



Local Government (Wales) Measure 2009

2009 nawm 2

PART 1

LOCAL GOVERNMENT IMPROVEMENT

Collaboration and improvement

9 Powers to collaborate etc

- (1) For the purpose of discharging or facilitating the discharge of its duties under section 2(1), 3(2) and 8(7) or the duties of another Welsh improvement authority under those sections, a Welsh improvement authority has the powers in subsection (2).
- (2) The powers are—
 - (a) to provide financial assistance to any person;
 - (b) to enter into arrangements or agreements with any person;
 - (c) to co-operate with, or facilitate or co-ordinate the activities of, any person;
 - (d) to exercise on behalf of any person any functions of that person; and
 - (e) to provide staff, goods, services or accommodation to any person.
- (3) This section is without prejudice to any other power of a Welsh improvement authority.

Commencement Information

II S. 9 in force at 1.4.2010 by [S.I. 2009/3272](#), art. 3(1), [Sch. 2](#)

10 Fire and rescue authorities: powers of delegation

- (1) For the purpose of discharging or facilitating the discharge by a Welsh fire and rescue authority of its duties under sections 2(1), 3(2) and 8(7), section 101(1)(b) and (5) of the Local Government Act 1972 (c. 70) (arrangements for discharge of functions

Status: Point in time view as at 31/08/2011.

Changes to legislation: Local Government (Wales) Measure 2009, Cross Heading: Collaboration and improvement is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

by local authorities) shall have effect as if the authority were a local authority for the purposes of that section.

- (2) This section is without prejudice to any other power of a Welsh fire and rescue authority.

Commencement Information

I2 S. 10 in force at 1.4.2010 by [S.I. 2009/3272](#), art. 3(1), [Sch. 2](#)

11 Meaning of “powers of collaboration”

- (1) For the purposes of this Part, a reference to a Welsh improvement authority's “powers of collaboration” is a reference to the following—

- (a) the Welsh improvement authority's powers under section 9 of this Measure;
- (b) in the case of a county council or county borough council—
 - (i) their powers under section 101(1)(b) and (5) of the Local Government Act 1972 (arrangements for the discharge of functions by local authorities);
 - (ii) a power of the executive of the authority (or a committee or specified member of the executive) to make arrangements for the discharge of their functions under regulations made under section 19(1) of the Local Government Act 2000 (c. 22) (discharge of functions of and by another local authority);
 - (iii) a power of the authority to make arrangements for the discharge of their functions under regulations made under section 19(2) of the Local Government Act 2000;
- (c) a power of the Welsh improvement authority to authorise a person (or the person's employees) to exercise a function on the authority's behalf under an order made under section 70 of the Deregulation and Contracting Out Act 1994 (c. 40);
- (d) in the case of a Welsh fire and rescue authority, its powers under section 101(1)(b) and (5) of the Local Government Act 1972 (as given effect in relation to the authority by section 10 of this Measure);
- (e) in the case of a National Park authority, its powers under section 101(1)(b) and (5) of the Local Government Act 1972 (as given effect in relation to the authority by paragraph 13 of Schedule 7 to the Environment Act 1995 (c. 25)).

- (2) In subsection (1)(b)(ii) “executive” has the same meaning as in Part II of the Local Government Act 2000.

Commencement Information

I3 S. 11 in force at 1.4.2010 by [S.I. 2009/3272](#), art. 3(1), [Sch. 2](#)

12 Duties in relation to powers of collaboration

- (1) A Welsh improvement authority must from time to time consider whether the exercise of any of its powers of collaboration would assist it to discharge its duties under sections 2(1), 3(2) and 8(7).

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- (2) If the authority concludes that the exercise of a power of collaboration would assist it to comply with those duties it must seek to exercise, or cause to be exercised, the power.

Commencement Information

I4 S. 12 in force at 1.4.2010 by [S.I. 2009/3272](#), [art. 3\(1\)](#), [Sch. 2](#)

[^{F1}12A Guidance about collaboration between Welsh improvement authorities

In deciding whether and how to exercise its functions under sections 9(1) and 12, a Welsh improvement authority must have regard to any guidance issued by the Welsh Ministers.]

Textual Amendments

F1 S. 12A inserted (31.8.2011) by [Local Government \(Wales\) Measure 2011 \(nawm 4\)](#), [ss. 161](#), [178\(3\)](#); [S.I. 2011/2011](#), [art. 2\(r\)](#)

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