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WELSH STATUTORY INSTRUMENTS

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**2021 No. 1349**

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

**PART 6**

Miscellaneous and consequential amendments

*Miscellaneous amendments to the establishment Regulations*

**The South West Wales Corporate Joint Committee Regulations 2021**

**37.**—(1) The South West 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 (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**

**II** Reg. 37 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, Section 37.