

## SECTION 5

### 5. SUB-COMMITTEES

#### 5.1 APPOINTMENT

5.1.1 The North Wales CJC may establish sub-committees to support it in exercising its functions and/or to support its governance and administrative arrangements. However, certain functions cannot be delegated to a sub-committee (see section 5.3.2)

5.1.2 North Wales CJsCs will set up sub-committees for each of the key functional areas that it exercises. The North Wales CJC must establish the Governance and Audit and Standards sub-committees.

5.1.3 When establishing sub-committees, and considering who to involve in the sub-committee, the North Wales CJC will, consider:

- The nature of the task/activity to be considered.
- The relevant expertise/skills which might be needed to support the North Wales CJC in its decision making.
- The gender, diversity, and cultural balance of sub-committee membership and how this might/should represent the communities the North Wales CJC serves.

#### 5.2 STRUCTURE

5.2.1 The North Wales CJC may appoint members of the North Wales CJC and Co-opted Members to a sub-committee.

5.2.2 A sub-committees may be made up entirely of co-opted members if the North Wales CJC considers this appropriate.

5.2.3 These rules and procedures of sub-committees will be established and revised by the North Wales CJC,

#### 5.3 DELEGATION

5.3.1 A sub-committee may exercise only those functions which are delegated to it.



5.3.2 The CJC may not delegate any of the following to any other person or subcommittee:

- The approval and revision a transport policy under the relevant provisions of the Transport Act 2000 (“Transport Policy Function”);
- The actions in relation to preparing a Strategic Development Plan (the “Strategic Development Plan Function”) which are set out in Regulation 15(b) of the North Wales Corporate Joint Committee Regulations 2021;
- The decision to agree the CJC budgets and contributions of the Constituent Councils and the Authority.

## **5.4 CHAIRING MEETINGS**

5.4.1 The first items of business to be transacted at the first meeting of sub-committee are the appointments of a chairperson and vice-chairperson. The Proper Officer will chair the meeting for that initial item of business.

5.4.2 The first items of business to be transacted at subsequent annual general meetings of the sub-committee are the appointments of a chairperson and vice-chairperson.

5.4.3 If a vacancy occurs in the office of chairperson or vice-chairperson the appointment to fill the vacancy is to be made at the first meeting of the sub-committee to be held after the vacancy has arisen.

5.4.4 Subject to the provisions in relation to the Governance and Audit a Standards Sub Committees the chairperson and vice-chairperson must each be an elected member of a Constituent Council.

5.4.5 Meetings of the sub-committee must be chaired by the chairperson, or if the chairperson is absent then the vice-chairperson.

## **5.5 QUORUM**

5.5.1 Unless otherwise provided for no fewer than 70% of the persons entitled to vote must be present.

5.5.2 Members will be regarded as present at a meeting where they attend that meeting by remote means in accordance with the CJC’s arrangements for multi-location meetings providing that they can speak to, hear and be heard by, other attendees at the meeting.



5.5.3 For the purposes of para 5.5.2 attendance “by remote means” means attendance in a different physical location to that of other participants and participating through an online meeting platform.

## **5.6 VOTING**

5.6.1 Any member of a sub-committee of the North Wales CJC (including voting Co-opted Members) are entitled to vote on matters to be decided by that sub-committee only.

## **5.7 TRANSPARENCY**

5.7.1 Sections 4.3 to 4.9 of North Wales Corporate Joint Committee Standing Orders apply to a meeting of a sub- committee of the CJC as they apply to a meeting of the CJC.

## **SUB-COMMITTEES**

### **5.8 Strategic Transport Sub-Committee**

5.8.1 The CJC shall appoint a Sub-Committee known as the Strategic Transport Sub-Committee - (“Strategic Transport function”) to carry out the function of preparation and monitoring of transport policies under sections 108(1)(a) and (2A)(a) of Part 2 of the Transport Act 2000 or any functions of the CJC which are ancillary or incidental to those functions.

5.8.2 The Terms of Reference of The North Wales Strategic Transport sub-committee are set out in Part 1 of this Section. The terms of reference may be amended by the CJC from time to time.

5.8.3 The membership of the Strategic Transport Sub-Committee shall consist of the relevant Cabinet/ Executive member from each of the constituent councils with responsibility for Transport Policy.

### **5.9 Strategic Planning Sub-Committee**

5.9.1 The CJC shall appoint a Sub-Committee known as the Strategic Planning Sub-Committee - to support the exercise of the strategic planning functions or any functions of the CJC which are ancillary or incidental to those functions as set out in Regulation 15(b) of the North Wales Corporate Joint Committee Regulations 2021.



5.9.2 The Terms of Reference of the Strategic Planning Sub-Committee are set out in Part 2 of this Section, and those terms of reference may be amended by the CJC from time to time.

5.9.3 The membership of the Strategic Planning Sub-Committee shall consist of the relevant Cabinet/ Executive from each of the constituent councils with responsibility for Planning Policy and a representative nominated by the Snowdonia National Park Authority.

## **5.10 Ambition North Wales sub-committee -**

5.10.1 [For Future Inclusion]

## **5.11 Governance and Audit Sub-Committee**

5.11.1 The CJC must establish a sub-committee known as the Governance and Audit Sub-Committee.

5.11.2 The Terms of Reference of the Governance and Audit Sub-Committee are set out in Part 4 of this Section, and those terms of reference may be amended by the CJC from time to time within statutory requirements.

5.11.3 The membership of the Governance and Audit Sub-Committee shall consist of 9 Members 6 of whom shall be elected members drawn from and nominated by the Governance and Audit Committees of each of the 6 Constituent Councils and 3 of whom shall be Lay Members.

5.11.4 The Governance and Audit Sub-Committee are required to meet once every calendar year as a minimum.

## **5.12 Standards Sub-Committee**

5.12.1 [Future Inclusion]

Part 1

## STRATEGIC TRANSPORT SUB-COMMITTEE - TERMS OF REFERENCE

### The Corporate Joint Committees Regulations

The North Wales Corporate Joint Committee Regulations 2021 provide that the CJC is to exercise the functions of developing policies under section 108 of the Transport Act 2000.

("the Transport Regulations") modify the Transport Act 2000 in relation to Corporate Joint Committees established under Part 5 of the Local Government and Elections (Wales) Act 2021 where the functions of developing policies under section 108 of the Transport Act 2000 have been conferred on Corporate Joint Committees.

### Role

To make recommendations to the Corporate Joint Committee on the approval and revision of a Regional Transport Plan and its submission to Welsh Ministers for approval.

To make recommendations to the Corporate Joint Committee on policies for the implementation by the local transport authorities in its area of the Wales Transport Strategy."

To advise and make recommendations on a co-ordinate a joined-up and integrated strategic transportation service in North Wales; through the, monitoring, and review of a Regional Transport Plan.

To plan, co-ordinate and advise on regional responses to the Welsh Government Improving Public Transport proposals.

To report regularly to the Corporate Joint Committee on progress, performance, outcomes and resource requirements. keeping its regional transport plans and policies under review and recommend any alterations it if it considers it appropriate to do so.

To undertake any activities which are ancillary or reasonably incidental to the achievement of these functions.

The chairperson of the sub-committee will play a key role in providing leadership and key relations with Welsh Government and the UK Government with regard to the work of the Sub-Committee and its advisory role in the development of the Regional Transport Plan.

The Sub Committee will be advised by Officers of the CJC and its Statutory Officers or their duly appointed representatives or deputies.

## Strategic

To co-ordinate Local Authority and other partner activity so that a strategic regional approach takes place in the relevant policy area.

To provide relevant strategic advice to the Corporate Joint Committee.

To support the Corporate Joint Committee to influence national policies and funding programmes.

To enact the decisions of the Corporate Joint Committee. The Corporate Joint Committee will provide direction and commission the Sub-Committees to undertake key tasks.

## Programme & Project Management

To co-ordinate the planning, development and delivery of relevant Programme(s) / Project(s) within these Terms of Reference;

To monitor and review progress and impact of relevant Programme(s) / Project(s), and to put forward any recommendations to the Corporate Joint Committee.

To monitor and review the level and deployment of resources including staff and where it deems appropriate make recommendations to the CJC in relation to these matters.

## Resource Management

To monitor and review the level and deployment of resources required including staff and where it deems appropriate make recommendations to the CJC in relation to these matters.

## Performance Management

To co-ordinate the reporting of performance to the Corporate Joint Committee at least Quarterly.

## Responsibilities and Deliverables: Communication and Awareness Raising

The Transport Sub-Committee will prepare a quarterly report on its work for the Corporate Joint Committee which shall include:

- 1) Progress on implementation of the Regional Transport Plan including individual Programmes and Projects.

- 2) The Financial Performance of the Committee Forthcoming developments.
- 3) The report shall form part of an agreed scrutiny protocol and shall be in a format which will facilitate its submission into Scrutiny or other governance arrangements as determined the Corporate Joint Committee.

## Quorum

No fewer than 5 of the members must be present.

## Review

The Transport Sub-Committee shall conduct an annual self-assessment of its activities under these Terms of Reference and report any conclusions and recommendations to the Corporate Joint Committee and, as part of this assessment, shall consider whether or not it receives adequate and appropriate support in fulfilment of its role and whether or not its annual plan of work is manageable.

The Committee shall annually review its Terms of Reference and may recommend to the Corporate Joint Committee any amendments to its Terms of Reference.

Part 2

## STRATEGIC PLANNING SUB-COMMITTEE - TERMS OF REFERENCE

### Functions of the Strategic Planning Sub-Committee

The Sub-committee will oversee the following specific functions in the order presented, as per The Town and Country Planning (Strategic Development Plan) (Wales) Regulations 2021 prior to advising and seeking approval of the CJC (note also the limitations on discharging function under Section 6):

Consider and develop a robust evidence base required for the SDP supported by the SDP working groups and in partnership with the regional Local Planning Authorities. (see above in red).

Oversee the Identification of consultation bodies to be engaged in the SDP process - 'general' and 'specific' (Regulation 5 & 6),

Prepare a draft Delivery Agreement (Timetable and Community Involvement Scheme) for preparation of the SDP and SA/SEA - including engagement, content, notification and publication requirements (Regulations 7 to 12).

Prepare the LDP (Form, Content of the SDP and Proposals Map) in line with (Regulations 13 to 14).

Have regard to additional matters that the CJC need to be informed of, that being Section 108 of the Transport Act 2000 and other matters (Regulation 15).

Undertake a call for candidate strategic locations and sites and prepare a “candidate strategic sites and locations register” for the purposes of informing land availability across the region (Regulation 16 (1)(b)-(d)).

Oversee the production of the SDP Pre-deposit proposals (preparation, participation and proposals documents) – for the purpose of considering a range of alternative options and strategies (Regulation 16 to 17).

Oversee the production of the SDP Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) in line with (s39 (2) Planning and Compulsory Act 2004 (as amended) and SEA Regulations 5(2) and 5(4) respectively).

Prepare and undertake the necessary pre-deposit public consultation (Regulation 18).

Prepare the Pre-deposit public consultation representations report for the CJC (Regulation 19).

Oversee the Deposit Plan preparation – Documents to be prepared, notification and publication requirements, statutory public consultation (6 weeks minimum) and consideration of representations (Regulations 20 to 22).

Prepare submission of the SDP for examination – Documents to be prepared/submitted, publication and notification requirements (Regulation 23).

Prepare for and manage the Independent Examination of the SDP including notification and publication requirements (Regulation 24).

Consider and respond to the Inspectors Report – including notification and publication requirements (Regulation 25).

Where necessary, the sub-committee with respond to matters related to ‘matters preventing adoption’ (Regulation 26), ‘direction to modify the SDP’ (Regulation 27) and ‘call in’ (Regulations 28 – 32).

Prepare for Adoption – including adoption procedures, notification and publication requirements (Regulation 35).

Oversee the production of the Annual Monitoring Report (AMR) – including content, publication and notification requirements (Regulation 27).



Oversee the production of the SDP Review and Review Report (no later than 6 years following adoption) (Regulation 39).

## **Programme & Project Management**

To co-ordinate the planning, development and delivery of relevant Programme(s) / Project(s) within these Terms of Reference;

To monitor and review progress and impact of relevant Programme(s) / Project(s), and to put forward any recommendations to the Corporate Joint Committee.

To monitor and review the level and deployment and value for money of resources including staff and where it deems appropriate make recommendations to the CJC in relation to these matters.

To monitor and review the level and deployment of resources required including staff and where it deems appropriate make recommendations to the CJC in relation to these matters.

## **Performance Management**

The following will be undertaken:

To co-ordinate the reporting of performance to the CJC at least Quarterly in line with the SDP Delivery Agreement or as actioned by the CJC.

To co-ordinate and present a statutory Annual Monitoring Report (AMR) to the CJC upon adoption of the SDP.

To present a SDP Review Report to the CJC where required under statutory regulation or early if the AMR concludes otherwise.

Part 4

## **THE GOVERNANCE AND AUDIT SUB-COMMITTEE- TERMS OF REFERENCE**

The North Wales CJC is required to establish a sub-committee to be known as the Governance and Audit Sub-Committee in accordance with paragraph 16(1) CJC Established Regulations. *(It is noted that in local government legislation this is referred to as a 'governance and audit committee'; however as the North Wales CJC is itself a committee it is appropriate to refer to it as a sub-committee in relation to CJC's.)*

## Functions

The terms of reference of the sub-committee are stated in the CJC Establishment Regulations which state that the governance and audit sub-committee must:

- a) Functions under the Local Government Measure (Wales) 2011
- b) The committee is responsible for fulfilling the following statutory functions under Section 81 of the Local Government Measure (Wales) 2011 as amended:
- c) Review and scrutinise the CJC's financial matters,
- d) Make reports and recommendations in relation to the CJC's financial matters.
- e) Review and assess the CJC's risk management, internal control performance assessment and corporate governance arrangements,
- f) Make reports and recommendations to the CJC regarding the adequacy and effectiveness of those arrangements,
- g) Review and assess the CJC's ability to handle complaints effectively,
- h) Make reports and recommendations in relation to the CJC's ability to handle complaints effectively,".
- i) Inspect the CJC's internal and external audit arrangements, and
- j) Review the financial statements prepared by the CJC.
- k) Undertake the further functions of the Governance and Audit Committee under Chapter 1 of Part 6 of the Local Government and Elections (Wales) Act 2021 (performance and governance of principal councils)
- l) The committee will also be responsible for fulfilling the following functions:-
  - (i) to promote internal audit, establishing a timetable to conduct review control, develop an anti-fraud culture and review financial operations;
  - (ii) to consider observations and concerns on individual services at a county level, on the basis of reports by Council officers, the Audit Commission or the District Auditor and monitor the response and actions on the recommendations and findings.

## Membership

Members of a CJC Governance and Audit committee cannot be a member of the CJC, a member of the executive of a constituent council or a co-opted member (co-opted member in this case means a person co-opted on to the CJC, or to participate in activities of the CJC, other than the governance and audit committee).

Membership of the Governance and Audit Sub-Committee must be at least one third lay member and at least two thirds membership from the constituent councils. The appointment(s) will be made by the North Wales CJC.

The chair of the Governance and Audit Sub-Committee must be a lay member.

Members of a CJC governance and audit committee cannot be a member of the CJC, a member of the executive of a constituent council or a co-opted member (co-opted member in this case means a person co-opted on to the CJC, or to participate in activities of the CJC, other than the governance and audit committee).

The Governance and Audit Sub-Committee should be established by the CJC comprising of lay members to be drawn from constituent councils governance and audit committees (or externally advertised if this is not possible) and members from each constituent council.

The Governance and Audit Sub-Committee may not exercise its functions if the membership contravenes these requirements.

## Guidance of the Welsh Ministers

The governance and audit sub-committee must have regard to any guidance given by the Welsh Ministers under Section 85(1) Local Government (Wales) Measure 2011.

## Quorum

The quorum for the governance and audit sub-committee shall be 7 members with at least one member present from each Constituent council and at least one Lay Member.