
WELSH STATUTORY INSTRUMENTS

2001 No. 2284

The Local Authorities (Alternative Arrangements) (Wales) Regulations 2001

Name, commencement and application

1.—(1) The name of these Regulations is the Local Authorities (Alternative Arrangements) (Wales) Regulations 2001 and they shall come into force on 28th July 2001.

(2) These Regulations apply to Wales only.

Interpretation

2. In these Regulations—

“the 1972 Act” (“*Deddf 1972*”) means the Local Government Act 1972⁽¹⁾;

“the 2000 Act” (“*Deddf 2000*”) means the Local Government Act 2000;

“alternative arrangements” (“*trefniadau amgen*”) means arrangements by a local authority with respect to discharge of their functions which are arrangements in accordance with regulation 4;

“area committee” (“*pwylgor ardal*”) means a committee or sub-committee of a local authority—

- (i) established under regulation 4(2)(c) with delegated powers to exercise some or all of the functions in part A of Schedule 1; and
- (ii) which satisfies the following conditions:
 - (a) the committee or sub-committee is established to discharge those functions referred to in paragraph (4) in respect of part of the area of the authority;
 - (b) the members of the committee or sub-committee who are members of the authority are elected for electoral divisions or wards which fall wholly or partly within that part; and
 - (c) the population of that part, as estimated by the authority, is not less than fifteen percent of the total population of the area of the authority as so estimated;

“audit committee” (“*pwylgor archwilio*”) means a committee of a local authority established under regulation 4(2)(d) which is established to exercise functions in accordance with regulation 5(7) and which is known as the audit committee or by such other title as the standing orders of the local authority may provide;

“Board” (“*Bwrdd*”) means the committee of a local authority established under regulation 4(1) (a) which is established to exercise the functions mentioned in regulation 7 and which is known as the Board of the Council or by such other title as the standing orders of the local authority may provide;

“licensing committee” (“*pwylgor trwyddedu*”) means a committee of a local authority with delegated powers to exercise some or all of those functions listed in Schedule 1, which shall be known as the Licensing Committee or by such other title as the standing orders of the local authority may provide;

(1) 1972. C.70.

“local authority” (“*awdurdod lleol*”) means (save where the context otherwise requires) a county council or a county borough council which is operating alternative arrangements;

“planning committee” (“*pwyllgor cynllunio*”) means a committee of the authority with delegated power to exercise some or all of those functions in Schedule 1 which is known as the Planning Committee or by such other title as the standing orders of the local authority may provide;

“political group” (“*grwp gwleidyddol*”) means a political group in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990(2);

“principal scrutiny committee” (“*prif bwyllgor craffu*”) means a committee or sub-committee of the authority established under regulation 4(1)(b);

“relevant body” (“*corff perthnasol*”) for the purposes of regulations 13 and 19, means a local authority or a Board;

“scrutiny committee” (“*pwyllgor craffu*”) means a committee or sub-committee of the authority established under regulation 4(1)(c).

Local authorities which may operate alternative arrangements

3. All local authorities may operate alternative arrangements.

Form of alternative arrangements

- 4.—(1) All local authority operating alternative arrangements must establish—

- (a) a Board; and
- (b) subject to regulation 6 a principal scrutiny committee; and
- (c) subject to regulation 6 such additional scrutiny committees (being not less than three nor more than eight in number) for which the standing orders of the local authority may provide.

- (2) A local authority operating alternative arrangements may establish—

- (a) a planning committee;
- (b) a licensing committee;
- (c) area committees for which the standing orders of the local authority may provide; and
- (d) an audit committee.

(3) The arrangements set out in these Regulations are specified as the alternative arrangements for the purposes of Part II of the 2000 Act.

Requirements for committees and sub-committees

- 5.—(1) Every committee of a local authority established under regulation 4 and every sub-committee of such a committee is to be treated—

- (a) as a committee or sub-committee of a principal council for the purposes of Part VA of the Local Government Act 1972 (access to meetings and documents of certain authorities, committees and sub-committees) and
- (b) as a body to which section 15 of the Local Government and Housing Act 1989 (3) (duty to allocate seats to political groups) applies.

(2) S.I.1990/1553.

(3) 1989 c. 42. Section 18 is amended by section 99(3) to (9) of the Local Government Act 2000.

(2) A committee of a local authority established under regulation 4, except an area committee established under regulation 4(2)(c), shall comprise a maximum of ten members or twenty per cent of the authority's members, (calculated by rounding up the number of members to the nearest whole number when in calculating the percentage the number of members is not a whole number) whichever is the greater number.

(3) A local authority operating alternative arrangements shall allocate the chairpersonships of committees established under regulation 4 so as to secure, as far as practicable, that the balance of the political groups in the local authority is reflected by those chairpersonships.

(4) A planning committee, licensing committee or area committee established under regulation 4 or a sub-committee of such a committee with responsibility for any of the functions listed in Part A of Schedule 1 (functions relating to town and country planning and development control) shall have a minimum of eight members.

(5) Where a local authority establishes area committees—

(a) there shall be at least three such committees and they shall cover the whole of the local authority's area; and

(b) each member of the local authority shall be entitled to be a member of one area committee.

(6) The Board may include the chairperson of the local authority's planning committee and the chairpersons of area committees where such committees have been established in accordance with regulation 4(2).

(7) To the extent that a local authority's powers in respect of its audit functions under any enactment may be delegated to a committee or sub-committee, a local authority may delegate to an audit committee.

(8) An audit committee established under 4(2)(d):

(a) shall not include any members of the Board; and

(b) shall not have a chairperson who is a member of the same political group as the Chairperson of the Board (except where there is only one political group); and

(c) may appoint one or more sub-committees; and

(d) may arrange for the discharge of any of its functions any such sub-committee.

(9) A sub-committee of an audit committee may not discharge any functions other than those conferred on it under paragraphs (7) and (8).

(10) An audit committee or any sub-committee of such a committee, may include persons who are not members of the authority, but any such persons shall not be entitled to vote at any meeting of such a committee or sub-committee on any question which falls to be decided at that meeting and shall not be entitled to be the chairperson of such a committee or sub-committee.

Principal scrutiny committees and scrutiny committees

6.—(1) A principal scrutiny committee established under regulation 4(1)(b) :

(a) shall not include any members of the Board; and

(b) shall not have a chairperson who is a member of the same political group as the chairperson of the Board (except where there is only one political group); and

(c) shall have a chairperson who is a member of the authority.

(2) A scrutiny committee established under regulation 4(1)(c)—

(a) must include among its membership a majority of members of the authority who are not Board members and may include among its membership up to three members of the Board but no Board member shall be entitled to be the chairperson of a scrutiny committee; and

- (b) shall have a chairperson who is a member of the authority.
- (3) A Scrutiny Committee established under regulation 4(1)(c) shall have delegated power to—
- (a) review or scrutinise decisions made, or other action taken, in connection with the discharge of any function of the authority;
 - (b) make reports or recommendations to the authority in connection with the discharge of any function of the authority;
 - (c) make reports or recommendations to the authority or the inhabitants of that area;
 - (d) recommend, in the case of a decision which has been made but not implemented, that the decision be reconsidered by the committee, sub-committee or person who made it; and
 - (e) arrange for its function under sub-paragraph (a) to be exercised by the authority.
- (4) A principal scrutiny committee established under regulation 4(1)(c) shall have the delegated power to undertake the functions of a scrutiny committee in accordance with paragraph (3) but those powers shall only be exercisable in so far as they relate to the functions of a Board.
- (5) Subject to paragraph (6) a scrutiny committee may not otherwise discharge any function other than in accordance with these regulations.
- (6) If, or to the extent that, a local authority's function of conducting best value reviews under section 5 of the Local Government Act 1999 (4) is not the responsibility of the Board of the authority, the authority may arrange for the principal scrutiny committee or any scrutiny committee to conduct such a review.
- (7) A principal scrutiny committee and a scrutiny committee may—
- (a) appoint one or more sub-committees; and
 - (b) arrange for the discharge of any of its functions by any such sub-committee.
- (8) A sub-committee of a principal scrutiny committee or a scrutiny committee may not discharge any functions other than those conferred on it under paragraph (6).
- (9) Alternative arrangements by a local authority must include provision which enables—
- (a) any member of a principal scrutiny committee or scrutiny committee to ensure that any matter which is relevant to the functions of the committee is included in the agenda for, and is discussed at, a meeting of the committee;
 - (b) any member of a sub-committee of such a committee to ensure that any matter which is relevant to the functions of the sub-committee is included in the agenda for, and is discussed at, a meeting of the sub-committee; and
 - (c) a principal scrutiny committee or scrutiny committee to refer any matter in connection with a decision or a proposed decision of the Board to the local authority provided that the decision or proposed decision relates to the functions of that committee.
- (10) A principal scrutiny committee and a scrutiny committee, or any sub-committee of such a committee, may include persons who are not members of the authority, but any such persons shall not be entitled to vote at any meeting of such a committee or sub-committee on any question which falls to be decided at that meeting.
- (11) Subsections (2) and (5) of section 102 of the 1972 Act are to apply to a principal scrutiny committee and a scrutiny committee, or a sub-committee of such a committee, as they apply to a committee appointed under that section.
- (12) A principal scrutiny committee and a scrutiny committee, or a sub-committee of such a committee,—

(a) may require members of the Board and officers of the authority, to attend before it to answer questions, and

(b) may invite other persons to attend meetings of the committee or sub-committee.

(13) Any member of the Board or officer of the authority who is authorised to attend to answer questions in accordance with paragraph (12) shall be under a duty to do so but any such member or officer shall not be obliged to answer any question which that person would be entitled to refuse to answer in or for the purposes of proceedings in a court in Wales or England.

Functions which are to be the responsibility of the Board

7.—(1) A local authority operating alternative arrangements shall delegate its functions to a Board subject to the limitations in regulations 8, 9, 10 and 11.

(2) Nothing in these Regulations shall prevent a local authority from exercising those functions delegated to a Board in accordance with paragraph (1).

Functions which are not to be the responsibility of the Board

8.—(1) The functions specified in column (1) of Schedule 1 to these Regulations by reference to the enactments specified in relation to those functions in column (2) of that schedule are not to be the responsibility of a Board of an authority.

(2) The functions of—

(a) imposing any condition, limitation or other restriction on an approval, consent, licence, permission or registration granted—

(i) in the exercise of a function specified in column (1) of Schedule 1; or

(ii) otherwise than by the Board of the authority, in the exercise of any function under a local Act; and

(b) determining any other terms to which any such approval, consent, licence, permission or registration is subject, are not to be the responsibility of the Board of the authority.

(3) The function of determining whether, and in what manner, to enforce—

(a) any failure to comply with an approval, consent, licence, permission or registration granted in the exercise of a function specified in column (1) of Schedule 1,

(b) any failure to comply with a condition, limitation or term to which any such approval, consent, licence, permission or registration is subject, or

(c) any other contravention in relation to a matter with regard to which the function of determining an application for approval, consent, licence, permission or registration would not be the responsibility of the Board of the authority,

is not to be the responsibility of the Board of the authority.

(4) The function of—

(a) amending, modifying or varying any such approval, consent, licence, permission or registration granted or any condition, limitation, restriction or term to which it is subject; or

(b) revoking any such approval, consent, licence, permission or registration, is not to be the responsibility of the Board of the authority.

(5) The function of making any scheme authorised or required by regulations under section 18 of the Local Government and Housing Act 1989 (schemes for basic, attendance and special responsibility allowances for local authority members), or of amending, revoking or replacing any such scheme, is not to be the responsibility of the Board of the authority.

(6) The functions of determining—

- (a) the amount of any allowance payable under—
 - (i) subsection (5) of section 3 of the 1972 Act (chairman’s expenses);
 - (ii) subsection (4) of section 5 of that Act (vice-chairman’s expenses);
 - (iii) subsection (4) of section 173 (financial loss allowance) of that Act (5);
 - (iv) section 175 of that Act (allowances for attending conferences and meetings);
- (b) the rates at which payments are to be made under section 174 of that Act (travelling and subsistence allowances);
- (c) the amount of any allowance payable pursuant to a scheme under section 18 of the Local Government and Housing Act 1989, or the rates at which payments by way of any such allowance are to be made;
- (d) whether a charge should be made for any approval, consent, licence, permit or registration the issue of which is not the responsibility of the Board of the authority; and
- (e) where a charge is made for any such approval, consent, licence, permit or registration, the amount of the charge;

are not to be the responsibility of the Board of the authority.

(7) Section 101 of the 1972 Act (arrangements for discharge of functions by local authorities) shall not apply with respect to the discharge of any function mentioned in paragraph (5) or (6)(a) to (c).

(8) Subject to any provision of regulations made under section 20 of the 2000 Act (joint exercise of functions), the function of—

- (a) making arrangements for the discharge of functions by a committee or officer under section 101(5) of the 1972 Act, and
- (b) making appointments under section 102 (appointment of committees) of the 1972 Act, is not to be the responsibility of the Board of the authority.

(9) Unless otherwise provided by these Regulations, a function of a local authority which, by virtue of any enactment (passed or made before the making of these Regulations) may be discharged only by an authority, is not to be the responsibility of the Board of the authority.

(10) In paragraphs (1) and (9), “enactment” includes an enactment contained in a local Act or comprised in subordinate legislation.

Functions which may be the responsibility of an authority’s Board

9. The functions specified in Schedule 2, may, but need not be, the responsibility of the Board of the authority.

Functions which are not to be the sole responsibility of an authority’s Board

10.—(1) In connection with the discharge of the function of—

- (a) formulating or preparing a plan or strategy of a description specified in column (1) of Schedule 3 to these Regulations;
- (b) formulating a plan or strategy for the control of the authority’s borrowing or capital expenditure; or
- (c) formulating or preparing any other plan or strategy whose adoption or approval is, by virtue of regulation 5(1), a matter for determination by the authority;

(5) Section 173(4) was amended by the Local Government and Housing Act 1989 (c. 42), Schedule 11, paragraph 26. A relevant saving was made by article 3(2) of the Local Government and Housing Act 1989 (Commencement No.11 and Savings) Order 1991 (SI. 1991/344).

the actions designated by paragraph (3) shall not be the responsibility of the Board of the authority.

(2) Subject as provided in paragraph (1) the functions mentioned in that paragraph shall be the responsibility of the Board.

(3) The designated actions are—

- (a) the giving of instructions requiring the Board to reconsider any draft plan or strategy submitted by the Board for the authority's consideration;
- (b) the amendment of any draft plan or strategy submitted by the Board for the authority's consideration;
- (c) the approval, for the purpose of its submission to the National Assembly for Wales or any Minister of the Crown for approval of any plan or strategy (whether or not in the form of a draft) of which any part is required to be so submitted;
- (d) the adoption (with or without modification) of the plan or strategy.

(4) The function of amending, modifying, varying or revoking any plan or strategy of a description referred to in paragraph (1), (whether approved or adopted, before or after the coming into force of these Regulations)—

- (a) shall be the responsibility of the Board of the authority to the extent that the making of the amendment, modification, variation or revocation—
 - (i) is required for giving effect to requirements of the National Assembly for Wales or a Minister of the Crown in relation to a plan or strategy submitted for approval or to any part so submitted; or
 - (ii) is authorised by a determination made by the authority when making the arrangements or approving or adopting the plan or strategy, as the case may be; but
- (b) shall not be the responsibility of the Board to any other extent.

(5) Except to the extent mentioned in paragraph (6), the function of making an application—

- (a) under subsection (5) of section 135 of the Leasehold Reform, Housing and Urban Development Act 1993 (programmes for disposals) **(6)**; or
- (b) under section 32 (power to dispose of land held for the purposes of Part II or section 43 (consent required for certain disposals not within section 32) of the Housing Act 1985**(7)**),

shall be the responsibility of the Board of the authority.

(6) The extent mentioned in this paragraph is the authorisation of the making of the application.

(7) The function of making such an application as is referred to in paragraph (5), to the extent mentioned in paragraph (6), shall not be the responsibility of the Board of the authority.

(8) Section 101 of the 1972 Act shall not apply with respect to the discharge—

- (a) of a function specified in paragraph (1) to the extent that, by virtue of that paragraph, it is not the responsibility of the Board of the authority;
- (b) of the functions specified in paragraphs (4) and (5) to the extent that they are not the responsibility of the Board of the authority.

(9) In connection with the discharge of the function of—

- (a) making a calculation in accordance with any of sections 32 to 37, 43 to 51, 52I, 52J, 52T and 52U of the Local Government Finance Act 1992**(8)** or any or section 61 of that Act, whether originally or by way of substitute; or

(6) 1993 c. 28, to which there are amendments not relevant to these Regulations.

(7) 1985 c. 68. Relevant amendments, in subsection (3) of section 32 and subsection (1)(a) of section 43, were made by paragraph 3(a), (d) and (e) of the Schedule to SI 1997/74.

(8) 1992 c. 14; sections 52I, 52J, 52T and 52U were inserted by the Local Government Act 1999 (c. 27) Schedule 1, paragraph 1.

(b) issuing a precept under Chapter IV of that Part,
the actions designated by paragraph (11) (“the paragraph (11) actions”) shall be the responsibility of the Board of the authority.

(10) Subject as provided in paragraph (9), the function mentioned in that paragraph shall not be the responsibility of the Board.

(11) The designated actions are—

- (a) the preparation, for submission to the authority for their consideration, of—
 - (i) estimates of the amounts to be aggregated in making the calculation or of other amounts to be used for the purposes of the calculation;
 - (ii) the amounts required to be stated in the precept;
- (b) the reconsideration of those estimates and amounts in accordance with the authority’s requirements;
- (c) the submission for the authority’s consideration of revised estimates and amounts.

Discharge of specified functions by authorities

11.—(1) Subject to paragraph (2), a function of any of the descriptions specified in column (1) of Schedule 4 (which, but for this paragraph, might be the responsibility of the Board of the authority), shall not be the responsibility of the Board in the circumstances specified in column (2) in relation to that function.

(2) Paragraph (1) shall not apply in relation to the discharge of a function of the description specified in paragraph 3 of column (1) of Schedule 4 where—

- (a) the circumstances which render necessary the making of the determination may reasonably be regarded as urgent; and
- (b) the individual or body by whom the determination is to be made has obtained from the chairperson of a relevant scrutiny committee or, if there is no such person or the chairperson of every relevant scrutiny committee is unable or unwilling to act, from the chairperson of the authority or, in that person’s absence, from the vice-chairperson, a statement in writing that the determination needs to be made as a matter of urgency.

(3) In paragraph (2) “relevant scrutiny committee” means a scrutiny committee of the authority whose terms of reference include the power to review or scrutinise decisions or other action taken in the discharge of the function to which the determination relates.

(4) The individual or body by whom a determination is made pursuant to paragraph (2) shall, as soon as reasonably practicable after the making of the determination, submit to the authority a report which shall include particulars of—

- (a) the determination;
- (b) the emergency or other circumstances in which it was made; and
- (c) the reasons for the determination.

(5) Section 101 of the 1972 Act shall not apply with respect to the discharge of a function referred to in paragraph (1) which, by virtue of that paragraph, is not the responsibility of the Board of the authority.

Directions by the Board to planning and licensing committees

12. The Board may direct that any decision to be made by a planning committee, a licensing committee or area committee in respect of a function of any of the descriptions specified in column

(1) of part A of Schedule 1 (functions relating to town and country planning and development control) shall be determined by the local authority.

Power to make arrangements: the local authority and the Board

13. In the case of a local authority operating alternative arrangements—

- (a) a relevant body has power to make arrangements under section 101(5) of the 1972 Act in accordance with regulation 19; and
- (b) subject to paragraph (a) the Board may arrange for the discharge of any of its functions—
 - (i) by the Board,
 - (ii) by a member of the Board;
 - (iii) by a committee of the Board;
 - (iv) by an officer of the authority.

Discharge of functions by area committees

14.—(1) A relevant body with power to make arrangements in accordance with regulation 13 may arrange for the discharge of any functions which are the responsibility of the Board of the local authority by an area committee of that authority.

(2) Where by virtue of this regulation any functions may be discharged by an area committee, then, unless the relevant body directs otherwise, the area committee may arrange for the discharge of any of those functions by a sub-committee of that committee or by an officer of the authority.

(3) Where by virtue of paragraph (2) any functions may be discharged by a sub-committee of an area committee, then, unless the area committee or the relevant body directs otherwise, the sub-committee may arrange for the discharge of any of those functions by an officer of the authority.

(4) Any arrangements made under this regulation by a relevant body for the discharge of any functions by an area committee are not to prevent the relevant body from exercising those functions.

(5) As soon as reasonably practicable after making arrangements under this regulation the Board must secure that copies of a document setting out the provisions of the arrangements are available at the authority's principal office for inspection by members of the public at all reasonable hours.

(6) The Board shall, in preparing the document referred to in paragraph (5) above, have regard to any guidance issued by the National Assembly for Wales under section 38 of the 2000 Act.

Discharge of functions by another local authority

15.—(1) A relevant body with power to make arrangements in accordance with regulation 13 may make arrangements with another local authority in accordance with this regulation.

(2) Arrangements under this regulation may provide—

- (a) for a function which is the responsibility of the Board of one local authority to be discharged either by another local authority or by the Board of that other authority if that function is a function of that other local authority but is not one which is the responsibility of the Board of that other local authority;
- (b) for a function which is the responsibility of the Board of one local authority to be discharged by the Board of another local authority if the function is a function which is the responsibility of the Board of that other local authority;
- (c) for a function which is the responsibility of the Board of one local authority to be discharged by the Board of another local authority if that function is not a function of that other local authority and that other authority has a Board;

(d) for a function which is the responsibility of the Board of one local authority to be discharged by another local authority if that function is a function of that other local authority and that other authority does not have a Board.

(3) Any arrangements made under this regulation are not to prevent the relevant body that made the arrangements from exercising the functions to which they relate.

Arrangements for functions of a local authority to be discharged by the Board of another local authority

16.—(1) A local authority may make arrangements with another local authority for the discharge by the Board of that local authority of any functions of the first mentioned authority which are not the responsibility of the Board of that authority if—

- (a) the functions are not functions of that other local authority; or
- (b) the functions are functions of that other local authority and are the responsibility of the Board of that other authority.

(2) Any arrangements made under this regulation are not to prevent the authority that made the arrangements from exercising the functions to which they relate.

Responsibility for functions delegated to another local authority

17. Where, by virtue of regulation 15 or 16 above arrangements are in force for the discharge of any functions of a local authority, or for the discharge of any functions which are the responsibility of the Board of that authority, by the Board of another local authority, those functions shall be treated, for the purposes of sections 32 of the 2000 Act, as functions which are the responsibility of the Board of that other local authority.

Functions delegated to another local authority

18.—(1) Where, by virtue of regulation 15 above, arrangements are in force for the discharge of any functions which are the responsibility of the Board of a local authority by another local authority, then, subject to the terms of the arrangements, that other authority may arrange for the discharge of any of those functions by a committee, sub-committee or officer of theirs.

(2) Where by virtue of paragraph (1) above any functions may be discharged by a committee of a local authority, then, unless that authority otherwise directs, the committee may arrange for the discharge of any of those functions by a sub-committee or an officer of the authority.

(3) Where by virtue of paragraph (1) or (2) above any functions may be discharged by a sub-committee of a local authority, then, unless that authority or, as the case may be, that committee otherwise directs, the sub-committee may arrange for the discharge of any of those functions by an officer of the authority.

Joint exercise of functions

19.—(1) Arrangements made under section 101(5) of the 1972 Act by a relevant body must be made in accordance with this regulation.

(2) The arrangements must be made—

- (a) where the functions to which the arrangements relate are the responsibility of the Board of the other local authority concerned, with the relevant body which has power to make such arrangements on behalf of that authority;
- (b) in any other case, with the other local authority.

(3) If the arrangements provide for the discharge of functions by a joint committee, appointments of the persons who are to represent each local authority on that committee must be made, and the number of such persons to be appointed must be determined, by the relevant body by which the arrangements are made on behalf of that authority.

(4) A joint committee appointed in accordance with this regulation may, subject to the terms of the arrangements, and unless the relevant body in relation to the local authority whose functions are the subject of the arrangements directs otherwise, arrange for the discharge of any of its functions by a sub-committee or an officer of one of the authorities concerned, and any such sub-committee may, subject to the terms of the arrangements and, unless the joint committee or the relevant body in relation to the local authority whose functions are the subject of the arrangements directs otherwise, arrange for the discharge of any of its functions by such an officer.

(5) Any arrangements made in accordance with this regulation by a relevant body for the discharge of any functions by a joint committee are not to prevent that body from exercising those functions.

(6) Where arrangements made on behalf of a local authority in accordance with this regulation by a relevant body provide for the appointment to a joint committee of persons who are not members of the Board of that authority, the relevant body must, as soon as reasonably practicable after making the arrangements, secure that copies of a document setting out the provisions of the arrangements are available at the authority's principal office for inspection by members of the public at all reasonable hours.

(7) A relevant body preparing the document referred to in paragraph (6) above shall have regard to any guidance issued by the National Assembly for Wales under section 38 of the 2000 Act.

(8) Part VA of the 1972 Act (access to meetings and documents of certain authorities, committees and sub-committees) shall apply to a joint committee established in accordance with this regulation.

Members of joint committees

20.—(1) Subject to paragraphs (2) and (3) below, every person appointed to a joint committee in accordance with regulation 19 above by a relevant body must be a member of the local authority, and the political balance requirements shall not apply to the appointment of such members.

(2) Where—

- (a) the joint committee has functions in respect of part only of the area of one of the local authorities concerned;
- (b) those functions are the responsibility of the Board of that authority; and
- (c) the population of that part, as estimated by the authority, does not exceed fifteen percent of the total population of the area of the authority as so estimated,

the representatives of that authority on the joint committee may include any members of that authority who have been elected for electoral divisions or wards which are wholly or partly within that part of the authority's area, and the political balance requirements shall not apply to the appointment of those members.

(4) Where the joint committee has functions in respect of part of the area of one of the local authorities concerned and the representatives of that authority on that committee are appointed by the authority, the political balance requirements shall not apply to the appointment of those representatives but those representatives must be members of that local authority who have been elected for electoral divisions or wards which are wholly or partly within that part of the authority's area.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998⁽⁹⁾.

21st June 2001

D. Elis -Thomas
The Presiding Officer of the National Assembly