

## APPENDIX 1

## STANDING ORDERS

## SOUTH EAST WALES CORPORATE JOINT COMMITTEE GOVERNANCE STANDING ORDERS

## PART 1 - GENERAL

## 1. SOUTH EAST WALES CORPORATE JOINT COMMITTEE (CJC) MEMBERSHIP

1.1 The members of the CJC are the executive leaders of the 10 Constituent Councils:

1.1.1 Cardiff County Council

1.1.2 Monmouthshire County

1.1.3 Blaenau Gwent County Borough Council

1.1.4 Bridgend County Borough Council

1.1.5 Caerphilly County Borough Council

1.1.6 Merthyr Tydfil County Borough Council

1.1.7 Newport County Borough Council

1.1.8 Rhondda Cynon Taff County Borough Council

1.1.9 Torfaen County Borough Council

1.1.10 The Vale of Glamorgan County Borough Council

(“the **Council Members**”) and

1.1.11 the Brecon Beacons Member; and

1.1.12 any Co-opted Member

(together, the “**CJC**”).

1.2 The Brecon Beacons Member will be appointed by the Brecon Beacons National Park Authority (the “**Authority**”) and must be one of the following office-holders:

1.2.1 The chairman of the Authority;

1.2.2 The deputy chairman of the Authority; or

1.2.3 The chairperson of a committee with responsibility for planning matters as may be established by the Authority.

1.3 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.

1.4 Each Council Member will act as a member of the CJC in relation to all of the CJC’s functions.

1.5 The Brecon Beacon Member will act as a member of the CJC only in relation to the Strategic Development Plan Function.

1.6 The CJC can 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.

1.7 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 terms of reference of the Governance and Audit Sub-Committee are adopted by the CJC as set out in Schedule 1Appendix 1 and 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 as set out in Schedule 1Appendix 2 which may be amended by the CJC from time to time.

## **4. OTHER SUB-COMMITTEES**

4.1 The CJC may establish sub-committees. Provisions in the Establishing Regulations apply to such sub-committees.

4.2 Any delegation to a sub-committee will be subject to Standing Order 6 below.

## **5. DELEGATION**

5.1 Subject to Standing Order 6 below, the CJC may arrange for the discharge of its function by-

5.1.1 A sub-committee;

5.1.2 A member of staff;

5.1.3 Any other corporate joint committee;

5.1.4 Any county or county borough council in Wales.

5.2 Subject always to Standing Order 6 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 Schedule 1Appendix 3.

**6. RESTRICTIONS ON DELEGATION**

6.1 The CJC may not delegate any of the following to any other person or sub-committee:

- 6.1.1 Its function in relation to developing policies under the relevant provisions of the Transport Act 2000 (“Transport Policy Function”);
- 6.1.2 Its function in relation to preparing a Strategic Development Plan (the “Strategic Development Plan Function”);
- 6.1.3 The decision to agree the CJC budgets and contributions of the Constituent Councils and the Authority; and
- 6.1.4 Other specific decisions and responsibilities set out in the Establishing Regulations.

**7. POLICIES AND PROCEDURES**

7.1 Where there is an operational need for a policy or procedure other than as set out in these Standing Orders or the Establishing Regulations, the CJC will refer to the policies and procedures of one of its Constituent Councils as determined by the Executive Team and with such amendments necessary for and applicable to the circumstances of the CJC.

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## 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 Blaenau Gwent County Borough Council until the chairperson is appointed (and the chairperson is to chair the remainder of the meeting).
- 8.3 The appointment of the chair and vice-chairperson must be confirmed, or a new chairperson and vice chairperson must be appointed 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, and any other Member entitled to vote on the matter.
- 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 specified in the standing orders. 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 All persons entitled to vote must be present for:
- 10.1.1 a meeting to decide the amounts payable by the relevant CJC Members for the Strategic Development Plan Budget and for the General Budget; and
  - 10.1.2 for decisions to change voting procedures.
- 10.2 For any other matters, no fewer than 70% of the persons entitled to vote must be present.

### 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 11.4 and 11.5 below, any vote to be decided by simple majority 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 strategic planning 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 decision 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 for applicable confidentiality reasons or if the nature of the business is exempt information.

## **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 Where the 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. However, such documents must be available to the Members of the CJC before they are published.

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.

## **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 the minutes, or a copy of the minutes, where applicable a summary of proceedings in consequence the of the exclusion of material which discloses exempt information, a copy of the agenda for the meeting and a copy of any report for the meeting as relates to any item during which the meeting was open to the public.

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.

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**PART 3 - FINANCE AND BUDGET****17. BUDGET**

- 17.1 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**”)
- 17.2 The budget shall be agreed no later than 31<sup>st</sup> January 2022 for the first financial year and no later than 31<sup>st</sup> January for each subsequent year.
- 17.3 Revisions can be made to the budget during the financial year to which that budget relates.
- 17.4 The Strategic Development Plan Budget requirement must be paid by the Constituent Councils and the Authority – the proportion to be paid by each is to be decided by unanimous agreement of the Council Members and the Brecon Beacons Member.
- 17.5 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.

**18. GENERAL FUND**

- 18.1 The CJC must establish and maintain a fund to be known as the CJC's General Fund.
- 18.2 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.
- 18.3 The CJC must keep an account of receipts into and payments out of its General Fund.

**19. FINANCIAL ADMINISTRATION**

- 19.1 Provisions in the Establishing Regulations will apply to the financial administration of the CJC.

**PART 4 STAFFING****20. STAFFING**

20.1 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.

**21. DUTY TO APPOINT CHIEF EXECUTIVE OFFICER**

21.1 The CJC will appoint a chief executive officer.

21.2 The chief executive must

21.2.1 Keep review of how the CJC exercises its different functions, the CJC's arrangements and staffing matters, and

21.2.2 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.

21.3 Provisions in the Establishing Regulations in relation to the direct employment of a chief executive officer will apply.

**22. DUTY TO APPOINT CHIEF FINANCE OFFICER AND REPORTING FUNCTIONS**

22.1 The CJC will appoint a chief finance officer.

22.2 The CJC's chief officer will have the same duties and obligations for the CJC as a local authority's chief finance officer for their authority.

**23. DESIGNATION AND REPORTS OF MONITORING OFFICER**

23.1 The CJC must designate a monitoring officer, who will not be the same individual as the CJC's chief executive officer or chief finance officer.

23.2 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.



**PART 5 - DOCUMENTS AND RECORDS**

**24. RECORDS**

- 24.1 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 Appendix 4 (the "Records Scheme").
- 24.2 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**

**25. CODE OF CONDUCT**

- 25.1 The CJC will adopt a code of conduct for Members (the “**Members Code of Conduct**”) as appended at Appendix 5.
- 25.2 Provisions in the Establishing Regulations in relation to a code of conduct for paid officers employed by CJC will apply.

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**APPENDIX 1 – GOVERNANCE AND AUDIT SUB-COMMITTEE TERMS OF REFERENCE**

**[PM NOTE: TO BE ADDED, BASED ON SIMILAR TERMS OF REFERENCE FROM ONE OF THE  
CONSTITUENT COUNCILS]**

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**APPENDIX 2- STANDARDS COMMITTEE TERMS OF REFERENCE**

**[PM NOTE: TO BE ADDED, BASED ON SIMILAR TERMS OF REFERENCE FROM ONE OF THE  
CONSTITUENT COUNCILS**

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**APPENDIX 3 - 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"> <li>a) Within the approved budget of the CJC for that financial year; and</li> <li>b) In accordance with the CJC's Standing Orders.</li> </ul>	<p>Director, Cardiff Capital Region</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"> <li>a) In accordance with the staffing arrangements put in place with the employers of any staff made available to the CJC; and</li> <li>b) In accordance with the CJC's Standing Orders</li> </ul>	<p>Director, Cardiff Capital Region</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>Director, Cardiff Capital Region</p>

**APPENDIX 4 – RECORDS SCHEME**

**[PM NOTE: TO BE ADDED, BASED ON SIMILAR ARRANGEMENTS IN ONE OF THE CONSTITUENT COUNCILS]**

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**APPENDIX 5 – MEMBERS CODE OF CONDUCT**

**[PM NOTE: TO BE ADDED, BASED ON SIMILAR CODE FROM ONE OF THE CONSTITUENT COUNCILS]**

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