

Cabinet
11th December 2023

**TO ENTER IN TO A DEED OF VARIATION TO AMEND SCHEDULE 3
“TERMS OF REFERENCE” OF THE JOINT COMMITTEE AGREEMENT FOR
PARTNERIAETH**

Purpose: To give the 3 Individual Constituent Authorities the choice of nominating their Leader or the Cabinet Member with the Education Portfolio as the voting member on the Joint Committee.

Recommendations / key decisions required:

1. That the choice of voting member for Partneriaeth’s Joint Committee be left to the individual Constituent Authorities.
2. That the voting member for Carmarthenshire County Council shall be the Cabinet Member for Education and Welsh Language.
3. That the non-voting member for Carmarthenshire County Council shall be the Leader.

Reasons:

To provide flexibility

Cabinet Decision Required YES

Council Decision Required NO

CABINET MEMBER PORTFOLIO HOLDER:- Cllr. Darren Price / Cllr. Glynog Davies

Directorate: Chief Executive’s

Name of Head of Service:

Linda Rees-Jones

Report Author: Linda Rees-Jones

Designations:

Head of Administration &
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**EXECUTIVE SUMMARY
CABINET
11TH DECEMBER 2023**

VOTING MEMBER ON PARTNERIAETH JOINT COMMITTEE

1. On the 20th April 2022 the Authority entered into an Agreement with Pembrokeshire County Council and The Council of the City and Council of Swansea for the establishment of a Joint Committee to support the delivery of educational improvements through Partneriaeth Addysg De Orllewin Cymru / South West Wales Education Partnership” (“Partneriaeth”)
2. The Terms of Reference of Partneriaeth (Schedule 3 of the Joint Committee Agreement) provide that governance shall be via 3 voting members who shall be the Leaders of the 3 Councils. Leaders are inevitably involved in many meetings relating to their own individual Authorities business, partnerships, joint committees and regional working structures, which can lead to many clashing commitments diary wise. As such, at its meeting of the 6th October 2023 Partneriaeth agreed that it would be preferable to have some flexibility for the 3 Constituent Authorities to nominate their Cabinet Member with the Education Portfolio as their voting member instead of their Leader, should they so wish.
3. This would comply with the Guidance on Education Consortia issued by the Welsh Government when they were established – “National Model for Regional Working” (2014) – which advised that “the membership of a joint committee will comprise of the Leader of each constituent local authority or education portfolio holder – they will be the decision making body and the elected members will have full voting rights”.
4. Where the Leader is nominated as the voting member the Cabinet Member with the Education Portfolio shall be nominated as the non voting member. Where the Cabinet Member with the Education Portfolio is nominated as the voting member of Partneriaeth each Constituent Authority shall appoint a non-voting member (who may be the Leader, or A N Other Member).
5. Under cl. 4.4 of the Joint Committee Agreement any amendment to the Joint Committee Agreement is a matter reserved to the Councils. The Cabinet is therefore asked to approve this amendment to Schedule 3 of the Joint Committee Agreement – “Terms of Reference” - and to nominate the Cabinet Member for Education and Welsh Language as its voting member, and the Leader as its non-voting member.
6. The Deed of Variation to give effect to these amendments is attached, and the amendments to Schedule 3 shown in red.

DETAILED REPORT ATTACHED?

NO

IMPLICATIONS

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	YES	NONE	NONE	NONE	NONE	NONE

Legal

Amendments to the Joint Committee Agreement – and in this case, to Schedule 3 Terms of Reference of the Joint Committee – is a matter reserved to the Constituent Councils.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Linda Rees-Jones, Head of Administration and Law

1. Scrutiny Committee request for pre-determination	N/A
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2. Local Member(s) - N/A

3. Community / Town Council – N/A

4. Relevant Partners - N/A

5. Staff Side Representatives and other Organisations - N/A

CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED YES	Both the Leader and the Cabinet Member for Education and Welsh Language support the amendment in the interests of flexibility.
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Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Agreement for the establishment of a Joint Committee To Support the Delivery of Educational Improvements through Partneriaeth Addysg De Orllewin Cymru / South West Wales Education Parnership	N/A	
Minutes of meeting of Partneriaeth Joint Committee of 6th October 2023	N/A	Website