

SOUTH WEST WALES CORPORATE JOINT COMMITTEE

2.00 pm TUESDAY, 25 JANUARY 2022

VIA MICROSOFT TEAMS

1. Welcome and Roll Call
2. Declarations of Interest
3. Minutes of Previous Meeting held on January 13th 2022 (*Pages 3 - 8*)
4. Budget for Financial year 2022/23 (*Pages 9 - 18*)
5. Urgent Items

K.Jones
Chief Executive

Civic Centre
Port Talbot

19th January 2022

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South West Wales Corporate Joint Committee

13th January 2022

(Via Microsoft Teams)

Members Present:

Carmarthenshire: Cllr E Dole

Swansea: Cllr R Stewart

Neath Port Talbot: Cllr EV Latham

Pembrokeshire: Cllr D Simpson

Brecon Beacons National Park: Cllr A Evans

Pembrokeshire National Park: Cllr T Jones

Officers: W Walters, P Roberts, K Jones, W Bramble, C Mealing Jones, P Harries, S.Curran, C.Griffiths, G. Jones, C.Moore, R.Arnold and M.Ronan.

1. **Declarations of Interest**

The following declaration of interest was made:

Aled Edwards: as he has a Personal Interest in relation to his role with South Wales Consortium on Regional Governance held by Rhondda Cynon Taff Council.

2. **Appointment of Chair and Vice Chair for South West Wales Corporate Joint Committee**

RESOLVED:

That Cllr Rob Stewart (Swansea Council) be appointed Chair and that Cllr Emlyn Dole (Carmarthenshire Council) be appointed Vice Chair of the South West Wales Corporate Joint Committee.

3. **Adoption of Constitution and Procedural Rules for the South West Wales Corporate Joint Committee**

Mr Craig Griffiths (Head of Legal and Democratic Services for Neath Port Talbot County Borough Council) introduced the report and explained that legislation has been created relating to how the South West Wales Corporate Joint Committee must operate; setting out roles and responsibilities and prescribing the manner in which the Corporate Joint Committee must discharge its functions.

It was explained that at this first meeting, the Committee is required to adopt a set of standing orders by which the Corporate Joint Committee will be governed. This includes the appointment of several statutory roles, namely that:

- The Chief Executive role will be rotated annually between constituent Councils and will commence with Mrs Karen Jones from Neath Port Talbot Council
- The s151 and Chief Finance Officer will be Chris Moore from Carmarthenshire Council
- The Monitoring Officer will be Craig Griffiths from Neath Port Talbot Council

Mr Griffiths explained that the constitution also details the proposed governance regime of the Corporate Joint Committee with details on how decisions will be taken including the creation of Scrutiny, Governance and Audit and Sub Committees.

Members' attention was drawn to the appendices of the report, which include the proposed constitution, rules of procedure, access to information procedure rule and a code of conduct for members.

It was stated that colleagues from the Brecon Beacons National Park had made some minor observations to officers on the content of the constitution documentation. Mr Griffiths committed to discussing the detail of this with the Brecon Beacons National Park Monitoring Officer and stated he intends on bringing a revised and final version of the constitution documents to a future meeting of the Corporate Joint Committee.

It was clarified that the National Park Authorities are not able to vote on the adoption of the constitution due to the guidance on voting rights set out in the legislation and that National Park Authorities have voting rights on Strategic Planning matters and associated issues only.

RESOLVED:

- Members approved the allocation of operational responsibilities of the South West Wales Corporate Joint Committee as set out in paragraph 7 and authorised the entering into of agreements between the South West Wales Corporate Joint Committee and the Constituent Councils identified to provide these services
- Members approved the creation of the sub-committees identified at paragraph 14 of the report and the proposed representatives appointed to the sub-committee set out at paragraph 15
- Members approved the establishment of Governance and Audit Sub-Committee Committee for the South West Wales Corporate Joint Committee as set out in paragraphs 18-22 of this report;
- Members approved the designation of the Neath Port Talbot County Borough Council Standards Committee as the Standards Committee of the South West Wales Corporate Joint Committee;
- Members approved the establishment of an Overview and Scrutiny Sub-Committee Committee for the South West Wales Corporate Joint Committee as set out in paragraphs 27-31 of this report;
- Members approved the Constitution of the South West Wales Corporate Joint Committee set out in Appendix 1;
- Members approved the Rules of Procedure for South West Wales Corporate Joint Committee meetings set out at Appendix 2;
- Members approved the Access to Information Procedure Rules for South West Wales Corporate Joint Committee meetings set out at Appendix 3;
- Members approved the Members Code of Conduct for South West Wales Corporate Joint Committee meetings set out at Appendix 4;
- Delegated authority granted to the Chief Executive, in consultation with the Chair of the South West Wales Corporate Joint Committee to agree any documents necessary to

implement the requirements of this report and the recommendations set out above.

4. **South West Wales Corporate Joint Committee - Forward Work Programme of the Chief Executive**

Mrs Karen Jones (Lead Chief Executive of the Corporate Joint Committee) introduced the report and presented the Forward Work Programme of the Chief Executive as contained within the circulated report. She stated that she looked forward to working in the continued spirit of partnership.

Members noted the duties of the Chief Executive as well as the work requirements of the Corporate Joint Committee as set out in the legislation namely:

Strategic Land Use Planning
Economic Wellbeing
Transport

It was also explained that as the Corporate Joint Committee is to be treated as part of the Local Government family, there are other associated governance matters that will need to be considered in due course such as Welsh Language standards.

It was noted that a detailed Forward Work Programme will be created and documented at future meetings of the Committee.

Mrs Jones explained that she was seeking delegated authority to enter into Service Level Agreements (SLA's) with Local Authorities to buy back services from constituent Councils for the operation of Corporate Joint Committee functions in line with the agreed constitution. It was clarified that it is not the intention at this time to directly employ anyone in relation to carrying out duties associated with the Corporate Joint Committee.

It was noted that Local Government Elections will take place in May 2022, which has the possibility of impeding meetings taking place particularly in relation to the pre-election period.

RESOLVED:

- That Members note the current work programmes of the South West Wales Corporate Joint Committee to implement the requirements of the Local Government and Elections (Wales) Act 2021
- That Members note the statutory responsibility of the Chief Executive of the South West Wales Corporate Joint Committee
- That Members grant delegated authority to the Chief Executive to negotiate and enter into Service Level Agreements with the local authorities mentioned in paragraph 33 of this report for the services necessary for the Corporate Joint Committee to execute its statutory functions.

5. Draft Annual Budgets for Financial Years 2021/22 and 2022/23

Mr Chris Moore (Chief Finance and s151 Officer for the Corporate Joint Committee) presented the committee with the draft annual budgets for the financial years 2021/22 and 2022/23 as contained within the circulated report.

The report states that Carmarthenshire Council will be designated the accountable body to discharge the financial obligations of the Corporate Joint Committee as well as the legal requirements of setting the budget.

It was discussed that the proposal included in the report is for a zero levy for this year, as costs have been absorbed by constituent authorities and that a £250,000 grant for certain items from Welsh Government towards the set-up costs of the Corporate Joint Committee had been received.

There will be a duty to set a budget for future years to ensure provision of adequate resources to allow the Corporate Joint Committee to undertake its role and function appropriately and there is an obligation to recover costs of operating by a levy based on constituent authorities and if appropriate, National Park Authorities (although there is ongoing debate on this.)

Members noted that there is a proposal to create the role of 'Business Manager' to coordinate the Corporate Joint Committee and its overall operation within the draft budget.

The various approaches to how the levies to constituent authorities are calculated and applied were discussed. After consultation with

other s.151 officers, it was noted that 'by population' was agreed to be the fairest way.

RESOLVED:

- That Carmarthenshire County Council shall act as the Accountable Body for discharging the financial obligations in respect of the SWWCJC
- That the SWWCJC shall set a zero budget for the financial year 2021/2022, concluding in no Levy being raised against constituent authorities participating in the SWWCJC in respect to this year;
- To ensure fairness and equity across the region the Regional funding of the SWWCJC will be set through a levy apportionment by population size;
- That the budget set out in appendix A is noted as the Draft Budget which will be finalised and presented to the SWWCJC on the 25th January 2022; and
- That currently no firm conclusion has been presented in respect of the National Park Authorities financial contributions and that the position of the National Park Authorities is informed further at the SWWCJC meeting on the 25th January 2022.

CHAIRPERSON

SOUTH WEST WALES CORPORATE JOINT COMMITTEE

Report of the Chief Finance Officer (Section 151 Officer)

Report Title: Budget for financial year 2022/23

Purpose of Report	To agree and set the South West Wales Corporate Joint Committee budget for financial year 2022/23, including agreeing the levy charge to constituent authorities.														
Recommendation	<p>That the South West Wales Corporate Joint Committee:</p> <p style="margin-left: 40px;">(a) Consider and approve the budget as set out in Appendix A.</p> <p style="margin-left: 40px;">(b) Agree and approve the budget requirement for the Joint Committee as £575,411.</p> <p style="margin-left: 40px;">(c) Approve the Levy Charge based on population to the constituent authorities as follows:</p> <table border="1" style="margin-left: 40px; width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #2c4e64; color: white;"> <th colspan="2" style="text-align: left; padding: 2px;">Levi Apportionment (by 2020 mid-year population size)</th> </tr> <tr style="background-color: #e6e6e6;"> <th style="text-align: left; padding: 2px;">Local Authority</th> <th style="text-align: right; padding: 2px;">Levi (£)</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">City and County of Swansea</td> <td style="text-align: right; padding: 2px;">200,453</td> </tr> <tr> <td style="padding: 2px;">Carmarthenshire County Council</td> <td style="text-align: right; padding: 2px;">154,527</td> </tr> <tr> <td style="padding: 2px;">Neath Port Talbot CBC</td> <td style="text-align: right; padding: 2px;">117,384</td> </tr> <tr> <td style="padding: 2px;">Pembrokeshire County Council</td> <td style="text-align: right; padding: 2px;">103,047</td> </tr> <tr style="background-color: #e6e6e6;"> <td style="padding: 2px;">Total</td> <td style="text-align: right; padding: 2px;">575,411</td> </tr> </tbody> </table>	Levi Apportionment (by 2020 mid-year population size)		Local Authority	Levi (£)	City and County of Swansea	200,453	Carmarthenshire County Council	154,527	Neath Port Talbot CBC	117,384	Pembrokeshire County Council	103,047	Total	575,411
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Total	575,411														
Report Author	Chris Moore														
Finance Officer	Chris Moore														
Legal Officer	Craig Williams														

1 Introduction

- 1.1 This report details the South West Wales Corporate Joint Committee (SWWCJC) annual budget for the financial year 2022/23 with funding options.
- 1.2 The SWWCJC operational budgets including the strategic planning functions, must be compiled and agreed by the Joint committee no later than 31st January 2022.

- 1.3 Funding of the budget requirement including the proportions contributed by local authorities is reserved to that of the Joint Committee members. Funding apportionment options are included within this report for consideration and agreement by the Joint Committee.

2 Background

- 2.1. The Joint Committee have agreed that Carmarthenshire County Council will act as the Accountable Body responsible for discharging the councils' obligations in relation to the South West Wales Corporate Joint Committee and that the Director of Corporate Services at Carmarthenshire County Council will be the S 151 Officer (Chief Finance Officer) of the SWWCJC.
- 2.2. Carmarthenshire County Council is therefore required to provide an annual costs budget for approval for the financial year 2022/23.
- 2.3. Regulation 16 and 17 of the South West Wales Corporate Joint Committee Regulations 2021 details the process for agreeing and funding costs:-

Calculation of budget requirements

16. (1) For each financial year the South West Wales CJC must calculate the amounts described in paragraph (2) attributable to-

- (a) its strategic planning functions [including an impropriate proportion of administration costs and other overhead], and*
- (b) is other functions.*

(2) The amounts that the CJC must calculate are-

- a) the amount which the CJC estimates it will spend in respect of the financial year in the exercise of its functions [including spending on administration and other overheads];*
- b) the amount which the CJC considers appropriate to raise for contingencies arising in respect of the financial year;*
- c) the amount which the CJC considers appropriate to be held as a reserve to meet expenditure it considers will be incurred in respect of future financial years;*
- d) any amount which the CJC considers is necessary to meet liabilities outstanding in respect of any earlier financial year.*

(3) For each financial year, the South West Wales CJC must also calculate the aggregate of any amount it estimates it will receive from sources other than the constituent councils, the Brecon Beacons National Park Authority and the Pembrokeshire Coast National Park Authority attributable to-

(a) its strategic planning function, and

(b) its other functions

(4) Where the sum of the amounts calculated for a financial year and the paragraph (1)(a) exceeds the amount calculated for that year under paragraph (3)(a), the amount of excess is the South West Wales CJC's strategic planning budget requirement for the financial year.

(5) Where the sum of the amounts calculated for a financial year under paragraph (1)(b) exceeds the amount calculated for that year under paragraph (3)(b), the amount of excess is the South West Wales CJC's general budget requirement for the financial year.

(6) The South West Wales CJC must

(a) carry out the calculations under paragraph (1) and (3), and

(b) agree those calculations at a meeting,

no later than 31 January in each preceding financial year.

(7) In relation to the first financial year, paragraph (6) applies as if, 4 31 January in each preceding financial year they were substituted "31 January 2022".

(8) The South West Wales CJC may revise the calculations carried out under paragraphs (1) and (3) at any time before the end of the financial year to which they relate and the South West Wales CJC's general budget requirement, or strategic planning budget requirement, may consequently be revised.

(9) Any revised calculations must be agreed at a meeting of the South West Wales CJC.

Funding of budget requirement

17. (1) The South West Wales CJC's general budget requirement must be paid to the South West Wales CJC by the constituent

councils, and the proportion of that amount payable by each constituent council is to be determined by the unanimous agreement of the council members.

(2) The South West Wales CJC's strategic planning budget requirement must be paid to the South West Wales CJC by the constituent councils, the Brecon Beacons National Park Authority, and the Pembrokeshire Coast National Park Authority, and the proportion of that amount payable by each constituent council and by the Authority is to be determined by the unanimous agreement of the members.

(3) where agreement cannot be reached as to the proportions payable under paragraph (1) or (2), the Welsh Ministers may by direction specify the proportion payable by each constituent council or each constituent council, the Brecon Beacons National Park Authority and the Pembrokeshire Coast National Park Authority.

(4) This regulation applies to a general budget requirement, or strategic planning budget requirement, revised under paragraph (8) of regulation 16 as it applies to a budget requirement initially determined under that regulation.

3. Annual Costs Budget

3.1 The proposed annual operational budgets and funding options are presented below:

4. Proposed Operational Budget 2021/22

4.1 The SWWCJC on the 13th January agreed that due to the current year budget costs be minimal and some costs being picked up by the implementation grant and some cost being absorbed by the constituent authorities that a zero budget be set and no levy raised.

5. Proposed Operational Budget 2022/23

5.1 A detailed budget for the forthcoming financial year 2022/23 is included within Appendix A. The current proposed budget is estimated at £575k.

5.2 The budget requirement is to be supported by the four constituent authorities on an agreed basis ensuring fairness and equity across the region. It was agreed at the SWWCJC on 13th January that the budget will be funded through a levy apportionment by population size.

5.3 Assumptions used within this budget are detailed below:

Joint Committee

Democratic Services (including Joint Scrutiny Committee) – Provided by NPT.

Legal and Governance – Monitoring Officer recharge provided by NPT.

Accountable Body – Section 151 Officer recharge and estimated Audit Wales costs provided by CCC.

Governance and Audit (including Sub Committee) – internal audit recharge and Governance and Audit Committee support provided by Pembrokeshire.

Support Services - IT and HR services provided by NPT, Financial services provided by CCC.

Sub-Committee

Nominal estimate of potential expenditure for Sub Committees.

Transport sub committee estimate to support ongoing development of RTP, which will be partly funded in financial years 2022/23 and 2023/24.

Central Services

Business Manager £60k – CCC Grade. Details of post and final grade to be agreed at a future meeting.

Oncosts – Initial estimate.

Income

Levy based on population size.

6. Transitional Grant

- 6.1 Members will note a revenue grant has been awarded by Welsh Government and has been receipted by The City and County of Swansea Council to the value of £250k. This grant award is to support the formation and development of the SWWCJC and is administered by City and County of Swansea.

7. Financial contribution in respect of National Park Authorities

- 7.1 Under the current legislation the National Park Authorities are only financially obligated to support the strategic planning aspects of the Corporate Joint Committee.
- 7.2 The strategic Planning sub committee is demonstrating a nominal estimated budget of £20k for the financial year 2022/23 as it establishes and develops its function and work programme under the Corporate Joint Committee.
- 7.3 With minimal costs attributed to the strategic planning function which currently are very much an estimate for the forthcoming financial year, no levy will be applied to

the National Park Authorities, as the apportionment would be seen as de minimis. This is a decision that will only apply to the first year of the SWWCJC 2022/23 and will be reviewed in future years as clarity over the strategic planning costs are established.

8. Financial Impacts

- 8.1 The total operational budget for 2022/23 is £575k. It is recommended to ensure fairness and equality across the region that funding will be provided by local authority contributions through the form of a levy, based on population size.
- 8.2 Surpluses that accrue in any year will be contained and ring-fenced within the SWWCJC reserve account and will be utilised for future expenditure.
- 8.3 The budget will be reviewed later in the financial year and revised as appropriate for the subsequent financial year and future years.

9. Integrated Impact Assessment

- 9.1 The CJC is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
 - Deliver better outcomes for those people who experience socio-economic disadvantage
 - Consider opportunities for people to use the Welsh language
 - Treat the Welsh language no less favourably than English.
 - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 9.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

9.3 There is no requirement for an Integrated Impact Assessment for this report as the setting up of the CJC is underpinned by legislation and this report is to establish financial arrangements in accordance with legislation.

8. Workforce Impacts

8.1 Currently any employment within the SWWCJC will be undertaken by constituent authorities and the financial arrangements relating to such are considered in this report.

9. Legal Impacts

9.1 Part 5 of the Local Government and Elections (Wales) Act 2021 provides for the establishment, through regulations, of CJC's and compliance will be had with this and other legislative obligations in the establishment of CJC's. In particular the South West Wales Corporate Joint Committee Regulations came into force on 1st April 2021 and set out an initial framework for example, that the CJC should be established and the timeframes for the discharging of specific functions. However, a series of further Regulations are being drafted and consulted on by Welsh Government. The Welsh Government has concluded its consultation on the Corporate Joint Committees (General) (No.2) (Wales) Regulations 2021. The Welsh Government is also currently consulting on draft statutory guidance. A third stage of Regulations will put in place further legislation for the operation of the CJC's and its functions, which Welsh Government are currently being consulted on. A fourth stage will put in place any remaining provisions that a CJC might need.

9.2 The key legislative requirements in respect of setting a budget for the SWWCJC are set out in paragraph 2.3 of this report

10. Risk Management Impacts

10.1 Failure to set a balanced budget would render the SWWCJC in breach of its obligations exposing itself to legal challenge. In addition, suitable arrangements must be put in place to ensure that the constituent authorities and national park authorities are able to fulfil their legal obligations in establishing the SWWCJC.

11. Consultation

11.1 There is no requirement for formal consultation however, constituent authorities have been consulted.

12. Reasons for Proposed Decision

12.1 To ensure the financial budget is set for the SWWCJC in line with relevant legislative requirements applicable to CJC's.

13. Implementation of Decision

13.1 This decision is proposed for immediate implementation.


14. Appendices

14.1 Appendix A – Annual Budget for 2022/2023

15. List of Background Papers

15.1 None

Appendix A

 South West Wales Corporate Joint Committee Annual Budget <i>Financial Year 2022/23</i>		
Description	Budget (£)	Notes
Expenditure		
Joint Committee		
Democratic Services		
Democratic, Scrutiny and Legal Support Costs	67,000	Provided by NPT
Democratic Services Total	67,000	
Legal and Governance		
Monitoring Officer and Service Support	17,000	Provided by NPT
Legal and Governance Total	17,000	
Accountable Body		
Wales Audit Office Financial Audit	20,000	Based on audit costs of SBCD (independent audit of financial statements)
Section 151 Officer Recharge	18,812	Provided by CCC
Accountable Body Total	38,812	
Governance & Internal Audit		
Internal Audit	20,000	Provided by Pembs
Sub-Committee Support Costs & Expenses	15,000	Provided by Pembs
Governance & Internal Audit Total	35,000	
Support Services		
ICT & Data Protection Services	20,000	Provided by NPT
Financial Services	54,374	Included a Senior Accountant (CCC Grade J)
Standards Services	-	Included within Democratic Service costs.
HR Services	10,000	Provided by NPT
Support Services Total	84,374	
Joint Committee Total	242,185	
Joint Scrutiny Committee		
Room Hire	-	Included within Democratic Service costs.
Subsistence & Meeting Expenses	-	Included within Democratic Service costs.
Travel	-	Included within Democratic Service costs.
Democratic, Scrutiny and Legal Support Costs	-	Included within Democratic Service costs.
Joint Scrutiny Committee Total	-	
SWWCJC - Sub Committees		
Economic Development SC	20,000	
Planning SC	20,000	
Transport SC	171,000	
Energy SC	20,000	
Governance & Audit SC	-	Included in Governance and Audit
SWWCJC - Sub Committees Total	231,000	
SWWCJC - Regional Management Office		
Salary (Inc. On-costs)	59,915	Business Manager (CCC Grade K)
Training of Staff	1,000	Estimated budget
Public Transport - Staff	250	Estimated budget
Staff Travelling Expenses	810	Estimated budget
Admin, Office & Operational Consumables	1,000	Estimated budget
Consultancy and Specialist Adviser Fees	25,000	Estimated budget
ICTs & Computer Hardware	1,250	Estimated budget
Subsistence & Meetings Expenses	500	Estimated budget
Translation/Interpret Services	10,000	Estimated budget
Printing & Copying	2,500	Estimated budget
Regional Management Office Total	102,225	
Total SWWCJC Expenditure	575,411	
Funding Contributions		
Partner & Other Contribution		
Brecon Beacons NPA	-	
Pembrokeshire Coast NPA	-	
Co-Opt Partners	-	
Welsh Government Revenue Grant	-	
ERF Grant	-	
Local Authority Levi		
City and County of Swansea Council (Levi)	200,453	Based on Population Size
Carmarthenshire County Council (Levi)	154,527	Based on Population Size
Neath Port Talbot CBC (Levi)	117,384	Based on Population Size
Pembrokeshire County Council (Levi)	103,047	Based on Population Size
	575,411	
Total SWWCJC Income	575,411	
Provision of Service - Surplus / (Deficit)	0	

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