

COUNCIL

Date of Meeting	Tuesday, 26 January 2016
Report Subject	Local Government (Wales) Bill
Report Author	Chief Executive

EXECUTIVE SUMMARY

The Welsh Government has published the Draft Local Government (Wales) Bill for consultation. The Bill makes provision for the reorganisation of local authorities in Wales, and the next stage of constitutional reform for local government. The consultation ends on 15 February.

RECOMMENDATIONS

1	Council is invited to make a formal response on the Local Government Bill to Welsh Government.
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REPORT DETAILS

1.00	REFORM OF LOCAL GOVERNMENT
1.01	The Welsh Government published in December a draft Local Government Bill for consultation. The consultation ends on 15 February.
1.02	The Bill is a 'paving Bill', as in 'paving the way' for a reorganisation of local Government in Wales. The Bill covers local government reorganisation, the general power of competence for local authorities, promoting access to local government, the functions of councils and elected members, the governance of councils, community councils, and workforce planning.
1.03	The Bill has been preceded by a White Paper and the report of the earlier Public Services Commission. The Council has been consistent in making thoughtful and coherent responses to Welsh Government on:-

	<ul style="list-style-type: none"> • the proposal to reorganise local government and its risks and benefits; • the principles of localism and subsidiarity; • the importance of local authorities being granted both the power of general competence and specific powers and freedoms to act in the best interests of their localities; • the granting of financial freedoms and flexibilities to councils; • less central control over performance objectives and standards; • local authorities being held to account primarily by their local communities and stakeholders for performance and governance with reduced central control and regulation; • streamlined arrangements for setting policy priorities for local government at a national level; and • less central determination of constitutional provisions for the governance of local authorities.
1.04	<p>The Ministerial forward to the Bill (Leighton Andrews AM, Minister for Public Services) says <i>“The White Paper Reforming Local Government: Power to Local People set out my vision for Local Government in Wales. This is based on activist Councils, engaged in delivering modern, accessible, high quality public services with their local communities. Councils should be acting as community leaders and agents of change, with leadership focusing on excellence, and Councils committed to looking outwards in their place-shaping role.</i></p> <p><i>It also set out the vision for the different spheres of government in Wales and the relationship between them. We wish to see Local Government which is strong, flexible and empowered to deliver the strategic direction set by the Welsh Government in the light of local circumstances. The Well-being of Future Generations (Wales) Act 2015 provides the framework for coordinating the different parts of government in Wales. This Draft Bill and the programme of reform will contribute to better outcomes by ensuring Local Government services are sustainable, integrated and involve the people of Wales.</i></p> <p><i>In June I announced the Welsh Government’s preference for the future configuration of Local Government in Wales. Maps, with two options in respect of North Wales, were published alongside this announcement. The maps set out our preference for the future structure in South, Mid and West Wales whilst facilitating further discussion around North Wales. The case in North Wales is finely balanced between two or three Local Authorities. I welcome views, through this formal consultation, on all our proposals for Local Authority mergers.</i></p> <p><i>I understand this is an unsettling time, and I am committed to ensuring the terms and conditions of Local Authority staff are protected so no-one will be disadvantaged by transfer to a new Authority. The Bill will, therefore, also establish a statutory Public Services Staff Commission, a proposal which has attracted widespread support from Local Government. The Public Services Workforce Partnership Council will remain at the heart of the vision to support the development of a world class public service workforce. It will be the primary reference point for the Commission.”</i></p>

1.05	The full Bill is accessible by following the hyper link in the background documents table or by visiting the Welsh Government website and the local government section of the consultations pages. The consultation paper on the Bill is attached as Appendix A.
1.06	A commentary on the Bill provided by the Welsh Local Government Association (WLGA) is attached as Appendix B.
1.07	A presentation with a suggested detailed response will be made at the Council meeting. The suggested response will build on, and add to, the responses made by the Council to previous consultations. The response of the Council on the earlier White Paper is attached as Appendix C as a guide.

2.00	RESOURCE IMPLICATIONS
2.01	There would be significant resource implications from a reorganisation of local government. The costs and benefits of a reorganisation are assessed in the Regulatory Impact Assessments (RIAs) which are published with the Bill.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	The Council is being consulted by Welsh Government as the proposer of the Bill. The consultation is an open public consultation.

4.00	RISK MANAGEMENT
4.01	There would be significant risks within a reorganisation of local government. The risks of a reorganisation are assessed in the Regulatory Impact Assessments (RIAs) which are published with the Bill.

5.00	APPENDICES
5.01	Appendix A: Consultation Document on the Local Government (Wales) Bill. Appendix B: Commentary on the Bill provided by the Welsh Local Government Association (WLGA). Appendix C: Response of the Council to the earlier White Paper.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Draft Local Government Bill http://gov.wales/docs/dsjlg/consultation/151124-lg-draft-bill-en.pdf Previous County Council reports:

	<p>9 September 2014 - Reform of Local Government and the Public Services 14 April 2015 - Welsh Government White Paper; Devolution, Democracy and Delivery</p> <p>Contact Officer: Colin Everett Chief Executive</p> <p>Telephone: 01352 702101</p> <p>Email: chief.executive@flintshire.gov.uk</p>
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7.00	GLOSSARY OF TERMS
7.01	<p>Bill: a set of proposals for a Government Act which are to go through a legislative debate and scrutiny before being adopted as law.</p> <p>Welsh Local Government Association (WLGA): the representative body of principal councils, Fire and Rescue Authorities and National Parks in Wales.</p>