



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

STANDARDS COMMITTEE

REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES – MR CRAIG GRIFFITHS

22nd July 2024

Matter for Information

Wards Affected: All Wards

South West Wales Corporate Joint Committee

Purpose of the Report:

1. To update members on the Standards Committee of Neath Port Talbot Council being declared the Standards Committee of the South West Wales Corporate Joint Committee

Background:

2. The Local Government and Elections (Wales) Act 2021 was passed in November 2021 and the aim of Welsh Government was to “provide local government with new ways to support and serve their communities” and to “reinvigorate local democracy in Wales”. The legislation establishes a framework to support and encourage greater collaboration between local authorities. The Welsh Government aims that the framework will enable a

“more coherent, consistent, simplified and democratically controlled mechanism” for regional working. This will be achieved, in the main, by new Corporate Joint Committees.

3. Corporate Joint Committees, or CJC's for short, are regional corporate bodies, with broadly similar powers and duties to local authorities. They'll also have similar governance and administrative structures, but will have a level of discretion on constitutional and operational arrangements.
4. CJC's can employ staff directly, hold assets and manage finances in the same way a local authority would. They're required by law to appoint a Chief Executive, a Finance Officer and a Monitoring Officer.
5. CJC's are made up of the local authorities named in the Regulations that establish them, and membership is made up of the executive leaders of the local authorities within that region (that is the elected council leaders). National park authorities are also included where one sits wholly or partially within a CJC area.
6. In January 2022, the South West Wales Corporate Joint Committee (“SWWCJC”) was formerly constituted and will comprise the leaders of the City and County of Swansea Council, Carmarthenshire County Council, Neath Port Talbot County Borough Council, Pembrokeshire County Council and representatives of Brecon Beacons National Park Authority and Pembrokeshire National Park Authority.
7. The SWWCJC is responsible for strategic development planning, regional transport planning and promoting the economic well-being of their area:
 - (a) Strategic Development Plans - Welsh planning law establishes a framework for local planning authorities to bring forward

- Strategic Development Plans (SDPs). The aim being to deal more effectively with regional cross-boundary issues such as housing and transport, and provide a strategic approach to planning at a greater scale than individual local development plans (LDPs). CJsCs are responsible for preparing the SDPs. Local planning authorities will still prepare LDPs, but these will be more focused in nature.
- (b) Transport functions - CJsCs are also responsible for developing Regional Transport Plans. These plans will replace local transport plans previously prepared by individual authorities.
 - (c) The economic well-being function - CJsCs have the power to promote and improve the economic well-being of their areas. The power may be exercised for the benefit of the whole or part of the CJsCs area, or all or any person resident in the area. It's anticipated that City or Regional Growth Deals will be subsumed by CJsCs, although some aspects of this are still to be ironed out.

Code of Conduct

- 8.** It will be important that members and co-opted members within a CJC are subject to the same standards of conduct as members of constituent councils.
- 9.** The Local Government Act 2000 established an 'ethical framework' for local government in Wales and this same 'ethical framework' will apply to CJsCs.
- 10.** However, it should be noted that ad hoc observers / attendees invited to advise or to present to the CJC will not be subject to the code, but should follow the Nolan principles of public life in the same way as members and co-opted members of the CJC should. It will be for the CJC to ensure that Ad hoc observers are aware of the Nolan principles and are aware of the standards required when invited to advise or present. Ad hoc

observers / attendees should also be required to declare any interests in any CJC meetings they attend.

11. CJC is required to adopt its own code of conduct for members, and its members and co-opted members will be brought under the remit of the Public Services Ombudsman for Wales. At its meeting in January 2022, the SWWCJC adopted the same Members Code of Conduct as that used by Neath Port Talbot Council.
12. On application of the ethical framework the SWWCJC will be required to maintain a register of interests, to be established by the Monitoring Officer, for its members and co-opted members. The SWWCJC will cover a different geographical area to its individual constituent councils and therefore it is considered necessary for a separate relevant register of interests to be maintained to cover the functions and geographic area of the CJC (and in relation to relevant matters outside the areas to which CJsCs may influence and to which members may benefit).

Standards Committee

13. On application of Part 3 of the Local Government Act 2000 the CJC is required to appoint a standards sub-committee. The way in which this requirement is satisfied is for the CJC to determine. There are a number of approaches the CJC could have pursued, these include, utilising an existing standards committee of one of its constituent councils, establishing its own standards sub-committee, which could be populated in line with the principles within the Standards Committee (Wales) Regulations 2001 but by members of the standards committees of the constituent councils, establishing a standards sub-committee in line with the Standards Committee (Wales) Regulations 2001.

14. Accordingly, it was resolved by the CJC in its January 2022 meeting that as the Monitoring Officer for the CJC is the Monitoring Officer of Neath Port Talbot Council that the Neath Port Talbot Standards Committee be designated the Standards Committee of the CJC.
15. What this in essence means for the Standards Committee of Neath Port Talbot, is that it will oversee the standards functions of those members appointed to the CJC. However, the remit shall only apply to those matters which relate to the CJC. Where a matter relates to a members conduct in general and not specifically relating to CJC activities then the Standards Committee of that member's constituent council will have primacy.

Work to Date

16. Since the incorporation of the CJC a number of steps have been taken to promote ethical standards of behaviour
 - (a) A member code of conduct similar to those in place by County Borough Councils has been adopted;
 - (b) Policies in respect of gifts and hospitality, expenses and officer/member protocols have been adopted. These have taken the form of the model adopted by Neath Port Talbot Council;
 - (c) Advisors who have been appointed to sit on an Advisor Group to provide advice to the CJC have been asked to sign an Advisor Agreement which commits advisors to comply with the obligations of the Nolan principles and the same principles we place on elected members in matters such as interests and ethical decision making.
17. A copy of these documents are enclosed at Appendix 1.
18. To date there have been no complaints in respect of the conduct of members of the CJC.

Financial Impacts:

19. No implications.

Integrated Impact Assessment:

20. An Integrated Impact Assessment is not required for this report.

Valleys Communities Impacts:

21. No implications

Workforce Impacts:

22. No implications

Legal Impacts:

23. There are no legal impacts associated with this report.

Consultation:

24. There is no requirement for external consultation on this item

Recommendations:

25. That Members note the delegation of the standards committee function of the South West Wales Corporate Joint Committee to Neath Port Talbot Council Standards Committee and the work programme undertaken to date.

Appendices:

26. Appendix 1 – CJC Documentation in respect of Ethical Standards.

List of Background Papers:

27. None

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