

WELSH STATUTORY INSTRUMENTS

**2021 No. 1349**

**The Corporate Joint Committees (General)  
(No. 2) (Wales) Regulations 2021**

**PART 6** **E+W**

Miscellaneous and consequential amendments

*Petition schemes*

**Petition schemes** **E+W**

- 31.** In section 42 of the 2021 Act (duty to make petition scheme), after subsection (4) insert—
- “(5) This section applies to a corporate joint committee as it applies to a principal council and references in subsections (1) to (4) to a principal council are to be construed accordingly.”

**Commencement Information**

- I1** [Reg. 31](#) in force at 6.5.2022, see [reg. 1\(3\)\(c\)](#)

**Duty to encourage local people to participate in decision-making** **E+W**

- 32.** In section 39 of the 2021 Act (duty to encourage local people to participate in decision-making), after subsection (2) insert—
- “(3) This section applies to a corporate joint committee as it applies to a principal council and references in subsections (1) and (2) to a principal council are to be construed accordingly.”

**Commencement Information**

- I2** [Reg. 32](#) in force at 6.5.2022, see [reg. 1\(3\)\(d\)](#)

*Merger applications*

**Consultation before merger applications made by principal councils** **E+W**

- 33.** In section 122 of the 2021 Act (consultation before making merger application), after subsection (1)(g) insert—
- “(ga) each corporate joint committee—

- (i) which includes at least one senior executive member (within the meaning given by section 77(4)) of the principal councils as a member of the corporate joint committee;
- (ii) which is otherwise likely to be affected by the proposal for merger.”.

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**Commencement Information**

**I3** Reg. 33 in force at 3.12.2021, see [reg. 1\(2\)](#)

*Miscellaneous amendments to the establishment Regulations*

**The Mid Wales Corporate Joint Committee Regulations 2021** E+W

**34.**—(1) The Mid Wales Corporate Joint Committee Regulations 2021(1) are amended as follows.

- (2) In regulation 2 (interpretation), for the definition of “co-opted participant” substitute—  
““co-opted member” (*“aelod cyfetholedig”*) has the meaning given by regulation 9(1);”.
- (3) In regulation 6 (membership)—
  - (a) in paragraph (1)—
    - (i) at the end of sub-paragraph (a) omit “and”;
    - (ii) at the end of sub-paragraph (b) insert “, and”;
    - (iii) after sub-paragraph (b) insert—  
“ (c) any co-opted member.”;
  - (b) in paragraph (2) after “CJC” insert “, subject to regulations 8(2A) and 9(2)”;
  - (c) omit paragraph (3);
  - (d) in paragraph (4) for “to the extent described in paragraph (3),” substitute “and any co-opted member”.
- (4) In regulation 7 (council members), in paragraph (2)—
  - (a) for “discharge their functions” substitute “act as council member”;
  - (b) for “discharge those functions” substitute “act”.
- (5) In regulation 8 (Brecon Beacons member)—
  - (a) after paragraph (2) insert—  
“(2A) The Brecon Beacons member may act as a member only in relation to—
    - (a) the functions conferred on the Mid Wales CJC under regulation 13;
    - (b) any function of the Mid Wales CJC that is ancillary or incidental to those functions.
 (2B) But the Brecon Beacons member may also act as a member in relation to any other function of the Mid Wales CJC if—
    - (a) the council members and the Brecon Beacons member agree, or
    - (b) the Brecon Beacons member is permitted, or required, to act in relation to that function by virtue of express provision in these Regulations or any other enactment.

- (2C) An agreement under paragraph (2B)(a) must specify the terms on which the Brecon Beacons member may act in relation to the function concerned, including specifying the period for which the Brecon Beacons member is to act.”;
- (b) in paragraph (3)—
- (i) for “discharge their functions” substitute “act as a member”;
  - (ii) for “discharge those functions” substitute “act”.
- (6) For regulation 9 (co-opted participants) substitute—

**“Co-opted members**

- 9.**—(1) The Mid Wales CJC may co-opt one or more individuals as members of the Mid Wales CJC (a “co-opted member”) on such terms as it determines.
- (2) Those terms must—
- (a) specify—
    - (i) the functions of the Mid Wales CJC in relation to which the co-opted member may act as a member of the CJC, and
    - (ii) any function of the Mid Wales CJC that is ancillary or incidental to those functions;
  - (b) be agreed by the co-opted member and the other members, and
  - (c) be set out in a co-option agreement.
- (3) Where, under paragraph (1), a co-opted member is entitled to act in relation to—
- (a) the functions conferred on the Mid Wales CJC under regulation 13, and
  - (b) any function of the Mid Wales CJC that is ancillary or incidental to those functions,
- the Brecon Beacons member may act as a member for the purposes of that paragraph.
- (4) A co-opted member is co-opted—
- (a) for a period specified in the co-option agreement, or
  - (b) until—
    - (i) the co-opted member resigns from the Mid Wales CJC, or
    - (ii) the Mid Wales CJC terminates the co-option.
- (5) A co-option agreement—
- (a) may be varied at any time;
  - (b) must be published electronically by the Mid Wales CJC.”
- (7) For regulation 15 (delegation of functions) substitute—

**“Limitation on discharge of functions by other persons**

- 15.** Regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (arrangements for discharge of functions) does not apply to—
- (a) approving a transport policy, or revision of such a policy developed by virtue of regulation 12(1) under section 108(1)(a) and (2A)(a) of Part 2 of the Transport Act 2000;
  - (b) the following actions connected with the preparation of a strategic development plan, or revision of a plan, under regulation 13—

- (i) adopting a delivery agreement, or a revision of such an agreement (see regulation 11(2) and (8) of the Town and Country Planning (Strategic Development Plan) (Wales) Regulations 2021 (“the SDP Regulations”));
  - (ii) approving pre-deposit proposals documents and a statement of pre-deposit matters (see regulations 17 and 18 of the SDP Regulations);
  - (iii) approving an initial consultation report, SDP proposals document and a statement of deposit matters (see regulation 20 of the SDP Regulations);
  - (iv) approving documents to be sent to the Welsh Ministers under section 64(3) of the Planning and Compulsory Purchase Act 2004;
  - (v) withdrawing a strategic development plan under section 66A(2) of that Act;
  - (vi) adopting a strategic development plan under section 60M(9)(a) of that Act;
  - (vii) approving an annual monitoring report to be made under section 76(1) of that Act;
  - (viii) approving a report of a review of a strategic development plan to be made under section 69(2) of that Act;
  - (c) agreeing calculations of budget requirements or revised calculations under regulation 16(6)(b) and (9).”
- (8) In regulation 17 (funding of budget requirement), in paragraph (2), for “the members” substitute “the council members and the Brecon Beacons member”.
- (9) In paragraph 2 of the Schedule (appointment of chairperson and vice-chairperson), in sub-paragraph (4)(b), for “co-opted participants” substitute “other members”.
- (10) In paragraph 6 of the Schedule (voting procedure), for sub-paragraph (1)(a) substitute—
- “(a) the number of co-opted members entitled to vote may not exceed the number of other members entitled to vote.”
- (11) In paragraph 7 of the Schedule (adoption of alternative voting procedure), for sub-paragraph (4) substitute—
- “(4) A procedure adopted under this paragraph must be adopted by the unanimous agreement of the members who are entitled to vote on adopting the procedure.”
- (12) In paragraph 9 of the Schedule (general provision as to staffing)—
- (a) the existing text becomes sub-paragraph (1);
  - (b) after that sub-paragraph insert—
    - “(2) The Mid Wales CJC must ensure that arrangements made under sub-paragraph (1) are such as are necessary for the proper discharge by the Mid Wales CJC of its functions.”
- (13) In paragraph 10 of the Schedule (terms and conditions), for sub-paragraph (2) substitute—
- “(2) But sub-paragraph (1)—
    - (a) is subject to section 41 of the Localism Act 2011, and
    - (b) does not prevent the Mid Wales CJC from modifying the terms and conditions of staff it appoints if required by virtue of any other enactment or rule of law.”
- (14) In paragraph 11 of the Schedule (staff from other authorities) after sub-paragraph (2) insert—
- “(3) But, subject to any contrary provision in any other enactment, for superannuation purposes service rendered by a member of staff of a devolved Welsh authority placed at the disposal of the Mid Wales CJC by virtue of such an agreement is service rendered to the authority.”
- (15) Omit paragraph 15 of the Schedule (sub-committees).

- (16) In paragraph 16 of the Schedule (governance and audit sub-committee)—
- (a) in sub-paragraph (1)(g) after “Mid” insert “Wales”;
  - (b) in sub-paragraph (2)(b) for “by” substitute “of”;
  - (c) for sub-paragraph 2(c) substitute—
    - “(c) none of the members of the sub-committee are—
    - (i) council members,
    - (ii) co-opted members,
    - (iii) members of another sub-committee of the Mid Wales CJC, or
    - (iv) members of the constituent councils’ executives.”;
  - (d) omit sub-paragraph (3).

#### Commencement Information

**I4** Reg. 34 in force at 3.12.2021, see [reg. 1\(2\)](#)

### The North Wales Corporate Joint Committee Regulations 2021 **E+W**

**35.**—(1) The North Wales Corporate Joint Committee Regulations 2021(2) are amended as follows.

- (2) In regulation 2 (interpretation), for the definition of “co-opted participant” substitute—  
““co-opted member” (“*aelod cyfetholedig*”) has the meaning given by regulation 9(1);”.
- (3) In regulation 6 (membership)—
- (a) in paragraph (1)—
    - (i) at the end of sub-paragraph (a) omit “and”;
    - (ii) at the end of sub-paragraph (b) insert “, and”;
    - (iii) after sub-paragraph (b) insert—
      - “(c) any co-opted member.”;
  - (b) in paragraph (2) after “CJC” insert “, subject to regulations 8(2A) and 9(2)”;
  - (c) omit paragraph (3);
  - (d) in paragraph (4) for “to the extent described in paragraph (3),” substitute “and any co-opted member”.
- (4) In regulation 7 (council members), in paragraph (2)—
- (a) for “discharge their functions” substitute “act as council member”;
  - (b) for “discharge those functions” substitute “act”.
- (5) In regulation 8 (Snowdonia member)—
- (a) after paragraph (2) insert—
    - “(2A) The Snowdonia member may act as a member only in relation to—
    - (a) the functions conferred on the North Wales CJC under regulation 13;
    - (b) any function of the North Wales CJC that is ancillary or incidental to those functions.

(2B) But the Snowdonia member may also act as a member in relation to any other function of the North Wales CJC if—

- (a) the council members and the Snowdonia member agree, or
- (b) the Snowdonia member is permitted, or required, to act in relation to that function by virtue of express provision in these Regulations or any other enactment.

(2C) An agreement under paragraph (2B)(a) must specify the terms on which the Snowdonia member may act in relation to the function concerned, including specifying the period for which the Snowdonia member is to act.”;

(b) in paragraph (3)—

- (i) for “discharge their functions” substitute “act as a member”;
- (ii) for “discharge those functions” substitute “act”.

(6) For regulation 9 (co-opted participants) substitute—

**“Co-opted members**

**9.—**(1) The North Wales CJC may co-opt one or more individuals as members of the North Wales CJC (a “co-opted member”) on such terms as it determines.

(2) Those terms must—

- (a) specify—
  - (i) the functions of the North Wales CJC in relation to which the co-opted member may act as a member of the CJC, and
  - (ii) any function of the North Wales CJC that is ancillary or incidental to those functions,
- (b) be agreed by the co-opted member and the other members, and
- (c) be set out in a co-option agreement.

(3) Where, under paragraph (1), a co-opted member is entitled to act in relation to—

- (a) the functions conferred on the North Wales CJC under regulation 13, and
- (b) any function of the North Wales CJC that is ancillary or incidental to those functions,

the Snowdonia member may act as a member for the purposes of that paragraph.

(4) A co-opted member is co-opted—

- (a) for a period specified in the co-option agreement, or
- (b) until—
  - (i) the co-opted member resigns from the North Wales CJC, or
  - (ii) the North Wales CJC terminates the co-option.

(5) A co-option agreement—

- (a) may be varied at any time;
- (b) must be published electronically by the North Wales CJC.”

(7) For regulation 15 (delegation of functions) substitute—

**“Limitation on discharge of functions by other persons**

**15.** Regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (arrangements for discharge of functions) does not apply to—

- (a) approving a transport policy, or revision of such a policy developed by virtue of regulation 12(1) under section 108(1)(a) and (2A)(a) of Part 2 of the Transport Act 2000;
  - (b) the following actions connected with the preparation of a strategic development plan, or revision of a plan, under regulation 13—
    - (i) adopting a delivery agreement, or a revision of such an agreement (see regulation 11(2) and (8) of the Town and Country Planning (Strategic Development Plan) (Wales) Regulations 2021 (“the SDP Regulations”));
    - (ii) approving pre-deposit proposals documents and a statement of pre-deposit matters (see regulations 17 and 18 of the SDP Regulations);
    - (iii) approving an initial consultation report, SDP proposals document and a statement of deposit matters (see regulation 20 of the SDP Regulations);
    - (iv) approving documents to be sent to the Welsh Ministers under section 64(3) of the Planning and Compulsory Purchase Act 2004;
    - (v) withdrawing a strategic development plan under section 66A(2) of that Act;
    - (vi) adopting a strategic development plan under section 60M(9)(a) of that Act;
    - (vii) approving an annual monitoring report to be made under section 76(1) of that Act;
    - (viii) approving a report of a review of a strategic development plan to be made under section 69(2) of that Act;
  - (c) agreeing calculations of budget requirements or revised calculations under regulation 16(6)(b) and (9).”
- (8) In regulation 17 (funding of budget requirement), in paragraph (2), for “the members” substitute “the council members and the Snowdonia member”.
- (9) In paragraph 2 of the Schedule (appointment of chairperson and vice-chairperson), in sub-paragraph (4)(b), for “co-opted participants” substitute “other members”.
- (10) In paragraph 6 of the Schedule (voting procedure), for sub-paragraph (1)(a) substitute—  
“(a) the number of co-opted members entitled to vote may not exceed the number of other members entitled to vote.”
- (11) In paragraph 7 of the Schedule (adoption of alternative voting procedure), for sub-paragraph (4) substitute—  
“(4) A procedure adopted under this paragraph must be adopted by the unanimous agreement of the members who are entitled to vote on adopting the procedure.”
- (12) In paragraph 9 of the Schedule (general provision as to staffing)—
  - (a) the existing text becomes sub-paragraph (1);
  - (b) after that sub-paragraph insert—  
“(2) The North Wales CJC must ensure that arrangements made under sub-paragraph (1) are such as are necessary for the proper discharge by the North Wales CJC of its functions.”
- (13) In paragraph 10 of the Schedule (terms and conditions), for sub-paragraph (2) substitute—  
“(2) But sub-paragraph (1)—
  - (a) is subject to section 41 of the Localism Act 2011, and
  - (b) does not prevent the North Wales CJC from modifying the terms and conditions of staff it appoints if required by virtue of any other enactment or rule of law.”

- (14) In paragraph 11 of the Schedule (staff from other authorities) after sub-paragraph (2) insert—
- “(3) But, subject to any contrary provision in any other enactment, for superannuation purposes service rendered by a member of staff of a devolved Welsh authority placed at the disposal of the North Wales CJC by virtue of such an agreement is service rendered to the authority.”
- (15) Omit paragraph 15 of the Schedule (sub-committees).
- (16) In paragraph 16 of the Schedule (governance and audit sub-committee)—
- (a) in sub-paragraph (2)(b) for “by” substitute “of”;
- (b) for sub-paragraph 2(c) substitute —
- “(c) none of the members of the sub-committee are—
- (i) council members,
- (ii) co-opted members,
- (iii) members of another sub-committee of the North Wales CJC, or
- (iv) members of the constituent councils’ executives.”;
- (c) omit sub-paragraph (3).

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**Commencement Information**

**I5** Reg. 35 in force at 3.12.2021, see [reg. 1\(2\)](#)

**The South East Wales Corporate Joint Committee Regulations 2021** E+W

**36.**—(1) The South East Wales Corporate Joint Committee Regulations 2021(3) are amended as follows.

- (2) In regulation 2 (interpretation), for the definition of “co-opted participant” substitute—
- ““co-opted member” (“*aelod cyfetholedig*”) has the meaning given by regulation 9(1);”
- (3) In regulation 6 (membership)—
- (a) in paragraph (1)—
- (i) at the end of sub-paragraph (a) omit “and”;
- (ii) at the end of sub-paragraph (b) insert “, and”;
- (iii) after sub-paragraph (b) insert—
- “(c) any co-opted member.”;
- (b) in paragraph (2) after “CJC” insert “, subject to regulations 8(2A) and 9(2)”;
- (c) omit paragraph (3);
- (d) in paragraph (4) for “to the extent described in paragraph (3),” substitute “and any co-opted member”.
- (4) In regulation 7 (council members), in paragraph (2)—
- (a) for “discharge their functions” substitute “act as council member”;
- (b) for “discharge those functions” substitute “act”.
- (5) In regulation 8 (Brecon Beacons member)—
- (a) after paragraph (2) insert—



- “(2A) The Brecon Beacons member may act as a member only in relation to—
- (a) the functions conferred on the South East Wales CJC under regulation 13;
  - (b) any function of the South East Wales CJC that is ancillary or incidental to those functions.
- (2B) But the Brecon Beacons member may also act as a member in relation to any other function of the South East Wales CJC if—
- (a) the council members and the Brecon Beacons member agree, or
  - (b) the Brecon Beacons member is permitted, or required, to act in relation to that function by virtue of express provision in these Regulations or any other enactment.
- (2C) An agreement under paragraph (2B)(a) must specify the terms on which the Brecon Beacons member may act in relation to the function concerned, including specifying the period for which the Brecon Beacons member is to act.”;
- (b) in paragraph (3)—
- (i) for “discharge their functions” substitute “act as a member”;
  - (ii) for “discharge those functions” substitute “act”.
- (6) For regulation 9 (co-opted participants) substitute—

**“Co-opted members**

**9.—**(1) The South East Wales CJC may co-opt one or more individuals as members of the South East Wales CJC (a “co-opted member”) on such terms as it determines.

- (2) Those terms must—
- (a) specify—
    - (i) the functions of the South East Wales CJC in relation to which the co-opted member may act as a member of the CJC, and
    - (ii) any function of the South East Wales CJC that is ancillary or incidental to those functions,
  - (b) be agreed by the co-opted member and the other members, and
  - (c) be set out in a co-option agreement.
- (3) Where, under paragraph (1), a co-opted member is entitled to act in relation to—
- (a) the functions conferred on the South East Wales CJC under regulation 13, and
  - (b) any function of the South East Wales CJC that is ancillary or incidental to those functions,

the Brecon Beacons member may act as a member for the purposes of that paragraph.

- (4) A co-opted member is co-opted—
- (a) for a period specified in the co-option agreement, or
  - (b) until—
    - (i) the co-opted member resigns from the South East Wales CJC, or
    - (ii) the South East Wales CJC terminates the co-option.
- (5) A co-option agreement—
- (a) may be varied at any time;
  - (b) must be published electronically by the South East Wales CJC.”

(7) For regulation 15 (delegation of functions) substitute—

**“Limitation on discharge of functions by other persons**

**15.** Regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (arrangements for discharge of functions) does not apply to—

- (a) approving a transport policy, or revision of such a policy developed by virtue of regulation 12(1) under section 108(1)(a) and (2A)(a) of Part 2 of the Transport Act 2000;
- (b) the following actions connected with the preparation of a strategic development plan, or revision of a plan, under regulation 13—
  - (i) adopting a delivery agreement, or a revision of such an agreement (see regulation 11(2) and (8) of the Town and Country Planning (Strategic Development Plan) (Wales) Regulations 2021 (“the SDP Regulations”));
  - (ii) approving pre-deposit proposals documents and a statement of pre-deposit matters (see regulations 17 and 18 of the SDP Regulations);
  - (iii) approving an initial consultation report, SDP proposals document and a statement of deposit matters (see regulation 20 of the SDP Regulations);
  - (iv) approving documents to be sent to the Welsh Ministers under section 64(3) of the Planning and Compulsory Purchase Act 2004;
  - (v) withdrawing a strategic development plan under section 66A(2) of that Act;
  - (vi) adopting a strategic development plan under section 60M(9)(a) of that Act;
  - (vii) approving an annual monitoring report to be made under section 76(1) of that Act;
  - (viii) approving a report of a review of a strategic development plan to be made under section 69(2) of that Act;
- (c) agreeing calculations of budget requirements or revised calculations under regulation 16(6)(b) and (9).”

(8) In regulation 17 (funding of budget requirement), in paragraph (2), for “the members” substitute “the council members and the Brecon Beacons member”.

(9) In paragraph 2 of the Schedule (appointment of chairperson and vice-chairperson), in sub-paragraph (4)(b), for “co-opted participants” substitute “other members”.

(10) In paragraph 6 of the Schedule (voting procedure), for sub-paragraph (1)(a) substitute—

- “(a) the number of co-opted members entitled to vote may not exceed the number of other members entitled to vote.”

(11) In paragraph 7 of the Schedule (adoption of alternative voting procedure), for sub-paragraph (4) substitute—

- “(4) A procedure adopted under this paragraph must be adopted by the unanimous agreement of the members who are entitled to vote on adopting the procedure.”

(12) In paragraph 9 of the Schedule (general provision as to staffing)—

- (a) the existing text becomes sub-paragraph (1);
- (b) after that sub-paragraph insert—

- “(2) The South East Wales CJC must ensure that arrangements made under sub-paragraph (1) are such as are necessary for the proper discharge by the South East Wales CJC of its functions.”

(13) In paragraph 10 of the Schedule (terms and conditions), for sub-paragraph (2) substitute—

- “(2) But sub-paragraph (1)—
- (a) is subject to section 41 of the Localism Act 2011, and
  - (b) does not prevent the South East Wales CJC from modifying the terms and conditions of staff it appoints if required by virtue of any other enactment or rule of law.”
- (14) In paragraph 11 of the Schedule (staff from other authorities) after sub-paragraph (2) insert—
- “(3) But, subject to any contrary provision in any other enactment, for superannuation purposes service rendered by a member of staff of a devolved Welsh authority placed at the disposal of the South East Wales CJC by virtue of such an agreement is service rendered to the authority.”
- (15) Omit paragraph 15 of the Schedule (sub-committees).
- (16) In paragraph 16 of the Schedule (governance and audit sub-committee)—
- (a) in sub-paragraph (2)(b) for “by” substitute “of”;
  - (b) for sub-paragraph 2(c) substitute —
    - “(c) none of the members of the sub-committee are—
      - (i) council members,
      - (ii) co-opted members,
      - (iii) members of another sub-committee of the South East Wales CJC, or
      - (iv) members of the constituent councils’ executives.”;
  - (c) omit sub-paragraph (3).

#### Commencement Information

**I6** Reg. 36 in force at 3.12.2021, see [reg. 1\(2\)](#)

### The South West Wales Corporate Joint Committee Regulations 2021 **E+W**

**37.**—(1) The South West Wales Corporate Joint Committee Regulations 2021(4) are amended as follows.

- (2) In regulation 2 (interpretation), for the definition of “co-opted participant” substitute—
- ““co-opted member” (“*aelod cyfetholedig*”) has the meaning given by regulation 9(1);”
- (3) In regulation 6 (membership)—
- (a) in paragraph (1)—
    - (i) at the end of sub-paragraph (b) omit “and”;
    - (ii) at the end of sub-paragraph (c) insert “, and”;
    - (iii) after sub-paragraph (c) insert—
      - “(d) any co-opted member.”;
  - (b) in paragraph (2) after “CJC” insert “, subject to regulations 8(3A) and 9(2)”;
  - (c) omit paragraph (3);
  - (d) in paragraph (4)—
    - (i) for “and” where it appears in the second instance substitute “, ”;

- (ii) for “to the extent described in paragraph (3),” substitute “and any co-opted member”.
- (4) In regulation 7 (council members), in paragraph (2)—
  - (a) for “discharge their functions” substitute “act as council member”;
  - (b) for “discharge those functions” substitute “act”.
- (5) In regulation 8 (Brecon Beacons and Pembrokeshire Coast member)—
  - (a) after paragraph (3) insert—
    - “(3A) The Brecon Beacons member or the Pembrokeshire Coast member, as the case may be, may act as a member only in relation to—
      - (a) the functions conferred on the South West Wales CJC under regulation 13;
      - (b) any function of the South West Wales CJC that is ancillary or incidental to those functions.
    - (3B) But the Brecon Beacons member or the Pembrokeshire Coast member, as the case may be, may also act as a member in relation to any other function of the South West Wales CJC if—
      - (a) the council members and the Brecon Beacons member or the Pembrokeshire Coast member (as the case may be) agree, or
      - (b) the Brecon Beacons member or the Pembrokeshire Coast member (as the case may be) is permitted, or required, to act in relation to that function by virtue of express provision in these Regulations or any other enactment.
    - (3C) An agreement under paragraph (3B)(a) must specify the terms on which the Brecon Beacons member or the Pembrokeshire Coast member (as the case may be) may act in relation to the function concerned, including specifying the period for which the Brecon Beacons member or the Pembrokeshire Coast member are to act.”;
  - (b) in paragraph (4)—
    - (i) for “discharge their functions” substitute “act as a member”;
    - (ii) for “discharge those functions” substitute “act”;
    - (iii) after Pembrokeshire Coast member where it appears in the second instance insert “(as the case may be)”.
- (6) For regulation 9 (co-opted participants) substitute—

**“Co-opted members**

- 9.—**(1) The South West Wales CJC may co-opt one or more individuals as members of the South West Wales CJC (a “co-opted member”) on such terms as it determines
- (2) Those terms must—
    - (a) specify—
      - (i) the functions of the South West Wales CJC in relation to which the co-opted member may act as a member of the CJC, and
      - (ii) any function of the South West Wales CJC that is ancillary or incidental to those functions;
    - (b) be agreed by the co-opted member and the other members, and
    - (c) be set out in a co-option agreement.
  - (3) Where, under paragraph (1), a co-opted member is entitled to act in relation to—
    - (a) the functions conferred on the South West Wales CJC under regulation 13, and

- (b) any function of the South West Wales CJC that is ancillary or incidental to those functions,
- the Brecon Beacons member and the Pembrokeshire Coast member may each act as a member for the purposes of that paragraph.
- (4) A co-opted member is co-opted—
    - (a) for a period specified in the co-option agreement, or
    - (b) until—
      - (i) the co-opted member resigns from the South West Wales CJC, or
      - (ii) the South West Wales CJC terminates the co-option.
  - (5) A co-option agreement—
    - (a) may be varied at any time;
    - (b) must be published electronically by the South West Wales CJC.”
  - (7) For regulation 15 (delegation of functions) substitute—

**“Limitation on discharge of functions by other persons**

- 15.** Regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (arrangements for discharge of functions) does not apply to—
- (a) approving a transport policy, or revision of such a policy developed by virtue of regulation 12(1) under section 108(1)(a) and (2A)(a) of Part 2 of the Transport Act 2000;
  - (b) the following actions connected with the preparation of a strategic development plan, or revision of a plan, under regulation 13—
    - (i) adopting a delivery agreement, or a revision of such an agreement (see regulation 11(2) and (8) of the Town and Country Planning (Strategic Development Plan) (Wales) Regulations 2021 (“the SDP Regulations”));
    - (ii) approving pre-deposit proposals documents and a statement of pre-deposit matters (see regulations 17 and 18 of the SDP Regulations);
    - (iii) approving an initial consultation report, SDP proposals document and a statement of deposit matters (see regulation 20 of the SDP Regulations);
    - (iv) approving documents to be sent to the Welsh Ministers under section 64(3) of the Planning and Compulsory Purchase Act 2004;
    - (v) withdrawing a strategic development plan under section 66A(2) of that Act;
    - (vi) adopting a strategic development plan under section 60M(9)(a) of that Act;
    - (vii) approving an annual monitoring report to be made under section 76(1) of that Act;
    - (viii) approving a report of a review of a strategic development plan to be made under section 69(2) of that Act;
  - (c) agreeing calculations of budget requirements or revised calculations under regulation 16(6)(b) and (9).”
- (8) In regulation 17 (funding of budget requirement), in paragraph (2)—
- (a) for “by the Authority” substitute “by each Authority”;
  - (b) for “the members” substitute “the council members, the Brecon Beacons member and the Pembrokeshire Coast member”.

- (9) In paragraph 2 of the Schedule (appointment of chairperson and vice-chairperson), in sub-paragraph (4)(b), for “co-opted participants” substitute “other members”.
- (10) In paragraph 6 of the Schedule (voting procedure), for sub-paragraph (1)(a) substitute—
- “(a) the number of co-opted members entitled to vote may not exceed the number of other members entitled to vote.”
- (11) In paragraph 7 of the Schedule (adoption of alternative voting procedure), for sub-paragraph (4) substitute—
- “(4) A procedure adopted under this paragraph must be adopted by the unanimous agreement of the members who are entitled to vote on adopting the procedure.”
- (12) In paragraph 9 of the Schedule (general provision as to staffing)—
- (a) the existing text becomes sub-paragraph (1);
- (b) after that sub-paragraph insert—
- “(2) The South West Wales CJC must ensure that arrangements made under sub-paragraph (1) are such as are necessary for the proper discharge by the South West Wales CJC of its functions.”
- (13) In paragraph 10 of the Schedule (terms and conditions), for sub-paragraph (2) substitute—
- “(2) But sub-paragraph (1)—
- (a) is subject to section 41 of the Localism Act 2011, and
- (b) does not prevent the South West Wales CJC from modifying the terms and conditions of staff it appoints if required by virtue of any other enactment or rule of law.”
- (14) In paragraph 11 of the Schedule (staff from other authorities) after sub-paragraph (2) insert—
- “(3) But, subject to any contrary provision in any other enactment, for superannuation purposes service rendered by a member of staff of a devolved Welsh authority placed at the disposal of the South West Wales CJC by virtue of such an agreement is service rendered to the authority.”
- (15) Omit paragraph 15 of the Schedule (sub-committees).
- (16) In paragraph 16 of the Schedule (governance and audit sub-committee)—
- (a) in sub-paragraph (2)(b) for “by” substitute “of”;
- (b) for sub-paragraph 2(c) substitute—
- “(c) none of the members of the sub-committee are—
- (i) council members,
- (ii) co-opted members,
- (iii) members of another sub-committee of the South West Wales CJC, or
- (iv) members of the constituent councils’ executives.”;
- (c) omit sub-paragraph (3).

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**Commencement Information**

**I7** Reg. 37 in force at 3.12.2021, see [reg. 1\(2\)](#)

### Local Government Act 1972 **E+W**

**38.** In section 270 of the 1972 Act, in subsection (1), after the definition of “Common Council” insert—

““corporate joint committee” means a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021;”

#### Commencement Information

**18** Reg. 38 in force at 3.12.2021, see [reg. 1\(2\)](#)

### Local Government Finance Act 1988 **E+W**

**39.** In section 111 of the 1988 Act (interpretation)—

(a) in subsection (2) (relevant authorities), after paragraph (n) insert—

“(o) a corporate joint committee”;

(b) after subsection (3C) insert—

“(3D) In this Part “corporate joint committee” means a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021.”

#### Commencement Information

**19** Reg. 39 in force at 3.12.2021, see [reg. 1\(2\)](#)

### Local Government and Housing Act 1989 **E+W**

**40.** In section 21 of the 1989 Act (interpretation of Part 1), in subsection (3), at the appropriate place, insert—

““corporate joint committee” means a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021;”

#### Commencement Information

**110** Reg. 40 in force at 3.12.2021, see [reg. 1\(2\)](#)

### Local Government (Wales) Measure 2011 **E+W**

**41.** In section 175 of the 2011 Measure (interpretation), before the definition of “enactment” insert—

““corporate joint committee” (“*cyd-bwyllgor corfforedig*”) means a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021;”

#### Commencement Information

**111** Reg. 41 in force at 3.12.2021, see [reg. 1\(2\)](#)

## The Local Government and Elections (Wales) Act 2021 E+W

42.—(1) The 2021 Act is amended as follows.

- (2) In section 171 (interpretation), in subsection (1), after the definition of “2013 Act” insert—  
 ““corporate joint committee” (“*cyd-bwyllgor corfforedig*”) has the same meaning as in section 68 of this Act.”
- (3) In Schedule 5—
- (a) in paragraph 3—
- (i) for sub-paragraph (a) substitute—
- “(a) for paragraph (a) substitute—
- “(a) with—
- (i) in the case of a Welsh county council or county borough council, the person who is for the time being appointed as the authority’s chief executive under section 54 of the Local Government and Elections (Wales) Act 2021;
- (ii) in the case of a corporate joint committee, the person who is for the time being appointed as the authority’s chief executive;
- (iii) in any other case, the person who is for the time being designated as the head of the authority’s paid service under section 4 of the Local Government and Housing Act 1989;”
- (ii) omit sub-paragraph (b);
- (b) in paragraph 9, for sub-paragraph (c) substitute—
- “(c) for subsection (3)(a) substitute—
- “(a) in preparing a report under this section to consult so far as practicable with—
- (i) in the case of a relevant authority which is the council of a county or county borough in Wales, the person who is for the time being the authority’s chief executive and with their chief finance officer;
- (ii) in the case of a relevant authority which is a corporate joint committee, the person who is for the time being appointed as the authority’s chief executive and with their chief finance officer;
- (iii) in the case of any other relevant authority, the person who is for the time being designated as the head of the authority’s paid service under section 4 above and with their chief finance officer;”
- (c) in paragraph 17 (amendments to section 43 of the 2011 Act), in sub-paragraph (a), for the inserted text substitute—
- “(aa) its chief executive appointed under—
- (i) section 54 of the Local Government and Elections (Wales) Act 2021 (chief executive of council in Wales), or
- (ii) regulations made under Part 5 of that Act (chief executive of a corporate joint committee).”



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**Commencement Information**

**I12** Reg. 42 in force at 3.12.2021, see [reg. 1\(2\)](#)

**The Corporate Joint Committees (General) (Wales) Regulations 2021** **E+W**

**43.**—(1) The Corporate Joint Committees (General) (Wales) Regulations 2021 (5) are amended as follows.

(2) In regulation 2 the definitions of “co-opted participant” and “member” are omitted.

(3) In regulation 3, both where it appears in the heading and in the body of the regulation, for “co-opted participants” substitute “sub-committee members”.

(4) In Schedule 1, in paragraph 1—

(a) in the heading, for “co-opted participants” substitute “sub-committee members”;

(b) in sub-paragraph (1)(a)(ii), for “co-opted participant” substitute “a member of a sub-committee”.

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**Commencement Information**

**I13** Reg. 43 in force at 3.12.2021, see [reg. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021, PART 6.