

SOUTH WEST WALES CORPORATE JOINT COMMITTEE

7th October 2022

REPORT OF THE MONITORING OFFICER

Report Title: Terms of Reference of the Sub-Committees of the South West Wales Corporate Joint Committee

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| Purpose of Report | To approve terms of reference for the CJC Sub-Committees. |
| Recommendation | It is recommended that members approve the terms of reference for the CJC Sub-Committees incorporated at Appendix 1 |
| Report Author | Craig Griffiths |
| Finance Officer | N/A |
| Legal Officer | Craig Griffiths |

Background:

1. The Local Government and Elections (Wales) Act 2021 (“the LGE Act”) created the framework for a consistent mechanism for regional collaboration between local government, namely Corporate Joint Committees (CJCs). The LGE Act provides for the establishment of CJCs through Regulations (CJC Establishment Regulations).
2. The CJC will exercise functions relating to strategic development planning and regional transport planning. They will also be able to do things to promote the economic well-being of their areas. In contrast to other joint committee arrangements, CJCs are separate corporate bodies which can employ staff, hold assets and budgets, and undertake functions.
3. The South West Wales CJC will comprise Carmarthenshire County Council, the City and County of Swansea Council, Pembrokeshire County Council and Neath Port Talbot County Borough Council (“the Constituent Councils”). In respect of some functions, both Pembrokeshire National Park and Brecon Beacons National Park will also be members (as set out below).
4. In order to implement the legislative requirements, it will be proposed that the CJC will have four Sub Committees, with the chair of each Sub-Committee being drawn from the Leaders of the Constituent Councils (or their nominated deputies) and shared between the four authorities. It is proposed that the following sub-committees be established,

| Sub Committee | Lead Chief Executive | Political Lead |
|-----------------------------|-----------------------------|-----------------------|
| Regional Transport Planning | Swansea | Neath Port Talbot |

| | | |
|---|-------------------|---------------|
| Economic Well Being – regional economic development | Carmarthenshire | Swansea |
| Strategic Development Planning | Pembrokeshire | Carmarthen |
| Economic Well Being- regional energy strategy | Neath Port Talbot | Pembrokeshire |

5. It is proposed that the additional representatives to each Sub Committee be comprised of the relevant Cabinet members of the four Constituent Councils (and the Chairpersons of the relevant National Parks authorities in respect of Strategic Development Planning).
6. It is proposed that the Sub-Committee is then chaired by the Leader from the Constituent Council identified and supported by a chief executive from the authorities mentioned above.
7. Attached at Appendix 1 of this Report are the terms of reference for each sub-committee for adoption by the CJC.
8. It should be noted that no member of a CJC shall be entitled to any additional remuneration as a result of membership of the CJC.

Financial Impacts:

9. No impacts

Integrated Impact Assessment:

10. 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.
11. 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'.

12. There is no requirement for an Integrated Impact Assessment for this report as the setting up of the CJC is underpinned by legislation and that this report is to establish governance arrangements in accordance with legislation. This will be kept under review with any future reports considering whether impacts require consideration.

Workforce Impacts:

13. There are no workforce impacts associated with this report.

Legal Impacts:

14. Part 5 of the LGE Act provides for the establishment, through regulations, of CJsCs and compliance will be had with this and other legislative obligations in the establishment of CJsCs. 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 CJsCs 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.

Risk Management Impacts:

15. Failure to constitute the CJC means the CJC will be unable to take any decisions, and accordingly would be in breach of the legal requirements imposed under the Local Government and Elections (Wales) Act 2021 (exposing each constituent council and national park authority to challenge) along with the reputational risks that such non compliance will bring.

Consultation:

16. There is no requirement for consultation in respect of this report.

Reasons for Proposed Decision:

17. To ensure appropriate governance arrangements are in place for the CJC to make decisions and compliance is had to the legislative requirements that are applicable to the CJC.

Implementation of Decision:

18. This decision is proposed for immediate implementation

Appendices:

19. Appendix 1 – Terms of Reference

List of Background Papers:

20. None

Strategic Planning Sub-Committee **Terms of Reference**

Overarching Aim of Sub-Committee

To oversee the resourcing, management and implementation of the statutory Strategic Development Plan (SDP) for South West Wales

An SDP must express a vision and a strategy to deliver the vision for the region as a whole. In addition, it should also express sub regional strategies for either an individual Local Planning Authority or combinations of Local Planning Authorities

This means that an SDP must expressly state:

- A clear and deliverable vision for the SDP area and for each Constituent Council
- A coherent, overarching strategy with clearly defined roles for places both on a regional and sub-regional basis;
- A clearly expressed settlement hierarchy based around the role and function of places, focussed on those places key to delivering the plan
- Sustainable development and Placemaking embedded as the over-arching principles
- An overall housing provision and requirement for the SDP and for each Constituent Council set out in dwellings
- An overall employment provision for the SDP and for each Constituent Council
- Spatial areas to accommodate growth above a set threshold.
- The establishment of Gypsy and Traveller need for the SDP and each Constituent Council on a consistent methodology, with coordination between LA's and their duties under the Housing Act
- A regional retail hierarchy
- A broad delivery trajectory for homes and jobs aligned to the implementation of infrastructure to support change
- Infrastructure capacity pinch points and headroom alongside future requirements necessary to support growth
- Broad areas of affordable housing need and links to viability to demonstrate delivery
- The capacity of public and private transport infrastructure and opportunities to increase a modal shift away from the private car
- A coordinated approach to environmental designations, including green belts, ecological assets and biodiversity
- A coordinated approach to energy, minerals and waste designations

Functions

The Sub-Committee shall

- Have a coordinating role on the various work streams necessary to prepare an SDP. The role would not be to determine the precise content of the plan but rather to explore various options, identify key issues, present alternatives and implications/interrelationships between different aspects of what could constitute a plan
- Make recommendations to the Corporate Joint Committee to determine plan content.

- Monitor and review the delivery programme for the SDP (once approved) to include performance, financial and risk management and make recommendations to the Corporate Joint Committee on the development and delivery of the SDP consistent with the objectives of the Sub Committee;
- Work with Welsh Government, user groups, industry and other regulatory stakeholders to coordinate strategic planning duties across the region;
- Make recommendations to the Corporate Joint Committee on strategic planning for the South West Wales Region aligned to delivering the SDP;
- Where appropriate develop a regional response to Wales Government strategic planning consultation documents for approval by the Corporate Joint Committee for submission to Welsh Government; and
- Provide advice and observations relating to strategic planning submitted to the Corporate Joint Committee by other bodies, both inside and outside the South West Wales region;

Attendees

The following shall attend the Sub-Committee

- The Executive Leader of the Constituent Council identified as the political lead for Strategic Planning
- The Lead Officer of the Constituent Council identified as the officer/constituent council lead for Strategic Planning for the purposes of providing professional advice to the Sub-Committee on behalf of the Chief Executive of the Corporate Joint Committee
- The Executive Member from Carmarthenshire County Borough Council for Strategic Planning
- The Executive Member from the City and County of Swansea Council for Strategic Planning
- The Executive Member from Neath Port Talbot County Borough Council for Strategic Planning
- The Executive Member from Pembrokeshire County Borough Council for Strategic Planning
- The representative from the Brecon Beacons National Park Authority with responsibility for Strategic Planning
- The representative from the Pembrokeshire Coast National Park with responsibility for Strategic Planning
- Private Sector Representations for Regional Strategic Planning as a non-voting representative. However, where there is a conflict between these terms of reference and any legislative provision or guidance issued by the UK or Welsh Governments which prohibits involvement from private sector representatives, those legislative provisions and guidance shall take precedence for those particular agenda items.
- Officers of constituent councils and national park authorities with management responsibility for Strategic Planning (or their nominated representatives) for the purposes of presenting reports and answering any technical questions raised by the Sub-Committee
- Minute Taker (Democratic Services of Neath Port Talbot Council)

The following shall be entitled to attend any Sub-Committee Meeting:

- Chief Executive of the Corporate Joint Committee (Chair) or their nominated representative

- Regional Directors of Constituent Councils with responsibility for Corporate Joint Committee areas
- Private Sector representatives
- Monitoring Officer of the Corporate Joint Committee or their nominated representative
- S151 Officer of the Corporate Joint Committee or their nominated representative
- Any invitees of the Chief Executive of the Corporate Joint Committee

Frequency of Meetings

The Sub-Committee shall meet every six (6) months subject to any additional meetings that shall be called to address specific matters or if unanimously agreed by the Sub-Committee.

Where a special meeting is required, this will be convened by the Chief Executive of the Corporate Joint Committee.

Unless notified to the contrary, all meetings shall take place remotely via Microsoft TEAMS

Chair

The meeting shall be chaired by the Executive Leader of the Constituent Council identified as the political lead for Regional Transport Planning.

In their absence, the meeting shall be chaired by an alternative Leader from a Constituent Council as agreed by the collective Constituent Council leaders Executive Member as determined by the Executive Members present.

Decision Making

The Sub Committee shall have no decision making powers unless expressly granted by the Corporate Joint Committee

Each constituent council member (excluding the Chair) has one vote and the Chair will not have a casting vote

Substitutions

The Executive Members of each Constituent Council shall be entitled to appoint a representative to attend in their absence subject to notification being provided to the Chief Executive of the Corporate Joint Committee

Quorum

A quorum for the meeting shall be an elected representative from each of the Constituent Councils that comprise the Corporate Joint Committee (excluding the Chair).

Constitution and Procedure Rules

The constitution of the Corporate Joint Committee shall apply to any meetings of the Sub-Committee that take place.

Energy Sub-Committee Terms of Reference

Overarching Aim of Sub-Committee

The Regional Energy Plan (“REP”) approved by the South West Wales Corporate Joint Committee on the 15th May 2022 has the overall objective to develop a strategic pathway identifying key interventions to deliver on the region’s ambitions for decarbonising its energy system. An Energy Vision scenario has been modelled to set out a potential decarbonisation route that will put the region on track to achieve a net zero energy system by 2050.

The vision for the South West Wales region is *“harnessing the region’s low carbon energy potential across its on and offshore locations, to deliver a prosperous and equitable net zero carbon economy which enhances the well-being of future generations and the region’s ecosystems, at a pace which delivers against regional and national emissions reduction targets by 2035 and 2050.”*

The priorities for achieving this vision are:

- Energy Efficiency
- Electricity Generation
- Smart and Flexible Systems
- Decarbonise Heat
- Decarbonise Transport
- Regional Coordination

The overarching aim of the Sub-Committee is to oversee the delivery of the REP, highlighting any amendments that may be necessary for the Corporate Joint Committee to then to consider.

Functions

The Sub Committee shall

- Monitor and review the delivery programme for the REP to include performance, financial and risk management and make recommendations to the Corporate Joint Committee on the development and delivery of the REP consistent with the objectives of the Sub Committee;
- Work with Welsh Government, user groups, industry and other regulatory stakeholders to coordinate energy related opportunities across the region;
- Make recommendations to the Corporate Joint Committee on regional Energy for the South West Wales Region aligned to delivering the REP;
- Where appropriate develop a regional response to Wales Government energy consultation documents for approval by the Corporate Joint Committee for submission to Welsh Government;
- Provide advice and observations relating to energy related issues submitted to the Corporate Joint Committee by other bodies, both inside and outside the South West Wales region; and

Attendees

The following shall attend the Sub-Committee

- The Executive Leader of the Constituent Council identified as the political lead for Energy
- The Lead Officer of the Constituent Council identified as the officer/constituent council lead for Energy for the purposes of providing professional advice to the Sub-Committee on behalf of the Chief Executive of the Corporate Joint Committee
- The Executive Member from Carmarthenshire County Borough Council for Energy
- The Executive Member from the City and County of Swansea Council for Energy
- The Executive Member from Neath Port Talbot County Borough Council for Energy
- The Executive Member from Pembrokeshire County Borough Council for Energy
- Private Sector Representations for Energy as a non-voting representative
- Officers of constituent councils with management responsibility for Energy (or their nominated representatives) for the purposes of presenting reports and answering any technical questions raised by the Sub-Committee
- Minute Taker (Democratic Services of Neath Port Talbot Council)

The following shall be entitled to attend any Sub-Committee Meeting:

- Chief Executive of the Corporate Joint Committee (Chair) or their nominated representative
- Private Sector representatives
- Monitoring Officer of the Corporate Joint Committee or their nominated representative
- S151 Officer of the Corporate Joint Committee or their nominated representative
- Any invitees of the Chief Executive of the Corporate Joint Committee

Frequency of Meetings

The Sub-Committee shall meet every six (6) months subject to any additional meetings that shall be called to address specific matters or if unanimously agreed by the Sub-Committee.

Where a special meeting is required, this will be convened by the Chief Executive of the Corporate Joint Committee.

Unless notified to the contrary, all meetings shall take place remotely via Microsoft TEAMS

Chair

The meeting shall be chaired by the Executive Leader of the Constituent Council identified as the political lead for Regional Energy.

In their absence, the meeting shall be chaired by an alternative Leader from a Constituent Council as agreed by the collective Constituent Council leaders Executive Member as determined by the Executive Members present.

Decision Making

The Sub Committee shall have no decision making powers unless expressly granted by the Corporate Joint Committee

Each constituent council member (excluding the Chair) has one vote and the Chair will not have a casting vote

Substitutions

The Executive Members of each Constituent Council shall be entitled to appoint a representative to attend in their absence subject to notification being provided to the Chief Executive of the Corporate Joint Committee

Quorum

A quorum for the meeting shall be an elected representative from each of the Constituent Councils that comprise the Corporate Joint Committee (excluding the Chair).

Constitution and Procedure Rules

The constitution of the Corporate Joint Committee shall apply to any meetings of the Sub-Committee that take place.

Economic Well Being and Regional Economic Development Sub-Committee
Terms of Reference

Overarching Aim of Sub-Committee

The Regional Economic Delivery Plan (“REDP”) approved by the South West Wales Corporate Joint Committee on the 15th May 2022 complements the new Welsh Government Regional Economic Framework (REF) and provides a further layer of detail below the REF, outlining the objectives and actions that will deliver against the high level vision in the REF.

The REDP sets out an ambitious ‘route map’ for the development of the region’s economy over the next ten years, identifying priorities for intervention and setting out how business, government, education, voluntary/ community organisations, social enterprises and other partners can work together to bring them forward.

Three ambitions have been identified:



The overarching aim of the Sub-Committee is to oversee the delivery of the REDP, highlighting any amendments that may be necessary for the Corporate Joint Committee to then to consider.

Functions

The Sub Committee shall

- Monitor and review the delivery programme for the REDP to include performance, financial and risk management and make recommendations to the Corporate Joint Committee on the development and delivery of the REDP consistent with the objectives of the Sub Committee;
- Work with Welsh Government, user groups, industry and other regulatory stakeholders to coordinate regional economic development opportunities across the region;
- Make recommendations to the Corporate Joint Committee on regional economic development for the South West Wales Region aligned to delivering the REDP;
- Where appropriate develop a regional response to Wales Government economic development consultation documents for approval by the Corporate Joint Committee for submission to Welsh Government; and
- Provide advice and observations relating to regional economic delivery submitted to the Corporate Joint Committee by other bodies, both inside and outside the South West Wales region;

Attendees

The following shall attend the Sub-Committee

- The Executive Leader of the Constituent Council identified as the political lead for Economic Development
- The Lead Officer of the Constituent Council identified as the officer/constituent council lead for Economic Development for the purposes of providing professional advice to the Sub-Committee on behalf of the Chief Executive of the Corporate Joint Committee.
- The Executive Member from Carmarthenshire County Borough Council for Economic Development
- The Executive Member from the City and County of Swansea Council for Economic Development
- The Executive Member from Neath Port Talbot County Borough Council for Economic Development
- The Executive Member from Pembrokeshire County Borough Council for Economic Development
- Private Sector Representations for Regional Economic Development as a non-voting representative
- Officers of constituent councils with management responsibility for Economic Development (or their nominated representatives) for the purposes of presenting reports and answering any technical questions raised by the Sub-Committee
- Minute Taker (Democratic Services of Neath Port Talbot Council)

The following shall be entitled to attend any Sub-Committee Meeting:

- Chief Executive of the Corporate Joint Committee (Chair) or their nominated representative
- Regional Directors of Constituent Councils with responsibility for Corporate Joint Committee areas
- Private Sector representatives
- Monitoring Officer of the Corporate Joint Committee or their nominated representative
- S151 Officer of the Corporate Joint Committee or their nominated representative
- Any invitees of the Chief Executive of the Corporate Joint Committee

Frequency of Meetings

The Sub-Committee shall meet every six (6) months subject to any additional meetings that shall be called to address specific matters or if unanimously agreed by the Sub-Committee.

Where a special meeting is required, this will be convened by the Chief Executive of the Corporate Joint Committee.

Unless notified to the contrary, all meetings shall take place remotely via Microsoft TEAMS

Chair

The meeting shall be chaired by the Executive Leader of the Constituent Council identified as the political lead for Regional Economic Development.

In their absence, the meeting shall be chaired by an alternative Leader from a Constituent Council as agreed by the collective Constituent Council leaders Executive Member as determined by the Executive Members present.

Decision Making

The Sub Committee shall have no decision making powers unless expressly granted by the Corporate Joint Committee

Each constituent council member (excluding the Chair) has one vote and the Chair will not have a casting vote

Substitutions

The Executive Members of each Constituent Council shall be entitled to appoint a representative to attend in their absence subject to notification being provided to the Chief Executive of the Corporate Joint Committee

Quorum

A quorum for the meeting shall be an elected representative from each of the Constituent Councils that comprise the Corporate Joint Committee (excluding the Chair).

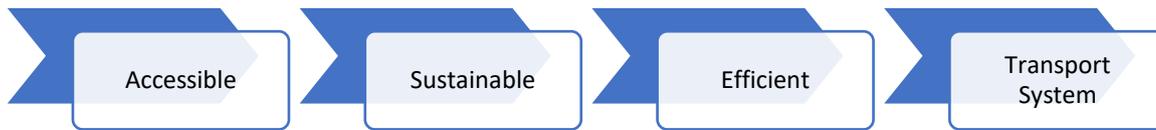
Constitution and Procedure Rules

The constitution of the Corporate Joint Committee shall apply to any meetings of the Sub-Committee that take place.

Regional Transport Sub-Committee Terms of Reference

Overarching Aim of Sub-Committee

The Regional Transport Plan will support the strategic economic and spatial aspirations of the Swansea Bay and South West Wales Region (SBSWWR) and help deliver the vision of the Welsh Transport Strategy, Llwybr Newydd, for a transport system that is accessible, sustainable and efficient.



‘Accessible’

A system that meets the relevant policy and regulatory standards on equality, access, human rights and the Welsh language, and aims to remove the physical, attitudinal, environmental, systemic, linguistic and economic barriers that prevent people from using sustainable transport services and infrastructure.

‘Sustainable’

A transport system that meets the needs of the present whilst protecting the ability of future generations to meet their own needs.

‘Efficient’

A transport system that gets people where they want to go, when they want to go there, making best use of resources.

- Bring services to people to reduce the need to travel.
- Allow people and goods to move easily from door to door by accessible, sustainable and efficient transport services and infrastructure.
- Encourage people to make the change to more sustainable transport.

Objectives

The Specific objectives for the Sub Committee are to oversee the development of:

- The improvement of transport and access within the South West Wales region to facilitate decarbonisation, economic regeneration, equality and integration and contributing to work that may impact on other regions to ensure a benefit to the South West Wales region;
- The Development of transport policies and programmes that ensure that safety, sustainability, social inclusion, health and the environment, meet the requirements of the Well-being of Future Generations Act 2015;

- The promotion of the essential role of transport in economic and land use planning, and to influence land development to make the necessary provision for transport across the South West Wales region; and
- The improvement of connectivity, sustainability, the efficiency and reliability of the movement of people and goods within and beyond Swansea Bay and South West Wales on the local and regional networks to support economic growth across the South West Wales region.

Functions

The Sub Committee shall

- Make recommendations to the Corporate Joint Committee on the development and delivery of the Regional Transport Plan, Transport Policy and Regional Transport Plan Delivery Programme consistent with the objectives of the Sub Committee;
- Oversee the development and delivery of the Swansea Bay and South West Wales Metro to ensure benefits to the South West Wales Region;
- Work with Welsh Government, Transport for Wales, user groups, industry and other regulatory stakeholders to coordinate transport planning and operations across the region;
- Make recommendations to the Corporate Joint Committee on Transport Policy, Strategy and investment priorities for the Swansea Bay and South West Wales Region aligned to delivering the transport objectives;
- Where appropriate develop a regional response to Wales Government transport policy and strategy consultation documents for approval by the Corporate Joint Committee for submission to Welsh Government;
- Provide advice and observations relating to transport schemes submitted to the Corporate Joint Committee by other bodies, both inside and outside the South West Wales region; and
- Monitor and review the delivery programme for the Regional Transport Plan to include performance, financial and risk management

Attendees

The following shall attend the Sub-Committee

- The Executive Leader of the Constituent Council identified as the political lead for Regional Transport Planning
- The Lead Officer of the Constituent Council identified as the officer/Constituent Council lead for Regional Transport Planning for the purposes of providing professional advice to the Sub-Committee on behalf of the Chief Executive of the Corporate Joint Committee.
- The Executive Member from Carmarthenshire County Borough Council for Transport
- The Executive Member from the City and County of Swansea Council for Transport
- The Executive Member from Neath Port Talbot County Borough Council for Transport
- The Executive Member from Pembrokeshire County Borough Council for Transport
- Private Sector Representatives for Regional Transport Planning as a non-voting representative
- Officers of Constituent Councils with management responsibility for regional transport planning (or their nominated representatives) for the purposes of presenting reports and answering any technical questions raised by the Sub-Committee

- Minute Taker (Democratic Services of Neath Port Talbot Council)

The following shall be entitled to attend any Sub-Committee Meeting:

- Chief Executive of the Corporate Joint Committee (Chair) or their nominated representative
- Regional Directors of Constituent Councils with responsibility for Corporate Joint Committee areas
- Private Sector representatives
- Monitoring Officer of the Corporate Joint Committee or their nominated representative
- S151 Officer of the Corporate Joint Committee or their nominated representative
- Any invitees of the Chief Executive of the Corporate Joint Committee

Frequency of Meetings

The Sub-Committee shall meet every quarter subject to any additional meetings that shall be called to address specific matters or if unanimously agreed by the Sub-Committee.

Where a special meeting is required, this will be convened by the Chief Executive of the Corporate Joint Committee.

Unless notified to the contrary, all meetings shall take place remotely via Microsoft TEAMS

Chair

The meeting shall be chaired by the Executive Leader of the Constituent Council identified as the political lead for Regional Transport Planning.

In their absence, the meeting shall be chaired by an alternative Leader from a Constituent Council as agreed by the collective Constituent Council leaders Executive Member as determined by the Executive Members present.

Decision Making

The Sub Committee shall have no decision making powers unless expressly granted by the Corporate Joint Committee

Each constituent council member (excluding the Chair) has one vote and the Chair will not have a casting vote

Substitutions

The Executive Members of each Constituent Council shall be entitled to appoint a representative to attend in their absence subject to notification being provided to the Chief Executive of the Corporate Joint Committee

Quorum

A quorum for the meeting shall be an elected representative from each of the Constituent Councils that comprise the Corporate Joint Committee (excluding the Chair)

Constitution and Procedure Rules

The constitution of the Corporate Joint Committee shall apply to any meetings of the Sub-Committee that take place.