

**SOUTH EAST WALES CORPORATE JOINT COMMITTEE**

**SUMMONS TO ATTEND A MEETING  
OF THE SOUTH EAST WALES CJC**

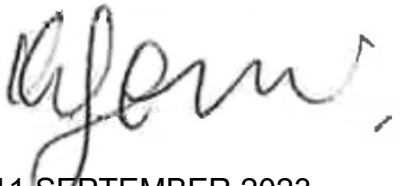
11 SEPTEMBER 2023

**GWŶS I FYNYCHU CYFARFOD  
CBC DE-DDWYRAIN CYMRU**

11 MEDI 2023

You are summoned to attend a meeting of the **SOUTH EAST WALES CORPORATE JOINT COMMITTEE** which will be held via Microsoft Teams between 11.30am-12.15pm on 11 September 2023 to transact the business set out in the agenda attached. The meeting may be accessed via [Microsoft Teams](#).

**KELLIE BEIRNE  
PROPER OFFICER**



11 SEPTEMBER 2023

## **RECORDING OF MEETING**

**This meeting will be recorded for subsequent broadcast on the CJC's website. The whole of the meeting will be recorded, except where there are confidential or exempt items.**

**If you make a representation to the meeting you will be deemed to have consented to being filmed and/or recorded.**

**If you have any queries regarding the recording of this meeting, please contact ELIZABETH FITZGERALD on 07974 211817 or email [Elizabeth.Fitzgerald@cardiff.gov.uk](mailto:Elizabeth.Fitzgerald@cardiff.gov.uk)**

## South East Wales Corporate Joint Committee

11.30am-12.15pm on Monday 11 September 2023 via Microsoft Teams

### Agenda

1. Welcome and Apologies
2. Declarations of Interest Attached
3. Minutes of the Previous Meeting held on 31 July 2023 Attached
4. Confirmation of Decisions in Relation to Statutory Sub-Committees and Scrutiny Arrangements Attached  
*To receive the report of the Interim Monitoring Officer*

**Kellie Beirne**  
**Interim Chief Executive**  
**South East Wales Corporate Joint Committee**  
**11 September 2023**

**CYDBWYLLGOR CORFFORAETHOL DE-DDWYRAIN CYMRU**

**GWŶS I FYNCHU CYFARFOD  
CBC DE-DDWYRAIN CYMRU**

11 MEDI 2023

**SUMMONS TO ATTEND A MEETING  
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11 SEPTEMBER 2023

Cewch eich gwyso i fynychu cyfarfod o **GYD-BWYLLGOR CORFFORAETHOL DE-DDWYRAIN CYMRU** a gynhaliwyd yn Microsoft Teams a 11:30-12.15 ar 11 Medi 2023 i drawsweithredu'r busnes a nodir yn yr agenda sydd ynghlwm. Gellir gweld y cyfarfod drwy [Microsoft Teams](#).

**KELLIE BEIRNE  
PRIF WEITHREDWR DROS DRO**



11 MEDI 2023

## **RECORDIO'R CYFARFOD**

**Bydd y cyfarfod hwn yn cael ei recordio i'w ddarlledu wedyn ar wefan y CBC. Bydd y cyfarfod cyfan yn cael ei recordio, ac eithrio pan fo eitemau cyfrinachol neu eithriedig.**

**Os byddwch yn gwneud sylwadau i'r cyfarfod, ystyrir eich bod wedi cydsynio i gael eich ffilmio a/neu recordio.**

**Os oes gennych unrhyw ymholiadau ynghylch recordio'r cyfarfod hwn, cysylltwch ag ELIZABETH FITZGERALD trwy ffonio 07974 211817 neu drwy e-bostio [Elizabeth.Fitzgerald@caerdydd.gov.uk](mailto:Elizabeth.Fitzgerald@caerdydd.gov.uk)**

## Cydbwyllgor Corfforaethol De-ddwyrain Cymru

11.30-12.15 ar Ddydd Iau 11 Medi 2023 a Microsoft Teams

### Agenda

1. Croeso ac Ymddiheuriadau
2. Datgan Buddiannau Atodedig
3. Cofnodion y cyfarfod a gynhaliwyd ar 31 Gorffennaf 2023 Atodedig
4. Cadarnhad o Benderfyniadau mewn Perthynas ag Is-bwyllgorau Statudol a Threfniadau Craffu Atodedig  
*Derbyn adroddiad Swyddog Monitro Dros Dro, CBC DDdC*

**Kellie Beirne**  
**Prif Weithredwr Interim**  
**Cydbwyllgor Corfforaethol De-ddwyrain Cymru**  
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**Prif Weithredwr Interim**  
**Cydbwyllgor Corfforaethol De-ddwyrain Cymru**  
**11 Medi 2023**



## **Declarations of Interest**

### **Procedural Note for Elected Members**

All members are required by law to complete a declaration of interests form to register their financial and other interests that could potentially conflict with their role as local councillor, including their membership of the Joint Committee. In addition, each Council has its own process for recording such interests, as well as its own adopted members' code of conduct. If in doubt, members should seek advice from their Council's Monitoring Officer in the first instance.

In addition to completing a declaration of interests form, members are also required to declare any interests at the start of a meeting of the Joint Committee, where that particular interest conflicts with some or all of the business to be discussed at that meeting. When making a declaration of interest, members should state whether the interest is personal or prejudicial. It is a matter for the member whether or not they choose to declare an interest, and whether or not that interest is personal or prejudicial. Members should refer to their Council's Code of Conduct and seek advice from their Council's Monitoring Officer prior to the start of meeting. If members become aware of a potential interest during the course of the meeting, they should make a declaration at the earliest opportunity and seek advice from the legal representative of the Accountable Body if required.

In respect of personal interests, member may remain in the meeting and take part in any debate and vote on the item of business. In respect of prejudicial interests, then they must leave the meeting immediately, not take part in the discussion of or vote on those items in which they have declared a prejudicial interest.

The interest will be recorded in the minutes of the meeting.

## Datgan Buddiannau

### **Nodyn Gweithdrefnol ar gyfer Aelodau Etholedig**

Mae'n ofynnol yn ôl y gyfraith i bob aelod lenwi ffurflen datganiad buddiannau i gofrestru eu diddordebau ariannol a diddordebau eraill a allai o bosibl wrthdaro â'u rôl fel cynghorydd lleol, gan gynnwys eu haelodaeth o'r Cyd-bwyllgor. Yn ogystal, mae gan bob Cyngor ei broses ei hun ar gyfer cofnodi diddordebau o'r fath, yn ogystal â'i god ymddygiad aelodau mabwysiedig ei hun. Os oes amheuaeth, dylai'r aelodau ofyn am gyngor gan Swyddog Monitro eu Cyngor yn y lle cyntaf.

Yn ogystal â chwblhau ffurflen datgan buddiannau, mae'n ofynnol hefyd i aelodau ddatgan unrhyw ddiddordebau ar ddechrau cyfarfod o'r Cyd-bwyllgor, lle mae'r diddordeb penodol hwnnw'n gwrthdaro gyda rhywfaint neu'r holl fusnes i'w drafod yn y cyfarfod hwnnw. Wrth wneud datganiad o fuddiannau, dylai'r aelodau ddatgan a yw'r diddordeb hwnnw yn un personol neu'n rhagfarnol. Mae'n fater i'r aelod p'un a ydynt yn dewis datgan buddiant ai peidio, ac a yw'r diddordeb hwnnw'n bersonol neu'n ragfarnol ai peidio. Dylai aelodau gyfeirio at God Ymddygiad eu Cyngor a gofyn am gyngor gan Swyddog Monitro eu Cyngor cyn dechrau'r cyfarfod. Os daw aelodau'n ymwybodol o ddiddordeb posibl yn ystod y cyfarfod, dylent wneud datganiad ar y cyfle cyntaf a gofyn am gyngor gan gynrychiolydd cyfreithiol y Corff Atebol os oes angen.

O ran diddordebau personol, gall aelod aros yn y cyfarfod a chymryd rhan mewn unrhyw ddadl a phleidleisio ar eitem busnes. O ran diddordebau rhagfarnol, yna mae'n rhaid iddynt adael y cyfarfod ar unwaith, peidio â chymryd rhan wrth drafod na phleidleisio ar yr eitemau hynny y maent wedi datgan diddordeb rhagfarnol ynddynt.

Bydd y diddordeb yn cael ei gofnodi yng nghofnodion y cyfarfod.

## South East Wales Corporate Joint Committee

11.30am-12.30pm on Monday 31 July 2023 via Microsoft Teams

### Minutes

#### Committee Members

Julian Stedman	Chair of Planning Committee	Bannau Brycheiniog National Park Authority
Cllr Stephen Thomas	Leader	Blaenau Gwent CBC
Cllr Huw David OBE	Leader	Bridgend CBC
Cllr Sean Morgan	Leader	Caerphilly CBC
Cllr Geraint Thomas	Leader	Merthyr Tydfil CBC
Cllr Mary Ann Brocklesby, Acting Chair	Leader	Monmouthshire CC
Cllr Andrew Morgan OBE	Leader	Rhondda Cynon Taf CBC
Cllr Joanne Gauden	Cabinet Member	Torfaen CBC
Cllr Lis Burnett	Leader	Vale of Glamorgan Council

#### Officers in Attendance

Christina HARRY	Chief Executive	Caerphilly CBC
Paul Matthews	Chief Executive	Monmouthshire CC
Beverly Owen	Chief Executive	Newport CC
Paul Mee	Chief Executive	Rhondda Cynon Taf CBC
Rob Thomas (from 11:36)	Chief Executive	Vale of Glamorgan Council
Rhys Thomas (RT)	Acting Interim Chief Executive	SEW CJC
Mike Brough (MB)	Senior Programme Manager - Special Projects	Office of the CCR
Liz Fitzgerald (minutes)	Business Development & Partnership Officer	Office of the CCR
Mary Cormack (CM)	Solicitor	Accountable Body
Gill Brown	Group Accountant	Accountable Body
Ian Allwood	Acting s151 Officer	Accountable Body

#### Apologies

Cllr Huw Thomas	Leader	Cardiff Council
Cllr Jane Mudd, Vice Chair	Leader	Newport CC
Cllr Anthony Hunt, Chair	Leader	Torfaen CBC
Kellie Beirne	Interim Chief Executive	SEW CJC
James Williams	Interim Monitoring Officer	SEW CJC
Christopher Lee	Interim Section 151 Officer / Acting Chief Executive	SEW CJC / Cardiff Council
Catherine Mealing-Jones	Chief Executive	Bannau Brycheiniog National Park Authority
Gareth Jones	Director of Planning & Place	Bannau Brycheiniog National Park Authority
Damien McCann	Interim Chief Executive	Blaenau Gwent CBC
Mark Shephard	Chief Executive	Bridgend CBC
Paul Orders	Chief Executive	Cardiff Council
Ellis Cooper	Chief Executive	Merthyr Tydfil CBC

Recording of the meeting was started at 11:33

**1. Welcome and Apologies**

Cllr Brocklesby opened the meeting and apologies were noted.

**2. Declarations of Interest**

No declarations of interest were received.

**3. Minutes of the Previous Meeting held on 5 June 2023**

- (1) It was noted that the date of the minutes on the published agenda was incorrect and the minutes under review were for those for the meeting of 5 June.
- (2) The minutes of the meeting held on 5 June were agreed as a true and accurate record of the meeting as moved by Cllr Stephen Thomas and seconded by Cllr Burnett.

**4. Scrutiny Arrangements**

- (1) MC introduced the report which noted that CJC was not required to establish their own Joint Overview and Scrutiny Committee (JOSC) but was required to either attend a regional JOSC or to attend meetings of the ten Local Authority Scrutiny Committees. A JOSC had been established for the City Deal and the report proposed the CJC use that committee to scrutinise the functions of the CJC. The JOSC had been consulted on this and were in agreement with this proposal.

Rob Thomas joined the meeting at 11:36

- (2) The Committee discussed the following points:
  - a) the BBNPA had not been part of CCR scrutiny in the past and would not want to be involved in the whole scrutiny. However, the BBNPA would like to be included in matters relating to the SDP. MC confirmed that would be possible and that the BBNPA could be co-opted;
  - b) there had been some previous difficulties with the JOSC being quorate and that the transition was an opportunity to review and refresh (?)the membership.
- (3) The motion to accept the recommendations of the report was moved by Cllr Sean Morgan and seconded by Cllr Stephen Thomas.
- (4) Cllr Brocklesby obtained individual votes of acceptance from Leaders in the following order:

Caerphilly, Vale of Glamorgan, Torfaen, Merthyr Tydfil, Blaenau

Gwent, Rhondda Cynon Taf, Bridgend and Monmouthshire.

- Cllr Mudd was not present to vote for Newport CC.
- Cllr Huw Thomas was not present to vote for Cardiff Council.

(5) It was resolved that the SEW CJC:

- (1) endorsed the proposal that the JOSOC should be appointed as the Joint Overview and Scrutiny Committee of the CJC;
- (2) authorised the Interim Monitoring Officer to approach relevant officers at RCT CBC to formally request that the JOSOC be appointed as the Joint Overview and Scrutiny Committee of the CJC;
- (3) authorised the Interim Monitoring Officer to make arrangements with the constituent authorities as are necessary to progress the proposal.

## **5. South East Wales CJC – Statutory Sub-Committees Update**

(1) MC introduced the report and drew attention to the following:

Cardiff Council's planned Cabinet the previous week had been adjourned due to technical issues and therefore the arrangements for the Standards Committee to be delivered through Cardiff's Standards & Ethics Committee had not been formalised. Provided SEW CJC Committee members were in agreement, the proposals would be submitted to the next Cardiff Council Cabinet meeting in September.

At the previous meeting of the SEW CJC, the Interim Chief Executive had been authorised to establish the Governance & Audit Committee. The report set out the proposed arrangement for recruiting eight local authority and four lay members.

(2) Members were unanimous in accepting the recommendations of the report verified by a show of hands, with no abstentions.

(3) It was resolved that the SEW CJC:

- (1) noted the progress made towards establishing the statutory sub-committees;
- (2) delegated the statutory functions of the statutory Standards Sub-Committee of the CJC to Cardiff Council's Standards & Ethics Committee and authorised the Interim Chief Executive to conclude a Service Level Agreement with Cardiff Council setting out the terms of the interim arrangements as set out in paragraph 5 of the report;
- (3) endorsed the proposed method of recruitment of elected and lay members of the Governance & Audit Sub-Committee;

- (4) noted the remuneration payable to lay members of the Governance & Audit Committee;
- (5) approved and adopted the CJC Member Code of Conduct at Appendix 1.

## **6. South East Wales Corporate Joint Committee Transition Plan**

- (1) MB introduced the report and noted that:

The CJC Chief Executive would be formally in post on 1 October and it was anticipated the current budget would be sufficient to cover the current financial year, although some balancing between CCR and CJC may be required. A paper would be brought in September on the current year's budget, budget-setting for the next financial year and the financial plan.

- (2) Regional Transport Plan (RTP) and Strategic Development Plan (SDP) work was progressing and it was hoped to align these as closely as possible. In relation to RTP and SDP the report noted that:

RTP guidance had been released c14 days ago and an implementation plan was required by Welsh Government for October - a draft would be presented at the September meeting. Some changes would also be required to the draft RTP to reflect the guidance. CCR were meeting with WLGA?? and Welsh Government later in the week for clarification. There was a new requirement in the guidance to develop a Regional Transport Delivery Plan for local authorities in collaboration with CCR.

The SDP delivery plan would be drafted by the end of the financial year and CCR would be engaging with local authority planning departments to align the SDP with Local Development Plans. There was some potential for Welsh Government funding and, if available, this would help towards costs.

- (3) The Committee discussed the following points:
  - a) in terms of the SDP, BBNPA planners had advised work was ongoing. BBNPA were required to support three regional CJCs so this presented a significant resource issue for them;
  - b) there was a view that the SDP is holding up local authorities' LDPs and that there was a risk that local councils may not secure investment funding until plans were completed. CM noted that work was ongoing to sequence LDPs across the region. Discussions between Caerphilly CBC, Monmouthshire CC and Welsh Government around alignment were also ongoing. The September report would outline how this issue was being addressed.
- (4) The motion to accept the recommendations of the report was moved by moved Cllr Sean Morgan and seconded by Cllr David.
- (5) Members were unanimous in accepting the recommendations of

the report verified by a show of hands, with no abstentions.

- (6) It was resolved that the SEW CJC:
  - (1) noted the transition activities laid out in the report;
  - (2) noted the proposed approach to the development of the RTP and SDP laid out in the report.

Formal election of a Chair for the meeting was ratified at the end of the meeting, as moved by Cllr Sean Morgan and seconded by Cllr David.

Recording of the meeting ended at 12:04

**Date of Next Meeting:** 11.30am on Monday 11 September 2023



**11 SEPTEMBER 2023**

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**CONFIRMATION OF DECISIONS IN RELATION TO STATUTORY SUB-COMMITTEES AND SCRUTINY ARRANGEMENTS**

**REPORT OF THE INTERIM MONITORING OFFICER**

**AGENDA ITEM: 4**

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**Reasons for Report**

1. To seek confirmation of the decisions made at the meeting of the South East Wales CJC (“the CJC”) on 31<sup>st</sup> July 2023.

**Background**

2. The Chair and the Vice Chair were not in attendance at the meeting of the CJC on 31<sup>st</sup> July 2023. Therefore, the meeting was not properly constituted in accordance with paragraph 1, Schedule 1 of The South East Wales Corporate Joint Committee Regulations 2021. Accordingly, the decisions made at that meeting are not decisions of the CJC proper and need to be confirmed by a subsequent meeting of the CJC.

**Issues**

3. The issues are set out in the following reports:
  - a) CJC report - Scrutiny Arrangements dated 31 July 2023
  - b) CJC report - Statutory Sub – Committees dated 31 July 2023
4. A copy of each report, with appendices, is attached to this report as Appendices 1 and 2, respectively.

**Reason for Recommendations**

5. To ensure that decisions on the matters contained in the reports at Appendices 1 and 2 are made by a properly constituted meeting of the CJC.

**Financial implications**

6. The financial implications are set out in the reports at Appendices 1 and 2



## **Legal Implications**

7. The legal implications are set out in the reports at Appendices 1 and 2, and within the body of this report.

## **Recommendations**

8. The CJC is asked to confirm the following recommendations:
  - (1) endorse the proposal that the JOSOC be appointed as the Joint Overview and Scrutiny Committee of the CJC, subject to the agreement of the constituent authorities of the CJC;
  - (2) authorise the Interim Monitoring Officer to make arrangements with the constituent authorities as are necessary to progress the proposal, above;
  - (3) note the progress made towards establishing the statutory sub-committees;
  - (4) delegate the statutory functions of the statutory Standards Sub-Committee of the CJC to Cardiff Council's Standards & Ethics Committee;
  - (5) authorise the Interim Chief Executive to conclude a Service Level Agreement with Cardiff Council to facilitate recommendation 4, above;
  - (6) endorse the proposed method of recruitment of elected and lay members of the Governance & Audit Sub-Committee;
  - (7) note the remuneration payable to lay members of the Governance & Audit Committee;
  - (8) approve and adopt the CJC Member Code of Conduct which is attached as Appendix 1 to the report on Statutory Sub-Committees dated 31 July 2023, which itself is attached as Appendix 2 to this report.

**James Williams**  
**Interim Monitoring Officer**  
**South East Wales Corporate Joint Committee**  
**11 September 2023**

## **Appendices**

Appendix 1: Report on Scrutiny Arrangements dated 31 July 2023

Appendix 2: Report on Statutory Sub-Committees dated 31 July 2023

31 JULY 2023

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## SCRUTINY ARRANGEMENTS

### REPORT OF THE INTERIM MONITORING OFFICER

#### AGENDA ITEM: 4

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#### Reasons for Report

1. The South East Wales Corporate Joint Committee (the CJC) is required to make appropriate scrutiny arrangements. This report sets out the relevant requirements in relation to making such arrangements and seek the authority from the CJC to implement proposals.

#### Background

2. The Statutory Guidance issued by Welsh Government that accompanies the CJC Regulations states that the CJsCs will be subject to the same performance, governance and scrutiny requirements as local authorities. However, it also states that it is expected that these arrangements should be proportionate to the scale of functions the CJC undertakes.
3. The Statutory Guidance further states that *'in considering the most effective and efficient approach to scrutiny, constituent councils and CJsCs should give thought to the benefits of a joint overview and scrutiny committee made up of the constituent councils'*.

#### Issues

4. Regulations 8 – 10 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2022 ("the Regulations") set out the CJC's duties in relation to overview and scrutiny. There is no requirement within the Regulations for the CJC to establish its own overview and scrutiny committee. However, the regulations require the CJC to provide information to, attend meetings of and consider any report or recommendations made by a 'relevant overview and scrutiny committee'. A 'relevant overview and scrutiny committee' is defined in Regulation 8 (7)) as:
  - a. an overview and scrutiny committee appointed by a constituent council under section 21(2) of the Local Government Act 2000;
  - b. a joint overview and scrutiny committee appointed under the Local Authorities (Joint Overview and Scrutiny Committees) (Wales)

Regulations 2013 where the appointing authorities are constituent councils of the corporate joint committee;

- c. a sub-committee of a committee described in paragraph (a) or (b).
5. The Cardiff Capital Region City Deal Joint Overview and Scrutiny Committee (“the JOSCS”) was appointed by the constituent councils of the CCRCD to provide the scrutiny function for the Joint Committee. It meets up to 4 times per year and is administered by Rhondda Cynon Taf County Borough Council (“RCTCBC”).
6. The JOSCS comprises one non-executive member from each constituent council of the CCRCD, which are also the constituent authorities of the CJC.
7. Therefore, relevant scrutiny committees for the purposes of the Regulations, are the individual scrutiny committees of each constituent council of the CJC and if appointed, the JOSCS. It is proposed that having the JOSCS provide the scrutiny arrangements for the CJC would best satisfy Welsh Government’s intention, as set out in the Statutory Guidance, because:
  - (1) the Statutory Guidance provides for consideration to be given to scrutiny being carried out by a joint committee of the constituent authorities;
  - (2) the Statutory Guidance expressly states that scrutiny arrangements should be proportionate to the scale and functions of the CJC; and
  - (3) JOSCS already provides the scrutiny function of the CCRCD.
8. Preliminary discussions have taken place between the Interim Chief Executive and officers at RCTCBC and they have indicated that they would be able to facilitate the proposal. If approved the terms of reference of the JOSCS will need to be amended to make clear the scope of its functions in relation to the CJC.
9. The CJC cannot designate the scrutiny function to the JOSCS itself, instead the Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013 require the constituent Councils to appoint the JOSCS as the Joint Overview and Scrutiny Committee for the CJC, and when doing so, to enter into an agreement setting out the terms of reference, rules and procedures and other ancillary matters as set out in Regulation 4 of those Regulations.
10. Accordingly, if this proposal was approved, the terms of reference of the JOSCS will need to be amended to include the scrutiny function of the CJC, and this, along with the other requirements of Regulation 4, will need to be agreed by all ten constituent authorities.

### **Reasons for Recommendations**

11. To ensure that there is independent scrutiny of the exercise of the CJC’s functions.
12. To obtain relevant authority from members to approach constituent authorities to progress the proposal.

## **Financial Implications**

13. The attached report seeks to request that the scope of the existing JOSOC arrangements be amended to include the requirements of the South East Wales Corporate Joint Committee.
14. The existing JOSOC arrangements are overseen by RCTCBC and the costs are fully met by the Cardiff Capital Regional City Deal's budget. It is not anticipated that the overall cost envelope will change as result of the recommendations set out in this report, but consideration will need to be given to whether an appropriate element of these costs should be recharged to the CJC.
15. In the current financial year (2023/24) the CJC has set aside a budget of £8,000 to meet the costs of its sub-committees, which is deemed to be sufficient at this time. In addition, the CJC has an approved Contingency budget of £30,000 to support the work of the CJC during 2023/24, which involves putting in a place a number of new arrangements to enable the CJC to discharge its duties under the regulations. These sums will be reviewed as part of the CJC's annual budget setting process, as the volume and complexity of the CJC's operations evolve.

## **Legal Implications**

16. The legal implications are set out in the body of the report.

## **Well-being of Future Generations (Wales) Act 2015**

17. In developing these proposals and in considering its endorsement regard should be had, amongst other matters, to the Well-being of Future Generations (Wales) Act 2015. The Well-being of Future Generations (Wales) Act 2015 ('the Act') is about improving the social, economic, environmental and cultural well-being of Wales. The Act places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language and is globally responsible. In discharging their respective duties under the Act, each public body listed in the Act (which includes the Councils comprising the CJC) must set and publish wellbeing objectives. These objectives will show how each public body will work to achieve the vision for Wales set out in the national wellbeing goals. When exercising its functions, the CJC should consider how the proposed decision will contribute towards meeting the wellbeing objectives set by each Council and in so doing achieve the national wellbeing goals. The wellbeing duty also requires the Councils to act in accordance with a 'sustainable development principle'. This principle requires the Councils to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
18. Put simply, this means that CJC must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, they must:
  - look to the long term;

- focus on prevention by understanding the root causes of problems;
- deliver an integrated approach to achieving the 7 national well-being goals;
- work in collaboration with others to find shared sustainable solutions;
- involve people from all sections of the community in the decisions which affect them.

19. The CJC must be satisfied that the proposed decision accords with the principles above. To assist the CJC to consider the duties under the Act in respect of the decision sought, an assessment has been undertaken, which is attached at Appendix 1.

### **Equality Act 2010**

20. In considering this matter, regard should be had, amongst other matters, to the Councils' duties under the Equality Act 2010. Pursuant to these legal duties the CJC must in making decisions have due regard to the need to (1) eliminate unlawful discrimination (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are:

- age;
- gender reassignment;
- sex;
- race – including ethnic or national origin, colour or nationality;
- disability.
- pregnancy and maternity;
- marriage and civil partnership;
- sexual orientation;
- religion or belief – including lack of belief.

## **RECOMMENDATIONS**

21. It is recommended that the CJC, subject to the agreement of the constituent authorities of the CJC:
- (1) endorses the proposal that the JOSCS should be appointed as the Joint Overview and Scrutiny Committee of the CJC;
  - (2) authorises the Interim Monitoring Officer to approach relevant officers at RCT CBC to formally request that the JOSCS be appointed as the Joint Overview and Scrutiny Committee of the CJC;
  - (3) authorises the Interim Monitoring Officer to make arrangements with the constituent authorities as are necessary to progress the proposal.

**James Williams**  
**Interim Monitoring Officer**  
**South East Wales Corporate Joint Committee**  
**31 July 2023**

## **Appendices**

Appendix 1 Well-being of Future Generations Assessment

# Future Generations Assessment Evaluation

## (includes Equalities and Sustainability Impact Assessments)

<p><b>Name of the Officer completing the evaluation:</b></p> <p>Mary Cormack, Locum Governance Solicitor</p> <p><b>E-mail:</b> mary.cormack@cardiff.gov.uk</p>	<p><b>Please give a brief description of the aims of the proposal:</b></p> <p>To make appropriate scrutiny arrangements for the CJC</p>
<p><b>Proposal:</b> Scrutiny Arrangements</p>	<p><b>Date Future Generations Evaluation form completed:</b> 31 July 2023</p>






**1. Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>The report proposes that the CJC appoint the already established Cardiff Capital Region City Deal Joint Overview and Scrutiny Committee. This is considered to be the most effective and efficient approach to scrutiny.</p> <p>As the CJC will have responsibility for economic wellbeing in the region, a CJC that is set up and governed appropriately will be in the best position to deliver upon this wellbeing goal.</p>	<p>n/a</p>
<p><b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>A CJC, with robust scrutiny arrangements will add value in this space by being more resilient.</p>	<p>n/a</p>

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>The report sets out how the CJC will ensure that there is independent scrutiny of the exercise of the CJC's functions.</p> <p>This will have neither a positive or a negative impact on this goal.</p>	n/a
<p><b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected</p>	<p>The report sets out how the CJC will ensure that there is independent scrutiny of the exercise of the CJC's functions.</p> <p>This will have neither a positive or a negative impact on this goal.</p>	n/a
<p><b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing</p>	<p>The report sets out how the CJC will ensure that there is independent scrutiny of the exercise of the CJC's functions.</p> <p>This will have neither a positive or a negative impact on this goal.</p>	n/a
<p><b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation</p>	<p>The report sets out how the CJC will ensure that there is independent scrutiny of the exercise of the CJC's functions.</p> <p>This will have neither a positive or a negative impact on this goal.</p>	n/a
<p><b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances</p>	<p>The report sets out how the CJC will ensure that there is independent scrutiny of the exercise of the CJC's functions.</p> <p>This will have neither a positive or a negative impact on this goal.</p>	n/a



## 2. How has your proposal embedded and prioritized the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Balancing short term need with long term and planning for the future</p> <p>Long Term</p>	<p>The CJC is a long-term construct and requires thinking ahead, however in the short-term a 'bare minimum' model is being put in place.</p> <p>The appointment of the Joint Overview and Scrutiny Committee shows that the CJC is developing its capacity and capability for the long term</p>	<p>Not at this time but may change over the longer term.</p>
 <p>Working together with other partners to deliver objectives</p> <p>Collaboration</p>	<p>The principles of the governance structure, its partnership approach and the building of new institutional capacity are all at the heart of the CJC.</p> <p>These are the principles under which the proposal has been put forward.</p>	<p>Not at this time but may change over the longer term.</p>
 <p>Involving those with an interest and seeking their views</p> <p>Involvement</p>	<p>The approach here will be backed by a wider corporate plan which will be consulted upon during its development</p>	<p>The production and consultation on the wider corporate plan will be an important step in the CJC's development and a robust consultation approach will be important in getting a wider view of how well it is managing that development.</p>
 <p>Putting resources into preventing problems occurring or getting worse</p> <p>Prevention</p>	<p>The appointment of the Joint Overview and Scrutiny Committee will ensure that there is independent scrutiny of the CJC.</p>	<p>The Joint Overview and Scrutiny Committee will scrutinise the way in which the CJC exercises its functions which will support this objective even further.</p>
 <p>Considering impact on all wellbeing goals together and on other bodies</p> <p>Integration</p>	<p>The proposal will help the CJC be a robust, well governed regional organisation and support the delivering of the Regional Economic and Industrial Plan and with that the CJC's wellbeing objectives.</p>	<p>Continuing to develop the partnership approach taken to date will be critical to closer align wellbeing objectives across the region to the wellbeing goals.</p>

**3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.**

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Not relevant in this context since the principles, approach and ways of working apply to all prospective interests and stakeholders	As projects and programmes develop under the CJC, each will be subject to comprehensive assessments against the plans and procedures put in place to protect certain characteristics.	<p>A full ESG agenda and diversity and inclusion reviews into partnerships and groups will help ensure this agenda is embedding in ways of working and the culture that is created.</p> <p>A full training and development programme will also be devised in order to embed and 'bring to life' such considerations – not just as part of project assessments, but in seeking to address such concerns and issues as part and parcel of project business cases that are developed.</p>
Disability	As above	As above	As above.
Gender reassignment	As above	As above	As above.
Marriage or civil partnership	As above	As above	As above.
Pregnancy or maternity	As above	As above	As above.
Race	As above	As above	As above.
Religion or Belief	As above	As above	As above.
Sex	As above	As above	As above.
Sexual Orientation	As above	As above	As above.
Welsh Language	As above	As above	As above.

**4. Safeguarding & Corporate Parenting. Are your proposals going to affect either of these responsibilities?**

	<b>Describe any positive impacts your proposal has on safeguarding and corporate parenting</b>	<b>Describe any negative impacts your proposal has on safeguarding and corporate parenting</b>	<b>What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?</b>
Safeguarding	n/a		
Corporate Parenting	n/a		

**5. What evidence and data has informed the development of your proposal?**

As above.

**6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?**

The proposal in general should have a positive impact. Setting the CJC up for success and robust governance should bring long term regional benefits, more partnership working and clearer, joined up priorities on transport, land use planning and economic wellbeing. Although these elements are not directly delivered by this proposal, having sound structures and governance will support them

**7. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.**

<b>The impacts of this proposal will be evaluated on:</b>	This will be revisited in approximately 8 months' time as part of the Transition Plan and will be reviewed at that point.
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31 JULY 2023

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## SOUTH EAST WALES CJC – STATUTORY SUB-COMMITTEES UPDATE

### REPORT OF THE INTERIM MONITORING OFFICER

#### AGENDA ITEM: 5

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#### Reasons for Report

1. To update members on progress made following the decisions of the CJC made at its meeting in March 2023.
2. To obtain the relevant authority and decisions from the CJC to make further progress in establishing and constituting the statutory sub-committees.

#### Background

##### Standards Sub-Committee

3. Members are referred to the report considered at the meeting of the CJC in March 2023, which outlines the legislative framework for the establishment of the statutory standards sub-committee of the CJC.
4. At that meeting, the CJC resolved to:
  - a) utilise Cardiff Council's Standards & Ethics Committee to carry out the functions of the Standards Sub-Committee for the South East Wales Corporate Joint Committee; and
  - b) authorised the Interim Chief Executive to instruct officers of the CJC to make arrangements with officers at Cardiff Council to obtain the required approval and consent of the relevant officers and members to implement the proposal.
5. Cardiff's Standards and Ethics Committee met on 9<sup>th</sup> May 2023 and agreed, in principle, to carry out the functions of the Standard's Sub-Committee of the CJC, subject to a Service Level Agreement being concluded between Cardiff Council and the CJC on suitable terms, including specifically, to provide that any additional costs and liabilities incurred by Cardiff Council under the arrangement are to be paid for by the SEWCJC, and with provision for review after 12 months and termination of the arrangements. This decision was due to be approved by a meeting of Cardiff Council on 20<sup>th</sup> July 2023. However, due to a technical issue, the Council meeting was adjourned before all items of business were dealt with. Therefore, if the CJC approves this approach, the matter will be confirmed by

Cardiff Council at its next meeting in September, at which point the Standards & Ethics Committee of Cardiff Council will be the CJC's statutory standards sub-committee.

6. The CJC is required to adopt its own Code of Conduct, to ensure that the standards framework is in place for the statutory sub-committee to exercise its functions. The CJC approved a Member's Code of Conduct as part of the wider approval of its first set of standing orders, at its inaugural meeting in January 2022. An updated Member Code of Conduct based on the Model Code of Conduct, is at Appendix 1 of this report for members to consider and approve.
7. Paragraph 17 of this Code of Conduct sets out a requirement for members to notify the Monitoring Officer of gifts and hospitality above a value specified in a resolution of the CJC. Given that the statutory standards sub-committee function is being provided by Cardiff's Standards & Ethics Committee, it is proposed that the value specified should be the same as apply to members of Cardiff Council, namely £25.00.

#### Governance & Audit Committee

8. At its meeting on 27 March 2023, the CJC noted the statutory requirement to establish a Governance and Audit Sub-Committee, approved its terms of reference and authorised the Interim Chief Executive to make arrangements to establish the Governance and Audit Sub-Committee and to constitute its membership.
9. Steps now need to be taken to recruit elected and lay members of this sub-committee.
10. In accordance with the approved terms of reference, the Governance and Audit Sub-Committee is required to have twelve members. Eight of these must be a member of a constituent authority (but may not be a Leader or Executive member of an authority) and four must be lay persons.
11. A lay person is defined (section 87 of the 2011 Measure as amended) as one who:
  - (a) is not a member or an officer of a local authority;
  - (b) has not at any time in the period of twelve months ending with the date of that person's appointment been a member or an officer of any local authority; and
  - (c) is not the spouse or civil partner of a member or an officer of any local authority.
12. In respect of recruitment of the elected members, the CJC has delegated authority to the Interim Chief Executive. In respect of the recruitment of elected members, the Interim Chief Executive will invite expressions of interest from non-executive members of the constituent authorities.

13. Lay members will be with a public advert of vacancies. The Interim Chief Executive will establish an appointments panel to consider all applications received; and make recommendations to the CJC at a future meeting in relation to which applicants the CJC should consider appointing.
14. The IPRW is supposed to determine the remuneration of members appointed to the Governance and Audit Sub-Committee. However, as yet, it has not done so. However, the statutory guidance for CJsCs states that it is not anticipated that members of CJsCs or their sub-committees who are already elected members of constituent authorities will receive an additional payment in respect of their role on the CJC. However, members are entitled to payment of a contribution to costs of care, travel and subsistence incurred in carrying out their CJC duties.
15. Lay members of the Governance and Audit Sub-Committee are entitled to the payments set by the IPRW in respect of co-opted members to Governance and Audit committees; namely:
  - a) Chair: £134 for up to 4 hours and £268 for 4 hours and over;
  - b) other Members: £105 for up to 4 hours and £210 for 4 hours and over.

### **Reason for Recommendations**

16. To obtain the relevant authority and decisions to progress the establishment and constitution of the statutory sub-committees.

### **Financial Implications**

17. As outlined above, this report provides an update on CJC sub-committees matters that were reported back in March 2023. Therefore, there are no direct financial implications arising from this report, but a further report will be brought back to the CJC for consideration. This report will fully set out the proposed arrangements in respect of both sub-committees, along with details of the part-year costs applicable to the 2023/24 financial year, the full year costs due in future years, as well as the proposed funding arrangements.
18. The CJC's 2023/24 approved budget includes a sum of £8,000 to cover 'Governance & Sub-Committee expenditure'. In addition, the budget includes a contingency sum of £30,000 to support the CJC activities during year, as deemed appropriate.

### **Legal Implications**

19. The legal implications are set out within the body of this report.

### **Well-being of Future Generations (Wales) Act 2015**

20. In developing these proposals and in considering its endorsement regard should be had, amongst other matters, to:

- a) the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards;
- b) public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: a. age; b. gender reassignment; c. sex; d. race – including ethnic or national origin, colour or nationality; e. disability; f. pregnancy and maternity; g. marriage and civil partnership; h. sexual orientation; i. religion or belief – including lack of belief, and;
- c) the Well-being of Future Generations (Wales) Act 2015. The Well-being of Future Generations (Wales) Act 2015 ('the Act') is about improving the social, economic, environmental and cultural well-being of Wales. The Act places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language and is globally responsible. In discharging their respective duties under the Act, each public body listed in the Act (which includes the Councils comprising the CJC) must set and publish wellbeing objectives. These objectives will show how each public body will work to achieve the vision for Wales set out in the national wellbeing goals. When exercising its functions, the CJC Board should consider how the proposed decision will contribute towards meeting the wellbeing objectives set by each Council and in so doing achieve the national wellbeing goals. The wellbeing duty also requires the Councils to act in accordance with a 'sustainable development principle'. This principle requires the Councils to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Put simply, this means that CJC Board must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, they must:

- look to the long term;
- focus on prevention by understanding the root causes of problems;
- deliver an integrated approach to achieving the 7 national well-being goals;
- work in collaboration with others to find shared sustainable solutions;
- involve people from all sections of the community in the decisions which affect them.

21. CJC Board must be satisfied that the proposed decision accords with the principles above. To assist CJC Board to consider the duties under the Act in respect of the decision sought, an assessment has been undertaken, which is attached at Appendix 2.

## **Equality Act 2010**

22. In considering this matter, regard should be had, amongst other matters, to the Councils' duties under the Equality Act 2010. Pursuant to these legal duties the CJC Board must in making decisions have due regard to the need to (1) eliminate unlawful discrimination (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are:

- age;
- gender reassignment;
- sex;
- race – including ethnic or national origin, colour or nationality;
- disability.
- pregnancy and maternity;
- marriage and civil partnership;
- sexual orientation;
- religion or belief – including lack of belief.

## **RECOMMENDATIONS**

23. It is recommended that the CJC:

- (1) notes the progress made towards establishing the statutory sub-committees;
- (2) delegates the statutory functions of the statutory Standards Sub-Committee of the CJC to Cardiff Council's Standards & Ethics Committee and authorises the Interim Chief Executive to conclude a Service Level Agreement with Cardiff Council setting out the terms of the interim arrangements as set out in paragraph 5 of the report;
- (3) endorses the proposed method of recruitment of elected and lay members of the Governance & Audit Sub-Committee;
- (4) notes the remuneration payable to lay members of the Governance & Audit Committee;
- (5) approves and adopts the CJC Member Code of Conduct at Appendix 1.

**James Williams**  
**Interim Monitoring Officer**  
**South East Wales Corporate Joint Committee**  
**31 July 2023**

## **Appendices**

Appendix 1 CJC Member Code of Conduct

Appendix 2 Well-being of Future Generations Assessment



## MEMBER CODE OF CONDUCT

## CODE OF CONDUCT

## SOUTH EAST WALES CORPORATE JOINT COMMITTEE

## PART 1

## INTERPRETATION

**1**

(1) In this code—

“CJC” means the South East Wales Corporate Joint Committee

“independent member” (“*aelod annibynno*”), in relation to a relevant authority, means a person who is not a member of the authority but who—

- (a) is a co-opted member of any committee or sub-committee of the authority, or
- (b) is a co-opted member of, and represents the authority on, any joint committee or joint sub-committee of the authority,

and who is entitled to vote on any question which falls to be decided at any meeting of that committee or sub-committee. (An independent member may also be referred to as a co-opted member but is not a full member of the relevant authority);

“meeting” (“*cyfarfod*”) means any meeting—

- (a) of the relevant authority,
- (b) of any executive or board of the relevant authority,
- (c) of any committee, sub-committee, joint committee or joint sub-committee of the relevant authority or of any such committee, sub-committee, joint committee or joint sub-committee of any executive or board of the authority, or
- (d) where members or officers of the relevant authority are present other than a meeting of a political group constituted in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990,

and includes circumstances in which a member of an executive or board or an officer acting alone exercises a function of an authority;

“member” (“*aelod*”) includes, unless the context requires otherwise, an independent member;

“register of members' interests” (“*cofrestr o fuddiannau'r aelodau*”) means the register established and maintained under [section 81](#) of the Local Government Act 2000;

“registered society” means a society, other than a society registered as a credit union, which is—

- (a) a registered society within the meaning given by [section 1\(1\)](#) of the Co-operative and Community Benefit Societies Act 2014; or
- (b) a society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969;

“relevant authority” (“*awdurdod perthnasol*”) means—

- (a) a county council,
- (b) a county borough council,
- (c) a community council,
- (d) a fire and rescue authority constituted by a scheme under [section 2](#) of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,
- (e) a National Park authority established under [section 63](#) of the Environment Act 1995;
- (f) a Corporate Joint Committee

“you” (“*chi*”) means you as a member or independent member of the CJC

<p>PART 2 GENERAL PROVISIONS</p>
<p><b>2</b></p> <p>(1) Save where paragraph 3(a) applies, you must observe this code of conduct—</p> <p>(a) whenever you conduct the business, or are present at a meeting, of the CJC;</p> <p>(b) whenever you act, claim to act or give the impression you are acting in the role of member of the CJC ;</p> <p>(c) whenever you act, claim to act or give the impression you are acting as a representative of the CJC ; or</p> <p>(d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7.</p> <p>(2) You should read this code together with the general principles prescribed under <a href="#">section 49(2)</a> of the Local Government Act 2000 in relation to Wales.</p>
<p><b>3</b></p> <p>Where you are elected, appointed or nominated by the CJC to serve—</p> <p>(a) on another relevant authority, or any other body, which includes a Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or</p> <p>(b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.</p>
<p><b>4</b></p> <p>You must—</p> <p>(a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;</p> <p>(b) show respect and consideration for others;</p> <p>(c) not use bullying behaviour or harass any person; and</p> <p>(d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, the CJC.</p>
<p><b>5</b></p> <p>You must not—</p> <p>(a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;</p> <p>(b) prevent any person from gaining access to information to which that person is entitled by law.</p>
<p><b>6</b></p> <p>(1) You must—</p> <p>(a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or the CJC into disrepute;</p> <p>(b) report, whether through the CJC's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, the CJC which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);</p> <p>(c) report to the CJC's monitoring officer any conduct by another member which you reasonably believe breaches this code of conduct;</p> <p>(d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, the CJC.</p> <p>(2) You must comply with any request of the CJC's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.</p>
<p><b>7</b></p> <p>You must not—</p> <p>(a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;</p> <p>(b) use, or authorise others to use, the resources of the CJC—</p> <p>(i) imprudently;</p>

- (ii) in breach of the CJC's requirements;
- (iii) unlawfully;
- (iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the CJC or of the office to which you have been elected or appointed;
- (v) improperly for political purposes; or
- (vi) improperly for private purposes.

**8**

You must—

- (a) when participating in meetings or reaching decisions regarding the business of the CJC, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by the CJC's officers, in particular by—
  - (i) the CJC's Chief Executive;
  - (ii) the CJC's chief finance officer;
  - (iii) the CJC's monitoring officer;
  - (iv) the CJC's chief legal officer (monitoring officer) (who should be consulted when there is any doubt as to the CJC's power to act, as to whether the action proposed lies within the policy framework agreed by the CJC or where the legal consequences of action or failure to act by the CJC might have important repercussions);
- (b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the CJC.

**9**

You must—

- (a) observe the law and the CJC's rules governing the claiming of expenses and allowances in connection with your duties as a member;
- (b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception or a working lunch duly authorised by the CJC), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

**PART 3****INTERESTS****Personal Interests****10**

- (1) You must in all matters consider whether you have a personal interest, and whether this code of conduct requires you to disclose that interest.
- (2) You must regard yourself as having a personal interest in any business of the CJC if—
  - (a) it relates to, or is likely to affect—
    - (i) any employment or business carried on by you;
    - (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
    - (iii) any person, other than the CJC, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;
    - (iv) any corporate body which has a place of business or land in the CJC's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
    - (v) any contract for goods, services or works made between the CJC and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
    - (vi) any land in which you have a beneficial interest and which is in the area of the CJC;
    - (vii) any land where the landlord is the CJC and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
    - (viii) any body to which you have been elected, appointed or nominated by the CJC;
    - (ix) any—
      - (aa) public authority or body exercising functions of a public nature;
      - (bb) company, registered society, charity, or body directed to charitable purposes;
      - (cc) body whose principal purposes include the influence of public opinion or policy;
      - (dd) trade union or professional association; or
      - (ee) private club, society or association operating within the CJC's area,

in which you have membership or hold a position of general control or management;

(x) any land in the CJC's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

(b) a decision upon it might reasonably be regarded as affecting—

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(b)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) any body listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management, to a greater extent than the majority of

other council tax payers, ratepayers or inhabitants of the CJC's area.

### **Disclosure of Personal Interests**

#### **11**

(1) Where you have a personal interest in any business of the CJC and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence and nature of that interest before or at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of the CJC and you make—

(a) written representations (whether by letter, facsimile or some other form of electronic communication) to a member or officer of the CJC regarding that business, you should include details of that interest in the written communication; or

(b) oral representations (whether in person or some form of electronic communication) to a member or officer of the CJC you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest, and confirm the representation and interest in writing within 14 days of the representation.

(3) Subject to paragraph 14(1)(b) below, where you have a personal interest in any business of the CJC and you have made a decision in exercising a function of an executive or board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.

(4) You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 11(1), give written notification to the CJC in accordance with any requirements identified by the CJC's monitoring officer but, as a minimum containing—

(a) details of the personal interest;

(b) details of the business to which the personal interest relates; and

(c) your signature.

(5) Where you have agreement from the CJC's monitoring officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 16(1), your obligations under this paragraph 11 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that the CJC's monitoring officer has agreed that the nature of such personal interest is sensitive information.

(6) For the purposes of sub-paragraph (4), a personal interest will only be deemed to have been previously disclosed if written notification has been provided in accordance with this code since the last date on which you were elected, appointed or nominated as a member of the CJC.

(7) For the purposes of sub-paragraph (3), where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this code.

### **Prejudicial Interests**

#### **12**

(1) Subject to sub-paragraph (2) below, where you have a personal interest in any business of the CJC you also have a prejudicial interest in that business if the interest is one which a member of the public with

knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) Subject to sub-paragraph (3), you will not be regarded as having a prejudicial interest in any business where that business—

(a) relates to—

- (i) another relevant authority of which you are also a member;
  - (ii) another public authority or body exercising functions of a public nature in which you hold a position of general control or management;
  - (iii) a body to which you have been elected, appointed or nominated by the CJC;
  - (iv) your role as a school governor unless it relates particularly to the school of which you are a governor;
  - (v) your role as a member of a Local Health Board where you have not been appointed or nominated by the CJC;
- (b) relates to—

(i) the functions of the CJC in respect of statutory sick pay under [Part XI](#) of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;

(ii) the functions of the CJC in respect of an allowance or payment made in accordance with the provisions of Part 8 of the [Local Government \(Wales\) Measure 2011](#), or an allowance or pension provided under [section 18](#) of the Local Government and Housing Act 1989;

(3) The exemptions in subparagraph (2)(a) do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

### **Overview and Scrutiny Committees**

#### **13**

You also have a prejudicial interest in any business before an overview and scrutiny committee of the CJC (or of a sub-committee of such a committee) where—

(a) that business relates to a decision made (whether implemented or not) or action taken by the CJC's executive, board or another of the CJC's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

### **Participation in Relation to Disclosed Interests**

#### **14**

(1) Subject to sub-paragraphs (2), (2A), (3) and (4), where you have a prejudicial interest in any business of the CJC you must, unless you have obtained a dispensation from the CJC's standards committee—

(a) withdraw from the room, chamber or place where a meeting considering the business is being held—

(i) where sub-paragraph (2) applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or

(ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;

(b) not exercise executive or board functions in relation to that business;

(c) not seek to influence a decision about that business;

(d) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and

(e) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

(2) Where you have a prejudicial interest in any business of the CJC you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

(2A) Where you have a prejudicial interest in any business of the CJC you may submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under a statutory right or otherwise.

(2B) When submitting written representations under sub-paragraph (2A) you must comply with any procedure that the CJC may adopt for the submission of such representations.

(3) Sub-paragraph (1) does not prevent you attending and participating in a meeting if—

(a) you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers; or

(b) you have the benefit of a dispensation provided that you—

(i) state at the meeting that you are relying on the dispensation; and

(ii) before or immediately after the close of the meeting give written notification to the CJC containing—

(aa) details of the prejudicial interest;

(bb) details of the business to which the prejudicial interest relates;

(cc) details of, and the date on which, the dispensation was granted; and

(dd) your signature.

(4) Where you have a prejudicial interest and are making written or oral representations to the CJC in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation and, in the latter case, provide written notification to the CJC within 14 days of making the representation.

#### PART 4

#### THE REGISTER OF MEMBERS' INTERESTS

#### Registration of Personal Interests

#### 15

(1) Subject to sub-paragraph (4), you must, within 28 days of—

(a) the CJC's code of conduct being adopted or the mandatory provisions of this model code being applied to the CJC; or

(b) your election or appointment to office (if that is later),

register your personal interests, where they fall within a category mentioned in paragraph 10(2)(a), in the CJC's register of members' interests by providing written notification to the CJC's monitoring officer.

(2) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10(2)(a), register that new personal interest in the CJC's register of members' interests by providing written notification to the CJC's monitoring officer.

(3) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 10(2)(a), register that change in the CJC's register of members' interests by providing written notification to the CJC's monitoring officer.

(4) Sub-paragraphs (1), (2) and (3) do not apply to sensitive information determined in accordance with paragraph 16(1).

(5) You must, when disclosing a personal interest in accordance with paragraph 11 for the first time, register that personal interest in the CJC's register of members' interests by providing written notification to the CJC's monitoring officer.

#### Sensitive Information

#### 16

(1) Where you consider that the information relating to any of your personal interests is sensitive information, and the CJC's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to the interest under paragraph 15.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under sub-paragraph (1) is no longer sensitive information, notify the CJC's monitoring officer asking that the information be included in the CJC's register of members' interests.

(3) In this code, "sensitive information" ("*gwybodaeth sensitif*") means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

#### Registration of Gifts and Hospitality

#### 17

You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a value specified in a resolution of the CJC, provide written notification to the CJC's monitoring officer of the existence and nature of that gift, hospitality, material benefit or advantage.

# Future Generations Assessment Evaluation

## (includes Equalities and Sustainability Impact Assessments)

<p><b>Name of the Officer completing the evaluation:</b></p> <p>Mary Cormack Locum Governance Solicitor</p> <p><b>E-mail:</b> mary.cormack@cardiff.gov.uk</p>	<p><b>Please give a brief description of the aims of the proposal:</b></p> <p>1. The South East Wales Corporate Joint Committee (the CJC) is required to establish a Standards &amp; Ethics sub-committee and a Governance &amp; Audit sub-committee. This report updates the CJC on progress made to date in establishing these sub-committees and seeks authority to make further progress and seeks approval of an updated Member Code of Conduct.</p>
<p><b>Proposal:</b> South East Wales CJC – Statutory Sub-Committees Update</p>	<p><b>Date Future Generations Evaluation form completed:</b> 31 July 2023</p>






**1. Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

<b>Well Being Goal</b>	<b>Does the proposal contribute to this goal? Describe the positive and negative impacts.</b>	<b>What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?</b>
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>The report is setting out how the CJC it will fulfil its statutory responsibilities to have a Standards and Ethics Sub-Committee and a Governance and Audit Sub-Committee.</p> <p>As the CJC will have responsibility for economic wellbeing in the region, a CJC that is set up and governed appropriately will be in the best position to deliver upon this wellbeing goal.</p>	<p>n/a</p>
<p><b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>The report is setting out how the CJC it will fulfil its statutory responsibilities to have a Standards and Ethics Sub-Committee and a Governance and Audit Sub-Committee. A CJC, with robust Standards, Governance and Audit approaches will add value in this space by being more resilient.</p>	<p>n/a</p>



Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>The report is setting out how the CJC it will fulfil its statutory responsibilities to have a Standards and Ethics Sub-Committee and a Governance and Audit Sub-Committee.</p> <p>This will have neither a positive or a negative impact on this goal.</p>	n/a
<p><b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected</p>	<p>The report is setting out how the CJC it will fulfil its statutory responsibilities to have a Standards and Ethics Sub-Committee and a Governance and Audit Sub-Committee.</p> <p>This will have neither a positive or a negative impact on this goal.</p>	n/a
<p><b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing</p>	<p>The report is setting out how the CJC it will fulfil its statutory responsibilities to have a Standards and Ethics Sub-Committee and a Governance and Audit Sub-Committee.</p> <p>This will have neither a positive or a negative impact on this goal.</p>	n/a
<p><b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation</p>	<p>The report is setting out how the CJC it will fulfil its statutory responsibilities to have a Standards and Ethics Sub-Committee and a Governance and Audit Sub-Committee.</p> <p>This will have neither a positive or a negative impact on this goal.</p>	n/a
<p><b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances</p>	<p>The report is setting out how the CJC it will fulfil its statutory responsibilities to have a Standards and Ethics Sub-Committee and a Governance and Audit Sub-Committee.</p> <p>This will have neither a positive or a negative impact on this goal.</p>	n/a

**2. How has your proposal embedded and prioritized the sustainable governance principles in its development?**

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Balancing short term need with long term and planning for the future</p>	<p>The CJC is a long-term construct and requires thinking ahead, however in the short-term a 'bare minimum' model is being put in place.</p> <p>The setting up of the Standards and Ethics Sub Committee and the Audit and Governance Sub Committee shows that the CJC is developing its capacity and capability for the long term</p>	<p>The Standards and Ethics Committee is proposing a short-term solution of utilizing an existing committee from one of the constituent authorities, therefore a longer-term solution will be required to be developed.</p>
 <p>Working together with other partners to deliver objectives</p>	<p>The principles of the governance structure, its partnership approach and the building of new institutional capacity are all at the heart of the CJC.</p> <p>These are the principles under which the proposal has been put forward.</p>	<p>Not at this time but may change over the longer term.</p>
 <p>Involving those with an interest and seeking their views</p>	<p>The approach here will be backed by a wider corporate plan which will be consulted upon during its development</p>	<p>The production and consultation on the wider corporate plan will be an important step in the CJC's development and a robust consultation approach will be important in getting a wider view of how well it is managing that development.</p>
 <p>Putting resources into preventing problems occurring or getting worse</p>	<p>The two sub committees being established by this proposal will be at the heart of the CJC operation and have statutory duties to help the CJC improve.</p>	<p>As the committees mature, they will provide essential input into the CJC, including lessons learned activities that will support this objective even further.</p>
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>The proposals will help the CJC be a robust, well governed regional organisation and support the delivering of the Regional Economic and Industrial Plan and with that the CJC's wellbeing objectives.</p>	<p>Continuing to develop the partnership approach taken to date will be critical to closer align wellbeing objectives across the region to the wellbeing goals.</p>

**3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.**

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Not relevant in this context since the principles, approach and ways of working apply to all prospective interests and stakeholders	As projects and programmes develop under the CJC, each will be subject to comprehensive assessments against the plans and procedures put in place to protect certain characteristics.	<p>A full ESG agenda and diversity and inclusion reviews into partnerships and groups will help ensure this agenda is embedding in ways of working and the culture that is created.</p> <p>A full training and development programme will also be devised in order to embed and 'bring to life' such considerations – not just as part of project assessments, but in seeking to address such concerns and issues as part and parcel of project business cases that are developed.</p>
Disability	As above	As above	As above.
Gender reassignment	As above	As above	As above.
Marriage or civil partnership	As above	As above	As above.
Pregnancy or maternity	As above	As above	As above.
Race	As above	As above	As above.
Religion or Belief	As above	As above	As above.
Sex	As above	As above	As above.
Sexual Orientation	As above	As above	As above.
Welsh Language	As above	As above	As above.

**4. Safeguarding & Corporate Parenting. Are your proposals going to affect either of these responsibilities?**

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	n/a		
Corporate Parenting	n/a		

**5. What evidence and data has informed the development of your proposal?**

As above.

**6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?**

The proposal in general should have a positive impact. Setting the CJC up for success and robust governance should bring long term regional benefits, more partnership working and clearer, joined up priorities on transport, land use planning and economic wellbeing. Although these elements are not directly delivered by this proposal, having sound structures and governance will support them

**7. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.**

The impacts of this proposal will be evaluated on:	This will be revisited in approximately 8 months' time as part of the Transition Plan and will be reviewed at that point.
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