



# Local Government (Wales) Measure 2009

2009 nawm 2

## PART 2

### COMMUNITY STRATEGIES AND PLANNING

#### *Community planning*

#### **38 Meaning of “community planning partners”**

- (1) For the purposes of this Part, a local authority’s community planning partners are the following—
- (a) a community council for a community any part of which falls within the local authority’s area;
  - (b) a Welsh fire and rescue authority constituted for an area any part of which falls within the local authority’s area;
  - (c) a Local Health Board established for an area any part of which falls within the local authority’s area;
  - (d) an NHS Trust which is specified in relation to the authority’s area by direction of the Welsh Ministers;
  - (e) a National Park authority any part of whose area falls within the local authority’s area;
  - (f) a police authority for a police area any part of which falls within the local authority’s area;
  - (g) the chief constable of the police force for a police area referred to in paragraph (f).
- (2) Subject to subsections (3) and (4) the Welsh Ministers may by order—
- (a) amend or omit any paragraph of subsection (1);
  - (b) add additional paragraphs to that subsection;
  - (c) amend or omit such additional paragraphs.
- (3) The Welsh Ministers must not exercise their power under subsection (2)—

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*Status: This is the original version (as it was originally enacted).*

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- (a) so as to include, or provide for the inclusion of, a person within subsection (1) who does not have functions of a public nature;
  - (b) so as to include, or provide for the inclusion of, a person within that subsection unless they have consulted—
    - (i) where they propose to include a person, that person;
    - (ii) such representatives of local authorities in Wales as the Welsh Ministers consider appropriate;
    - (iii) such representatives of community planning partners as the Welsh Ministers consider appropriate.
- (4) If the Welsh Ministers exercise their power under subsection (2) so as to include, or provide for the inclusion of, a person within subsection (1) who has functions of both a public and a private nature, they must include that person, or provide for that person's inclusion, only in relation to those of its functions which are of a public nature.