



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2021/22

OVERVIEW & SCRUTINY COMMITTEE – 21st SEPTEMBER 2021

**REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES &
COMMUNICATIONS**

**CORPORATE JOINT COMMITTEES – DRAFT STATUTORY GUIDANCE FOR THE
ESTABLISHMENT OF CJCS**

1. PURPOSE OF THE REPORT

- 1.1 To seek Members' feedback on the consultation initiated by Welsh Government on the **draft statutory guidance for the establishment of CJC's**

2. RECOMMENDATIONS

It is recommended that Members: -

- 2.1 Consider and provide their feedback on the consultation which considers the **draft statutory guidance for the establishment of CJC's**
- 2.2 Authorise the Service Director Democratic Services & Communications, in consultation with the Chair of the Overview & Scrutiny Committee, to convey the comments and responses of committee members to Welsh Government prior to the consultation closing.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The Minister for Finance and Local Government has launched a consultation on the **draft statutory guidance for the Establishment of CJC's**, which will run for 12 weeks until the closing date of the 4th October 2021. The draft statutory guidance document sets out the core principles and values underpinning the operation of CJC's. The guidance also highlights issues members will wish to consider when putting in place the constitutional and operational arrangements for their CJC.
- 3.2 The draft guidance and consultation paper can be accessed via the Welsh Government website: <https://gov.wales/corporate-joint-committees-draft-statutory-guidance>. It is proposed that Members take the opportunity, through the consultation, to provide any feedback they have in relation to the draft guidance before the closing date of **Monday 4 October 2021**.

4. BACKGROUND

4.1 Members of the Overview & Scrutiny have, to date, already responded to a number of consultations in respect of the Corporate Joint Committees (CJC), more recently on the the Corporate Joint Committee (General) (No.2)(Wales) Regulations 2021 which is the development of the wider CJC legislative framework and application of specific elements of that framework.

4.2 Members are reminded that there are two key principles which underpin the development of the guidance for CJs namely:

- a CJC should be treated as a member of the 'local government family' and, where appropriate, should largely be subject to the same powers and duties as principal councils in the way that it operates
- the detail on how a CJC operates in practice should be left to the determination of the members of the CJC itself

4.3 The draft guidance, on which Members are asked to comment, is not detailed in every aspect of the legislation and will look to support the implementation of the CJC's. It is worthy of noting that in some places it acts as interim guidance until the publication of the Democracy Handbook, due early in 2022. As the remainder of the legislation is applied there may be further changes to this guidance to ensure it reflects the requirements.

4.4 The proposed guidance for each chapter together with the consultation questions are set out within the attached document (Appendix 1) and can be accessed here: <https://gov.wales/consultation-corporate-joint-committees-draft-statutory-guidance.html>

4.5 As previously advised, it is proposed that a third stage, which will be consulted on in Autumn 2021, will put in place further legislation for the operation of the CJs and their functions including scrutiny and governance and further provision on staffing.

4.6 A fourth stage will then address any remaining provisions which a CJC might need, but which are unlikely to be needed at the point at which they begin to deliver their functions. A further consultation will be undertaken on this stage in Spring 2022.

5. EQUALITY AND DIVERSITY IMPLICATIONS

5.1 There are no equality or diversity implications aligned directly to this report.

6. FINANCIAL IMPLICATIONS

6.1 There are no financial implications aligned to this report.

7. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

7.1 There are no legal implications arising from the recommendations in this report.

8. LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES.

- 8.1 Welsh Government say that developing the CJC mechanism for local government regional collaboration meets the sustainable development principle and five ways of working and they have also considered how a regional approach can maximise our contribution to the well-being goals. In doing so they say CJsCs put in place a new framework to enable local government to make their contribution to the goals more effectively.

9. CONCLUSION

- 9.1 The Overview & Scrutiny Committee, in line with its Terms of Reference, has been afforded a further opportunity to respond to a Welsh Government consultation in respect of the CJC's. The draft guidance seeks to set out or build on the policy intent and support the implementation of the CJC's. The next stages will involve the development of the wider CJC legislative framework and application of specific elements of that framework.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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