

2014 No. 476 (W. 56)

**LOCAL GOVERNMENT,
WALES**

**The Local Government
(Committees and Political Groups)
(Amendment) (Wales) Regulations
2014**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Government (Committees and Political Groups) Regulations 1990 (“the 1990 Regulations”) made under the Local Government and Housing Act 1989 (“the 1989 Act”).

The amendments apply in relation to Wales.

Section 15 of the 1989 Act sets out the rules of political balance that apply to committees and sub-committees of a local authority. Regulation 16A of the 1990 Regulations provides for an exception to the duty under section 15 to allocate to particular political groups seats on certain committees and sub-committees of a local authority established exclusively to discharge functions or advise in respect of part of the area of the authority (“area committees”).

These Regulations are made under Schedule 1 to the 1989 Act and insert for Wales new regulation 16AA into the 1990 Regulations which sets out the conditions to be satisfied in Wales for the exception for area committees to apply. The exception now applies where a committee or sub-committee is established exclusively to discharge functions or to advise in respect of part of the area of the authority and where that area of that part does not exceed one-half of the total area of the authority or the population of that part does not exceed one-half of the total population of the area. In addition, that part must consist of one or more electoral divisions and all the members of the authority who are elected for that electoral division (or those electoral divisions) (and only those members) are entitled to be members of the area committee or sub-committee.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Local Government and Communities Department, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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**LOCAL GOVERNMENT,
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**The Local Government
(Committees and Political Groups)
(Amendment) (Wales) Regulations
2014**

Made 27 February 2014

Laid before the National Assembly for Wales
5 March 2014

Coming into force 1 May 2014

The Welsh Ministers make the following Regulations in exercise of the powers conferred on the Secretary of State by paragraph 1 of Schedule 1 to the Local Government and Housing Act 1989⁽¹⁾ and now vested in them⁽²⁾.

Title, commencement and application

1.—(1) The title of these Regulations is the Local Government (Committees and Political Groups) (Amendment) (Wales) Regulations 2014 and they come into force on 1 May 2014.

(2) These Regulations apply in relation to Wales.

⁽¹⁾ 1989 c. 42.

⁽²⁾ These functions of the Secretary of State, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions were subsequently transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

Amendment of the Local Government (Committees and Political Groups) Regulations 1990

2.—(1) The Local Government (Committees and Political Groups) Regulations 1990(1) are amended as follows.

(2) In the heading to Regulation 16A insert at the end “in England”.

(3) In regulation 16A(1), after “any ordinary committee or advisory committee of an authority” insert “in England”.

(4) After regulation 16A(2) insert—

□Area committees and sub-committees in Wales

16AA.—(1) Section 15 of the 1989 Act does not apply to any ordinary committee or advisory committee of an authority in Wales which is a county council or a county borough council, or to a sub-committee of any such ordinary or advisory committee, where—

- (a) the committee or sub-committee was established exclusively—
 - (i) to discharge functions of the authority, or
 - (ii) to advise the authority or any committee of the authority,

in respect of part of the area of the authority;

- (b) that part consists of the whole of one or more electoral divisions of the authority;
- (c) all the members of the authority who are elected for that electoral division, or those electoral divisions, are entitled to be members of the committee or sub-committee;
- (d) no members of the authority, other than those mentioned in subparagraph (c), may be members of the committee or sub-committee; and
- (e) either or both of the conditions in paragraph (2) are satisfied in relation to that part.

(2) Those conditions are—

- (a) that the area of that part does not exceed one-half of the total area of the authority;

(1) S.I. 1990/1553, amended by S.I. 1991/1398, S.I. 1993/1339, S.I. 1998/1918, S.I. 1999/500 and S.I. 2010/1142 (W.101).
(2) Regulation 16A was inserted by regulation 6 of S.I. 1991/1398 and amended by regulation 4(1) and (2) of S.I. 1998/1918.

- (b) that the population of that part, as estimated by the authority, does not exceed one-half of the total population of the area of the authority as so estimated.□

Lesley Griffiths

Minister for Local Government and Government
Business, one of the Welsh Ministers

27 February 2014