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WELSH STATUTORY INSTRUMENTS

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**2017 No. 459 (W. 97)**

**TOWN AND COUNTRY PLANNING, WALES**

**The Size and Composition of Local Planning  
Authority Committees (Wales) Regulations 2017**

*Made* - - - - 21 March 2017  
*Coming into force* - - 5 May 2017

The Welsh Ministers, in exercise of the powers conferred on them by sections 319ZB and 319ZC of the Town and Country Planning Act 1990<sup>(1)</sup>, and conferred on the Secretary of State by section 333 of that Act<sup>(2)</sup> now exercisable by them<sup>(3)</sup>, make the following Regulations.

**Title, commencement and application**

1.—(1) The title of these Regulations is The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017 and they come into force on 5 May 2017.

(2) These Regulations apply in relation to Wales.

**Interpretation**

2. In these Regulations—

“the 1990 Act” (“*Deddf 1990*”) means the Town and Country Planning Act 1990;

“committee” (“*pwylgor*”) includes a sub-committee of a relevant authority;

“electoral ward” (“*ward etholiadol*”) means any area for which members are elected to a local authority;

“local authority” (“*awdurdod lleol*”) means —

- (a) a county council in Wales;
- (b) a county borough council in Wales;

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(1) 1990 c. 8. Sections 319ZB and 319ZC were inserted into that Act by section 39(1) of the Planning (Wales) Act 2015 (anaw 4).  
(2) Section 333 of the Town and Country Planning Act 1990 was amended by section 55 of, and paragraph 3 of Schedule 7 to, the Planning (Wales) Act 2015. There are other amendments to section 333 not relevant to these Regulations.  
(3) The functions of the Secretary of State were transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), see the entry in Schedule 1 for the Town and Country Planning Act 1990. The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of section 162 of, and paragraphs 30 and 32 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

“multiple member ward(4)” (“*ward amlaelod*”) means an electoral ward in respect of which more than one member is elected for that ward; and

“relevant authority” (“*awdurdod perthnasol*”) means a relevant local planning authority(5).

### **Size of committee**

3. The following requirements are prescribed for the purposes of section 319ZB of the 1990 Act.

4.—(1) A relevant authority is to appoint to a committee of the authority by which a relevant function is to be discharged(6)—

- (a) no fewer than 11 of its members; and
- (b) no more than 21 of its members.

(2) Paragraph (1) is subject to regulation 5.

5.—(1) This regulation applies to a relevant authority which is—

- (a) a county council or county borough council; or
- (b) a joint planning board(7).

(2) The number of members appointed to a committee in accordance with regulation 4 must not exceed half of the total number of members of the relevant authority, rounded up to the nearest whole number.

### **Multiple member wards**

6.—(1) In the case of a multiple member ward, only one of the local authority members of that ward is eligible for appointment to a committee of a relevant authority.

(2) Paragraph (1) is subject to paragraph (3).

(3) Paragraph (1) does not apply to a local authority which is comprised solely of multiple member wards.

21 March 2017

*Jane Hutt*  
One of the Welsh Ministers

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(4) See section 29(11) of the Local Government Democracy (Wales) Act 2013 (2013 anaw 4).

(5) See section 319ZD of the 1990 Act for the definition of “relevant local planning authority”.

(6) See section 319ZD for the definition of “relevant function”.

(7) A joint planning board may be constituted for an area in Wales by an order under section 2(1B) of the 1990 Act.

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## EXPLANATORY NOTE

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

These Regulations prescribe requirements relating to the size and composition of relevant local planning authority committees and sub-committees in Wales by which a relevant function is discharged.

“Relevant local planning authorities” are county or county borough councils, joint planning boards and National Park Authorities. A “relevant function” is a function exercisable by a relevant local planning authority in relation to an application under the Town and Country Planning Act 1990 (see section 319ZD of that Act).

The requirements are that relevant local planning authority committees and sub-committees are to comprise no less than 11 members and no more than 21 members of the authority. In relation to multiple member wards, only one member of the ward is eligible for appointment to a committee or sub-committee. The restriction on appointing one member only does not apply where a local planning authority is comprised solely of multiple member wards.

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).