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WELSH STATUTORY INSTRUMENTS

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**2017 No. 460 (W. 98)**

**LOCAL GOVERNMENT, WALES**

**The Local Authorities (Standing Orders)  
(Wales) (Amendment) Regulations 2017**

<i>Made</i>	- - - -	<i>21 March 2017</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>24 March 2017</i>
<i>Coming into force</i>	- -	<i>5 May 2017</i>

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 20 and 190 of the Local Government and Housing Act 1989<sup>(1)</sup>, now exercisable by them<sup>(2)</sup> make the following Regulations.

**Title, commencement and application**

1.—(1) The title of these Regulations is The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2017 and they come into force on 5 May 2017.

(2) These Regulations apply in relation to Wales.

**Amendment of the Local Authorities (Standing Orders) (Wales) Regulations 2006**

2.—(1) The Local Authorities (Standing Orders) (Wales) Regulations 2006<sup>(3)</sup> are amended as follows.

(2) In regulation 2, in the definition of “relevant authority”, after “means” insert, “(subject to regulation 4A)”;

(3) After regulation 4 insert—

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- (1) [1989 c. 42](#). Section 20 was amended by section 119 and paragraph 81(1) and (4) of Schedule 6 to the Local Democracy, Economic Development and Construction Act 2009 ([c. 20](#)), by section 23 (1) and paragraph 12(1) and (4) of Schedule 5 to the Cities and Local Government Devolution Act 2016 ([c. 1](#)); and by section 39(5)(b) of the Planning (Wales) Act 2015 (anaw 4).
- (2) Powers under sections, 20 and 190 of the Local Government and Housing Act 1989 are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously vested in the National Assembly for Wales by virtue of article 2 and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 ([S.I. 1999/672](#)). By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 ([c. 32](#)), they were transferred to the Welsh Ministers.
- (3) [S.I. 2006/1275 \(W. 121\)](#).

### “Standing orders relating to local planning authorities

**4A.**—(1) In this regulation—

“committee” (“*pwyllgor*”) means a committee of a relevant authority by which a relevant function is to be discharged and includes a sub-committee;

“relevant authority” (“*awdurdod perthnasol*”) means a local planning authority in Wales which is—

- (a) a county council or county borough council;
- (b) a joint planning board<sup>(4)</sup>; or
- (c) a National Park authority<sup>(5)</sup>;

“relevant function” (“*swyddogaeth berthnasol*”) has the meaning given by section 319ZD of the Town and Country Planning Act 1990<sup>(6)</sup>.

(2) No later than the first ordinary meeting of the relevant authority falling after 5 May 2017, the relevant authority must, in respect of the matters mentioned in paragraph (3)—

- (a) make standing orders incorporating the provisions set out in Schedule 2A, or provisions to like effect; and
- (b) modify any of their existing standing orders so far as it is necessary to do so to conform with those provisions.

(3) (3)The matters referred to in paragraph (2) are—

- (a) quorum for a meeting of a committee;
- (b) membership of a committee”.

(4) After Schedule 2, insert —

“SCHEDULE 2A

regulation 4A

#### Standing orders relating to local planning authorities

##### Quorum

**1.** No business is to be transacted at a meeting of a committee unless at least half of the total number of members of the committee, rounded to the nearest whole number, is present.

##### Substitute members

**2.** A relevant authority is not to appoint another of their members to act as a member of a committee in the absence of the member appointed in accordance with the Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017<sup>(7)</sup>.”

21 March 2017

*Jane Hutt*  
One of the Welsh Ministers

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(4) A joint planning board may be constituted for an area in Wales by order under section 2(1B) of the Town and Country Planning Act 1990 (c. 8).

(5) See section 4A of the Town and Country Planning Act 1990. National Park authorities are the sole local planning authority for the area of the Park.

(6) 1990 c. 8. Section 319ZD was inserted by section 39(1) of the Planning (Wales) Act 2015 (anaw 4).

(7) 2017/ 459 (W. 97)

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Local Authorities (Standing Orders) (Wales) Regulations 2006 (S.I. 2006/1275) (W. 121) (“the 2006 Regulations”). They apply in relation to Wales.

The 2006 Regulations require relevant authorities to incorporate into their standing orders certain provisions relating to their staff, meetings and proceedings.

Relevant authorities are required to make or modify standing orders so that they include the provisions set out in the 2006 Regulations or provisions to like effect.

These Regulations amend the 2006 Regulations to make provision about membership and the quorum for meetings of relevant authorities. “Relevant authorities” for the purpose of new regulation 4A (1) of the 2006 Regulations, inserted by regulation 3(3) include, in addition to county and county borough councils, joint planning boards and National Park authorities.

These Regulations apply to committees and sub-committees of relevant authorities by which a relevant function is discharged. A “relevant function” is a function exercisable in relation to an application under the Town and Country Planning Act 1990.

Regulation (3) inserts new regulation 4A and new Schedule 2A in the 2006 Regulations, to require a relevant authority to include in their standing orders a requirement that the quorum for their meetings must include at least half of the committee’s members.

Standing orders must also restrict the appointment of substitute members to committees.

A regulatory impact assessment has been prepared in relation to these Regulations. Copies are available from the Welsh Government at Cathays Park, Cardiff, CF10 3NQ and on the Welsh Government’s website at [www.gov.wales](http://www.gov.wales).