



Local Government (Wales) Act 2015

2015 anaw 6

Transition committees

11 Transition committees

The Welsh Ministers must by regulations require merging authorities whose principal areas are to be merged into a new principal area to establish a transition committee.

12 Composition of transition committees

- (1) A transition committee is to consist of an equal number of members, not being less than 5, of each of the merging authorities.
- (2) The members of a merging authority who are to be members of the transition committee must be appointed by the merging authority.
- (3) The number of members to be appointed by each of the merging authorities is the number agreed by the merging authorities or, in default of agreement, determined by the Welsh Ministers.
- (4) One of the members appointed by a merging authority must be its executive leader.
- (5) If the executive member of a merging authority with responsibility for finance is not also the executive leader of the merging authority, that executive member must also be appointed as a member.
- (6) A transition committee may co-opt additional persons to serve as members of the committee but they may not vote.
- (7) A transition committee is to be treated for the purposes of paragraph 1 of Schedule 1 to the Local Government and Housing Act 1989 (political balance on local authority committees) as a committee to which paragraph 2 of that Schedule applies.

13 Functions of transition committees

- (1) A transition committee must provide to the merging authorities by which it is established, and to the shadow authority for the new principal area, advice and recommendations for—
 - (a) facilitating the economic, effective and efficient transfer of functions, staff and property rights and liabilities from the merging authorities to the new principal local authority,
 - (b) ensuring that the new principal local authority and its staff are in a position to perform the new principal local authority’s functions effectively as from the time when it assumes them, and
 - (c) any other purposes that the Welsh Ministers may specify by directions.
- (2) The Welsh Ministers may give a direction requiring—
 - (a) a particular transition committee,
 - (b) every transition committee of a description specified in the direction, or
 - (c) every transition committee,
 to exercise its functions in accordance with the direction.
- (3) A direction under this section may at any time be varied or revoked by a subsequent direction.
- (4) A transition committee must comply with a direction given to it under this section.
- (5) The Welsh Ministers may issue guidance as to the exercise of the functions of transition committees and a transition committee must have regard to any guidance issued under this subsection.
- (6) Neither an audit committee nor an overview and scrutiny committee of a merging authority may exercise any of its functions in relation to anything done by a transition committee; and for this purpose—
 - “audit committee” (*“pwyllgor archwilio”*) has the meaning given by section 81 of the Local Government (Wales) Measure 2011;
 - “overview and scrutiny committee” (*“pwyllgor trosolwg a chraffu”*) has the meaning given by section 21(1) of the Local Government Act 2000.

14 Sub-committees of transition committees

- (1) A transition committee may establish one or more sub-committees.
- (2) The membership of a sub-committee of a transition committee is to be determined by the transition committee.
- (3) If a transition committee appoints as a member of a sub-committee a person who is not a member of one of the merging authorities, that person may not vote.
- (4) The function of a sub-committee of a transition committee is to advise the transition committee on matters referred to the sub-committee by the transition committee.

15 Provision of funding, facilities and information to transition committees

- (1) The merging authorities must meet the costs of the transition committee.

- (2) The transition committee's costs must be met by the merging authorities in the proportions which they agree or, in default of agreement, which are determined by the Welsh Ministers.
- (3) The merging authorities must provide to the transition committee the facilities and resources (including staff) and information reasonably requested by the transition committee (or any sub-committee of the transition committee) in order to enable it to exercise its functions.