



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,

Changes to legislation: There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, CHAPTER 3. (See end of Document for details)

- (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

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- (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.

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