

Explanatory Memorandum to the Corporate Joint Committees (Amendment to the Local Government Act 2003) (Wales) Regulations 2025

This Explanatory Memorandum has been prepared by Local Government Policy Division and is laid before Senedd Cymru in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Cabinet Secretary's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of Corporate Joint Committees (Amendment to the Local Government Act 2003) (Wales) Regulations 2025. I am satisfied that the benefits justify the likely costs.

Jayne Bryant MS
Cabinet Secretary for Housing and Local Government

16 September 2025

1. Description

1. These Regulations amend section 33 of the Local Government Act 2003 (“the 2003 Act”) to add Corporate Joint Committees to the list of local authorities to which the Welsh Ministers can directly pay grants under section 31 of that Act.

2. Matters of special interest to the Legislation, Justice and Constitution Committee

2. None.

3. Legislative background

3. Part 5 of the Local Government and Elections (Wales) Act 2021 (“the 2021 Act”) provides for the establishment of Corporate Joint Committees (“CJCs”) as a mechanism for regional collaboration between local authorities in Wales.
4. Section 31 of the 2003 Act allows Welsh Ministers to pay a grant to a ‘local authority in Wales’. The definition of which bodies are a local authority for the purposes of that section is set out in section 33 of that Act. CJCs were not previously included in the list.
5. Section 84(2) of the 2021 Act provides the Welsh Ministers with a power to make provision in connection with Part 5 of that Act to amend, modify, apply (with or without modifications) or disapply any enactment.
6. These Regulations are being made under the affirmative resolution procedure.
7. Subject to approval by the Senedd, these Regulations will be made by the Cabinet Secretary for Local Government and Housing and come into force on 20 October 2025.

4. Purpose and intended effect of the legislation

8. The purpose of these Regulations is to add CJCs to the list of local authorities to which Welsh Ministers may provide grant funding under the powers in section 31 of the 2003 Act.
9. CJCs were established with an expectation that Welsh Government would be a source of some funding. [Statutory Guidance](#) sets out that ‘in calculating its budget requirement the CJC must also take into account any estimated funding it anticipates receiving from other funding sources including the Welsh Government, UK Government, private sector bodies, third sector and voluntary bodies.’
10. There is broad recognition that the capacity and capability of CJCs remain key issues in their development. Although it is intended that local authorities will bear

the majority of costs for administering CJs, the Welsh Government is considering how it can support CJs to deliver their objectives and ensure that CJs are also part of the 'local government family.'

11. The Welsh Government can use broad powers under the Government of Wales Act 2006 to enter into an agreement to pay a grant direct to any person, including CJs, for 'the promotion or improvement of the economic, social and environmental well-being of Wales'.
12. Given the potential need to provide ongoing funding to CJs to support their capacity (and also to support the development of Regional Transport Plans and Strategic Development Plans), it is considered preferable to have a specific way of providing grants to CJs rather than relying on a general power in the Government of Wales Act 2006. Given the wider objective of ensuring CJs are part of the 'local government family' we consider that this mechanism would best be achieved via amendment to section 33 of the 2003 Act.
13. These Regulations therefore amend section 33 to add Corporate Joint Committees established under Part 5 of the 2021 Act to the list of local authorities to which the Welsh Ministers can pay grants under section 31 of the 2003 Act.

5. Consultation

14. The Welsh Government undertook a six-week consultation on the proposed amendment to the 2003 Act from 7 May to 18 June 2025 and received nineteen responses. Consultation responses were broadly in support of proposals. A Summary of Responses is to be published before 10 September 2025.
15. The consultation documents and a summary of the responses are available at: [Legislation for Welsh ministers to pay grants to Corporate Joint Committees: summary of responses \[HTML\] | GOV.WALES](#)

PART 2: REGULATORY IMPACT ASSESSMENT

Options

This Regulatory Impact Assessment (RIA) presents two options in relation to amending legislation to add Corporate Joint Committees (CJCs) to the list of local authorities to which the Welsh Ministers can pay grants under section 31 of the Local Government Act 2003.

- **Option 1 – Do nothing.** Retain the existing arrangements, with no changes to the legislation.
- **Option 2 – Make these Regulations.** Legislate to amend the Local Government Act 2003 to include Corporate Joint Committees in the list of local authorities to which grants may be paid by the Welsh Ministers under section 31 of that Act.

Costs and benefits

Option 1 – Do nothing

Option 1 would not require any legislative change. Welsh Government departments can use general powers within the Government of Wales Act 2006 to pay grants to Corporate Joint Committees.

However, this would mean that CJCs continue to be treated differently to local authorities, when the intention in their creation was that they would be a full part of the 'local government family' and subject to the same governance around issues such as funding.

There is a risk that directorates across the Welsh Government using such a broad power to pay grants to CJCs could potentially limit the governance and scrutiny applied, with less clear line of sight to adherence to the agreed arrangements with local government as set out in the [Strategic Partnership Agreement](#).

Option 2 – Make the 2025 Regulations

Option 2 would be to make the Regulations to amend section 33 the Local Government Act 2003 to include Corporate Joint Committees in the list of local authorities in that section. The costs associated with the making of such Regulations are minimal due to the limited nature of the amendment. The Regulations are enabling and do not in and of themselves impose any direct costs on Welsh Government, local authorities, or any other party.

Option 2 offers advantages such as increased legal clarity, reduced risk of unintended consequences, and enhanced ability to address unique circumstances when compared to general powers.

Having this clear provision for payment of grants to CJCs by Welsh Ministers within local government specific legislation will strengthen governance. Reduced ambiguity

and clearer rules can lead to fewer costly disputes and legal challenges, as there is less room for conflicting interpretations. Similarly, making these Regulations ensures established clear lines of responsibility for specific actors and actions, making it easier, for example, to hold CJsCs accountable for their actions.

Option selection

The benefits of Option 2 are considered to outweigh the associated costs, as well as the benefits of Option 1. Option 2 is, therefore, the Welsh Government's preferred option.

Duties

Well-being of Future Generations (Wales) Act 2015. CJsCs fit with the wellbeing goals of building a prosperous Wales through an innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately alongside ensuring attractive, viable, safe and well-connected communities.

UNCRC. No specific impact on the rights of children has been identified.

Welsh language. CJsCs are subject to the Welsh Language Act legislation, and therefore any grants would need to operate within these parameters. There may be opportunities to promote the language in terms of specific grant conditions, but this will of course depend on the nature of the grant.

Equalities. No specific impacts, positive or negative, on persons who share a protected characteristic (as determined by the Equality Act 2010) have been identified.

Voluntary sector. No specific impacts on the voluntary sector have been identified.

Justice. No specific impact on the justice system have been identified.

Competition assessment - The Regulations are unlikely to have a detrimental effect on competition.

Post-implementation review

The Welsh Government will work with CJsCs and local authorities to monitor the impact of the legislative change regarding grant funding.