



Local Government (Wales) Act 1994

1994 CHAPTER 19

PART III

DECENTRALISATION AND JOINT WORKING

Decentralisation schemes

30 Area committees: membership etc.

- (1) This section applies where an area committee has been established by a council in accordance with an approved decentralisation scheme.
- (2) The provisions of the 1972 Act with respect to arrangements for the discharge of functions by committees of local authorities and sub-committees, and the appointment of such committees and sub-committees, shall be subject to this section and section 31.
- (3) Every person who is a member of the council for an electoral division which falls within the area for which the committee is established shall be entitled to be appointed to the committee at his request.
- (4) The committee may appoint additional persons, including members of the council who are not entitled to membership of the committee under subsection (3), as members of the committee.
- (5) No other persons shall be eligible for appointment to the committee.
- (6) In this section, in relation to an area committee, “co-opted member” means any member appointed by the committee under subsection (4).
- (7) Where the Secretary of State has given a direction under [F1section 499 of the Education Act 1996] (power to direct appointment of members of certain committees) which applies to the committee and can only be complied with by the appointment of one or more additional members to the committee, it shall be the duty of the committee to exercise its powers of appointment to secure compliance with the direction.

*Changes to legislation: There are currently no known outstanding effects for the
 Local Government (Wales) Act 1994, Section 30. (See end of Document for details)*

- (8) A co-opted member of an area committee shall not be entitled to vote at any meeting of the committee on any question which falls to be decided at that meeting.
- (9) Nothing in subsection (8) shall prevent the appointment of a person, in compliance with a direction under [^{F2}section 499 of the Act of 1996], as a voting member of an area committee.
- (10) In the application of section 101 of the 1972 Act (arrangement for discharge of functions by local authorities) in relation to the committee—
- (a) subsection (1) shall have effect as if it gave power to the committee, if authorised to do so by the decentralisation scheme, to arrange for the discharge of any of its functions by a local authority other than the authority who made the scheme;
 - (b) subsection (2) shall have effect with the omission of the words “unless the local authority otherwise direct” and (in the second place where they occur) the words “the local authority or”.
- (11) Sections 102(3) of the 1972 Act (power to include persons who are not members of the local authority concerned) and 15 of the ^{M1}Local Government and Housing Act 1989 (political balance on committees) shall not apply in relation to membership of the committee.
- (12) The term of office of each of the co-opted members of an area committee shall be fixed by the committee.
- (13) Section 102(2) of the 1972 Act (number of members of committee and terms of office) shall not apply in relation to the committee.
- (14) In the case of an appointment made in order to comply with a direction under [^{F2}section 499 of the Act of 1996], the committee shall exercise its powers under subsection (12) subject to any provision of the direction relating to terms of office.

Textual Amendments

- F1** Words in s. 30(7) substituted (1.11.1996) by 1996 c. 56, ss. 582(1), 583(2), **Sch. 37 Pt. I para. 123(2)** (with ss. 1(4), 561, 562, Sch. 39)
- F2** Words in s. 30(9)(14) substituted (1.11.1996) by 1996 c. 56, ss. 582(1), 583(2), **Sch. 37 Pt. I para. 123(3)** (with ss. 1(4), 561, 562, Sch. 39)
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Marginal Citations

- M1** 1989 c. 42.

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