

## Consultation on the Draft Local Government (Wales) Bill

### Consultation response form

The Welsh Government intends to publish a summary of the responses to this consultation. Normally, the name and address (or part of the address) of its author are published along with the response, as this gives credibility to the consultation exercise.

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### Consultation questions

These questions should be read in conjunction with the Draft Bill, draft Explanatory Notes and draft Explanatory Memorandum

#### PART 1

Question 1.1: Do you have any comments on any of the provisions in Part 1 of the Draft Bill?

The more coterminous that the Local Authority boundaries are with the Local Health Board boundaries the better. This will allow for better health and social service planning and delivery. It will strengthen the ability of service commissioners, planners and providers to deliver services that based on the real needs of local populations.

Question 1.2: What are your views on the options for 2 or 3 Counties in North Wales, as set out in Schedule 1 to the Draft Bill?

Following on from our response above, the less local authority areas servicing North Wales the better. Consequently, we would be more supportive of the options set out in Table 1.

Question 1.3: What are your views on the proposed configuration of Local Government areas in Wales?

Our response to Question 1.1. applies.

Question 1.4: Do the Welsh Ministers need to seek any further powers to support the integration of Powys Teaching Health Board and Powys County Council?

We support the continuation of a “light touch” approach on the part of Welsh Government regarding the further integration of Powys Teaching Health Board and Powys County Council. The arguments for treating the organisations in the Powys catchment area differently from other areas are un-compelling. Further integration will be driven by the financial pressures that each organisation faces, and the need for them to work more effectively together to tackle their common challenges.

Question 1.5: What are your views on the procedure for naming the new Counties?

The proposed approach is not contentious as far as we are concerned. Such an approach would ensure local ownership.

Question 1.6: What are your views on the proposed changes to the Local Government election timetable?

A move to fixed term election cycles seems consistent with European and national arrangements (i.e. UK Parliament and National Assembly for Wales arrangements).

Question 1.7: Do you have any general comments on the provisions in section 16 and Schedule 3 of the Draft Bill relating to Local Government finance?

No comment.

Question 1.8: How could the Welsh Government measure the current level of avoidance of Non-Domestic Rates?

No comment.

Question 1.9: Do you have any comments or suggestions on how future legislation could help to reduce instances of avoidance of Non-Domestic Rates?

No comment.

Question 1.10: In what other ways could the Welsh Government enable Local Government to reduce the level of avoidance and fraud within the Non-Domestic Rates system?

No comment.

Question 1.11: Do you agree that the preserved counties be abolished and that consequential amendments are made so that the appointments of Lord-Lieutenants and High Sheriffs are made in respect of the counties in existence after 1 April 2020?

No comment.

Question 1.12: Are there other matters of a technical nature which should be considered?

No comment.

## **PART 2**

Question 2.1: Do you have any comments on any of the provisions in Part 2 of the Draft Bill?

No comment.

Question 2.2: Do you have any comments on our proposals relating to Community Councils with competence?

No comment.

## **PART 3**

Question 3.1: Do you have any comments on any of the provisions in Part 3 of the Draft Bill?

No comment.

Question 3.2: Do you have any comments on the proposed public participation duty and the requirement to consult on the annual budget?

No comment.

Question 3.3: How should community representatives to sit on community area committees be sought and selected?

No comment.

Question 3.4: Do you agree County Councils should be able to delegate functions to a community area committee? If yes, are there any functions that should or should not be capable of being delegated?

No comment.

Question 3.5: Do you have any views on whether transitional arrangements need to be put in place for existing area committees, or is a good lead-in time sufficient?

No comment.

Question 3.6: Do you have any comments on the revised provisions for 'improvement requests' or on the interaction between these provisions and those relating to the public participation duty (Part 3, Chapter 2) and community area committees (Part 3, Chapter 3)?

No comment.

Question 3.7: Do you have any comments on any of our further proposals relating to access to meetings?

No comment.

Question 3.8: Do you have any comments on our proposals to enhance participation by children and young people through the public participation duty?

No comment.

#### **PART 4**

Question 4.1: Do you have any comments on any of the provisions in Part 4 of the Draft Bill?

No comment.

Question 4.2: Do you have any comments on the proposed duty on leaders of political groups or the monitoring and reporting roles of the Standards Committee?

No comment.

Question 4.3: Do you have any comments on our proposals in relation to the delegation of functions by Local Authorities?

No comment.

Question 4.4: Do you have any comments on our proposal to give the Welsh Ministers a power to direct the IRPW to have regard to guidance when reviewing the remuneration framework for Councillors?

No comment.

Question 4.5: Do you agree the provisions relating to remote attendance in the 2011 Measure should be made more flexible?

No comment.

Question 4.6: Do you have any comments on our proposal that Shadow Authorities should be required to appoint interim Returning Officers?

No comment.

Question 4.7: Do you have any comments on the desirability of giving Councils the power to dismiss the Chief Executive, the Chief Finance Officer, the Monitoring Officer and the Head of Democratic Services through a vote?

No comment.

Question 4.8: Do you have any comments on our proposal to change the framework within which Councils and their Executive determine how their functions are to be allocated?

No comment.

Question 4.9: Do you have any comments on our proposals in relation to the disposal and transfer of Local Authority assets?

No comment.

## **PART 5**

Question 5.1: Do you have any comments on any of the provisions in Part 5 of the Draft Bill?

No comment.

Question 5.2: Do you have any comments on our proposal to subject Local Authorities to a governance arrangements duty?

No comment.

Question 5.3: Do you have any comments on the model approach to peer assessment set out in Annex A?

No comment.

Question 5.4: Do you have any comments on the proposed role for the Corporate Governance and Audit Committee in relation to the Local Authority's response to the self assessment, peer assessment, combined assessment and governance review?

No comment.

Question 5.5: Do you have any comments on our proposal to reject local public accounts committees?

No comment.



Question 5.6: Are Public Services Boards the right bodies to examine the policy choices facing local public services?

They seem to be a sensible development.

Question 5.7: If so, would they benefit from additional legal powers?

Worthy of further exploration.

Question 5.8: What legislative measures could be considered to enable Local Government to take a public sector-wide shared services role?

No comment.

## **PART 6**

Question 6.1: Do you have any comments on any of the provisions in Part 6 of the Draft Bill?

No comment.

Question 6.2: Should the Boundary Commission be required to submit their draft reports to Shadow Authorities from May 2019?

No comment.

Question 6.3: Should the new County Councils implement the Boundary Commission's recommendations or should this be a responsibility of the Boundary Commission itself?

No comment.

Question 6.4: Do you have any comments on our proposals relating to compulsory training for Community Councillors?

Seems to be a sensible idea that is worthy of further exploration.

Question 6.5: Do you have any comments on our proposal to extend the term of Community Councillors elected in 2017 to six years?

No comment.

Question 6.6: Do you have any comments on our proposal that Community Councils should be required to consider and plan for the training needs of their own members and employees?

Seems to be a sensible idea that is worthy of further exploration.

Question 6.7: Do you have any comments in relation to the setting of objectives for a Community Council clerk?

No comment.

Question 6.8: Do you have any comments on our proposal to repeal the legislation relating to community polls and to require instead that Local Authorities should implement a system of e-petitions?

No comment.

## **PART 7**

Question 7.1: Do you have any comments on any of the provisions in Part 7 of the Draft Bill?

The introduction of the Public Services Staff Commission has been a significant development. It seems sensible that current arrangements need to be allowed to “bed in” and to be tested before it is given strengthened statutory powers.

Question 7.2: Do you have any views on whether it would still be desirable to establish a statutory Public Services Staff Commission if it would be more constrained in the matters on which it could issue guidance than a non-statutory Commission?

See answer to Question 7.1 above.

## **PART 8**

Question 8.1: Do you have any comments on any of the provisions in Part 8 of the Draft Bill or on any of the Schedules?

No comment.

## ADDITIONAL QUESTIONS

Question 9.1: Are you aware of any consequential amendments to legislation that will need to be made?

No comment.

Question 9.2: Please provide feedback you think would be useful in relation to the supporting documents published alongside the Draft Bill i.e. Draft Explanatory Memorandum (including the Regulatory Impact Assessment) and specific Impact Assessments.

No comment.

Question 9.3: We have asked a number of specific questions. If you have any related issues which we have not specifically addresses, please use this space to comment.

No comment.

Responses to consultations may be made public – on the internet or in a report. If you would prefer your response to be kept anonymous please tick the box: