

LOCAL GOVERNMENT (DEMOCRACY) (WALES) BILL

Your Name: Flintshire County Council

Organisation (if applicable):

Email address: peter.j.evans@flintshire.gov.uk

Telephone number: 01352 702304

Your address: Flintshire County Council, County Hall, Mold,
Flintshire, CH7 6NR

The Local Government Boundary Commission

Question 1: Is there a need for a Bill to make changes to the constitution and functions of the Local Government Boundary Commission for Wales (“the Commission”) and to make various provisions relating to local government?			
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
In order to implement the proposed changes			

Question 2: Do you think the Bill will improve the delivery of the statutory roles and functions of the Commission? (paragraph 3.1 of the explanatory memorandum)			
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
In order to implement some of the recommendations in the Mathias review			

Question 3: Do you think the changes being made to the Commission are appropriate? (Part 2 of the Bill)			
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
It reflects the White Paper which the Council largely supported in its response to consultation on it.			

Local Government arrangements

Question 4: Do you think the provisions relating to procedures for local government reviews are appropriate? (Chapter 4 and 5)			
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
The provisions are very complex and there is a need for clear guidance on them. Most importantly Flintshire, like other authorities, is keen to undertake a community review during 2013 and the Bill as drafted could lead to work on this proving abortive unless the Bill is amended so that the provisions detailing how a community review should be conducted only apply to those authorities			

who have not commenced a community review when the Bill receives Royal Assent. The Bill contains detailed provisions as to how a County Council should conduct a community review and whilst Flintshire intends to follow these detailed provisions they could change during the progress of the Bill through the parliamentary process. Any such change would result in work done on a community review being abortive and a waste of resources. In order for the Council to proceed with its intended community review without the risk of it proving abortive the Bill should be amended so that these provisions do not apply to any authorities who have commenced a community review prior to the Bill receiving Royal Assent.

Question 5: Do you think the arrangements for local government in relation to:

- Duties of the Commission
- Duties of a principal Council

are appropriate? (Chapter 1)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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The provisions are very complex and there is a need for clearer guidance on them.

Question 6: Do you think the arrangements for local government in relation to:

- Democratic Services Committees (Section 56)
- Audit Committees (Section 57)
- Standards Committees

Are appropriate?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
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The Council does not believe there is a need for Section 57 as it believes political balance has always been required since the 1989 Act. As long as joint standards committees are in addition to the existing arrangements rather than a replacement for them there is no objection to this.

Independent Remuneration Panel for Wales

Question 7: Do you think the provisions relating to the Independent Remuneration Panel for Wales are appropriate? (Chapter 5, Sections 58-62)

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
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It does not agree with the proposed requirement for Councils to publish information relating to all payments made to Members by other public bodies. This will merely confuse the public. It should be for each public body to publicise the payments it makes. If nevertheless there is to be such a provision it should be confined to allowances not all payments made to Members by other public bodies and those bodies must be required to provide such information by an appropriate date.

Access to information (Town and Community Councils)

Question 8: Do you think the provisions relating to improving access to information (Town and Community Councils) are appropriate?			
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
It should be left to the individual choice of the Town or Community Council			

Chairing of Principal Councils (Chairs and Mayors of Principal Councils)

Question 9: Do you think the provisions relating to the Chairing of Principal Councils (Chairs and Mayors of Principal Councils) are appropriate?			
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
The Council sees no need for this. If however it proceeds there will have to be drafting changes to the Bill so that the civic chair has the same meaning as is given to the chairman in the Local Government Act 1972. It is also believed that the presiding member's term of office should continue until their successor is appointed so that they can chair the start of the Council meeting following elections.			

General Provisions of the Bill

Question 10: What are the potential barriers to implementing the provisions of the Bill (if any) and does the Bill take account of them?			
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
The provisions dealing with the various types of review need to be explained more clearly.			

Question 11: What are the financial implications of the Bill, if any? In answering this question you may wish to consider Part 2 of the Explanatory Memorandum (the Impact Assessment), which estimates the costs and benefits of implementation of the Bill.			
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
It is not understood how joint standards committees will lead to fewer members on individual Council standards committees which is referred to as a saving.			

Question 12: What are your views on powers in the Bill for Welsh Ministers to make subordinate legislation (i.e statutory instruments including regulations and orders) (section 5 of the Explanatory Memorandum)?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
An inevitable requirement			

Question 13: Are there any other comments you wish to make about specific sections of the Bill?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>