

Part 3 – Allocation of Responsibilities

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1. Matters Reserved to the Full CJC

- 1.1 The CJC will have oversight of the development of its regional functions and statutory responsibilities. The CJC will ensure that sufficient resources are available to support its work.
- 1.2 The CJC is responsible for the following functions:
- Strategic Development Planning;
 - Regional Transport; and
 - Economic Wellbeing, as discharged through concurrent functions and contractual arrangements including Cardiff Capital Region City Deal, Shared Prosperity Fund, Investment Zone, and other programmes that will be developed over time.
- 1.3 The CJC's Constitution (**Article 4**) sets out the following functions which can only be exercised by a meeting of the CJC Members:
- (a) adopting and changing this Constitution;
 - (b) approving or adopting the Policy Framework and the budget;
 - (c) subject to the urgency procedure contained in the Access to Information Procedure Rules set out in **Part 4** of this Constitution, making decisions about any matter which is covered by the Policy Framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the Policy Framework or contrary to/or not wholly in accordance with the budget;
 - (d) agreeing and/or amending the terms of reference of committees, deciding on their composition and making appointments to them, except as expressly and lawfully delegated;
 - (e) appointing representatives to outside bodies unless the appointment has been delegated by the CJC;
 - (f) making or confirming the appointment of Chief Officers;
 - (g) all other matters which, by law, must be reserved to the CJC.
- 1.4 The Policy Framework includes the plans and strategies listed in **Article 4.2** of this Constitution.

2. Terms of reference for Individual Portfolio Holders

2.1 The table below indicates how the CJC has allocated portfolios (lead responsibilities) for particular functions among individual Members of the CJC.

Portfolio Holder	Portfolio Area
<p>Cllr Anthony Hunt (Torfaen)</p> <p>shall oversee matters relating to:</p>	<p>Governance, Resources and Assurance</p> <ul style="list-style-type: none"> • Resources and Funding/ Investment Strategy • Policy and Comms • Assurance and Risk • Monitoring and Evaluation • Gateway Review • Government liaison
<p>Cllr Mary Ann Brocklesby (Monmouthshire)</p> <p>shall oversee matters relating to:</p>	<p>Research and Innovation</p> <ul style="list-style-type: none"> • Research base/HE coalition • Global research challenges • Clusters and Strength in Places • Innovation in Public Service, foundational economy & civic society • ESG and EDI • UKRI engagement • Innovation Investment Fund
<p>Cllr Huw David (Bridgend)</p> <p>shall oversee matters relating to:</p>	<p>Regional Transport</p> <ul style="list-style-type: none"> • SEW Metro liaison • Regional Transport Authority • Metro Plus and Metro Central • Passenger Rail, • Public Transport & Active Travel • ULEV
<p>Cllr Andrew Morgan (RCT)</p>	<p>Strategic Assets</p>

<p>shall oversee matters relating to:</p>	<ul style="list-style-type: none"> • Housing Viability Gap Fund • SME infrastructure finance • Land assembly and site acquisition • Land-use planning • Strategic Premises Fund • Transport interface
<p>Cllr Sean Morgan (Caerphilly)</p> <p>shall oversee matters relating to:</p>	<p>Climate Response</p> <ul style="list-style-type: none"> • Energy Strategy & Implementation Plan • Aberthaw Green Masterplan • Race 4 Zero • ECO and ECO-Flex • Energy Investment Funds • Water management
<p>Cllr Geraint Thomas (Merthyr)</p> <p>shall oversee matters relating to:</p>	<p>Challenge and Local Wealth Building</p> <ul style="list-style-type: none"> • Foundational economy • Challenge Fund for local wealth building • Innovative Future Services (InFuSe) • Innovative public procurement • Societal missions • Supply chain development
<p>Cllr Liz Burnett (Vale of Glamorgan)</p> <p>shall oversee matters relating to:</p>	<p>Shared Prosperity and Place</p> <ul style="list-style-type: none"> • Levelling-up • Shared Prosperity Fund • Inclusive Growth • Town centre renewal • Tourism and place branding • Food security and resilience • Inclusive capital and wellbeing measures
<p>Cllr Jane Mudd (Newport)</p> <p>shall oversee matters relating to:</p>	<p>Data-driven Economy & Skills</p> <ul style="list-style-type: none"> • Regional Data Partnerships • Data tools and local policy innovation partnerships • Data & digital deployment (National Software Academy and NTI)

	<ul style="list-style-type: none"> • Freeports – data, place and tax levers • Regional Skills Partnership • Building data system
<p>Cllr Steve Thomas (Blaenau Gwent)</p> <p>shall oversee matters relating to:</p>	<p>Growing our Digital Assets</p> <ul style="list-style-type: none"> • Infrastructure resilience & broadband • 5G and Rural Connected Communities • Tech Valleys • AI and automation • Centre for Digital Public Services • Smart region and digital twin
<p>Cllr Huw Thomas (Cardiff)</p> <p>shall oversee matters relating to:</p>	<p>Economic Strategy, Global and Core Cities</p> <ul style="list-style-type: none"> • Regional Economic and Industrial Plan • Investment Prospectus • International and Foreign Direct Investment • Core Cities • Western Gateway

Part 3B - Terms of Reference and Delegation of Duties to Sub-Committees & Other Bodies

1. Sub-Committees of the CJC

The CJC will appoint Members to the Sub-Committees set out in this Part.

1.1 Appointments Sub-Committee

Comprising at least 3 and not more than 5 Members drawn from the CJC, and convened as and when required, this Sub-Committee will:

- (a) Make recommendations to the CJC in respect of the appointment and dismissal of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders) (Wales) Regulations 2006), in accordance with the Employment Procedure Rules and any other relevant CJC policies and procedures;
- (b) hear and determine:
 - (i) all appeals by employees of the CJC who may have a right to appeal to Councillors in accordance with the CJC's disciplinary and grievance procedures;
 - (ii) grievances by and against the Chief Executive in accordance with the CJC's grievance procedures; and, with a differently constituted membership, appeals following decisions on such grievances;
 - (iii) in exceptional circumstances, where the Chief Executive cannot address matters because of an associated grievance, disciplinary proceedings against a Director or Chief Officer; and, with a differently constituted membership, appeals following decisions in such disciplinary proceedings; and

on hearing each such case, the Sub-Committee shall be empowered, on behalf of the CJC, to make such order as it considers appropriate, except where retirement or redundancy is contemplated, when consultation with the CJC will take place prior to determination of the matter;

- (c) consider and determine, subject to the approval of the CJC, any determination or variation of the remuneration of a Chief Officer;

- (d) decide requests for re-grading of Chief Officers and Deputy Chief Officers;
- (e) appoint Independent Members of the Business Community to the Regional Growth Board and the Investment Board;

1.2 Governance and Audit Sub-Committee

- 1.2.1 The Governance and Audit Sub-Committee is comprised of 15 Members, including 1 non-executive member from each of the CJC's 10 Constituent Councils and 5 members who are not members of a county council or county borough council in Wales.
- 1.2.2 Members of the CJC or another of its sub-committees may not be members of the Governance and Audit Sub-Committee.
- 1.2.3 The Governance and Audit Sub-Committee is an advisory committee to the CJC. This Sub-Committee will:
 - (a) Review and scrutinise the CJC's financial affairs;
 - (b) Make reports and recommendations in relation to the CJC's financial affairs;
 - (c) Review and assess the risk management, internal control, performance management and corporate governance arrangements of the CJC;
 - (d) Make reports and recommendations to the CJC on the adequacy and effectiveness of those arrangements;
 - (e) Review and assess the CJC's ability to handle complaints effectively;
 - (f) Make reports and recommendations in relation to the ability of the CJC to handle complaints effectively;
 - (g) Oversee the CJC's internal and external audit arrangements;
 - (h) Review any financial statements prepared by the CJC; and
 - (i) Exercise such other functions as the CJC may specify.

1.3 Regional Transport Sub-Committee

- 1.3.1 The Regional Transport Sub-Committee is comprised of 12 Members, including the Executive Member with responsibility for Transport from each of

the 10 Constituent Councils and 2 non-voting Members of the CJC, nominated annually, who will act as the Sub-Committee's Chair and Deputy Chair.

- 1.3.2 The Sub-Committee 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.
- 1.3.3 The Sub-Committee will be attended by a Chief Executive of one of the Constituent Councils, nominated the Regional Chief Executives' Group, who may be invited to speak but may not vote on any matter.
- 1.3.4 The Regional Transport Sub-Committee is responsible for:
- (a) developing and co-ordinating proposals for an integrated regional transport strategy that supports the strategic economic and spatial aspirations of the City Deal and Cardiff Capital Region;
 - (b) working in partnership with Welsh Government and Transport for Wales to define and develop the priorities of the South East Wales Metro concept and support its delivery, including the development of a single integrated ticketing platform for public transport across the region; and
 - (c) the promotion and encouragement of safe, integrated, efficient and economic transport to, from and within the CJC's region.
- 1.3.5 In respect of the Cardiff Capital Region, the Regional Transport Sub Committee will consider proposals for:
- (a) enhancing transport connectivity in support of economic development and land use planning including the promotion of integrated aviation routes;
 - (b) ensuring that safety, sustainability, social inclusion, health and the environment are considered in transport policies and programmes, meeting the requirements of the Well-being of Future Generations Act;
 - (c) pursuing high quality standards for transport utilising best practice and innovation; and to identify and monitor outputs and outcomes;
 - (d) being a regional point of co-ordination for complementary Welsh Government / CCR programmes such as ULEV;
 - (e) moving towards an integrated and effective Regional Bus Network proposal.

- 1.3.6 The following functions are delegated to the Regional Transport Sub-Committee from the CJC:
- (a) preparing regional strategies, including a Regional Transport Plan, comprising transportation policies, proposals and programmes;
 - (b) working with Welsh Government, Transport for Wales, user groups, industry and other stakeholders to coordinate transport planning and operations across the region on behalf of the CJC;
 - (c) developing transport Candidate Schemes for assessment under the SEWCJC Investment Framework; and
 - (d) providing advice and observations related to Candidate Schemes, with transport implications, submitted to the CJC by other bodies.
- 1.3.7 The Sub-Committee can establish sub-groups or Task & Finish Groups, including a Regional Transport Review Group, for any matters that they consider would be better dealt with in this manner, but the sub-committee shall not be entitled to delegate any of its decision making functions to any such sub-group or task and finish group.

1.4 Strategic Development Sub-Committee

- 1.4.1 The Strategic Development Sub-Committee is comprised of 13 Members, including the Executive Member with responsibility for Planning from each of the 10 Constituent Councils, a member appointed by the Bannau Brechiniog National Park Authority and 2 non-voting Members of the CJC, nominated annually, who will act as the Sub-Committee's Chair and Deputy Chair.
- 1.4.2 The Sub-Committee 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.
- 1.4.3 The Sub-Committee will be attended by a Chief Executive of one of the Constituent Councils, nominated the Regional Chief Executives' Group, who may be invited to speak but may not vote on any matter.
- 1.4.4 The Sub-Committee is responsible for:
- (a) the preparation of a Strategic Development Plan for approval by the CJC, setting out the CJC's objectives in relation to development and use of land in its area and policies for the implementation of those objectives; and

- (b) keeping under review the matters which may be expected to affect the development, or the planning of the development, of its area.

2. Other Bodies

2.1 Investment Board

Composition, Quorum and Voting

- 2.1.1 The Investment Board is comprised of 10 Members, including 5 members of the Regional Business Community and 5 Public Sector Chief Executives.
- 2.1.2 The Chair of the Regional Growth Board will attend meetings of the Investment Board and may speak but will not be entitled to vote on any matter.
- 2.1.3 The Investment 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.
- 2.1.4 In the event that the Investment Board is considering a recommendation for a Single Member Decision, the relevant CJC Portfolio Member shall attend the meeting.
- 2.1.5 Quorum for meetings of the Investment Board shall be 6 members entitled to vote, with at least 3 representatives from both the business members and CEOs.
- 2.1.6 In a situation where there is no unanimous view from the Investment Board, it will go to vote, and in a circumstance where the vote is split equally, the Chair will have the casting vote.

Role

- 2.1.7 The Investment Board's role is to work with the CJC's Statutory Officers and external advisors to make recommendations to the CJC in relation to investment frameworks and strategies, investment advice on approved investment programmes and contribute to the development of medium-term funding strategies, including the re-use of recycled funds.
- 2.1.8 The Investment Board complements the role of the Regional Growth Board (which the Chair attends) by ensuring policy is converted to delivery and

outcomes are achieved that align with the vision for high value jobs, productivity growth, shared prosperity and private leverage.

2.1.9 The Investment Board's remit is divided into four main parts:

- (a) make recommendations to CJC on new investment proposals relating to the Cardiff Capital Region City Deal Wider Investment Fund in line with the approved Investment and Intervention Framework;
- (b) make recommendations to CJC Portfolio Members on City Deal WIF sub-delegated funds specifically identified in these Terms of Reference and in line with CJC approvals and investment strategies;
- (c) provide input and contributions to shaping new investment programmes, their technical features and workings, such as Investment Zone and successor EU Funds and the prospective second Regional Growth Fund, to include due diligence in line with relevant investment strategies and frameworks; and
- (d) investment monitoring and oversight of the Investment Dashboard.

Functions

2.1.10 The Investment Board will discharge the following functions:

Part 1: City Deal Wider Investment Fund – new investment proposals

- (1) Maintain oversight of the Investment and Intervention Framework (IIF) providing regular review and recommending updates for CJC approval;
- (2) Provide advice on the suitability of investment proposals in line with the IIF and make recommendations to CJC on this basis;
- (3) Ensure all advice, challenge and preparation is in line with the requirements of the HMT 'Greenbook' for preparation of Five Stage Business Cases;
- (4) Oversee all City Deal Investment Monitoring via the Investment Data Dashboard, taking quarterly reports to Regional Growth Board to provide investment overview and, where required, seeking advice of Regional Growth Board on novel or unusual proposals;
- (5) Assess project specific due diligence on financial, commercial, legal and technical matters;

Part 2: City Deal Wider Investment Fund – sub-delegated funds

- (6) Exercise understanding of the agreed Investment Strategies for Innovation Investment Capital and for sub-delegated funds: Strategic Premises Fund, Challenge Fund and Northern Valleys Initiative;
- (7) Advise on the suitability of investment proposals arising from fund advisors/internal assessments and make recommendations to the CJC Executive Portfolio Leads on this basis for consideration via Individual Member Decision;
- (8) Oversee all sub-delegated fund Investment Monitoring via the Investment Data Dashboard, making quarterly investment reports available to Regional Growth Board;
- (9) Assess project specific due diligence on financial, commercial, legal and technical matters;

Part 3: New Investment Programmes

- (10) Shape and inform new investment and funding programmes, which require investment strategies, technical advice and planning and potential exercising of new CJC powers such as borrowing – in accordance with the policy lead established by the Regional Growth Board. To include Investment Zone, successor EU Funds and the prospect of a recycled capital fund (Regional Growth Fund);
- (11) Work with the CJC Executive Officer Team to formulate reports and proposals for CJC consideration in this regard;

Part 4: Investment Monitoring

- (12) Oversee the process of Investment Monitoring via the Investment Data Dashboard, ensuring information and evidence underpins all aspects of the Board's remit, in particular, in relation to Parts 1, 2 and 3 above.

2.2 Regional Growth Board

Composition, Quorum and Voting

- 2.2.1 The Regional Growth Board is comprised of 14 Members, including 12 members from the Regional Business Community, 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 Board will be attended by the Chief Executives of 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 members entitled to vote, plus the Chair or Deputy Chair.

Functions

- 2.2.6 The Regional Growth Board will provide guidance and advice to the CJC on matters of regional economic governance and delivery.
- 2.2.7 The Regional Growth Board brings the voice of business, Higher and Further Education, the community and wider public sector partnership landscape to the CJS's planning, policy making and wider delivery activity in order to ensure a diverse range of views and perspectives are encapsulated in effective policy making. There should be no political agenda to the Board and its membership drawn from a wide cross-section of partners, ensuring it is outward looking and open to different schools of thought.
- 2.2.8 The Board will discharge the following functions:
- (1) Provide strategic foresight and thought leadership to inform the regional strategy and policy frameworks that will guide development of investment frameworks and delivery of investment decisions;
 - (2) Consider and advise on opportunities brought forward through CCR Leadership Team, its partners and network, to secure further investment, opportunities and collaborations that align with agreed priorities and objectives;
 - (3) Provide input and comment to inform the development of the Regional Transport Plan and Regional Strategic Development Plan at appropriate

- points in their development, in order to ensure alignment with the Regional Economic & Industrial Plan and achieve synergistic benefits;
- (4) Originate and explore new investment propositions, in accordance with the Investment & Intervention Framework, and interface with the Investment Board, to help build proposals that can inform the CCR investment landscape and achieve key policy objectives;
 - (5) Inform and support development of the policy-delivery links, by working closely with the Investment Board on frameworks for delivery of key programmes, such as the Investment Zone, successor EU funds and wider external project and funding opportunities;
 - (6) Oversee the process and timing of an economic review, ensuring an up-to-date evidence base and data capability in the region;
 - (7) Advise CJC on the opportunities and potential presented by the CJC to maximise new powers, investment levers and new policy tools;
 - (8) Drive forward key policy initiatives and partnerships, in particular around regional data, competitiveness and policy making, engaging in regular knowledge exchange and transfer partnerships;
 - (9) Play an advocacy role for CCR as a prime investment location and having an outward focus that brings intelligence and insights on what good looks like, to the region;
 - (10) Act as an interface with other UK city deals and regional economic growth partnerships, working with these other cities to share experiences, expertise and resources;
 - (11) Receive regular updates from the Investment Board on the Investment Framework, delivery plans and investment appraisals – in order to track progress and align policy with delivery;
 - (12) Review, where required by the Investment Board, recommendations on investment proposals in order to provide views and perspectives, on unusual or unique cases.

2.3 Shareholders' Group

- 2.3.1 The Shareholders' Group is comprised of the Chair of the CJC, the Directors of CSC Foundry Ltd, CCR Energy Ltd and Innovation Investment Capital Limited Partnership, together with the CJC-nominated Non-Executive Directors of companies in which the CJC has made equity investments.

- 2.3.2 The Group will be attended by the Chief Executives of once of the Constituent Councils, nominated by the Regional Chief Executives' Group, who may be invited to speak but may not vote on any matter.
- 2.3.3 The Group is responsible for:
- (1) considering issues relating to CJC wholly-owned companies and companies in which the CJC has made equity investments; and
 - (2) making reports and recommendations to the Governance & Audit Committee and/or CJC, as appropriate

2.4 Regional Chief Executives' Group

- 2.4.1 The Regional Chief Executives' Group is comprised of the Chief Executive Officer of each of the 10 Constituent Councils and the Chief Executive of the CJC (or their nominated deputies).
- 2.4.2 The Regional Chief Executives' Group is responsible for:
- (1) bringing collective public sector Chief Executive expertise and experience to advise on regional strategy, policies and investment proposals;
 - (2) providing Local Authority specific input into development of policies;
 - (3) reviewing City Deal investment proposals, monitoring reports and providing feedback and advice to the Investment Board through nominated representatives;
 - (4) attending other forums and meetings to present public sector Chief Executive feedback and advice;
 - (5) responding to UK and Welsh Government requests for regional feedback on schemes, policy proposals and initiatives;
 - (6) supporting feedback loops and lines of communication within the Constituent Councils;
 - (7) nominating public sector Chief Executive representatives as Members of the Investment Board and to other relevant Sub-Committees and Forum as observers. These nominated members to be rotated on an annual basis.

3. Joint Arrangements

3.1 Joint Overview and Scrutiny Committee

The Constituent Councils have established a Joint Overview and Scrutiny Committee, comprised of 1 non-executive member from each of the 10 Councils, with the following Terms of Reference:

- (1) To exercise the functions of a Joint Overview and Scrutiny Committee pursuant to the Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013.
- (2) Any member of the JOSC may refer to the JOSC any matter which is relevant to its functions provided it is not a local crime and disorder matter as defined in section 19 of the Police and Justice Act 2006.
- (3) Any member of any of the Appointing Authorities may refer to the JOSC any local Government matter which is relevant to the functions of the JOSC, subject to the following conditions:
 - (a) the matter relates to one of the functions of the Appointing Authority and is relevant to the functions of the JOSC;
 - (b) it affects the electoral area of the member or it affects any person who lives or works there; and
 - (c) it is not a local crime and disorder matter as defined in section 19 of the Police and Justice Act 2006.
- (4) When considering whether to refer a matter to the JOSC a member should first consider if it falls within the remit of a single overview and scrutiny committee within the member's local authority, and if that is the case the member should raise the matter there. Members should only refer a matter to the JOSC if it falls clearly within the responsibilities and terms of reference of the JOSC and if there is no scrutiny of the issue in the local authority to which the member belongs.

4. Functions Discharged by Constituent Councils

4.1 Standards and Ethics Committee

The Standards & Ethics Committee of Cardiff Council shall discharge the following functions on behalf of the CJC:

- (1) Promote and maintain high standards of conduct by the CJC's members and co-opted members;
- (2) Assist the CJC's members and co-opted members to observe the CJC's code of conduct;
- (3) Advise the CJC on the adoption and revision of a code of conduct;
- (4) Monitor the operation of the CJC's code of conduct;
- (5) Advise, train or arrange to train the CJC's members and co-opted members on matters relating to the CJC's code of conduct; and
- (6) Make an annual report to the CJC describing how its functions have been discharged during the financial year.

Part 3C - Delegation to Officers

1. Delegations to Chief Officers

- 1.1 This Scheme sets out those delegations made to the Chief Executive and Directors (“the Chief Officers”) whether by the Corporate Joint Committee (“the CJC”) or derived from statute. The Scheme also sets out the powers of the Statutory Officers of the CJC.
- 1.2 The Chief Officers may (where statute allows this) further delegate responsibility for matters to other Officers of the CJC. These delegations must be in writing. Where a Chief Officer authorises another Officer to discharge a power or function, the Chief Officer remains responsible to the CJC for the proper exercise of that function.
- 1.3 The CJC may reserve to themselves decisions that have been delegated to Officers by giving notice to the relevant Chief Officer.

2. Principles of Delegation

- 2.1 Officers may exercise delegated powers provided that the matter:
- (a) is covered by an approved policy of the CJC;
 - (b) there are no unusual features;
 - (c) there are no significant political or other similar issues,
- otherwise the matter should be referred to the CJC to determine.
- 2.2 In exercising delegated powers Officers must:
- (a) comply with any statutory provisions;
 - (b) comply with the provisions of the CJC’s Constitution;
 - (c) comply with any policy, plan or direction of the CJC;
 - (d) only incur expenditure within approved estimates/limits;
 - (e) take legal or professional advice as appropriate;
 - (f) consult other relevant Officers as appropriate;
 - (e) consult the relevant Portfolio Member(s) as appropriate;

- (f) keep appropriate records and registers of decisions and report to the CJC if required.

- 2.3 In using delegated powers, Officers are accountable to the CJC or sub-committee from which those delegated powers derive.
- 2.4 Acts of Officers done under delegated powers are deemed to be acts of the CJC.
- 2.5 This scheme includes the obligation on Officers to keep Members properly informed of activity arising within the scope of these delegations. Officers should also inform Members of any significant delays to agreed schemes or projects.
- 2.6 It shall always be open to an Officer to consult with the CJC, a sub-committee, or its Chair or Portfolio Member(s), on the exercise of delegated powers, or not to exercise delegated powers but to refer the matter to the CJC.

3. Overall Limitations

- 3.1 This scheme does not delegate to Officers:
 - (a) any matter reserved to the CJC under Article 4 of this Constitution;
 - (b) any matter which by law may not be delegated to an Officer;
 - (c) any matter expressly withdrawn from delegation by this scheme or at any time by the CJC.
- 3.2 In each case the delegated authority to Officers excludes:
 - (a) the taking of decisions which make, amend or are not in accordance with the budget and policy framework;
 - (b) the setting or changing of policy;
 - (c) the review of performance;
 - (d) the setting of overall service area budgets;
 - (e) responding to formal central government consultation in respect of strategic policy which remains the responsibility of the CJC.
- 3.3 In exercising delegated powers Officers shall:

- (a) not go beyond the provision in the revenue or capital budgets for their service or agree individual items of expenditure or virement beyond that permitted by the Contract and Financial Procedure Rules;
- (b) have regard to any report by the Chief Executive or the Monitoring Officer under Sections 4 and 5 of the Local Government and Housing Act 1989 or of the Section 151 Officer under Section 114 of the Local Government Finance Act 1988;
- (c) maintain a full record of the exercise of those powers, including all relevant details, in accordance with any corporate guidance given by the Monitoring Officer; and
- (d) have regard to any report from the CJC's internal and external auditors in relation to a fundamental weakness in management and financial controls.

4. Scrutiny of Chief Officer Decisions

4.1 All Key Decisions taken by Officers shall be open to scrutiny via the Joint Overview and Scrutiny Committee's 'call-in' procedures.

4.2 A 'Key Decision' is a decision which is likely to:

- (a) result in the Corporate Joint Committee incurring expenditure which is, or the making of savings which are, significant having regard to the CJC's budget for the service or function to which the decision relates; or
- (b) is likely to be significant in terms of its effects on communities living or working in an area of two or more of the CJC's constituent councils.

4.3 All other decisions shall be 'Operational Decisions'.

5. Record of Chief Officer Decisions

5.1 A sufficient record must be made of all Key and Operational Decisions.

5.2 Key Decisions taken by Officers under this Scheme of Delegation will be published on the CJC's website within 2 clear working days following the decision being taken.

- 5.3 A Key Decision will come into force and may be implemented on the expiry of 3 clear working days after the publication of the decision, unless the decision is called in for review by the Joint Overview and Scrutiny Committee.
- 5.4 In respect of an Operational Decision, these will be recorded by the relevant service area and a record of that Operational Decision maintained by that service area.
- 5.5 Both Key and Operational Decisions taken under this Scheme of Delegation are subject to the CJC's Access to Information Procedure Rules.

6. Urgent Decisions and Minor Matters

- 6.1 The Chief Officers may be specifically authorised to take decisions on behalf of the CJC in cases of urgency or in relation to minor matters. In doing so, the procedure set out below must be followed.
- 6.2 In relation to matters which are the responsibility of the CJC, subject to consultation with the Chair (or in their absence the Vice Chair), the Chief Officers shall have the power to act on behalf of the CJC in cases of urgency and on minor matters, where the urgent matter is of such a nature that it may be against the CJC's interest to delay and where it is not practicable to obtain the approval of the CJC. The safeguards set out below must be followed.
- 6.3 The procedure must only be used when considered essential to achieving the efficient administration of the service and consideration must be given to whether the matter can wait until the next scheduled meeting or whether the calling of a special meeting can be justified.
- 6.4 The information in the report must be given the same care and attention as a report to the CJC. Councillors must be given all the information they need in order to fully consider the matter.
- 6.5 For minor matters the subject matter:
- (a) should not give rise to implication of a policy or resource nature for the CJC;
 - (b) the cost of implementing the decision must not exceed agreed budgets; and

- (c) the decision should not conflict with any plan or strategy agreed by the CJC.

6.6 All decisions taken by Officers under this delegated power must be reported for information to the next meeting of the appropriate committee.

7. General Delegations to all Chief Officers

7.1 All Chief Officers may exercise any function delegated to any other Officer within their directorate.

7.2 Chief Officers may exercise any function outside their directorate if authorised to do so by the Chief Executive.

7.3 All Chief Officers shall be authorised to:

General

- (1) take any action necessary to ensure the effective and efficient management of their directorate;
- (2) act in minor or urgent matters where to delay for a CJC meeting would not, in their opinion, be in the CJC's interest, subject to the procedure set out at paragraph 6 above;
- (3) respond to consultation documents which are considered appropriate to be dealt with at Officer level;
- (4) liaise and develop partnerships with external agencies, Government departments and stakeholder organisations;
- (5) take any action necessary to ensure the effective development and implementation of the CJC's key strategies, following adoption by the CJC;

Financial

NB: All financial decisions must be within the CJC's agreed Financial Procedure Rules and within the budget allocation for the service area.

- (6) exercise powers of virement;

- (7) control service budgets subject to the strategies, policies, objectives and targets agreed by the CJC;
- (8) determine grants expenditure in accordance with agreed grant criteria;

Contracts

NB: All procurement decisions must be within the CJC's agreed Contract Procedure Rules and within the budget allocation for the service area.

- (9) Approve/award contracts;
- (10) approve variations in contracts;
- (11) approve use of consultants;
- (12) terminate contractual and other commissioning arrangements;

Human Resources

NB: All HR decisions must be within the CJC's agreed HR policies and within the budget allocation for the service area; and where appropriate, taken in consultation with the Director of Resources, the Director of Legal and Governance and/or Head of HR.

- (13) appoint, suspend and dismiss staff up to and including Head of Service level;
- (14) create new permanent posts or delete posts;
- (15) move posts within the service area and between service areas;
- (16) determine temporary/fixed term posts;
- (17) determine any secondment arrangements;
- (18) determine the employment of agency employees and any contract arrangements with agencies or contractors;
- (19) determine Health and Safety arrangements within a service area;
- (20) determine grade starting point and any progression through grades within any agreed schemes;
- (21) authorise attendance at training events or conferences;
- (22) determine any application for payment of professional fees;
- (23) determine any change to hours of any post;

- (24) determine any job share arrangement or any scheme of reduced hours of work;
- (25) vary the pattern of the working week;
- (26) determine planned overtime payments;
- (27) determine paid or unpaid leave of absence;
- (28) determine whether to allow 'carry over' of leave;
- (29) determine any disciplinary action;
- (30) work with colleagues to secure redeployment opportunities or development opportunities for unplaced employees and as a last resort, to serve redundancy notices, where there is no suitable alternative employment available with the authority;

Companies

- (31) exercise the rights and responsibilities of the CJC as shareholder or member of a company or other body, unless alternative arrangements are specified in the relevant body's articles of association, other governing instrument, any shareholders' agreement or any specified delegations in relation to particular bodies;

Corporate Complaints

- (32) determine or resolve complaints under the CJC's Corporate Complaints Policy.

8. Specific Delegations to the Chief Executive

- 8.1 In carrying out the following delegated functions, the Chief Executive will agree arrangements for consultation with the relevant Portfolio Member(s) and will refer to the CJC for consideration and decision those matters directed by the said Member(s).
- 8.2 Subject to the requirement set out above and in compliance with paragraph 2 (principles of delegation) and paragraph 3 (overall limitations), the Chief Executive is authorised to:
 - (1) take any action necessary to ensure the effective and efficient management and operations of the CJC;

- (2) where appropriate, exercise any function delegated to any other Officer, e.g. in case of absence;
- (3) determine any operational matter which is not reserved for the CJC, a sub-committee, or another Statutory Officer;
- (4) determine the activities of the CJC's Senior Leadership Team and coordinate the team's activities;
- (5) determine cross-cutting operational issues that cover a range of services;
- (6) determine necessary action to be taken on behalf of the CJC in emergencies in consultation with the Chair or, in the absence of the Chair, another member of the CJC;
- (7) determine all operational issues relating to safeguarding;
- (8) promote the highest standards of ethical behaviour on the part of the CJC's Officers;
- (9) determine methods of monitoring and activities in relation to performance management of the CJC's staff;
- (10) have overriding authority for all delegated matters of staffing and operations to ensure appropriate allocation of resources to deliver agreed outcomes;
- (11) make decisions on employee Terms and Conditions (including procedures for dismissal), except those relating to:
 - (a) the Chief Executive and Chief Officers;
 - (b) changes to the CJC's corporate pay grade structure;
 - (c) changes to employee Terms and Conditions which are the subject of contention with the trade unions.
- (12) approve new operational HR employment policies and changes to existing HR policies as required;
- (13) following consultation with the Chair, suspend the Monitoring Officer or Chief Finance Officer in cases of emergency as defined in the Joint National Council (JNC) procedure;
- (14) following consultation with the Chair, refer matters of discipline in respect of the Monitoring Officer or Chief Finance Officer to the Appointments Sub-Committee.

9. Specific Delegations to the Deputy Chief Executive / Director of Regional Growth

- 9.1 In carrying out the following delegated functions, the Director will agree arrangements for consultation with the relevant Portfolio Member(s) and will refer to the CJC for consideration and decision those matters directed by the said Member(s).
- 9.2 Subject to the requirement set out above and in compliance with paragraph 2 (principles of delegation) and paragraph 3 (overall limitations), the Deputy Chief Executive and Director of Regional Growth is authorised to:
- (1) exercise the powers of the Chief Executive in the event of their incapacity or absence;
 - (2) oversee adherence to the City Deal Assurance Framework;
 - (3) oversee compliance with the Investment and Intervention Framework and the HMT Green Book five stage business case process;
 - (4) in consultation with the s151 Officer, incur expenditure of up to £100K in respect of due diligence on Wider Investment Fund projects;
 - (5) report against contractual requirements of City Deal, Investment Zones and other investment projects as they arise, including submission of reports and returns to UK Government and Welsh Government;
 - (6) attend the Welsh City and Growth Deals Board convened by UK and Welsh Government Ministers
 - (7) act as lead officer for the Investment Board;
 - (8) submit and progress bids and applications to outside bodies for funding and investment.

10. Specific Delegations to the Director of Policy, Impact and Partnerships

- 10.1 In carrying out the following delegated functions, the Director will agree arrangements for consultation with the relevant Portfolio Member(s) and will refer to the CJC for consideration and decision those matters directed by the said Member(s).

10.2 Subject to the requirement set out above and in compliance with paragraph 2 (principles of delegation) and paragraph 3 (overall limitations), the Director of Policy, Impact and Partnerships is authorised to:

- (1) act as lead Officer in respect of the production of the Regional Economic and Industrial Plan;
- (2) act as lead officer in respect of the production of the Regional Transport Plan;
- (3) act as lead officer in respect of the production of the Strategic Development Plan;
- (4) oversee the production and review of all CJC corporate policies, including in respect of:
 - Public Sector Equality Duty;
 - Wellbeing of Future Generations Statement and Objectives;
 - Child Poverty Strategy;
 - Bio-diversity Plan;
- (5) Act as lead officer for compliance with Welsh Language Standards;
- (6) submit all relevant documentation, reports and assessments required for the City Deal (and successor programme) Gateway Reviews;
- (7) act as lead officer for the Regional Growth Board;
- (8) act as lead officer for the Regional Transport Sub-Committee;
- (9) act as lead officer for the Strategic Development Sub-Committee.

11. Specific Delegations to Director of Resources (s151 Officer)

11.1 In carrying out the following delegated functions, the Director will agree arrangements for consultation with the relevant Portfolio Member(s) and will refer to the CJC for consideration and decision those matters directed by the said Member(s).

11.2 Subject to the requirement set out above and in compliance with paragraph 2 (principles of delegation) and paragraph 3 (overall limitations), the Director of Resources is authorised to:

Section 151 Officer Functions

- (1) oversee the proper administration of the CJC's financial affairs;
- (2) nominate an Officer as Deputy Chief Financial Officer if unable to act owing to absence or illness;
- (3) report on a decision or likely decision which would lead to the Corporate Joint Committee incurring unlawful expenditure or would cause a loss or deficiency to the CJC or entry of an unlawful item of account;
- (4) report on the expenditure of the CJC incurred (including expenditure it proposes to incur) in a financial year if likely to exceed the resources (including sums borrowed) available to it to meet that expenditure;
- (5) report on the robustness of the CJC's budget calculations;
- (6) report on the adequacy of the CJC's proposed financial reserves;
- (7) report on previous years' financial reserves if it appears that controlled reserves is or is likely to be inadequate, including recommendations for appropriate actions to rectify;
- (8) assist the CJC in carrying out regular budget monitoring.

Corporate Finance and Commercial Services

- (9) facilitate and manage the coordination of medium-term financial planning, annual budget planning, budget monitoring and the preparation of statutory and other accounts;
- (10) forecast and manage contributions from the CJC's Constituent Councils and the Brecon Beacons National Park Authority;
- (11) establish such reserves as required and review them for both adequacy and purpose on a regular basis;
- (12) establish an appropriate Treasury Management Strategy and implement appropriate action to ensure the collection of revenue;
- (13) arrange all borrowings, financing and investment in line with the CJC's Treasury Management Policy Statement;
- (14) make appropriate banking arrangements on behalf of the CJC;
- (15) ensure appropriate financial and accounting arrangements across the CJC;
- (16) agree the terms of loans permitted under law;

- (17) determine the level of security for the due performance of any contract and approve contract guarantee bonds;

Internal Audit, Risk and Assurance

- (18) act as lead officer for the Governance and Audit Sub-Committee;
- (19) maintain an effective internal audit service;
- (20) ensure proper and adequate Insurances are in place to adequately protect the CJC based on the Risk Management strategy;
- (21) act as the Risk Management Officer and ensure appropriate risk management arrangements are in place across the CJC;
- (22) act as lead officer for the preparation of the Annual Governance Statement;
- (23) act as the lead officer for all liaison with the Auditor General for Wales in respect of the preparation of the Annual Statement of Accounts;

HR and Employee Services

- (24) oversee the CJC's Human Resources service;
- (25) formulate and implement policies relating to employed staff;
- (26) ensure that the appointment of officers is made in accordance with the CJC's approved HR policies and the approved establishments, grades and rates of pay;
- (27) approve the format of all records relating to the notification of appointments, terminations, sickness, special leave and any other personnel matter;
- (28) maintain all necessary records relating to the appointment, termination and all other personnel matters;
- (29) ensure appropriate Payroll systems are in place;

Digital Services

- (30) oversee the CJC's digital and ICT services.

12. Specific Delegations to the Director of Legal and Governance (Monitoring Officer)

- 12.1 In carrying out the following delegated functions, the Director will agree arrangements for consultation with the relevant Portfolio Member(s) and will refer to the CJC for consideration and decision those matters directed by the said Member(s).
- 12.2 Subject to the requirement set out above and in compliance with paragraph 2 (principles of delegation) and paragraph 3 (overall limitations), the Director of Legal and Governance is authorised to:

Monitoring Officer Functions

- (1) report on contravention or likely contravention of any enactment or rule of law;
- (2) report on any maladministration or injustice where Ombudsman has carried out an investigation;
- (3) appoint Deputy Monitoring Officer(s);
- (4) report on resources needed to undertake the Monitoring Officer functions;
- (5) establish and maintain registers of Members' Interests and Gifts and Hospitality;
- (6) advise Members on interpretation of the Members' Code of Conduct;
- (7) advise Members on compensation or remedy for maladministration;
- (8) advise Members on vires issues, maladministration, financial impropriety, probity, and budgetary and policy framework issues;
- (9) undertake any action necessary to ensure the effective development and implementation of the CJC's corporate governance framework.

Joint National Council Procedures

- (10) following consultation with the Chair, suspend the Chief Executive in cases of emergency as defined in the JNC procedure;
- (11) following consultation with the Chair, refer matters of discipline in respect of the Chief executive to the Appointments Sub-Committee

Proper Officers

- (12) appoint proper officers or authorise an officer of the CJC for any purposes the performance of which statute requires that the officer should be appointed or authorised for that specific purpose or purposes.
- (13) act as Proper Officer for the purposes of the Local Government Acts 1972 and 2000 and all Regulations made thereunder other than those Proper Officer functions delegated to the Director of Resources in connection with the administration of the CJC's financial affairs;

Legal Proceedings

Note: Any powers or duties exercised under previous delegations shall remain valid and effective.

- (14) oversee the preparation, negotiation and agreement of all legal documentation relating to or affecting the functions of the CJC;
- (15) issue and serve statutory and other notices;
- (16) institute, prosecute, defend or participate in any legal proceedings, in any Court or Tribunal, and in any case where such action is necessary to give effect to decisions of the CJC, or in any case where they consider that such action is necessary to protect the CJC's rights and interests, and to authorise Officers to appear in Court on the CJC's behalf;
- (17) sign any notice, demand or other document on behalf of the CJC in connection with any actual or contemplated legal or enforcement proceedings;
- (18) commission external legal advice as required;
- (19) settle any action in any court or tribunal in which the CJC is a party or where legal proceedings are indicated providing that any settlement exceeding £50,000 will be subject to prior consultation first with the Director of Resources as s151 Officer and then with the Chair of the CJC except in cases of urgency where the settlement is made on the advice of Counsel;
- (20) take default action under all legislation relevant to their functional area;
- (21) authorise Officers to appear on behalf of the CJC in courts, tribunals, review boards and inquiries;
- (22) designate and/or authorise Officers pursuant to statutory powers or duties;

- (23) sign all necessary documents and authorise entry to land in pursuance of statutory powers;
- (24) in all cases, delegated authority includes the power to determine agreements;
- (25) the Director of Legal & Governance may also exercise any of these legal powers in respect of all functional areas;

Signing and Sealing

- (26) sign or attest the CJC's seal in all legal documents and all other documents intended to give effect to decisions of the CJC;

Constitution

- (27) amend the Constitution where necessary to reflect changes in the law, or decisions of the CJC, or to correct inaccuracies;

Democratic Services

- (28) oversee the CJC's democratic services function;
- (29) sign summonses to attend meetings of the CJC;
- (30) act as lead officer for the Joint Overview and Scrutiny Committee;
- (31) act as lead officer for the Standards Sub-Committee;
- (32) determine arrangements for the proper record and maintenance of records of decisions taken by the CJC or any other element of the decision-making process empowered to take decisions.

Appointments

- (33) appoint councillors and non-councillor members to sub-committee seats in accordance with the wishes of the nominating body;
- (34) in consultation with the Chief Executive and the Chair, make appointments of Members to outside bodies which are not the subject of report to the CJC;
- (35) constitute the membership of the Appointments Sub-Committee.

Procurement

- (36) oversee the CJC's Procurement functions and requirements;

Companies

- (37) appoint Members as proxies to attend and vote at shareholder meetings of any company of which the CJC is a shareholder.
- (38) undertake the role of company secretary in any company for which the CJC provides secretarial or administrative services;

Complaints

- (39) to manage complaints in accordance with the CJC's Corporate Complaints Policy.