
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments which are consequential on sections 57 and 58 of, and Schedule 7 to, the Local Government and Elections (Wales) Act 2021 (“the 2021 Act”), which amend provisions in Part 2 of, and Schedule 1 to, the Local Government Act 2000 (“the 2000 Act”). Section 57 of the 2021 Act relates to the appointment of assistants to a local authority executive while section 58 and Schedule 7 make provision relating to the sharing of office on a local authority executive.

Regulation 2 amends provisions of the Local Government (Wales) Measure 2011 to provide that two or more members of a local authority who share office on the executive, may be appointed to a local authority’s democratic services committee, or a local authority’s governance and audit committee but that those members together only count as one member for the purposes specified in respect of each committee (membership, voting and requisitioning a meeting).

Regulation 3 amends the Standards Committee (Wales) Regulations 2001 (“the 2001 Regulations”) to provide that a local authority standards committee can only include either one executive member or one assistant to the executive, from that local authority. Further, where two or more local authorities establish a joint standards committee, then that committee can only include either one executive member or one assistant to the executive, from each constituent local authority.

Regulation 3 also amends the 2001 Regulations to provide that two or more members of a local authority executive who share office may be appointed to a local authority’s standards committee but that those members together only count as one member for the purposes specified (size and composition of the committee, voting and quorum).

Regulation 4 amends the Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (Wales) Order 2002 to provide that neither an interim mayor nor interim executive members, are to be treated as members of a local authority executive for the purpose of the statutory limit imposed on the number of executive members set out in section 11 of the 2000 Act.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.