

LOCAL GOVERNMENT (WALES) MEASURE 2009

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 29 - Welsh Ministers: powers of direction etc

57. [Section 29](#) contains powers for the Welsh Ministers to intervene in and direct a local authority which is failing, or is at risk of failing to comply with the Measure. This power may only be exercised by them if:
- the Welsh improvement authority has been the subject of support under s28, but that has not rectified the problem; or
 - the Welsh improvement authority is failing or likely to fail to comply with the requirement of this part of the Measure and the situation is so urgent and/or serious as to preclude an offer of support.
 - the Welsh improvement authority is failing or likely to fail to comply with the requirement of this part of the Measure, the Welsh Minister have decided that they wish to exercise the power of support under section 28, but it cannot be exercised because the authority has failed to co-operate with the Welsh Ministers.
58. The options open to the Welsh Ministers are then as set out in subsections (2) to (6). These are similar to the existing powers in s15 of the Local Government Act 1999. However, the power goes beyond the power of the Secretary of State in the Local Government Act 1999 because it provides that the Welsh Ministers may direct an authority to collaborate with another authority (subsection (2c)).