South East Wales Corporate Joint Committee

Cyd-bwyllgor corfforaethol De-Dwyrain Cymru

Report for:	ACTION
Contains Confidential or Exempt Information	NO

For Consideration By	South East Wales Corporate Joint Committee
Report Title	Establishment of, and Appointments to, Sub-Committees and Advisory Boards for 2024-25
Report of	Jayne La Grua, Monitoring Officer
Contact Details	Jayne.LaGrua@cardiffcapitalregion.gov.uk
Date to be Considered	3 June 2024
Implementation Date	With immediate effect
Affected Council Areas	All
Keywords / Index	appointments; sub-committees; advisory boards

Report Summary

1. This report seeks the Corporate Joint Committee's approval of the establishment of standing sub-committees and advisory boards for the 2024/25 municipal year. It also asks the Corporate Joint Committee to receive nominations and make appointments to those sub-committees and advisory boards, and to elect a Chair and Deputy Chair for each of those sub-committees and advisory boards.

Recommendations

2. The Corporate Joint Committee is asked to:

2.1 Approve the establishment of the following sub-committees for the 2024/25 municipal year:

i. Appointments Sub-Committee
ii. Governance and Audit Sub-Committee
iii. Regional Transport Sub-Committee
iv. Standards Sub-Committee
v. Strategic Development Sub-Committee

2.2 Approve the establishment of the following advisory boards for the 2024/25 municipal year:

i. Investment Board
ii. Regional Growth Board

2.3 Approve the amendment of the composition and quorum of Regional Growth Board.

2.4 Note the arrangements for a Joint Overview and Scrutiny Committee.

2.5 Receive nominations and make appointments to each of the sub-committees and advisory boards established for the 2024-25 municipal year;

2.6 Elect a Chair and Deputy Chair for each of the sub-committees and advisory boards for the 2024-25 municipal year; and

2.7 Authorise the Monitoring Officer to make appointments to any vacancies and report any such appointments to the next meeting of the CJC for information.

Reasons for Recommendations

3. It is recommended that the sub-committees, advisory boards and groups mentioned in paragraphs 2.1 and 2.2 above be established for the 2024/25 municipal, with the terms of reference set out in Part 3B of the Constitution adopted by the CJC at its meeting on 18 March 2024.

Appointments Sub-Committee

4. Regulation 15 of the South East Wales Corporate Joint Committee Regulations 2021 ('the Establishment Regulations'), and paragraph 15 of the Schedule to those Regulations, permits the CJC to establish sub-committees that may support the CJC in exercising its functions.

5. The Appointments Sub-Committee is an ad hoc sub-committee with its membership drawn from the CJC as and when it is required to convene.

Governance and Audit Sub-Committee

6. Paragraph 16 of the Schedule to the Establishment Regulations requires the CJC to establish a Governance and Audit Sub-Committee and, at its meeting on 18 March 2024, the CJC adopted standing orders for the establishment and composition of a Governance and Audit Sub-Committee (Part 2, Article 6).

7. The Governance and Audit Sub-Committee is to be comprised of 15 Members, including 1 non-executive member from each of the CJC's 10 Constituent

Councils and 5 members who are not elected members of a county council or county borough council in Wales.

8. Pursuant to Regulation 11 of the Corporate Joint Committees (General) (No.2) (Wales) Regulations 2022, the Chair of the Governance and Audit Sub-Committee must be a Lay Member.

9. Vacancies for Lay Membership of the Governance and Audit Sub-Committee have been advertised, and shortlisted candidates interviewed by the Chief Executive and the Section 151 Officer.

Regional Transport Sub-Committee

10. Regulation 14 of the Corporate Joint Committees (General) (No.2) (Wales) Regulations 2021 makes provision for a CJC to appoint one or more sub-committees:
    (a) for the purposes of discharging any of its functions; and/or
    (b) to advise the CJC on any matter relating to the discharge of any of its functions.

11. Whilst there is no express statutory requirement for the CJC to establish a Regional Transport Sub-Committee, Chapter 5 of the Corporate Joint Committees Statutory Guidance makes clear that there is an expectation that CJCs will establish sub-committees for each of the key functional areas that they exercise.

12. The CJC, at its meeting on 18 March 2024, adopted standing orders for the establishment of a Regional Transport Sub-Committee, together with terms of reference which incorporate and build upon those of the Regional Transport Authority previously established under the joint working agreement between the constituent councils for the delivery of the Cardiff Capital Region City Deal.

13. The Regional Transport Sub-Committee is to be comprised of 12 Members, including the Executive Member with responsibility for Transport (or equivalent) from each of the 10 Constituent Councils and 2 Members of the CJC who will act as the Sub-Committee's Chair and Deputy Chair (non-voting).

Standards Sub-Committee

14. Pursuant to section 53 of the Local Government Act 2000, the CJC must establish a Standards Sub-Committee and, at its meeting on 18 March 2024, the CJC adopted standing orders for the establishment of a Standards Sub-Committee (Part 2, Article 7).

15. Regulation 13 of the Corporate Joint Committees (General) (No.2) (Wales) Regulations 2021 permits the CJC to utilise an existing standards committee of one of its constituent councils and, at a meeting of the CJC on 27 March 2023, the CJC resolved to utilise Cardiff Council's Standards & Ethics Committee. Accordingly, a service level agreement has been entered into with Cardiff Council in this respect for the 2024/25 municipal year.

Strategic Development Sub-Committee

16. There is no express statutory requirement for the CJC to establish a Strategic Development Sub-Committee, however, as mentioned above, Statutory Guidance makes clear that there is an expectation that CJCs will establish sub-committees for each of the key functional areas that they exercise; and the CJC, at its meeting on 18 March 2024, adopted standing orders for the establishment of, and terms of reference for, a Strategic Development Sub-Committee.

17. The Strategic Development Sub-Committee is to be comprised of 13 Members, including the Executive Member with responsibility for Planning (or equivalent) from each of the 10 Constituent Councils, a member appointed by the Brecon Beacons National Park Authority and 2 Members of the CJC who will act as the Sub-Committee's Chair and Deputy Chair (non-voting).

Joint Overview and Scrutiny Committee

18. There is no requirement for the CJC to establish its own overview and scrutiny committee. Indeed, the Corporate Joint Committees Statutory Guidance, at Chapter 34, envisages that this will be based around scrutiny by the constituent councils of the CJC and not scrutiny by the CJC of its own work.

19. Accordingly, at a meeting of the CJC on 31 July 2023, members endorsed a proposal that the Joint Overview and Scrutiny Committee previously established to scrutinise the decisions of the Joint Committee (known as Regional Cabinet) established to deliver the Cardiff Capital Region City Deal be appointed as the Joint Overview and Scrutiny Committee for the CJC.

20. Each of the 10 Constituent Councils have since approved the recommendation and together appointed a Joint Overview and Scrutiny Committee for the South East Wales CJC in accordance with the provisions of the Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013, with Rhondda Cynon Taf County Borough Council acting as the Host Authority; and, at its meeting on 18 March 2024, the CJC adopted standing orders recognising those arrangements (Part 2, Article 5).

Advisory Boards

21. At its meeting on 4 December 2023, the CJC agreed to convene a working group to consider the proposed governance structure of the CJC. Through that working group, a governance structure was developed - and subsequently approved at a meeting of the CJC on 18 March 2024 - which builds upon arrangements previously established to support the delivery of the Cardiff Capital Region City Deal and includes specialist advisory bodies and groups drawn from both the public and private sectors. These include:

- Investment Board
- Regional Growth Board
- Shareholders' Group
- Regional Chief Executives' Group

22. The composition and terms of reference of each of the above-mentioned advisory boards and groups are set out in Part 3B of the CJC's Constitution adopted at its meeting on 18 March 2024.

Investment Board

23. The Investment Board is to be comprised of 10 members, including 5 lay members of the Regional Business Community and 5 Public Sector Chief Executives.

24. At its meeting on 29 January 2024, the CJC agreed continuity arrangements for members of the former CCR City Deal Investment Panel to be appointed to the new CJC Investment Board, including its Chair.

Regional Growth Board

25. The following amendment is proposed to the composition of the Regional Growth Board, previously agreed by the CJC at its meeting on 18 March 2024 at set out in Part 3B of the CJC's Constitution:

> ***Part 3B - Terms of Reference and Delegation of Duties to Sub-Committees and Other Bodies***
>
> ***2.2 Regional Growth Board Composition, Quorum and Voting***
>
> *2.2.1 The Regional Growth Board is comprised of up to 12 ~~14~~ Members, including no less than 4 and no more than 10 ~~12~~ non-councillor members from the regional business, academic and thirds sector communities, 1 Constituent Council Executive Member who is also a member of (and nominated by) the Regional Transport Sub-Committee, and 1 Constituent Council Executive Member who*

is also a member of (and nominated by) the Strategic Development Sub-Committee.

2.2.2 The Chair of the Investment Board will attend meetings of the Regional Growth Board and may speak but will not be entitled to vote on any matter.

2.2.3 The Regional Growth Board may co-opt to their membership persons having an interest in the business of the Sub-Committee, but such co-opted person(s) may not vote on any matter.

2.2.4 The Regional Growth Board will be attended by the following CJC Members, who may speak but will not be entitled to vote on any matter:

- *Portfolio Holder for Research, Innovation and Investment*
- *Portfolio Holder for Industrial Policy, Internationalisation & Core Cities*
- *Co-Portfolio Holder for Northern Valleys*

2.2.4 The Board will be attended by the Chief Executives of up to 2 of the Constituent Councils, nominated by the Regional Chief Executives' Group, who may be invited to speak but may not vote on any matter.

2.2.5 Quorum for meetings of the Regional Growth Board shall be ~~6~~ 4 members entitled to vote, plus the Chair or Deputy Chair.

26. At its meeting on 29 January 2024, the CJC endorsed continuity arrangements which included the appointment of the Chair of the former Cardiff Capital Region City Deal Regional Economic Growth Partnership as Chair of the new CJC Regional Growth Board.

27. A recruitment exercise is currently underway to fill the remaining vacancies. That exercise is expected to be completed during June 2024.

Vacancies

28. The CJC is asked to authorise the Monitoring Officer to make appointments to any remaining vacancies and to report any such appointments to the next meeting of the CJC for information.

Comments of the s.151 Officer

29. The cost of establishing and running the Committees, Sub-Committees and Advisory Boards outlined in this report has been costed and included in the CJC's approved 2024/25 Revenue Budget. The Budget Report set out that financial year 2024/25 represented the first year of the CJC Statutory Functions and the Cardiff Capital Region City Deal coming together under one corporate structure, therefore, the budget was developed using 'zero base budgeting', using the information known at that time.

30. Regular budget monitoring reports will be provided to the CJC during the year to report 'actual and projected costs' against the approved budgets, along with any resulting variances. This in year budget monitoring information will also be used to inform preparations for the CJC's 2025/26 Budget and its Medium Term Financial Plan.

Comments of the Monitoring Officer

31. The legal requirements in relation to the establishment of sub-committees are set out in the body of the report.

32. Agreeing and/or amending the terms of reference of sub-committees, deciding on their composition, and making appointments to them is, except as expressly and lawfully delegated, a matter reserved to the Corporate Joint Committee pursuant to Part 3A of the CJC's Constitution.

33. The composition and terms of reference of the sub-committees mentioned in this report were previously agreed by the CJC at its meeting on 18 March 2024 and are set out in Part 3B of the CJC's Constitution, together with Sub-Committee Procedure Rules, which appear in Part 4B of that document.

34. The CJC's Procedure Rules, set out in Part 4A of the Constitution, provide that, at its Annual Meeting, the CJC will elect a Chair and Deputy Chair for each of its sub-committees.

Staffing Implications

35. There are no specific staffing implications associated with this report.

Equality, Diversity and Inclusion

36. The Equality Act 2010 (Public Authorities subject to the Public Sector Equality Duty) (Wales) Order 2021 amended Part 2 of Schedule 19 to the Equality Act 2010 to provide that Corporate Joint Committees are subject to the Public Sector Equality duty set out in Section 149 of the Equality Act 2010.

37. The Equality Act 2010 (Authorities subject to a duty regarding Socio-economic Inequalities) (No. 2) (Wales) Regulations 2021 amended section 1 of the Equality Act 2010 in order to add Corporate Joint Committees to the list of relevant authorities subject to the Socio Economic Duty.

38. The Committee must, in the exercise of its functions, have due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not.

39. The characteristics protected under the Act are:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

40. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

41. The socio-economic duty requires public bodies to, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage.

42. The establishment of the statutory and functional sub-committees and advisory boards mentioned in this report are expected to have a positive impact on equality, diversity and inclusion.

Well-being of Future Generations

43. The Corporate Joint Committees (Amendment of the Well-being of Future Generations (Wales) Act 2015) Regulations 2021 bring CJCs within the scope of Parts 2 and 3 of the Well-being of Future Generations (Wales) Act 2015.

44. The Well-being of Future Generations (Wales) Act 2015 places a duty on public bodies to carry out sustainable development, meaning the process of improving the social, economic, environmental and cultural well-being of Wales by taking action aimed at achieving the well-being goals of:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

and by acting 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.

45. In order to act in accordance with the sustainable development principle, when exercising its functions, the Committee must take account of the following things:

- the importance of balancing short term needs with the need to safeguard the ability to meet long term needs;
- the need to take an integrated approach to achieving the well-being goals;
- the importance of involving others with an interest in achieving the well-being goals and of ensuring those persons reflect the diversity of the population of the region;
- how acting in collaboration with others could assist to meet the region's well-being objectives;
- how deploying resources to prevent problems occurring or getting worse may contribute to meeting the region's well-being objectives.

46. In developing the Recommendations of this report, regard has been had to the well-being duty arising under the Well-Being of Future Generations (Wales) Act 2015 ('the Act').

Welsh Language Implications

47. The Welsh Language Standards (No.1) Regulations 2015 (Amendment) Regulations 2021 bring Corporate Joint Committees within the scope of the standards specified by the No.1 Regulations.

48. In accordance with the Welsh Language Standards (No.1) Regulations 2015, consideration has been given to the impact the recommendations made in this report may have on opportunities for people to use and promote the Welsh Language, whether the proposals treat the Welsh Language more or less favourably than the English Language, and opportunities for increasing the positive effects, or decreasing the negative effects, of the proposals on the Welsh Language.

49. No negative impacts were identified which would prevent approval being sought to implement the recommendations of this report.

Background Papers

- Transition Plan – South East Wales Corporate Joint Committee Statutory Sub-Committees, 27 March 2023
- South East Wales CJC – Statutory Sub-Committee Update, 31 July 2023
- South East Wales Corporate Joint Committee Transition Report, 4 December 2023
- Corporate Joint Committee Transition Update, 29 January 2024
- Constitution Review and Transfer of CCR City to CJC, 18 March 2024

Report Author: Jayne La Grua, Monitoring Officer

Meeting Date: 3 June 2024

Appendices: Appendix 1 – Appointments to Sub-Committees

Appendix 1 – Appointments to Sub-Committees

GOVERNANCE & AUDIT SUB-COMMITTEE	
Lay Member	Alan Davies (Chair)
Lay Member	Andrew Blackmore (Deputy Chair)
Lay Member	Sue Eriksen
Lay Member	Colin Prosser
Lay Member	Sherrie Woolf
Blaenau Gwent CBC	Cllr Malcolm Cross
Bridgend CBC	
Caerphilly CBC	Cllr Ceri Wright
Cardiff Council	
Merthyr Tydfil CBC	
Monmouthshire CC	Cllr John Crook
Newport CC	
Rhondda Cynon Taf CBC	Cllr Wendy Lewis
Torfaen CBC	
Vale of Glamorgan	

REGIONAL TRANSPORT SUB-COMMITTEE	
CJC Member	(Chair)
CJC Member	(Deputy Chair)
Blaenau Gwent CBC	Cllr John Morgan
Bridgend CBC	
Caerphilly CBC	Cllr Nigel George
Cardiff Council	Cllr Dan De'Ath
Merthyr Tydfil CBC	
Monmouthshire CC	Cllr Catrin Mabey
Newport CC	
Rhondda Cynon Taf CBC	Cllr Ann Crimmings
Torfaen CBC	
Vale of Glamorgan	

STRATEGIC DEVELOPMENT SUB-COMMITTEE	
CJC Member	(Chair)
CJC Member	(Deputy Chair)
Brecon Beacons NPA	Steve Rayner
Blaenau Gwent CBC	Cllr John Morgan
Bridgend CBC	
Caerphilly CBC	Cllr Philippa Leonard
Cardiff Council	Cllr Dan De'Ath
Merthyr Tydfil CBC	
Monmouthshire CC	Cllr Paul Griffiths
Newport CC	
Rhondda Cynon Taf CBC	Cllr Mark Norris
Torfaen CBC	
Vale of Glamorgan	

INVESTMENT BOARD	
Frank Holmes	Chair
Dr Carol Bell	
Andrew Probert	
David Stevens	
Chris Sutton	
Paul Orders	Cardiff Council
Ellis Cooper	Merthyr Tydfil CBC
Paul Matthews	Monmouthshire CC
Beverly Owen	Newport CC
Paul Mee	Rhondda Cynon Taf CBC

REGIONAL GROWTH BOARD	
Kevin Gardiner	Chair
Wendy Larner	Deputy Chair