

WELSH STATUTORY INSTRUMENTS
2021 No. (W.)
LOCAL GOVERNMENT, WALES

The South East Wales Corporate Joint Committee Regulations 2021

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 5 of the Local Government and Elections (Wales) Act 2021 enables the Welsh Ministers, by regulations to establish Corporate Joint Committees. These regulations establish the South East Wales Corporate Joint Committee, and the following functions will be exercised by this body:

- (1) economic well-being function,
- (2) strategic development planning function, and
- (3) developing transport policies.

There are 5 Parts to these Regulations.

Part 1 establishes the South East Wales Corporate Joint Committee, and its area.

Part 2 introduces Schedule 1 to the Regulations. This Schedule contains the constitutional arrangements for the South East Wales Corporate Joint Committee.

Part 3 sets out the membership of the South East Wales Corporate Joint Committee. In accordance with this Part, the body will comprise 10 council members, a member from the Brecon Beacons National Park Authority, and may include co-opted members with or without voting rights.

Part 4 identifies the functions that will be exercised by the South East Wales Corporate Joint Committee. This Part also introduces Schedule 2 to the Regulations which contains further detail about the function of developing transport policies.

Part 5 identifies how the South East Wales Corporate Joint Committee is to be funded.

WELSH STATUTORY INSTRUMENTS
2021 No. (W.)
LOCAL GOVERNMENT, WALES

The South East Wales Corporate Joint Committee Regulations 2021

Made ***

Laid before Senedd Cymru***

Coming into force ***

The Welsh Ministers make these Regulations in exercise of the powers conferred by Part 5 of the Local Government and Elections (Wales) Act 2021.

The requirements of the Local Government and Elections (Wales) Act 2021 (relating to consultation conditions) have been satisfied.

Title and commencement

Regulation 1

The title of these Regulations is the South East Wales Corporate Joint Committee Regulations 2021, and they come into force on ***.

Interpretation

Regulation 2

In these Regulations—

“the Brecon Beacons member” (“aelod Bannau Brycheiniog”) has the meaning given by regulation 7(1);

“CJC area” (“ardal CBC”) has the meaning given by regulation 4;

“constituent council” (“cyngor cyfansoddiadol”) means—

- (a) Cardiff county council;
- (b) Monmouthshire county council;
- (c) Blaenau Gwent county borough council;
- (d) Bridgend county borough council;
- (e) Caerphilly county borough council;
- (f) Merthyr Tydfil county borough council;
- (g) Newport county borough council;
- (h) Rhondda, Cynon, Taff county borough council;
- (i) Torfaen county borough council;
- (j) The Vale of Glamorgan county borough council.

“co-opted member” (“aelod cyfetholedig”) has the meaning given by regulation 8(2);

“council member” (“aelod cyngor”) has the meaning given by regulation 6(2);

“executive officer” (“swyddog gweithredol”) has the meaning given by paragraph 5 of Schedule 1;

“member” (“aelod”) means—

- (a) a council member;
- (b) the Brecon Beacons member;
- (c) a co-opted member;

“National Park Authority” (“Awdurdod Parc Cenedlaethol”) means an authority in Wales established under section 63 of the Environment Act 1995⁽¹⁾;

“senior executive member” (“prif aelod gweithrediaeth”) means—

- (a) in the case of a constituent council operating a leader and cabinet executive, the executive leader;
- (b) in the case of a constituent council operating a mayor and cabinet executive, the elected mayor;

“standing orders” (“rheolau sefydlog”) means the standing orders made under paragraph 10 of Schedule 1;

“strategic planning functions” (“swyddogaethau cynllunio strategol”) means—

- (a) the functions of the South East Wales CJC under Part 6 of the Planning and Compulsory Purchase Act 2004⁽²⁾ (see regulation 11), and
- (b) any functions incidental or conducive to the exercise of those functions;

“voting member” (“aelod â phleidlais”), in relation to any question to be decided by the South East Wales CJC, means—

- (a) a council member;
- (b) where the question relates to the exercise of strategic planning functions, the Brecon Beacons member;
- (c) a co-opted member entitled to vote on the question by virtue of regulation 8(6).

PART 1

Establishment and area

Establishment

Regulation 3

- (1) There is established a body corporate to be known as the South East Wales Corporate Joint Committee (“the South East Wales CJC”).
- (2) The South East Wales CJC has the functions—
 - (a) conferred on it by these Regulations, and
 - (b) conferred or imposed on it, or delegated to it, by any other enactment (whenever passed or made).

Area

Regulation 4

The South East Wales CJC area comprises the areas of the constituent councils.

PART 2

Constitution

¹ 1995 c.25

² 2004 c.5

Constitution

Regulation 5

Schedule 1 makes provision about the constitution of the South East Wales CJC.

PART 3

Membership

Membership and council members

Regulation 6

- (1) The members of the South East Wales CJC are—
 - (a) the 10 council members,
 - (b) the Brecon Beacons member (but see regulation 7), and
 - (c) any co-opted members (see regulation 8).
- (2) The senior executive member of each constituent council is a council member.
- (3) A person ceases to be a council member of the South East Wales CJC if the person ceases to be the senior executive member of a constituent council.
- (4) Where there is a vacancy in the office of senior executive member of a constituent council, the constituent council must appoint a member of the constituent council to act as council member of the South East Wales CJC until such time as the vacancy is filled.

Brecon Beacons member

Regulation 7

- (1) The Brecon Beacons member must be appointed by the Brecon Beacons National Park Authority (“the Authority”).
- (2) The Authority may only appoint as Brecon Beacons member—
 - (a) the chairman of the Authority,
 - (b) the deputy chairman of the Authority, or
 - (c) the chairperson of a committee with responsibility for planning matters as may be established by Authority.
- (3) But the Brecon Beacons member is a member of the South East Wales CJC only in relation to the exercise of strategic planning functions.
- (4) The Brecon Beacons member ceases to be the Brecon Beacons member if that person ceases to hold an office mentioned paragraph (2).

Co-opted members

Regulation 8

- (1) The council members may appoint other members to the South East Wales CJC.
- (2) In these Regulations, a member appointed under paragraph (1) is referred to as a “co-opted member”.
- (3) In any question to be decided by the South East Wales CJC, the number of votes which may be cast by co-opted members may not exceed—
 - (a) the number of votes which may be cast by council members, or
 - (b) where the question relates to the exercise of strategic planning functions, the number of votes which may be cast by council members and the Brecon Beacons member.
- (4) A co-opted member is appointed—
 - (a) for a period determined by the council members, or
 - (b) if no period is determined, until the appointment is terminated by the council members.
- (5) Where a period is determined under paragraph 8(4)(a), the co-opted member’s appointment may nevertheless be terminated by the council members before the end of the period.
- (6) The council members, when appointing a co-opted member—
 - (a) must determine whether the co-opted member may vote at meetings of the South East Wales CJC, and
 - (b) may determine that a co-opted member is permitted to vote only in relation to such matters as the council members may specify.

PART 4

Functions

Economic well-being

Regulation 9

The economic well-being function is granted to the South East Wales CJC (see Part 5⁽³⁾ of the Local Government and Elections (Wales) Act 2021).

Transfer etc. of function of developing transport policies

Regulation 10

³ This will be updated to reflect the relevant section.

- (1) The function of developing policies under section 108(1)(a) and (2A)(a) of Part 2 of the Transport Act 2000⁽⁴⁾ (“the 2000 Act”) is, in respect of the area of each constituent council, to be exercised by the South East Wales CJC, and not by the constituent councils.
- (2) The 2000 Act applies in relation to the South East Wales CJC and its constituent councils subject to the modifications in Schedule [2].
- (3) The Regional Transport Planning (Wales) Order 2014⁽⁵⁾ is revoked.

Strategic planning functions

Regulation 11

The South East Wales CJC has the function of preparing a strategic development plan (and accordingly Part 6 of the Planning and Compulsory Purchase Act 2004 applies to the South East Wales CJC (see in particular sections 60K to 60N of that Act).

Subsidiary powers

Regulation 12

- (1) The South East Wales CJC may do anything—
 - (a) to facilitate, or
 - (b) which is incidental or conducive to,
 - (c) the exercise of its functions.
- (2) Things which may be done under paragraph (1) include—
 - (a) incurring expenditure;
 - (b) charging fees;
 - (c) acquiring or disposing of property or rights.
- (3) But the South East Wales CJC may not borrow money.

PART 4

Funding

Calculation of budget

Regulation 13

- (1) In relation to each financial year the South East Wales CJC must calculate the aggregate of—
 - (a) the expenditure which the CJC estimates it will incur in respect of the financial year in the exercise of its functions (including expenditure on administration and other overheads);

⁴ 2000 c.38.

⁵ 2014 No. 2178 (W. 212)

- (b) the amount which the CJC considers appropriate to raise for contingencies arising in respect of the financial year;
 - (c) the amount which the CJC considers appropriate to be held as a reserve to meet expenditure it considers will be incurred in respect of future financial years;
 - (d) any amount which the CJC considers is necessary to meet liabilities outstanding in respect of any earlier financial year.
- (2) In relation to each financial year, the South East Wales CJC must also calculate the aggregate of amounts it estimates it will receive from sources other than the constituent councils and the Brecon Beacons National Park Authority.
- (3) In relation to a financial year, where the amount calculated under paragraph (1) exceeds the amount calculated under paragraph (2), the amount of excess is the South East Wales CJC's budget requirement for the financial year.
- (4) The South East Wales CJC must calculate its budget requirement—
- (a) in relation to its first financial year within two months following the first annual general meeting ;
 - (b) in relation to each subsequent financial year, no later than 14 February in the preceding financial year.
- (5) The South East Wales CJC may revise its budget requirement.

Funding of budget requirement

Regulation 14

- (1) The South East Wales CJC must determine the amount of its budget requirement for a financial year attributable to functions other than strategic planning functions (including an appropriate proportion of administration costs and other overheads).
- (2) The amount determined under paragraph (1) must be paid to the South East Wales CJC by the constituent councils, and the proportion of that amount payable by each constituent council is to be determined by the unanimous agreement of the council members.
- (3) The South East Wales CJC must determine the amount of its budget requirement for a financial year attributable to strategic planning functions (including an appropriate proportion of administration costs and other overheads).
- (4) The amount determined under paragraph (2) must be paid to the South East Wales CJC by the constituent councils and the Brecon Beacons National Park Authority, and the proportion of that amount payable by each constituent council and by the Authority is to be determined by the unanimous agreement of the council members and the Brecon Beacons member.

- (5) Where agreement cannot be reached as to the proportions payable under paragraphs (2) or (4), the Welsh Ministers may by direction specify the proportion payable by each constituent or each constituent council and the Brecon Beacons National Park Authority, as the case may be.

Accounts

Regulation 15

- (1) The South East Wales CJC must—
- (a) keep proper accounting records, and
 - (b) prepare accounts in respect of each financial year in accordance with directions given by the Welsh Ministers.
- (2) The directions which the Welsh Ministers may give include directions as to—
- (a) the information to be contained in the accounts and the manner in which the accounts are to be presented;
 - (b) the methods and principles in accordance with which the accounts are to be prepared;
 - (c) additional information that is to accompany the accounts.

Name

Title of Minister, one of the Welsh Ministers

Date

SCHEDULE 1 Ref

Constitution

Chairperson

Paragraph 1

- (1) The South East Wales CJC must appoint a chairperson and vice-chairperson from among its council members.
- (2) The appointment of a chairperson and vice-chairperson is to be the first business transacted at the first annual general meeting of the South East Wales CJC.
- (3) The South East Wales CJC must, at each annual general meeting—
 - (a) confirm the continuing appointment of the chairperson and vice-chairperson, or
 - (b) appoint a new chairperson, vice-chairperson or both from among its council members.
- (4) A person ceases to be chairperson or vice-chairperson if the person ceases to be a council member of the South East Wales CJC.
- (5) A person appointed as chairperson or vice-chairperson may at any time resign that office by notice in writing given to the other members.
- (6) If a vacancy arises in the office of chairperson or vice chairperson, an appointment to fill the vacancy must be made at the first meeting of the South East Wales CJC held after the vacancy has arisen.
- (7) If the office of chairperson is vacant, the vice-chairperson may carry out the functions of chairperson until the vacancy is filled.

No remuneration payable to members

Paragraph 2

No remuneration is to be payable by the South East Wales CJC to its members.

Staff

Paragraph 3

- (1) The South East Wales CJC may make such arrangements for staffing as it considers appropriate (but see paragraphs 4 and 5).
- (2) Where the South East Wales CJC appoints staff under sub-paragraph (1), they are to be appointed on terms and conditions (including conditions as to remuneration) substantially similar to the terms and conditions of officers

within a constituent council undertaking reasonably comparable responsibilities as the South East Wales CJC may determine.

- (3) The South East Wales CJC may enter into an agreement with—
- (a) another corporate joint committee (within the meaning given by the Local Government and Elections (Wales) Act 2021);
 - (b) another devolved Welsh authority (within the meaning given by the Government of Wales Act 2006⁽⁶⁾),
- for the placing of staff of the South East Wales CJC at the disposal of the other committee or the authority for the purposes of that committee or authority's functions, on such terms as may be provided by the agreement.
- (4) A devolved Welsh authority (within the meaning given by the Government of Wales Act 2006) may enter into an agreement with the South East Wales CJC for the placing of staff of the authority at the disposal of the South East Wales CJC for the purposes of its functions, on such terms as may be provided by the agreement.
- (5) No agreement may be entered into under sub-paragraph (3) or (4) unless every member of staff to whom it relates has been consulted.
- (6) Where a member of staff of the South East Wales CJC is placed at the disposal of another devolved Welsh authority by virtue of an agreement under sub-paragraph (3)—
- (a) for superannuation purposes, service rendered by the member of staff is service rendered to the South East Wales CJC, and
 - (c) for the purposes of any enactment relating to the exercise of the other devolved Welsh authority's functions, the member of staff is to be treated as a member of staff of that authority.
- (7) Where a member of staff of a devolved Welsh authority is placed at the disposal of the South East Wales CJC by virtue of an agreement under sub-paragraph (4), for the purposes of these Regulations and any other enactment relating to the exercise of the South East Wales CJC's functions, the member of staff is to be treated as a member of staff of the South East Wales CJC.

Transfer of staff

Paragraph 4

Where a member of staff appointed by the South East Wales CJC has been transferred to the CJC from a constituent council, the provisions of the Transfer of Undertaking (Protection of Employment) Regulations 2006⁽⁷⁾ other than regulations 4(6) and 10 apply to the transfer, whether or not it is a relevant transfer for the purposes of those regulations.

Executive officers

⁶ 2006 c.32

⁷ S.I. 2006/246

Paragraph 5

- (1) The South East Wales CJC must appoint—
 - (a) a Chief Executive,
 - (b) a Monitoring Officer,
 - (c) a Chief Financial Officer,
 - (d) a Chief Governance Officer,(referred to collectively in these Regulations as “executive officers”).
- (2) For further provision about the officers mentioned in sub-paragraph (1) see the [Corporate Joint Committees (General Provisions) (Wales) Regulations 2021].

Proceedings and voting

Paragraph 6

- (1) No business is to be transacted at a meeting of the South East Wales CJC unless—
 - (a) the chairperson attends the meeting, and
 - (b) no fewer than 70% of the voting members attend.
- (2) In any question to be decided by the South East Wales CJC, other than a decision as to the proportion payable under regulation 14(2) or (4), each voting member has one vote and the question is to be decided by simple majority.
- (3) If a vote is tied the matter is not carried (subject to sub-paragraph (4)).
- (4) If a vote is tied on any question relating to the exercise of strategic planning functions the chairperson has the casting vote.
- (5) The voting procedure set out in this paragraph may be substituted by an alternative procedure if every voting member agrees.
- (6) An agreement to substitute an alternative voting procedure may apply to—
 - (a) every vote of the South East Wales CJC, or
 - (b) votes on such questions as may be specified in the agreement.
- (7) Where an alternative voting procedure is to be agreed in relation to every vote of the South East Wales CJC, the reference in sub-paragraph (5) to “every voting member” includes each co-opted member entitled to vote on any question by virtue of regulation 8(6).
- (8) Where an alternative voting procedure is to be agreed in relation to votes on such questions as are specified in the agreement, the reference in sub-paragraph (5) to “every voting member” includes only those co-opted members as are entitled to vote on the specified questions.

- (9) Where an alternative voting procedure is to be agreed in relation to—
 (a) every vote of the South East Wales CJC, or
 (b) a vote on a question concerning strategic planning functions,
the reference in sub-paragraph (5) to “every voting member” includes the Brecon Beacons member.
- (10) Where an alternative voting procedure is agreed, it must be set out in the standing orders.

Meetings

Paragraph 7

- (1) The South East Wales CJC must hold an annual general meeting in each financial year on a date determined by the CJC.
- (2) But the annual general meeting held in the first financial year must be held before the end of September 2021.
- (3) The annual general meeting held in the first financial year is to be presided at by the council member for Blaenau Gwent county borough council until the chairperson is appointed (and accordingly the chairperson is to preside at the remainder of the meeting).
- (4) The South East Wales CJC may hold other meetings on dates determined by the CJC.
- (5) An extraordinary meeting of the South East Wales CJC may be called at any time by a voting member (including any co-opted member entitled to vote on any question by virtue of regulation 8(6)).
- (6) The chairperson (or vice-chairperson if the chairperson is not present) must preside at any meeting of the South East Wales CJC.

Financial years

Paragraph 8

The first financial year of the South East Wales CJC is the period beginning with [date regs come into force] and ending with 31 March 2022.

Sub-committees

Paragraph 9

- (1) The South East Wales CJC may establish sub-committees.
- (2) A sub-committee may exercise, on behalf of the South East Wales CJC, only those functions as are determined by the South East Wales CJC (but see

paragraphs 12 and 13).

- (3) The South East Wales CJC must specify the membership and procedures of any sub-committee.
- (4) The South East Wales CJC may appoint persons who are not members of the CJC to a sub-committee and a sub-committee need not include any members of the CJC (subject to sub-paragraph (5)).
- (5) Where a sub-committee exercises strategic planning functions the Brecon Beacons member must be a member of the sub-committee.
- (6) The procedures of a sub-committee must be set out in the standing orders.

Standing Orders

Paragraph 10

- (1) The South East Wales CJC must make standing orders for the regulation of its proceedings and business so far as not regulated by these Regulations or any other enactment (whenever passed or made).
- (2) The standing orders may be varied or revoked and replaced.

Code of conduct

Paragraph 11

The South East Wales CJC must establish a code of conduct as regards the conduct of its members and its members of staff (including the executive officers), and may vary, revoke or replace such a code.

Overview and Scrutiny Sub-Committee

Paragraph 12

- (1) The South East Wales CJC must establish a sub-committee (known as the overview and scrutiny sub-committee) to—
 - (a) review and or scrutinise decisions made, or other action taken, in connection with the discharge of any of the South East Wales CJC's functions;
 - (b) make reports or recommendations to the South East Wales CJC or its executive officers with respect to the discharge of any of those functions;
 - (c) make reports or recommendations to the South East Wales CJC or its executive officers on matters which affect the corporate joint committee's area or the inhabitants of that area;
 - (d) exercise such other functions and the South East Wales CJC may determine.

- (2) The standing orders must include provision regulating the manner in which the overview and scrutiny sub-committee exercises its functions.

Governance and Audit Sub-Committee

Paragraph 13

- (1) The South East Wales CJC must establish a sub-committee (known as the governance and audit sub-committee) to—
- (a) review and scrutinise the South East Wales CJC's financial affairs;
 - (b) make reports and recommendations in relation to the South East Wales CJC's financial affairs;
 - (c) review and assess the risk management, internal control and corporate governance arrangements of the South East Wales CJC;
 - (d) make reports and recommendations to the South East Wales CJC or its executive officers on the adequacy and effectiveness of those arrangements;
 - (e) oversee the South East Wales CJC's internal and external audit arrangements;
 - (f) review any financial statements prepared by the South East Wales CJC;
 - (g) exercise such other functions and the South East Wales CJC may specify.
- (2) The standing orders must include provision regulating the manner in which the governance and audit sub-committee exercises its functions.

SCHEDULE 2 Ref

Modification of Transport Act 2000

Paragraph 1

Part 2 of the 2000 Act applies in relation to the South East Wales CJC and its constituent councils with the following modifications.

Paragraph 2

Section 108 (local transport plans) is to be read as if—

- (a) for subsection (1) there were substituted—
“(1) The South East Wales Corporate Joint Committee (“the South East Wales CJC”) must develop policies, to be implemented under subsection (1A), for the promotion and encouragement of safe, integrated, efficient and economic transport to, from and within its area.”;
- (b) after subsection (1) there were inserted—
“(1A) Each local transport authority in Wales whose area falls within the area of the South East Wales CJC must carry out their functions so as to implement the policies developed under subsection (1).”;
- (c) for subsection (2A) there were substituted—
“(2A) The South East Wales CJC must also develop policies for the implementation by the local transport authorities in its area of the Wales Transport Strategy.”;
- (d) after subsection (2A) there were inserted—
“(2B) Each local transport authority in Wales whose area falls within the area of the South East Wales CJC must carry out their functions so as to implement the policies developed under subsection (2A).”;
- (e) for subsection (3A) there were substituted—
“(3A) The South East Wales CJC must prepare a document to be known as the regional transport plan containing its policies under subsections (1) and (2A).”;
- (f) for subsection (5) there were substituted—
“(5) In this Part “regional transport policies”, in relation to the South East Wales CJC, means policies developed under subsection (1).”
- (g) after subsection (5) there were inserted—
“(6) In this Part, references to the area of the South East Wales CJC are to be interpreted in accordance with [regulation 4] of the South East Wales Corporate Joint Committee Regulations 2021.”;
- (h) the heading of the section were “Local and Regional Transport Plans”.

Paragraph 3

Section 109A is to be read as follows—

“109A Approval of regional plan

- (1) The South East Wales CJC must submit its regional transport plan to the Welsh Ministers for their approval.
- (2) If the Welsh Ministers refuse to approve the plan—
 - (a) they must give the South East Wales CJC a statement of their reasons for its refusal, and
 - (b) the South East Wales CJC must prepare another regional transport plan and submit the plan to the Welsh Ministers for their approval.
- (3) If the Welsh Ministers approve a plan under this section, the plan has effect when the approval is given.
- (4) The Welsh Ministers may approve a regional transport plan under this section if (but only if) they consider—
 - (a) that the plan is consistent with the Wales Transport Strategy, and
 - (b) that the policies contained in the plan are adequate for the implementation in the South East Wales CJC's area of the Strategy.”

Paragraph 4

Section 109B is to be read as follows—

“109B Further provision about the regional plan

- (1) The South East Wales CJC must keep its regional transport plan under review and alter it if it considers it appropriate to do so.
- (2) The South East Wales CJC must in particular review the plan as soon as practicable after the publication of the Wales Transport Strategy or any revision of it.
- (3) The South East Wales CJC must replace its regional transport plan not later than five years after the date on which the plan was approved under section 109A.
- (4) Section 109A applies to a replacement plan as altered as it applies to a plan as originally prepared.
- (5) The South East Wales CJC shall be taken to have complied with subsection (3) if (but only if)—
 - (a) it submits its replacement plan to the Welsh Ministers for their approval under section 109A before the end of the five year period mentioned in subsection (3), and
 - (b) the Welsh Ministers approve the plan under section 109A (whether the approval is given before or after the end of that five year period).
- (6) If the South East Wales CJC fails to comply with subsection (3) because it fails to submit its replacement plan to the Welsh Ministers before the end of the five year period mentioned in that subsection, the South East Wales CJC must replace its regional transport plan as soon as practicable after the expiry of the five year period.
- (7) If the South East Wales CJC fails to comply with subsection (3) because the Welsh Ministers refuse to approve a plan submitted to them under section 109A, it must replace its regional transport plan as soon as practicable after the refusal.
- (8) As soon as practicable after its plan, or its plan as altered, has been approved under section 109A, the South East Wales CJC must—

- (a) publish the plan or the plan as altered in such manner as it thinks fit, and
 - (b) send a copy of it to such persons (if any) as may be specified in guidance under section 112(1).
- (9) The South East Wales CJC must also—
- (a) ensure that a copy of its regional transport plan is available for inspection (at all reasonable hours) at such places it thinks fit,
 - (b) give notice, by such means as it thinks expedient for bringing it to the attention of the public, as to the places at which a copy of it may be inspected, and
 - (c) supply a copy of it (or any part of it) to any person on request, either free of charge or at a charge representing no more than the cost of providing the copy.”

Paragraph 5

Section 109C is to be treated as if it were omitted.

Paragraph 6

Section 112 is to be read as follows—

“112 Regional plan: supplementary

(1) In carrying out its functions under sections 108 to 109B, the South East Wales CJC must have regard to any guidance issued by the Welsh Ministers concerning—

- (a) the content of the regional transport plan,
- (b) the preparation of such plans,
- (c) the alteration and replacement of such plans, and
- (d) the publication and making available of such plans as originally made and as altered or replaced.

(2) Subsection (3) applies in relation to the development of policies under section 108(1) and the implementation under section 108(1A) of those policies.

(3) The South East Wales CJC, or a local transport authority within the area of the CJC (as the case may be), must have regard to the transport needs of disabled persons (within the meaning of the Equality Act 2010) and of persons who are elderly or who have mobility problems.”

Paragraph 7

Section 113A is to be treated as if it were omitted.

Paragraph 8

Section 113B is to be read as follows—

“113B Directions concerning regional plan

(1) The Welsh Ministers may give general or specific directions to the South East Wales CJC as to the manner in which it is to carry out its functions under sections 108 to 109B.

- (2) The Welsh Ministers may give general or specific directions to a local transport authority whose area falls within the area of the South East Wales CJC as to the manner in which they are to carry out their functions under section 108.
- (3) Directions given under subsection (1) may include in particular directions as to the timetable in accordance with which the regional transport plan or alterations to the plan must be prepared.
- (4) Directions given under subsection (2) may include in particular directions as to—
- (a) the action required to be taken to implement the policies contained in the regional transport plan;
 - (b) as to the steps required to be taken to remove the effects of action which is incompatible with those policies.
- (5) Directions under this section—
- (a) must be in writing;
 - (b) may be varied or revoked by further directions under this section.
- (6) The Welsh Ministers must consult—
- (a) in relation to a direction under subsection (1), the South East Wales CJC,
 - (b) in relation to a direction under subsection (2), the local transport authority concerned,
- before giving, varying or revoking the direction.
- (7) The Welsh Ministers may consult any other persons they consider appropriate in relation to giving, varying or revoking a direction under subsection (1) or (2).”