

# LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 5: Collaborative Working by Principal Councils**

##### ***Chapter 4: Establishing corporate joint committees where no request has been made***

##### ***Section 74 – Joint committee regulations where no request has been made***

391. Subsection (1) gives the Welsh Ministers a regulation making power to establish a body corporate, called a “corporate joint committee”, to exercise the function or functions specified in the regulations in relation to the principal areas specified in the regulations (called the “relevant areas”). One of the ways in which this power differs from the power of the Welsh Ministers under section 72 is that a corporate joint committee can be established under this power without an application or consent from principal councils.
392. Subsection (3) limits the type of functions that can be specified in regulations made using this power; they can only be functions of the principal councils for the relevant areas that relate to transport, improving education, the function of preparing a strategic development plan or the economic well-being function (see section 76).
393. If the function of preparing a strategic development plan is specified in regulations under this section, Part 6 of the Planning and Compulsory Purchase Act 2004, as amended by Schedule 9 to this Act, applies and sets out that function and related provision.
394. For an explanation of subsection (5), see the note to section 72(4). For an explanation of subsection (6), see the note to section 72(5).
395. The Welsh Ministers will only be able to make regulations under this section if the conditions in section 75 are satisfied.
396. Regulations made under this section are referred to in this Part as “joint committee regulations” (as are regulations made under section 72).

##### ***Section 75 – Conditions to be met before making regulations under section 74***

397. This section sets out the conditions which must be satisfied before the Welsh Ministers can make regulations to establish a corporate joint committee under section 74.