

MEETING	Governance and Audit Committee
DATE	25 May 2023
TITLE	Local Government and Elections (Wales) Act 2021
PURPOSE OF THE REPORT	To update the Committee on the progress of the Work Programme
RECOMMENDATION	To accept the report.
AUTHOR	Iwan Evans – Monitoring Officer

1. Introduction

I have reported on the work programme for implementation of the Local Government and Elections (Wales) Act 2021 as it came into effect. There were a number of actions stemming from the provisions of the Act. From its initial Royal Assent, the provisions came into force through to mid-2022. With some exceptions the provisions are now in force.

2. The Act

The Act received Royal Assent on 20 January 2021. It has nine main parts that relate to Principal Councils Town and Community Councils and other Authorities.

PART 1 - ELECTIONS

PART 2 - GENERAL POWER OF COMPETENCE FOR LOCAL AUTHORITIES

PART 3 - PROMOTING ACCESS TO LOCAL GOVERNMENT

PART 4 - LOCAL AUTHORITY EXECUTIVES, MEMBERS, OFFICERS AND COMMITTEES

PART 5 - COLLABORATIVE WORKING BY PRINCIPAL COUNCILS

PART 6 - PERFORMANCE AND GOVERNANCE OF PRINCIPAL COUNCILS

PART 7 - MERGERS AND RESTRUCTURING OF PRINCIPAL AREAS

PART 8 - LOCAL GOVERNMENT FINANCE

PART 9 - MISCELLANIOUS

A summary of the contents of the Act can be read in the report to the Council on the 4th of March 2021

[Item 13 - Local Government and Elections Wales Act 2021.pdf \(llyw.cymru\)](#)

3. Work Programme

The Act has already been placed in the Corporate Risk Register because of its significance. The Work Programme - (Appendix 1) involves a range of tasks which primarily involve Corporate Support and Legal Services. The Programme gives an overview and assurance on the implementation behind which there is ongoing detailed work which is required to bring these provisions into effect. The programme has been lead by a Project Team which has co-created documents and agreed on actions and communication of key steps.

By now elements of the Act have been adopted and are operative. The Public Participation Strategy and Petitions Scheme has been adopted and is being placed on the Councils website. The work of preparing the draft Guide to the Constitution is being completed and it will be necessary to undertake a consultation process before they can be completed. This is set out in the work programme.

COuncil process It has previously been highlighted that the act provides for a choice of voting arrangements for elections to Principal Councils. I prepared a briefing paper for Group Leaders, and it is intended to hold a briefing session for all members on a range of matters which are developing in relation to voting and elections which will include this aspect. The intention is to report to the Full Council in October in order to explain the options and seek guidance on the appetite to initiate the process for adopting an alternative system.

The final aspect of the work will be the completion of the work of amending the Constitution, The essential amendments have already been adopted and published. The intention is to progress the second phase of this work by making amendments which bring the contents up to date e.g matters around Corporate Joint Committees. I have also taken advantage of the opportunity to update generally reflecting on the changes in the Council and the work of the COuncil. I anticipate that this work will be completed by the October meeting of the COuncil and I will be reporting to this Committee for guidance on particular aspects.

Decision Sought

Accept the report and progress.

Appendix 1

(Council = Full Council, Cab=Cabinet, AGC=Audit and Governance Committee, DSC=Democratic Services Committee SC=Standards Committee)

Provisions	Leading Department / Service	Preparatory Steps / Resources	Principal Meetings
Part 1 Elections	Legal Services	Matter for nominations for elections. And administrating electoral registration Awareness raising	Blends with the DSC's work to promote democratic involvement
Part 2 Chapter 1 General Power of competence for Local Authorities	Legal Services	Briefing note on the powers explaining their nature etc. <u>Departmental Briefing Note -</u> Brief the Council and Cabinet as part of awareness of the Act.	
Part 3 Promoting Access to Local Government,	Corporate Support	Legal Services to lead on reviewing the Constitution	Council, DSC AGC
Part 4 - Local Authority Executives, Members, Officers and Committees	Corporate Support Service	Legal Services to lead on reviewing the Constitution and Code of Conduct issues, The Democratic and Language Service to lead on matter relating to remote attendance and publication of agendas etc.	Report to AGC, DC and Council
Part 5 Collaborative Working by Principal Councils	Leadership Team	Brief Council and Cabinet as part of awareness of the Act. Report on the implications of establishing regulations to Cabinet and Scrutiny Committees	Cabinet and Scrutiny
part 6 - Performance and Governance of Principal Councils and the Duty of a Principal Council to Continuously Review its Performance	Leadership Team and Finance Service in terms of Audit Committee arrangements	Brief Council and Cabinet as part of awareness of the Act. AGC to lead	AGC and Council
Part 7 - Mergers and Restructuring of Principal Areas	Leadership Team	Brief Councillors and Cabinet as part of awareness for information	
Part 8 - Local Government Finance	Finance Service		
Part 9 - Miscellaneous	Corporate Support Service		Report to the Appointments Committee and the Council as appropriate