



# Local Government and Elections (Wales) Act 2021

2021 asc 1

## PART 5

### COLLABORATIVE WORKING BY PRINCIPAL COUNCILS

#### CHAPTER 4

##### ESTABLISHING CORPORATE JOINT COMMITTEES WHERE NO REQUEST HAS BEEN MADE

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

- (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 specified in the regulations (“the relevant areas”), 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 75 are satisfied.
- (3) Regulations under this section may specify only—
  - (a) a function of the principal councils for the relevant areas that relates to—
    - (i) improving education;
    - (ii) transport;
  - (b) the function of preparing a strategic development plan (as to which, see subsection (4));
  - (c) the economic well-being function.
- (4) Where the function of preparing a strategic development plan is specified in joint committee regulations, Part 6 of the [Planning and Compulsory Purchase Act 2004](#) (c. 5) applies to the corporate joint committee.

- (5) 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 principal councils for the relevant areas, or
  - (b) exercisable concurrently by the corporate joint committee and those principal councils.
- (6) A function of a principal council may be specified in regulations under this section by reference to a particular activity or activities.

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

- (1) The conditions mentioned in section 74(2) are as follows.
- (2) The first condition is that the Welsh Ministers have consulted the following on a draft of the regulations—
- (a) the principal councils for the principal areas to be specified in the regulations,
  - (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.
- (3) The second condition is that, if the condition in subsection (2) is satisfied and the Welsh Ministers intend to make regulations under section 74, they have given notice of their intention to—
- (a) the principal councils for the principal areas to be specified in the regulations, and
  - (b) if the regulations specify the function of preparing a strategic development plan, the National Park authority for a National Park any part of which is in any of the principal areas to be specified in the regulations.
- (4) The first condition may be satisfied by consultation undertaken before the coming into force of this section.