

Local Government (Wales) Measure 2011

LOCAL GOVERNMENT (WALES) MEASURE 2011

PART 1

STRENGTHENING LOCAL DEMOCRACY

CHAPTER 1

PROMOTING AND SUPPORTING MEMBERSHIP OF LOCAL AUTHORITIES

Survey of councillors and unsuccessful candidates for election as councillors

- 1 Duty to conduct a survey
- 2 Completion of a survey and publication of information
- 3 Guidance about surveys

Supporting membership

- 4 Remote attendance at meetings
- 5 Annual reports by members of a local authority
- 6 Timing of council meetings
- 7 Training and development of members of a local authority

CHAPTER 2

LOCAL AUTHORITY DEMOCRATIC SERVICES

- 8 Head of democratic services
- 9 Democratic services functions
- 10 Duty to adopt standing orders about management of staff
- 11 Local authorities to appoint democratic services committees
- 12 Membership
- 13 Sub-committees
- 14 Proceedings etc

Status: This is the original version (as it was originally enacted).

- 15 Frequency of meetings
- 16 Discharging functions
- 17 Termination of membership on ceasing to be member of authority
- 18 Reports and recommendations by head of democratic services
- 19 Reports and recommendations by democratic services committees
- 20 Local authority functions not to be delegated
- 21 Head of democratic services to be a politically restricted post

CHAPTER 3

INTERPRETATION

22 Meaning of "member"

PART 2

FAMILY ABSENCE FOR MEMBERS OF LOCAL AUTHORITIES

- 23 Right to family absence
- 24 Maternity absence
- 25 Newborn absence
- 26 Adopter's absence
- 27 New adoption absence
- 28 Parental absence
- 29 Regulations: supplemental
- 30 Guidance
- 31 Amendment of Local Government Act 1972
- 32 Amendment of Local Government Act 2000
- 33 Interpretation of Part 2

PART 3

AVAILABLE GOVERNANCE ARRANGEMENTS

Mayor and council manager executive

34 Abolition of mayor and council manager executive

Alternative arrangements

- Authorities to replace alternative arrangements with executive arrangements
- 36 Consequential provision etc

PART 4

CHANGES TO EXECUTIVE ARRANGEMENTS

CHAPTER 1

ADOPTING A DIFFERENT FORM OF EXECUTIVE

General provisions

- 37 Power to adopt a different form of executive
- 38 Proposals for adopting a different form of executive
- 39 Contents of proposals

- 40 Referendums
- 41 Timetable for implementation of proposals: no referendum
- 42 Timetable for implementation of proposals: referendum
- 43 Publicity for proposals
- 44 Implementing proposals
- 45 Action if referendum rejects change

Interpretation

- 46 Changes of executive arrangements requiring approval in a referendum
- 47 Interpretation

CHAPTER 2

OTHER VARIATIONS OF EXISTING EXECUTIVE ARRANGEMENTS

- 48 Power to vary the existing form of executive
- 49 Proposals for varying the form of executive
- 50 Contents of proposals
- 51 Implementing proposals

CHAPTER 3

SUPPLEMENTARY

- 52 Powers under which executive arrangements may be varied
- 53 Forms of executive
- 54 Consequential provision etc

PART 5

LOCAL AUTHORITY FUNCTIONS: DISCHARGE BY COMMITTEES AND COUNCILLORS

Area committees

55 Area covered and membership

Exercise of functions by councillors

- 56 Exercise of functions by councillors
- 57 Consequential provision

PART 6

OVERVIEW AND SCRUTINY

CHAPTER 1

OVERVIEW AND SCRUTINY COMMITTEES

Joint overview and scrutiny committees

58 Joint overview and scrutiny committees

Powers of committees

- 59 Scrutinising designated persons
- Notifying designated persons of report or recommendations
- 61 Designated persons

Taking into account the views of the public

62 Taking into account the views of the public

Powers of councillors

Reference of matters to overview and scrutiny committee etc

Duty to respond to overview and scrutiny committee

Duty to respond to overview and scrutiny committee

Provision consequential on sections 63 and 64

65 Provision consequential on sections 63 and 64

Appointing persons to chair committees

- 66 Provision in standing orders about appointment of persons to chair committees
- When appointments to be made by committee
- When appointments to be made by non-executive group
- 69 How appointments to be made in other cases
- 70 Appointments to be made by political groups
- 71 Failure to make appointments in accordance with section 70
- 72 Changes in composition of executive
- 73 Occasional vacancies in committee chairs
- 74 Appointment provision determined by authority
- 75 Supplementary provision and interpretation

Co-opted members of overview and scrutiny committees

76 Guidance and directions about co-option

Provision of information

77 Forward plans and other information

Restricting party control of committees

78 Prohibition of whipped votes & declaration of party whips

Overview and scrutiny committee structure

79 Guidance and directions

Interpretation

80 Interpretation of this Chapter

CHAPTER 2

AUDIT COMMITTEES

- 81 Local authorities to appoint audit committees
- 82 Membership
- 83 Proceedings etc
- 84 Frequency of meetings
- 85 Guidance
- 86 Termination of membership on ceasing to be member of authority
- 87 Interpretation etc

PART 7

COMMUNITIES AND COMMUNITY COUNCILS

CHAPTER 1

COMMUNITY MEETINGS AND COMMUNITY POLLS

- 88 Convening of community meetings by local government electors
- 89 Notice of community meeting convened by local government electors
- 90 Facility for the provision of electronic notices of the convening of community meetings
- 91 Action following receipt of notice of the convening of a community meeting
- 92 Public notice of community meeting
- 93 Demands for community polls
- Notice to be given by returning officer following taking of a poll consequent on a community meeting
- 95 Determination of monitoring officer as to the council to whose functions a poll relates
- 96 Consideration of result of community poll by community council
- 97 Action to be taken following community council's consideration of results of certain community polls
- 98 Consideration of result of community poll by principal council
- 99 Principal council's explanation of its response to a community poll

CHAPTER 2

ORGANISATION OF COMMUNITIES AND THEIR COUNCILS

- 100 Repeal of existing provisions about establishment and dissolution of community councils etc
- Power of community meeting to apply for an order establishing a community council
- 102 Orders establishing separate community councils for communities
- 103 Power of community meeting to apply for an order dissolving its separate community council
- 104 Orders dissolving separate community councils for communities
- Power of community meeting to apply for an order grouping its community with other communities under a common community council

- Orders grouping a community with other communities under a common community council
- Power of community meeting to apply for an order adding its community to a group of communities with a common council
- 108 Orders adding a community to a group of communities with a common council
- 109 Power of council for a group of communities to apply for an order dissolving the group
- 110 Orders dissolving a group of communities
- Power of community meeting to apply for order separating community from a group of communities
- 112 Orders separating a community from a group of communities
- Power of Welsh Ministers to alter voting threshold in connection with organisation of community councils
- Organisation of communities and their councils: consequential amendments
- 115 Transitional provision

CHAPTER 3

CO-OPTION OF MEMBERS OF COMMUNITY COUNCILS

- 116 Requirement of public notice where vacancies in community council membership are to be filled by co-option
- 117 Guidance about giving public notice of co-option

CHAPTER 4

APPOINTMENT OF COMMUNITY YOUTH REPRESENTATIVES

- 118 Appointment of community youth representatives by community councils
- Notice requirements in connection with youth representative appointments
- Guidance about appointment of community youth representatives
- 121 Effect of appointment as a community youth representative

CHAPTER 5

REVIEWS OF COMMUNITY AREAS AND ELECTORAL ARRANGEMENTS

- 122 Reports about discharge of a principal council's function of keeping community areas under review
- Reports about discharge of a principal council's function of keeping electoral arrangements for communities under review
- 124 Exercise of functions by the Local Government Boundary Commission for Wales on behalf of principal councils
- Sums payable in respect of reviews carried out by the Local Government Boundary Commission for Wales

CHAPTER 6

COMMUNITY COUNCILS' POWERS TO PROMOTE WELL-BEING

- 126 Community councils' powers to promote well-being
- Modifications of enactments preventing or obstructing a community council from exercising their well-being power
- 128 Transitional provision

CHAPTER 7

GRANTS TO COMMUNITY COUNCILS

Welsh Ministers' power to pay grant to community councils

CHAPTER 8

MODEL CHARTER AGREEMENTS BETWEEN LOCAL AUTHORITIES AND COMMUNITY COUNCILS

- 130 Power to set out model charter agreement
- Directions requiring the adoption of model charter agreements
- 132 Guidance about model charter agreements
- 133 Consultation

CHAPTER 9

SCHEMES FOR THE ACCREDITATION OF QUALITY IN COMMUNITY GOVERNMENT

- 134 Schemes for the accreditation of quality in community government
- 135 Accreditation of quality in community government: criteria
- 136 Accreditation of quality in community government: applications
- 137 Accreditation of quality in community government: fees
- 138 Accreditation of quality in community government: removal of accreditation
- Applications for accreditation of quality in community government: delegation of functions
- 140 Accreditation of quality in community government: consequences

PART 8

MEMBERS: PAYMENTS AND PENSIONS

The Independent Remuneration Panel for Wales

141 The Panel

Principal functions of the Panel

- 142 Functions relating to payments to members
- 143 Functions relating to members' pensions
- 144 Relevant authorities, members etc.

	Reports by the Panel
145	Annual reports
146	First annual report
147	Subsequent annual reports
148	Consultation on draft reports
149	Directions to vary draft reports
150	Administrative requirements in reports
151	Publicity requirements in reports
152	Publicising reports
	Payments by relevant authorities
153	Compliance with Panel's requirements
154	•
155	Withholding payments
	Enforcement
150	v
156	Directions to comply with requirements
	Supplementary
157	Guidance
158	Power to modify provision about Panel
159	Interpretation of Part 8
160	Consequential amendments
	PART 9
	COLLABORATION AND AMALGAMATION
	CHAPTER 1

COLLABORATION

161 Guidance about collaboration between Welsh improvement authorities

CHAPTER 2

AMALGAMATION

162	Power to make amalgamation order
163	Electoral matters
164	Requirement to hold a referendum involving an elected mayor
165	Power to direct a referendum involving an elected mayor
166	Supplementary, incidental, consequential, transitional and saving
	provision
167	Review of electoral arrangements
168	Amendments to the Local Government Act 1972
169	Procedure applicable to an amalgamation order
170	Correction of orders
171	Interpretation of this Chapter

PART 10

GENERAL

- 172 Orders and regulations
- 173 Procedure applicable to certain orders under section 127
- 174 Guidance and directions
- 175 Interpretation
- 176 Consequential amendments and repeals
- 177 Power to make supplementary provision
- 178 Commencement
- 179 Short title

SCHEDULE 1 — CHANGE FROM ALTERNATIVE TO EXECUTIVE ARRANGEMENTS

PART 1 — GENERAL PROVISIONS

Introduction

1

- 2 Proposals for moving to executive arrangements
- 3 Contents of proposals
- 4 Referendums
- 5 Timetable for implementation of change to leader and cabinet executive (Wales)
- 6 Timetable for implementation of change to mayor and cabinet executive
- 7 Publicity for proposals
- 8 Implementing proposals

PART 2 — OTHER PROVISIONS APPLICABLE WHERE REFERENDUM REQUIRED

- 9 Outline fall-back proposals in case referendum rejects change
- 10 Action if referendum rejects change
- 11 Timetable for implementation of detailed fall-back proposals
- 12 Implementing detailed fall-back proposals

PART 3 — MISCELLANEOUS

- 13 Failure to cease operating alternative arrangements
- 14 Arrangements to be treated as operated after passing of resolution
- 15 Interpretation

SCHEDULE 2 — THE PANEL

- 1 Membership
- 2 Tenure
- 3 Meetings
- 4 Information
- 5 Expenses, administrative support etc.

SCHEDULE 3 — PAYMENTS AND PENSIONS: MINOR AND CONSEQUENTIAL AMENDMENTS

- 1 Local Government Act 1972
- 2 Local Government and Housing Act 1989
- 3 Environment Act 1995
- 4 School Standards and Framework Act 1998
- 5 Local Government Act 2000
- 6 Education Act 2002

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

7 Education and Skills Act 2008

- SCHEDULE 4 REPEALS AND REVOCATIONS
 - PART A: STRENGTHENING LOCAL DEMOCRACY (PART 1 OF THE MEASURE)
 - PART B: AVAILABLE GOVERNANCE ARRANGEMENTS (PART 3 OF THE MEASURE)
 - PART C: CHANGES TO EXECUTIVE ARRANGEMENTS (PART 4 OF THE MEASURE)
 - PART D: OVERVIEW AND SCRUTINY (PART 6 OF THE MEASURE)
 - PART E: COMMUNITIES AND COMMUNITY COUNCILS (PART 7 OF THE MEASURE)
 - PART F: MEMBERS: PAYMENTS AND PENSIONS (PART 8 OF THE MEASURE)