



## **CABINET REPORT**

Date Written	11 <sup>th</sup> December 2020
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Service Area	Corporate
Committee Division	Strategic
Exempt/Non Exempt	Non Exempt
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*To: Chair, Ladies and Gentlemen*

## **CORPORATE JOINT COMMITTEE CONSULTATION**

### **1.0 SUMMARY OF THE REPORT**

- 1.1 The establishment of Corporate Joint Committees (CJCs) is an integral feature of the Local Government and Elections (Wales) Bill, currently going through the Senedd Committee process. There are proposed to be four regional CJCs across Wales with the ten Local Authorities in South East Wales constituting one of these. The other CJCs cover South West Wales, Mid Wales, and North Wales.
- 1.2 The four CJCs will be established to exercise three related functions that are:
- Strategic Development Planning;
  - Regional Transport Planning;
  - Promotion and improvement of Economic Development and Well being.
- 1.3 Welsh Government consider that these are areas where there is consensus that working at this scale makes sense – aligning economic development, transport and land use planning approaches to develop successful regional economies and encourage local growth.

### **2.0 RECOMMENDATIONS that**

- 2.1 The inclusion of Councillor views in the draft response to the consultation on Corporate Joint Committees (appendix 1) and submission on behalf of Council be approved.

## 3.0 INTRODUCTION AND BACKGROUND

- 3.1 The concept of Corporate Joint Committees was introduced within the Local Government and Elections (Wales) Bill. These will be new corporate bodies, which will be a vehicle for regional collaboration and which can employ staff, hold assets and budgets and undertake functions. Discussions on the concept began in 2019, however there has been only limited engagement on the matter throughout 2020 as local government has been occupied with the response to the Coronavirus pandemic.
- 3.2 The specific functions of a CJC and how it will be governed are set out in Corporate Joint Committee Regulations which are currently being consulted on by Welsh Government with a closing date of 4<sup>th</sup> January 2021. The full consultation document can be found via a link in the background papers section of this report.
- 3.3 The Minister intends to bring forward the final regulations by April 2021. This includes draft regulations for each of four proposed CJCs: North Wales; Mid Wales; South East Wales and South West Wales. The South East Wales Committee covers the same footprint as the Cardiff Capital Region. It is expected that the Cardiff Capital Region Cabinet and staffing structure will transform into the South East Wales CJC.
- 3.4 The regulations propose that the new CJC will exercise the following functions:
- Preparing, monitoring, reviewing and revising of a Strategic Development Plan;
  - Developing a Regional Transport Plan;
  - The economic well-being function encompassing the current regional approaches to the City and Growth deals into the CJC structures.

Education was initially considered as a function for inclusion within this CJC but is not within the regulations establishing the committees. Authorities may choose to use Corporate Joint Committees as a vehicle for future collaborations, these would not need to be on the same footprint as the South East Wales CJC.

- 3.5 Two key principles underpin the development of the Regulations:
- CJCs should be treated as a member of the local government family and subject to the same powers and duties as principal councils.
  - How they operate in practice should be left to the members of the CJC itself to determine, which should enable the CJCs to differ between geographical areas to meet the needs and ambitions of region.
- 3.6 The draft regulations provide that CJCs:
- will be made up of leaders, though they could co-opt other members;
  - will be established on a 'one member one vote' basis, however, once established, a CJC could adopt alternative voting procedures;
  - will have powers delegated to it and will make timely decisions without the need for ratification by its constituent principal councils;
  - will be accountable to its constituent principal councils and members will report back to those principal councils and must respond to questions and scrutiny;

- can set-up sub-committees to lead on specific functions and can agree other members such as cabinet members or co-optees;
- must 'appoint' a Chief Executive, Chief Finance Officer, Monitoring Officer and Chief Governance Officer. However, these could be provided by a constituent authority, or via secondment;
- must set up an overview and scrutiny committee;
- are likely to be bound by legislation such as the Equality Act, Welsh Language and Well-being of Future Generations Act.

3.7 It will be for each CJC to decide if it wishes to have sub-committees, and who sits on them. A CJC could choose to have sub-committees for each of its main functions and that these subcommittees might engage broadly and involve a range of relevant stakeholders. For example, sub-committees could be introduced for planning and regional transport. It will be possible for CJC's sub-committees to consist of members of the constituent local authorities other than those members on the CJC itself – e.g. a relevant member or portfolio holder.

3.8 The CJC is expected to play a major role in ensuring the region can access and make effective use of successor EU funds, known as the Shared Prosperity Fund. It will do this within the context of the Regional Investment Wales Framework created by Welsh Government to invest replacement funding from the UK Government.

3.9 There are concerns about the proposals. These include:

- The imposition of CJC's by Welsh Ministers rather than these being a vehicle for councils to deploy where locally elected councillors assess they will add the greatest value;
- Concerns about scrutiny and accountability, with the CJC able to establish its own arrangements and the concentration of power in a single individual from each organisation;
- The cost of the CJC, with these bodies being able to set their own budgets which then must be met by local authorities.

3.10 There have been some concerns within the local government family that opportunities to engage with and shape these proposals have been overshadowed by the Coronavirus pandemic. In some areas the concept of CJC's would be welcomed as an additional and optional collaborative model for authorities to choose where they themselves deem them appropriate. However, the WLGA Council has expressed concern over the principle of mandating the committees which it has argued, undermines local democracy. The WLGA has nonetheless signalled a commitment to continue to engage in shaping the proposals.

## **4.0 FINANCIAL IMPLICATION(S)**

4.1 Further work will be required to fully understand the resourcing of Corporate Joint Committees. This will include the production of a regulatory impact assessment by Welsh Government. Since the South East Wales CJC will occupy the City Region footprint many of the structures are already in place. If implemented effectively CJC's should be able to pull capacity from within Welsh Government rather than absorbing capacity from local government. There are no financial implications at this time.

## 5.0 INTEGRATED IMPACT ASSESSMENT

A full evaluation has not been carried out at this stage. The committee's attention is drawn to the integrated impact assessment produced by Welsh Government which is available at

<https://gov.wales/sites/default/files/consultations/2020-10/integrated-impactassessment.pdf>

### APPENDIX 1 – MTCBC - Consultation on Corporate Joint Committees

**ELLIS COOPER**  
**CHIEF EXECUTIVE**

**COUNCILLOR KEVIN O'NEILL**  
**COUNCIL LEADER**

<b>BACKGROUND PAPERS</b>		
<b>Title of Document(s)</b>	<b>Document(s) Date</b>	<b>Document Location</b>
Welsh Government Consultation Document: Consultation on Regulations to Establish CJs	12/10/2020	<a href="https://gov.wales/sites/default/files/consultations/2020-10/consultation.pdf">https://gov.wales/sites/default/files/consultations/2020-10/consultation.pdf</a>
<b>Does the report contain any issue that may impact the Council's Constitution?</b>		<b>No</b>

***Consultation has been undertaken with the Corporate Management Team in respect of each proposal(s) and recommendation(s) set out in this report.***