



# Local Government and Elections (Wales) Act 2021

2021 asc 1

## PART 5

### COLLABORATIVE WORKING BY PRINCIPAL COUNCILS

#### CHAPTER 3

##### ESTABLISHING CORPORATE JOINT COMMITTEES WHERE REQUEST HAS BEEN MADE

###### *Applications to establish a corporate joint committee*

#### **70 Application by principal councils to establish a corporate joint committee**

- (1) Any two or more principal councils may jointly make an application (a “joint committee application”) to the Welsh Ministers, asking them to consider making regulations under section 72 establishing a corporate joint committee to exercise—
  - (a) a function of those councils;
  - (b) the economic well-being function,in relation to the principal areas of those councils.
- (2) If, following receipt of a joint committee application, the Welsh Ministers decide not to make regulations under section 72, they must notify the principal councils that made the application.

#### **71 Consultation before making joint committee application**

Before making a joint committee application the principal councils must consult—

- (a) local people in the principal councils’ areas,
- (b) each of the councils for communities in the principal councils’ areas,

- (c) the National Park authority for a National Park, any part of which is in the area of any of the principal councils,
- (d) the public services board or boards for the principal councils' areas,
- (e) every trade union which is recognised (within the meaning of the [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#)) by one or more of the principal councils, and
- (f) such other persons as the principal councils consider appropriate.

*Requested joint committee regulations*

**72 Requested joint committee regulations**

- (1) The Welsh Ministers may by regulations establish a body corporate (to be known as a corporate joint committee) to exercise, in relation to the principal areas of the principal councils that made the joint committee application (“the relevant councils”), a function specified in the regulations.
- (2) But the Welsh Ministers may make regulations under this section only if the conditions set out in section 73 are satisfied.
- (3) Regulations under this section may specify only—
  - (a) a function of the principal councils that made the application;
  - (b) the economic well-being function.
- (4) Regulations under this section which specify a function of a principal council must make provision so that the function is either—
  - (a) exercisable by the corporate joint committee instead of by the relevant councils, or
  - (b) exercisable concurrently by the corporate joint committee and the relevant councils.
- (5) A function of a principal council may be specified in regulations under this section by reference to a particular activity or activities.

**73 Conditions to be met before making requested joint committee regulations**

- (1) The conditions mentioned in section 72(2) are as follows.
- (2) The first condition is that the Welsh Ministers have received a joint committee application.
- (3) The second condition is that the Welsh Ministers have consulted the following on a draft of the proposed regulations—
  - (a) the principal councils that made the joint committee application,
  - (b) local people in the principal councils' areas,
  - (c) each of the councils for communities in the principal councils' areas,
  - (d) the National Park authority for a National Park, any part of which is in the area of any of the principal councils,
  - (e) the public services board or boards for the principal councils' areas,
  - (f) every trade union which is recognised (within the meaning of the [Trade Union and Labour Relations \(Consolidation\) Act 1992 \(c. 52\)](#)) by one or more of the principal councils, and

- (g) such other persons as the Welsh Ministers consider appropriate.
- (4) The third condition is that the principal councils that made the joint committee application have each given consent in writing to the regulations being made.