

<b>MEETING</b>	<b>Corporate Scrutiny Committee</b>
<b>DATE</b>	<b>26 March, 2015</b>
<b>SUBJECT</b>	<b>CONSULTATIVE DOCUMENT ON REFORMING LOCAL GOVERNMENT</b>
<b>PURPOSE</b>	<b>To seek members' observations on a consultation paper</b>
<b>AUTHOR</b>	<b>Councillor Dyfed Edwards, Leader of the Council Geraint George, Head of the Strategic and Improvement Department</b>

1. Following considerable discussion over the past few months about local government re-organisation, Leighton Andrews, the Public Services Minister has now published a consultation document on Reforming Local Government. The document outlines a number of changes the Government is considering in terms of local government arrangements and structures in Wales
2. Observations on the document are sought by 28 April, 2015. A note was sent out to each member, through Rhaeadr, noting that individual members or political groups, of course, are welcome to send their comments directly. A copy of the short version of the consultation document (that is appended to this report) and the response form was sent to all members. A full copy of the report is also available on the Welsh Government website <http://gov.wales/docs/dsijg/consultation/150203-power-to-local-people-fullv2-en.pdf>.
3. The formal procedure within the Council is that the matter has been considered at the Democratic Services Committee and then by this committee before the Cabinet on 14 April where the formal response by the Council will be agreed.
4. Members who are not members of the Democratic Services Committee or the Scrutiny Committee were given an opportunity to contribute in two ways:-
  - Sending written comments so that they can be addressed at the meetings;
  - Making a request to attend either one of the two meetings to contribute to the discussion
5. In terms of the document itself, it is a very wide-ranging one and the Democratic Services Committee has already given attention to issues within its terms of reference – those observations are noted in Appendix 1 to this report. Assuming that the committee does not wish to revisit the issues discussed by the Democratic Services Committee, the committee's observations are sought on the following issues:-

Paragraph 2.5 – The report notes the intention to announce proposals on council areas in October, 2015. The Committee will, no doubt wish to re-emphasise the

points made in the response to the consultation on Local Government Re-organisation in October, 2014. Those observations can be seen in Appendix 2.

Paragraph 2.7 – The Government intends to establish a Commission to deal with staffing matters, including recruitment arrangements for new councils, grading and evaluation and appointments to senior posts.

Paragraph 2.8 – The Government is likely to agree to the pressure from councils to establish a “power of general competence” that would enable them to do more things in the best interests of their communities.

Paragraph 2.10 – There is an intention to simplify the requirements on councils in terms of their constitutions.

Paragraph 3.11 and 3.12 – It is proposed to establish a set of specific duties for Chief Executives and views are sought on the suggestion of limiting how long a Chief Executive can be in post.

Paragraph 3.13 – The Government is seeking views on the possibility of taking steps to address the significant differences in the salaries of chief and senior officers within Welsh councils.

Paragraph 3.14 – The Government is looking at the possibility of following the lead of other countries and establishing an independent commission to appoint Chief Executives and other senior public roles to “bring more consistency and to build a body of public leaders with the right skills and training to do the job well”.

Paragraph 4.4 – The Government wants to give the power to Local Authorities to review the Community Councils in their areas, with a view to reducing them in general, completing this work by 2022.

Paragraph 4.5 – The Government intends to establish a set of standards that town and community councils will be expected to achieve before they can be “seen as capable and competent”.

Paragraph 5.1 and 5.2 – There is talk of empowering local communities and community groups to take responsibility for services and assets, as the Council has been mentioned at the recent “Challenge Gwynedd” sessions.

Paragraph 6.1 – The Government wants councils to take more responsibility for improving their own corporate governance arrangements.

Paragraph 6.2 – The Government is talking of doing away with some elements of the legislation that forces councils to produce annual improvement plans to be reviewed annually by the Wales Audit Office.

Paragraph 6.3 – The intention is to strengthen Audit Committees to give greater attention to councils' arrangements for self assessment and governance.

Paragraph 6.4 – There is specific mention here of the powers of Welsh Ministers to hold an independent review of concerns about an individual council and indeed to intervene specifically in the running of any council subject to those findings.

Paragraph 7.2 – The Government is talking of establishing a single web-site for which councils will have to provide information so that the public can compare how councils perform and challenge services to improve.

Paragraph 7.3 - The Government wants all councils to be more accountable digitally through web-casting and by facilitating the offering of observations by using social and other media.

Paragraph 7.4 The Government wants to increase the number of ways people can submit complaints and also the publication of an annual report on how councils have responded to complaints.

Paragraph 8.1 and 8.2 – The Government wants to see the strengthening of scrutiny within councils with adequate resources to support it and also the public being able to take part in scrutiny processes.

Paragraph 8.3 - The Government wants to see councils collaborating to scrutinise services provided regionally

Paragraph 8.4 - The Government wants to see better collaboration between the external audit bodies.

Paragraph 9 – There is mention of amending and simplifying local government funding arrangements but there are no proposals on the table yet.

6. The committee's observations are sought.

## **CONSULTATIVE DOCUMENT ON REFORMING LOCAL GOVERNMENT**

### **OBSERVATIONS OF THE DEMOCRATIC SERVICES COMMITTEE**

Paragraph 3.1 – The current arrangement of holding elections every four or five years should be retained;

Paragraph 3.2 – In favour of having members from different backgrounds on the Cabinet but of the opinion that it would be a mistake to have a duty because of the risks attached. Specific work should be undertaken to improve the balance between men and women on the Cabinet whilst acknowledging the Leader's right to appoint;

Paragraph 3.4 – Supportive of placing a duty on councillors to publish an annual report;

Paragraph 3.5 – Steps should be taken to promote/encourage diversity amongst councillors but uncomfortable about having procedures in place to enforce because of the complexity of enforcement. Specific work on diversity between men and women in Local Government needs to be undertaken;

Paragraph 3.6 – Supportive of the review of the best way of paying councillors;

Paragraph 3.7 – In deciding on the number of councillors, consideration should be given to the number of electors in addition to the nature of the area including population coming and going, the rural nature and the need to be a local representative rather than the number of electors only;

Paragraph 3.8 – There should be no limit on the number of terms a councillor can serve;

Paragraph 3.9 – Supportive of a system to recall councillors within specific conditions;

Paragraph 3.10 – The rules on allowing local government officers to stand for election as a councillor should not be relaxed. Local Government Councillors should not be prevented from serving as Community Councillors;

Paragraph 4.2 – The need to look at Community Governance led by members needs consideration but there are concerns about it being mandatory;

Paragraph 4.6 – The system whereby individuals can serve on a Principal Council and a Community Council should continue. Supportive of preventing a county councillor from serving on more than one Community Council.

**GWYNEDD COUNCIL RESPONSE TO THE WHITE PAPER ON REFORMING LOCAL GOVERNMENT (OCTOBER 2014)**

1. The Council's initial view is that we should state clearly that the Council's main responsibility is to safeguard the interests of Gwynedd residents and the services provided for them. Because of this, and accepting the reality that change is unavoidable, the responsible thing to do is not to close the door on any possibility that could lead to savings in management, central or back-office costs that could, in turn, reduce the scale of cuts that any council would have to make in the coming years.

2. As a result, the Council states that it is willing to take part in any discussions that would facilitate that in order to identify what benefits could follow if the council amalgamated with another council or councils.

3. In doing so, the Council notes some important considerations on which it would seek assurances and some questions that need answering before the Council would be able to proceed further in terms of submitting an offer to amalgamate.

4. The key considerations about which the Council would seek assurances in discussing are as follows:-

a) Ensuring accountable local democracy is crucial in moving ahead and any governance arrangements for the future must include arrangements for ensuring a dialogue on public services at a more local level than that of the current councils. Centralising in larger councils does carry a risk of distancing accountability from local communities and there is a need to improve the accountability and engagement of councils and individual members with residents and communities.

b) The pattern of public services for the future must include a meaningful role for town and community councils in terms of being responsible for and providing services.

c) In terms of the accountability of local members, assurances should be sought that the Boundary Commission proposals should not create wards that are too large, making the work of local members in engaging effectively with their communities harder.

Specifically, assurances are sought that there will be no more multi-member wards, since such provision can confuse the accountability of local members within their wards.

ch) Operating a firm Language Policy to support the Welsh Language is crucial for any new council that Gwynedd would be part of in the future, including the objectives of the Council's current Language Plan:-

- to enable everyone who receives or uses the Council's services, or contributes to the democratic process, to do so through the medium of Welsh or English according to personal choice.
- to promote the use of the Welsh language in the life of the area and to be an anchor for the language in its resurgence throughout Wales.

- to promote the use of the Welsh language by other public bodies which have dealings with the Council, and to support and promote the use of Welsh by organisations and businesses which provide services for the public in the area of the Council.
  - to establish Welsh as the official internal administrative language of the Council by providing facilities for in-post training to enable staff to develop their linguistic skills in Welsh and English.
  - to develop the ability of pupils and students to be confidently bilingual in order that they can be full members of the bilingual society of which they are a part.
- d) Certainty is required on the financial and asset position of every partner in order to assess the sort of financial position that any new council would inherit.