

DATED

2022

- (1) CARMARTHENSHIRE COUNTY COUNCIL
and
(2) NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
(3) PEMBROKESHIRE COUNTY COUNCIL
(4) THE COUNCIL OF THE CITY AND COUNTY OF SWANSEA

DEED OF VARIATION

- relating to -

**AGREEMENT FOR THE
ESTABLISHMENT OF A JOINT
COMMITTEE FOR THE
SWANSEA BAY CITY REGION**

Legal, Democratic Services
and Business Intelligence
Civic Centre
Oystermouth Road
Swansea SA1 3SN

THIS DEED IS MADE ON

2022

THE PARTIES

- (1) **Carmarthenshire County Council of County Hall**, Carmarthen, Carmarthenshire SA31 1JP; and
- (2) **Neath Port Talbot County Borough Council** of Port Talbot Civic Centre, Port Talbot SA13 1PJ; and
- (3) **Pembrokeshire County Council** of County Hall, Haverfordwest, Pembrokeshire SA61 1TP; and
- (4) **The Council of the City and County of Swansea** of Civic Centre, Oystermouth Road, Swansea SA1 3SN

(together referred to as “the Councils”)

BACKGROUND

- A This Deed is supplemental to an agreement entered into by the Councils on 31st August 2018 and titled “Agreement for the establishment of a joint committee for the Swansea Bay City Region” (the **Agreement**) and as varied by a Deed of Variation dated 11th December 2019.
- B The Swansea Bay City Region Joint Committee (the **Joint Committee**) resolved at its meeting on 9th July 2020 that the terms of reference of the Joint Scrutiny Committee should be amended as set out in this Deed of Variation. The Joint Committee further authorised the Monitoring Officer of Swansea Council/Heads of Legal of Carmarthenshire, Pembrokeshire and Neath Port Talbot Councils to enter into any agreement necessary to effect the changes to the Agreement.

AGREEMENT:

1 Definitions and interpretation

Unless otherwise provided the words and expressions defined in, and the rules of interpretation of, the Agreement shall have the same meaning in this Deed.

2 Amendments to the Agreement

The Councils agree to vary the Agreement as follows:-

Schedule 12 – Terms of Reference of Joint Scrutiny Committee

Paragraph 7 is deleted and replaced with

“7. Quorum

7.1 The quorum for meetings shall be no less than 6 members, which must include at least 1 member from each of the 4 Authorities. The Joint Scrutiny Committee is not permitted to scrutinise a matter relating to a project if a member representative of the Councils involved in that project is not present at the meeting.”

3 Variation date

The parties agree that the amendments set out in this Deed shall have immediate effect.

4 Agreement in full force and effect

This Deed is supplemental to the Agreement and, subject to the amendments described in this Deed, the Agreement shall remain in full force and effect.

5 Confirmation and incorporation

The parties further agree and declare that the terms of the Agreement except as varied by this Deed are confirmed as if the same were set out in this Deed in full and that such terms as so varied shall for all purposes (including but without limitation for the purposes of s2 of the Law of Property (Miscellaneous Provisions) Act 1989) be deemed to be incorporated in this Deed.

6 Governing law

This Deed and any dispute or claim arising out of, or in connection with, it, its subject matter or formation (including non-contractual disputes or claims) shall be governed by, and construed in accordance with, the laws of England and Wales.

7 Jurisdiction

The parties irrevocably agree that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim arising out of, or in connection with, this Deed, its subject matter or formation (including non-contractual disputes or claims).

8 Counterparts

This Deed may be executed in any number of counterparts each of which so executed shall be an original but together shall constitute one and the same instrument.

EXECUTED as a deed by the parties and delivered on the date set out at the head of this Deed.

THE COMMON SEAL OF

Carmarthenshire County Council

was hereunto affixed in the presence of

THE COMMON SEAL OF

Neath Port Talbot County Borough Council

was hereunto affixed in the presence of

THE COMMON SEAL OF

Pembrokeshire County Council

was hereunto affixed in the presence of

THE COMMON SEAL OF

the Council of the City and County of Swansea

was hereunto affixed in the presence of