

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

COUNCIL

16th October 2024

REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES COMMITTEE

Matter for Decision

Wards Affected: All

Update to Constitution to reflect joint working arrangements

Purpose of the Report

1. To update the Constitution of Neath Port Talbot County Borough Council (“the Constitution”) in respect of joint working arrangements and to agree and identify the Joint Committees in place by Neath Port Talbot Council following the recent approval of the Celtic Freeport Joint Working Agreement

Background

2. At its meeting of the 29th May 2024, Cabinet approved the Joint Working Agreement in respect of the establishment of the Celtic Freeport Public Funds Committee. At its meeting of the 26th July 2025, Full Council approved the Joint Working Agreement in respect of the Celtic Freeport Public Funds Overview and Scrutiny Committee.
3. Accordingly, the Joint Working Arrangements detailed in the Constitution require updating to reflect these recent changes and Council is required to confirm the Joint Committee Agreements that this Council wishes to operate pursuant to powers under sections 101 and 102 of the Local Government Act 1972, sections 19 and 20 of the Local Government Act 2000 and all other enabling powers.
4. A copy of the proposed constitutional extract in respect of Joint Working is enclosed at Appendix 1.
5. Members should note that references to the South West Wales Corporate Joint Committee have been removed from the Joint Committee Arrangements document at Appendix 1, as this was included in error in the previous version. The Corporate Joint Committee regime has been created under separate legislation and is not established pursuant to the legislative powers in paragraph 4 above. This provision is included in the articles of the Constitution instead.

Financial Impact

6. There are no financial impacts associated with this Report.

Integrated Impact Assessment

7. There is no requirement for an integrated impact assessment for this report.

Workforce Impacts

8. There are no workforce impacts associated with this Report

Legal Impacts

9. In exercise of powers under sections 101 and 102 of the Local Government Act 1972, sections 19 and 20 of the Local Government Act 2000 and all other enabling powers Neath Port Talbot County Borough Council may create a Joint Committee with any other local authorities.

Consultation

10. There is no requirement under the Constitution for external consultation on this item.

Recommendations

11. It is recommended that members approve the Joint Working Arrangements document enclosed at Appendix 1 of this report and the Joint Committee Agreements that will be operated by the Council pursuant to powers under sections 101 and 102 of the Local Government Act 1972, sections 19 and 20 of the Local Government Act 2000 and all other enabling powers and that delegated authority be granted to the Head of Legal and Democratic Services to amend the constitution to incorporate the updated Appendix 1.

Reason for Proposed Decision

12. To ensure the Constitution is updated and reflects legal decision-making arrangements in place.

Appendices

13. Appendix 1 – Joint Working Arrangements (Updated Document)

List of Background Papers

14. None

Officer Contact

Mr Craig Griffiths

Head of Legal and Democratic Services

Appendix 1

Joint Arrangements

Both Council and its Executive are able to establish joint arrangements for the discharge of any of their functions (with the exceptions of those functions which must be discharged by the full Council) and which may involve delegation to other Councils, or their Executive, or the establishment of Joint Committees or any other means of achieving joint arrangements or contracting out.

The constitutions and responsibilities of Joint Committees, etc. will be set out in formal documents agreed by Neath Port Talbot County Borough Council and the other parties.

The Authority has made arrangements under Section 101 of the Local Government Act 1972 and Sections 19 and 20 of The Local Government Act 2000 and Part 5 of the Local Government and Elections (Wales) Act 2021 with the Local Authorities (and other such organisations) indicated in the tables below for the functions shown therein.

The Authority must comply with all legal requirements concerning Joint Committees and delegations in accordance with Section 101 of the Local Government Act 1972 and Sections 19 and 20 of The Local Government Act 2000 and Part 5 of the Local Government and Elections (Wales) Act 2021

The Committees are administered by and operative under the Standing Orders of the Council denoted by an asterisk. Where no such notation occurs the Committee operates under other working arrangements or protocols which are held by the Clerk, or Proper Officer of the Lead Authority, of the respective Committee.

Table 1 – Joint Committees (Section 101 L.G.A. 1972 and Section 20 L.G.A. 2000)

Committee	Other Local Authorities	Membership for Each Authority	Function/ Responsibility
Joint Archives Committee	City & County of Swansea	5 Members	Executive
*Margam Joint Crematorium Committee	Bridgend County Borough Council	5 Members - NPT 2 Members - Bridgend	Executive
South West Wales Regional Waste Management Committee	City and County of Swansea Carmarthenshire County Council Pembrokeshire County Council	3 Members (1 voting, 2 non-voting)	Executive
Swansea Bay City Deal Joint Committee	City and County of Swansea Carmarthenshire County Council Pembrokeshire County Council Ceredigion County Council	Executive (Leader or nominated representative)	Executive
Swansea Bay City Region Joint Scrutiny Committee	City and County of Swansea Carmarthenshire County Council Pembrokeshire County Council Ceredigion County Council	3 Non Executive Members	Non Executive
The National Parking Adjudication Service Joint Committee	All those Authorities who have executed a Memorandum, of Participation in the National Parking	1 Executive	Executive

	Adjudication Service Joint Committee		
Celtic Freeport Public Funds Committee	Pembrokeshire County Council	3 Executive	Executive
Celtic Freeport Public Funds Scrutiny Committee	Pembrokeshire County Council	4 Non Executive	Non Executive

Table 2 – Joint Arrangements for Discharge of Functions by the Authority on behalf of other Authorities (Section 101 L.G.A. 1972 and Section 19L.G.A 2000)

Function	Other Authority
Provision of Waste Recycling and Disposal Services	Bridgend County Borough Council
South Wales Trunk Road Agency	Welsh Government (pursuant to the Highways Act 1980)