

MID WALES CORPORATE JOINT COMMITTEE CONSTITUTION

STANDING ORDERS

PART 1 - GENERAL

1. GENERAL

- 1.1 The Mid Wales Corporate Joint Committee (the “**CJC**”) is a corporate body established by the Mid Wales Corporate Joint Committee Regulations 2021.
- 1.2 The members of the CJC are the executive leaders of the Constituent Councils:
 - 1.2.1 Ceridigion County Council
 - 1.2.2 Powys County Council
 - (“the **Council Members**”) and
 - 1.2.3 the Brecon Beacons Member (subject to Standing Order 1.7 below) and
 - 1.2.4 any Co-opted Member(together, the “**CJC**”).
- 1.3 The Brecon Beacons Member will be appointed by the Brecon Beacons National Park Authority (the “**National Park**”) and must be one of the following office-holders:
 - 1.3.1 The Chair of the National Park;
 - 1.3.2 The Deputy Chair of the National Park ; or
 - 1.3.3 The chairperson of a committee with responsibility for planning matters as may be established by the National Park.
- 1.4 Where a Council Member is not able to act as a member for any period, the Constituent Council of which that Council Member is a member must appoint another member of its executive to act on behalf of the Council Member for that period. Where the Brecon Beacons Member is not able to act as a member for any period, the National Park must appoint one of the other office-holders listed above at paragraph 1.2 to act on behalf of the Brecon Beacons Member for that period.
- 1.5 Provisions in the regulations establishing and regulating the CJC (the “**Establishing Regulations**”) in relation to the suspension of Council Members and/or the Brecon Beacons Member will apply.
- 1.6 Each Council Member will act as a member of the CJC in relation to all of the CJC’s functions.
- 1.7 The Brecon Beacon Member will act as a member of the CJC in relation to the Strategic Development Plan Function and any function that is ancillary or incidental to that function.
- 1.8 Where a Council Member or the Brecon Beacons Member is unable to act for any period the Council or the National Park of which they are member must appoint, in the case of a Council a member of the executive or in the case of the National Park a relevant office holder to act on his or her behalf for that period.

1.9 The CJC may by written agreement co-opt one or more individuals as members of the CJC (“**Co-opted Members**” and each a “**Co-opted Member**”). Provisions in the Establishing Regulations will apply in relation to such Co-opted Members who will act in accordance with their appointment.

1.10 Council Members, the Brecon Beacon Member and any Co-opted Member of the CJC (together the “**Members**” and each a “**Member**”) shall have a duty to comply with the Members Code of Conduct.

2. GOVERNANCE AND AUDIT SUB-COMMITTEE

2.1 The CJC must establish a sub-committee (known as the Governance and Audit Sub-committee) to

- 2.1.1 review and scrutinise the CJC’s financial affairs;
- 2.1.2 make reports and recommendations in relation to the CJC’s financial affairs;
- 2.1.3 review and assess the risk management, internal control and corporate governance arrangements of the CJC;
- 2.1.4 make reports and recommendations to the CJC on the adequacy and effectiveness of those arrangements;
- 2.1.5 oversee the CJC’s internal and external audit arrangements;
- 2.1.6 review any financial statements prepared by the CJC;
- 2.1.7 exercise such other functions as the CJC may specify.

2.2 The CJC shall adopt the terms of reference of the Governance and Audit Sub-Committee before 1st June 2022 and those terms of reference may be amended by the CJC from time to time.

3. STANDARDS COMMITTEE

3.1 The CJC will appoint a Standards Committee in accordance with the terms of reference adopted by the CJC before 1st June 2022 and those terms of reference may be amended by the CJC from time to time.

4. GMWB SUB-COMMITTEE

4.1 The CJC may appoint a sub-committee (known as the GMWB Sub-committee) to

- 4.1.1 make recommendations to the CJC in relation to promoting and improving the economic well-being of the area (the “Economic Well-being Function”);
- 4.1.2 make recommendations to the CJC in relation to the Growth Deal/Growth vision;
- 4.1.3 oversee and review investments and projects in relation to the Growth Deal/Growth vision
- 4.1.4 exercise such other functions as the CJC may specify.

4.2 The terms of reference of the GMWB Sub-Committee are adopted by the CJC as set out in Appendix 1 and may be amended by the CJC from time to time.

5. OTHER SUB-COMMITTEES

5.1 The CJC may establish one or more sub-committees -

- 5.1.1 for the purpose of discharging any of its functions, subject to Standing Order 7 below;
- 5.1.2 to advise the CJC on any matter relating to the discharge of its functions.

- 5.2 A sub-committee appointed by the CJC may include, or be wholly comprised of, persons who are not members of the CJC.
- 5.3 The functions of a sub-committee, the number of members of a sub-committee and the term of office of each member must be fixed by the CJC and the sub-committee may only exercise those functions as are delegated to it by the CJC.
- 5.4 The CJC shall, when establishing a sub-committee establish the voting arrangements as part of the terms of reference for the sub-committee.
- 5.5 Standing Orders 13, 14, 15 and 16 below apply to a meeting of a sub-committee of the CJC as they apply to a meeting of the CJC.
- 5.6 Any delegation to a sub-committee will be subject to Standing Order 7 below.

6. DELEGATION

- 6.1 Subject to Standing Order 7 below, the CJC may arrange for the discharge of its function by-
- 6.1.1 A sub-committee;
 - 6.1.2 A member of staff;
 - 6.1.3 Any other corporate joint committee;
 - 6.1.4 Any county or county borough council in Wales.
- 6.2 Subject always to Standing Order 7 below, the CJC delegates operational decisions on the discharge of its functions and anything that is required to facilitate or is conducive or incidental to the discharge of its functions as set out in the Scheme of Delegation appended at 0.

7. RESTRICTIONS ON DELEGATION

- 7.1 The CJC may not delegate any of the following to any other person or sub-committee:
- 7.1.1 Its function in relation to developing policies under the relevant provisions of the Transport Act 2000 ("Transport Policy Function");
 - 7.1.2 Its function in relation to preparing a Strategic Development Plan under the relevant provisions of the Planning and Compulsory Purchase Act 2004 (the "Strategic Development Plan Function");
 - 7.1.3 The decision to agree the CJC budgets and contributions of the Constituent Councils and the National Park;
 - 7.1.4 The decision to establish CJC sub-committees; and
 - 7.1.5 Other specific decisions and responsibilities set out in the Establishing Regulations.

PART 2 - MEETINGS AND PROCEEDINGS

8. CHAIRING MEETINGS

- 8.1 At the first CJC meeting the appointment of a chairperson and vice-chairperson is to be the first business transacted.
- 8.2 The first CJC meeting must be chaired by the Council Member for Ceridigion County Council until the chairperson is appointed (and the appointed chairperson is to chair the remainder of the meeting).
- 8.3 The chair and vice-chairperson will rotate annually at each annual general CJC Meeting.
- 8.4 The chairperson and vice-chairperson must each be a Council Member and must be appointed, or confirmed by the Council Members.
- 8.5 A person appointed as chairperson or vice chairperson may at any time resign that office by notice in writing given to the other Member.
- 8.6 Arrangements in the Establishing Regulations for dealing with a vacancy in the post of chairperson or vicechairperson will apply.

9. ANNUAL GENERAL MEETINGS AND OTHER MEETINGS

- 9.1 The CJC must hold an annual general meeting in each financial year on a date determined by the CJC.
- 9.2 The CJC may hold other meetings on dates agreed by the CJC. An extraordinary CJC meeting may be called at any time by any person entitled to vote on a matter to be decided at that meeting.

10. QUORUM

- 10.1 Both Council Members must be present at all meetings and the Brecon Beacons Member must be present at:-
 - 10.1.1 meetings where the Strategic Development Plan is to be discussed; and
 - 10.1.2 for decisions to change voting procedures in relation to the Strategic Development Plan.

11. VOTING

- 11.1 The number of Co-opted Members entitled to vote may not exceed the number of other Members entitled to vote.
- 11.2 Each person entitled to vote has one vote.
- 11.3 Other than the matters listed in 11.6 below, any vote is to be decided by unanimity and if a vote is tied the matter is not carried.
- 11.4 The funding of budget decisions shall be determined by the unanimous agreement of the Members entitled to vote. If the Members cannot reach agreement, the proportions are to be determined by the Welsh Government.
- 11.5 Any change to voting arrangements requires unanimous agreement of all Members entitled to vote on the matter.
- 11.6 Where the matter relates to the Strategic Development Plan Function and a vote is tied, the chairperson has the casting vote.

- 11.7 The CJC may adopt an alternative voting procedure for any decision other than the decisions on the budget and the decision to change the voting procedure itself.

12. LOCATION OF MEETINGS

- 12.1 A CJC meeting may be held

12.1.1 at a location determined by the CJC;

12.1.2 by remote means; or

12.1.3 partly by remote means and partly at a location determined by the CJC.

- 12.2 CJC meetings must be open to the public unless the public are excluded under Standing Order 12.2.1 and 12.2.2 below;

12.2.1 the public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted, or the nature of the proceedings, that confidential information would be disclosed.

12.2.2 The public may by resolution be excluded from meetings whenever it is likely in view of the nature of the business to be transacted, or the nature of the proceedings, that exempt information would be disclosed.

("confidential information" and "exempt information" have the meanings set out in the Corporate Joint Committees (General) (No 2)(Wales) Regulations 2021)

13. NOTICE OF MEETINGS AND SUMMONS TO ATTEND

- 13.1 A CJC must give public notice of a CJC meeting

13.1.1 at least three clear days before the meeting, or

13.1.2 if the meeting is convened at shorter notice, at the time the meeting is convened.

- 13.2 The notice must be published electronically.

- 13.3 The Proper Officer must no later than three clear days before the CJC meeting or, if the meeting is convened at shorter notice, at the time the meeting is convened, send a summons to attend the meeting to every member of the CJC either by post or electronically.

- 13.4 A summons must specify the business to be transacted at the meeting and no business may be transacted at a CJC meeting other than the business specified in the summons except in the case of; para

13.4.1 business required by the Establishing Regulations, any other enactment and the standing orders; or

13.4.2 business added to the agenda for a CJC meeting in accordance with standing orders after the summons has been sent; or

13.4.3 other business brought before a CJC meeting as a matter of urgency in accordance with standing orders.

- 13.5 Where an extra ordinary meeting is called by one of the Members of the CJC, the notice must specify the business proposed and be signed by the Member(s) calling the meeting or signify the approval of those Members by electronic means.

14. ACCESS TO AGENDA AND CONNECTED REPORTS

- 14.1 Copies of the agenda for a CJC meeting and copies of any report for the meeting must be published by the CJC
- 14.1.1 electronically, and
- 14.1.2 at least three clear days before the meeting, or, if the meeting is convened at shorter notice, then at the time it is convened.
- 14.2 An item of business may not be considered at a CJC meeting unless either
- 14.2.1 copy of the agenda including the item (or a copy of the item) is published electronically at least three clear days before the meeting, or, if the meeting is convened at shorter notice, at the time it is convened, or
- 14.2.2 by reason of special circumstances, which must be specified in the minutes, the chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.
- 14.3 A summons to each meeting must be sent to all Members by a person authorised by the CJC (the “**Proper Officer**”) in accordance with the Establishing Regulations.

15. MINUTES

- 15.1 The names of the Members present at a CJC meeting must be recorded.
- 15.2 Minutes of the proceedings of a CJC meeting must be drawn up and recorded. The minutes must be approved by the person chairing the CJC meeting or the person chairing the next suitable such meeting by signing the minutes, or by electronically signifying approval.

16. INSPECTION AND PUBLICATION OF MINUTES AND OTHER DOCUMENTS AFTER MEETINGS

- 16.1 After a CJC meeting the CJC must
- 16.1.1 publish:
- (a) the minutes, or a copy of the minutes of the meeting;
 - (b) a copy of the agenda of the meeting
 - (c) a copy of any reports for any item which was open to the public; and
 - (d) a summary of the proceedings (or any part of the proceedings) where it is necessary for a fair and coherent record, as a consequence of exempt material being excluded from the minutes and the reports above.
- 16.1.2 ensure that those documents remain accessible electronically to members of the public until the expiration of the period of six years beginning with the date of the meeting.

17. LANGUAGE AND TRANSLATION

- 17.1 All meetings of the CJC and its Sub-Committees will be conducted bilingually and all participants may speak through the medium of Welsh and/or English. Simultaneous translation will be provided by the host authority.

PART 3 - FINANCE AND BUDGET

18. BUDGET

- 18.1 For each financial year, the CJC must calculate its budget for its functions:
- a) Strategic Development Plan Function (the “**Strategic Development Plan Budget**”)
 - b) Other functions (the “**General Budget**”)
- 18.2 The budget shall be agreed no later than 31st January 2022 for the first financial year and no later than 31st January for each subsequent year.
- 18.3 Revisions can be made to the budget during the financial year to which that budget relates.
- 18.4 The Strategic Development Plan Budget requirement must be paid by the Constituent Councils and the National Park – the proportion to be paid by each is to be decided by unanimous agreement of the Council Members and the Brecon Beacons Member.
- 18.5 The General Budget requirement must be paid by the Constituent Councils – the proportion to be paid by each is to be decided by unanimous agreement of the Council Members.

19. GENERAL FUND

- 19.1 The CJC must establish and maintain a fund to be known as the CJC's General Fund.
- 19.2 Any sums received or paid by the CJC, other than for specific external funds set out in the Establishing Regulations, must be done so through the CJC's General Fund.
- 19.3 The CJC must keep an account of receipts into and payments out of its General Fund.

20. FINANCIAL ADMINISTRATION

- 20.1 Provisions in the Establishing Regulations will apply to the financial administration of the CJC.
- 20.2 The CJC will adopt Financial Standing Orders to govern its financial arrangements.

PART 4 STAFFING

21. STAFFING

- 21.1 The CJC will make arrangements in relation to staffing as are necessary for the proper discharge of its functions. Provisions in the Establishing Regulations apply to the CJC's arrangements for staffing.

22. DUTY TO APPOINT CHIEF EXECUTIVE OFFICER

- 22.1 The CJC will appoint a chief executive officer.
- 22.2 The chief executive officer must
- 22.2.1 Keep review of how the CJC exercises its different functions, the CJC's arrangements and staffing matters, and
 - 22.2.2 where appropriate to do so, make a report to the CJC setting out the chief executive's proposals in respect of any of those matters.
- 22.3 Provisions in the Establishing Regulations in relation to the direct employment of a chief executive officer will apply.

23. DUTY TO APPOINT CHIEF FINANCE OFFICER AND REPORTING FUNCTIONS

- 23.1 The CJC will appoint a chief finance officer under Section 151 of the Local Government Act 1972 .
- 23.2 The CJC's chief finance officer will have the same duties and obligations for the CJC as a local authority's chief finance officer for their authority and shall have the reporting duties under Section 114 of the Local Government Finance Act 1988.

24. DESIGNATION AND REPORTS OF MONITORING OFFICER

- 24.1 The CJC must designate a monitoring officer under section 5 of the Local Government and Housing Act 1989, who will not be the same individual as the CJC's chief executive officer or chief finance officer.
- 24.2 The CJC's monitoring officer will have the same duties and obligations for the CJC as a local authority's monitoring officer for their authority together with support and advice functions in relation to CJC and sub-committee meetings and their members as set out in Regulation 8 of the Corporate Joint Committees (General) (No 2) (Wales) Regulations 2021.

PART 5 - DOCUMENTS AND RECORDS

25. RECORDS

- 25.1 The CJC will make arrangements for the proper care, preservation and management of the CJC's records, and make and maintain a scheme setting out those arrangements which are approved by the CJC and set out at 0 (the "Records Scheme").
- 25.2 Provisions in the Establishing Regulations relate to the preparation, retention, publications and facilitation of access to documents and records by the CJC.

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PART 6 – STANDARDS

26. CODE OF CONDUCT

- 26.1 The Conduct of Members (Principles)(Wales) Order 2001 which sets out the principles which are to govern the conduct of members of a relevant authority in Wales apply to Members and Co-Opted Members.
- 26.2 The CJC will adopt a code of conduct for Members (the “**Members Code of Conduct**”) but until such time the Members Code of Conduct is adopted, the CJC members (including Co-opted Members) will be subject to the relevant code of conduct of the Constituent Council of which they are a member or in the case of the Brecon Beacons Member, of the National Park. During this time members and Co-opted Members will be required to register any personal interests they have in the business of the CJC in their relevant register of interest by providing written notification to their Constituent Council’s (or National Park’s, as applicable) Monitoring Officer”.
- 26.3 The Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001 applies to an employee of a corporate joint committee as it applies to an employee of a relevant authority.

APPENDIX 1 – GMWB SUB-COMMITTEE TERMS OF REFERENCE

1. Introduction

- 1.1. The Constituent Councils established a joint committee to oversee and co-ordinate the discharge of the Councils' obligations in relation to the Mid Wales Growth Deal (the **"Growing Mid Wales Board"**).
- 1.2. The CJC will appoint the Growing Mid Wales Board to sit under the CJC as the sub-committee responsible for making the necessary recommendations to the CJC in relation to promoting and improving the economic well-being of the area and as well as developing recommendations for the implementation and overall delivery of the Mid Wales Growth Deal on behalf of the Constituent Councils (the **"GMWB Sub-Committee"**).

2. Composition of the GMWB Sub-Committee

- 2.1. The composition and functions of the GMWB Sub-Committee shall be in accordance with the IAA3 between the Constituent Councils dated 12 January 2022.

3. GMWB Sub Committee Recommendations

- 3.1. The GMWB Sub-Committee will make recommendations to the CJC in relation to the Economic Well-being Function and Mid Wales Growth Deal. The CJC will then be asked to approve the recommendations. If the recommendations are not approved by the CJC, they may be referred back to the GMWB Sub-Committee for reconsideration and re-submission to the CJC.

4. Meetings

- 4.1. The GMWB Sub-Committee shall meet on at least a quarterly basis, or at such frequency as the GMWB shall determine from time to time in order to fulfil its role.
- 4.2. The GMWB Sub-Committee may invite such number of appropriate third parties to observe GMWB Sub-Committee Meetings as it sees fit from time to time. Such third parties may include individuals or representatives of such organisations and private sector companies as the GMWB Sub-Committee shall determine from time to time.
- 4.3. Any third parties invited to a GMWB Sub-Committee Meeting shall be entitled to take part in such meeting but shall not be able to vote in respect of any decisions to be taken. Any third party in attendance at a GMWB Meeting may be required by the Chairperson not to attend some or any part of a GMWB Meeting.
- 4.4. A GMWB Sub-Committee Meeting may be held in person and/or via a telephone conference call, video conference call or a combination of the same, at which all members of the GMWB are able to speak to and hear each of the other participants provided that at all times at that telephone or video conference (or combination as appropriate) a quorum of the GMWB Sub-Committee is able to so participate.
- 4.5. Meetings will be held in public and arrangements for the publication of and access to documents will be the same as for meetings of the CJC as set out in the CJC's Standing Orders.

5. Quorum

- 5.1. The quorum necessary for a GMWB Sub-Committee Meeting shall be at least two elected members from the Constituent Councils or the appropriate deputies appointed.

6. Voting

- 6.1. At meetings of the GMWB each elected member or appropriate deputy appointed in attendance shall have one vote each. Decisions at meetings of the GMWB will be taken by a majority vote of a quorate meeting.

7. Minutes

- 7.1. Minutes of the proceedings of a GMWB Sub-Committee meeting must be drawn up and recorded. The minutes must be approved by the person chairing the CJC meeting or the person chairing the next suitable such meeting by signing the minutes, or by electronically signifying approval.

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APPENDIX 2 - SCHEME OF DELEGATION

All decisions are to be taken by the CJC except as set out below:

<p>Decisions to incur expenditure up to a maximum aggregate of £50,000 where this is:</p> <ul style="list-style-type: none"> a) Within the approved budget of the CJC for that financial year; and b) In accordance with the CJC's Standing Orders. 	<p>CJC Chief Executive Officer</p> <p>The CJC Chief Executive Officer may further delegate this decision to another officer of the CJC</p>
<p>Decisions on the management, allocation, direction and supervision of staff resources made available to the CJC where this is:</p> <ul style="list-style-type: none"> a) In accordance with the staffing arrangements put in place with the employers of any staff made available to the CJC; and b) In accordance with the CJC's Standing Orders 	<p>CJC Chief Executive Officer</p> <p>The CJC Chief Executive Officer may further delegate this decision to another officer of the CJC</p>
<p>[The engagement (and terms of engagement of) any individual person as a consultant where the value of the appointment does not exceed £50,000 per accounting period</p>	<p>CJC Chief Executive Officer</p> <p>The CJC Chief Executive Officer may further delegate this decision to another officer of the CJC</p>

APPENDIX 3– RECORDS SCHEME

[PM NOTE: TO BE ADDED]

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