

**Changes to legislation:** Local Government Act 2000, Paragraph 3 is up to date with all changes known to be in force on or before 17 April 2024. 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) View outstanding changes

## SCHEDULES

### SCHEDULE 1

#### EXECUTIVE ARRANGEMENTS <sup>[F1]</sup>IN WALES]: FURTHER PROVISION

##### Textual Amendments

- F1** Words in Sch. 1 heading inserted (4.5.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 3 para. 72(1)(2); S.I. 2012/1008, art. 4(b)

##### *Mayor and council manager executives*

- 3 <sup>[F1]</sup>(1) This paragraph applies in relation to executive arrangements by a local authority which provide for a mayor and council manager executive.
- (2) The executive arrangements may include provision with respect to the appointment and term of office of the council manager.
- (3) The executive arrangements must include provision which requires the elected mayor to appoint a member of the authority to be his deputy (referred to in this paragraph as the deputy mayor).
- (4) The deputy mayor may not be—
- (a) the chairman or vice-chairman of the authority, nor
- (b) a member of an overview and scrutiny committee of the authority.
- (5) Subject to sub-paragraph (6), the deputy mayor, unless he resigns as deputy mayor or ceases to be a member of the authority, is to hold office until the end of the term of office of the elected mayor.
- (6) The elected mayor may, if he thinks fit, remove the deputy mayor from office.
- (7) Where a vacancy occurs in the office of deputy mayor, the elected mayor must appoint another person in his place.
- (8) If for any reason the elected mayor is unable to act or the office of elected mayor is vacant, the deputy mayor must act in his place.
- (9) If for any reason—
- (a) the elected mayor is unable to act or the office of elected mayor is vacant, and
- (b) the deputy mayor is unable to act or the office of deputy mayor is vacant, the council manager must act in the elected mayor's place.
- (10) Subject to <sup>[F2]</sup>sub-paragraphs (11) and (12A)], the council manager—
- (a) is entitled to attend, and speak at, meetings of the authority or any committee or sub-committee of the authority, but
- (b) is not entitled to vote at such meetings.

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- (11) The council manager is entitled to attend, and speak at, meetings of an overview and scrutiny committee or sub-committee of the authority only if invited or required to do so by the committee or sub-committee.
- (12) The reference in sub-paragraph (10) to a committee or sub-committee of the authority includes a reference to a joint committee on which the authority is represented or a sub-committee of such a committee.
- [<sup>F3</sup>(12A) The council manager of a local authority is entitled to vote at a meeting of a joint committee, or sub-committee of such a committee, if—
- (a) that joint committee or sub-committee has been appointed for the purpose of discharging functions which, as respects that local authority, are the responsibility of the executive of the local authority; and
  - (b) the council manager is a member of that joint committee or sub-committee.]
- (13) The council manager—
- (a) is to be regarded for the purposes of Part I of the <sup>M1</sup>Local Government and Housing Act 1989 as holding a politically restricted post under the authority,
  - (b) may not also be the person who under section 151 of the <sup>M2</sup>Local Government Act 1972 has responsibility for the administration of the financial affairs of the authority, and
  - (c) may not also be the person who is responsible for performing the duties of the authority’s monitoring officer under section 5 of the <sup>M3</sup>Local Government and Housing Act 1989.
- (14) The executive arrangements may include provision for the appointment by the elected mayor of one or more committees to advise the executive.
- (15) The membership of any such committee as is mentioned in sub-paragraph (14) need not be determined in accordance with the political balance requirements.
- (16) In the case of a local authority in Wales, the deputy mayor is entitled to the style of “dirprwy faer”.]

#### Textual Amendments

- F1** Sch. 1 para. 3 repealed (10.7.2011) by [Local Government \(Wales\) Measure 2011 \(nawm 4\)](#), ss. 34(6), 178(2), [Sch. 4 Pt. B](#)
- F2** Words in Sch. 1 para. 3(10) substituted for words “sub-paragraph (11)” (E.) (18.5.2001) by [S.I. 2001/1517](#), [art. 6\(2\)\(a\)](#)
- F3** Sch. 1 para. 3(12A) inserted (E.) (18.5.2001) by [S.I. 2001/1517](#), [art. 6\(2\)\(b\)](#)

#### Commencement Information

- I1** Sch. 1 para. 3 wholly in force at 28.7.2001; Sch. 1 para. 3 not in force at Royal Assent see s. 108; Sch. 1 para. 3 in force at 26.10.2000 in relation to England only by [S.I. 2000/2849](#), [arts. 1\(3\), 2\(c\)](#); Sch. 1 para. 3 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

#### Marginal Citations

- M1** 1989 c. 42.  
**M2** 1972 c. 70.  
**M3** 1989 c. 42.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(2ZA) inserted by [2011 nawm 4 s. 59\(3\)](#)
- s. 21(13)(c) inserted by [2011 nawm 4 s. 59\(5\)\(b\)](#)
- s. 21(15A) inserted by [2011 nawm 4 s. 59\(6\)](#)
- s. 21(18) inserted by [2011 nawm 4 s. 59\(7\)](#)
- s. 21C(6)(aa)(ab) inserted by [2012 c. 7 Sch. 5 para. 97\(a\)](#)