive.
- (3) Where any meeting is attended by more than one of the members who share the same office and those members are attending in their capacity as a member of the executive, they together count only as one person for the purpose of determining whether the meeting is quorate.”

Commencement Information

I5 Sch. 7 para. 5 in force at 5.5.2022 by S.I. 2021/231, art. 6(u)

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Local Government and Public Involvement in Health Act 2007 (c. 28)

- 6 (1) The Local Government and Public Involvement in Health Act 2007 is amended as follows.
- (2) In section 62 (executive arrangements), omit subsection (8).
- (3) In Schedule 3 (amendments), omit paragraph 26.

Commencement Information

I6 Sch. 7 para. 6 in force at 5.5.2022 by S.I. 2021/231, art. 6(u)

Localism Act 2011 (c. 20)

- 7 In Schedule 3 to the Localism Act 2011 (minor and consequential amendments), omit paragraph 11(7).

Commencement Information

I7 Sch. 7 para. 7 in force at 5.5.2022 by S.I. 2021/231, art. 6(u)

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