

**RHONDDA CYNON TAFF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2014-2015**

**COUNCIL  
25<sup>TH</sup> MARCH, 2015**

**JOINT REPORT OF THE DIRECTOR,  
LEGAL & DEMOCRATIC SERVICES  
AND THE SERVICE DIRECTOR OF  
CABINET & PUBLIC RELATIONS**

**Agenda Item No. 11**

**CONSULTATION –  
WHITE PAPER - REFORMING LOCAL  
GOVERNMENT: POWER TO LOCAL  
PEOPLE**

**Author: Ms.Karyl May, Democratic Services Manager**

**1. PURPOSE OF REPORT**

To seek the Council's approval to the establishment of a Cabinet Working Group and a Scrutiny Working Group to seek comments of Members on the recent White Paper published by the Welsh Government on behalf of the Minister for Public Services, Leighton Andrews AM. In order that the findings from both Working Groups can be reported to the Council Meeting in April, 2015 and a response to be made by the deadline of the 28<sup>th</sup> April, 2015.

**2. RECOMMENDATIONS**

- 2.1 That Working Groups of both the Cabinet and the Overview and Scrutiny Committee be established to consider and make comment on the Welsh Government's White Paper – Reforming Local Government: Power to Local People.
- 2.2 That the comments from both Working Groups be reported to the meeting of Council on the 22<sup>nd</sup> April, 2015 in order that the Council's response to the consultation document can be made by the deadline of the 28<sup>th</sup> April, 2015.

**3. BACKGROUND**

- 3.1 Members will be aware that on the 3<sup>rd</sup> February, 2015, the Welsh Government, on behalf of the Minister for Public Services, Leighton Andrews AM issued the White Paper – Reforming Local Government: Power to Local People, responses to which are to be made by 23.50 on the 28<sup>th</sup> April, 2015.
- 3.2 The Welsh Government has published 3 versions and can be accessed by clicking on the following links:

- [Full version](#)
- [Everyday \(summary\) version](#)
- [Young people version](#)

A full-list of proposals/options can be found on the Welsh Government's 30 page consultation form

<http://wales.gov.uk/docs/dsjlg/consultation/150203- power-to-local-people-response-en.docx>

- 3.3 The White Paper seeks to set out the Welsh government's vision for Local Government in Wales and, crucially, giving 'power to local people'.
- 3.4 A WLGA Briefing recently published indicated that the White Paper is extensive and includes a number of clear policy proposals, a reiteration of previous policy commitments (such as mergers, links to Future Generations Bill etc.) but also includes a number of open ended questions seeking views on policy options.
- 3.5 It was also the view of the WLGA that some of the proposals and policy options are complex but the White Paper offers limited detail around how proposals would be implemented.
- 3.6 Attached at Appendix 1 to this report is a copy of the WLGA's Briefing Paper, where Members will note the list which summarises a number of the main proposals and/or policy options outlined. However, the summary does not provide a critique of any of the proposals, and these will therefore be the subject to fuller debate at meetings of the Cabinet and Scrutiny Working Groups in order that the comments therefrom can be reported to the next meeting of the Council on the 22<sup>nd</sup> April, 2015 in order that the Council's response can be made by the deadline of 28<sup>th</sup> April.
- 3.7 Earlier this month, Members were also advised, of Regional Events which were being arranged by the Welsh Government whereby elected Members and Officials could attend awareness sessions on the "White Paper" and attached at Appendix 2 is a copy of the letter.

# WLGA Briefing

## Welsh Government White Paper Reforming Local Government: Power to Local People

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### Background

The Welsh Government has published 3 versions (titles are clickable links):

- [Full version](#)
- [Everyday \(summary\) version](#)
- [Young people version](#)

**The consultation closes at 23.59 on 28<sup>th</sup> April.**

The White Paper seeks to set out the Welsh government's vision for local government in Wales and, crucially, giving 'power to local people'. It describes ambitions for:

- Activist councils, engaged in delivering modern, accessible, high quality public services with their local communities
- A more limited set of national priorities set for local government with councils setting the bulk of local priorities with local people
- More diverse membership of local authorities and cabinets
- Reducing the cost of politics and management in local government
- Councils committed to looking outwards at their place-shaping role, building community capacity and resilience
- Councils open to new ways of delivering services based on Wales's traditions of cooperative and mutual services
- Empowering local people to more closely involved in decision-taking

### Summary

The White Paper is extensive and includes a number of clear policy proposals, a reiteration of previous policy commitments (such as mergers, links to Future Generations Bill etc.) but also includes a number of open ended questions seeking views on policy options.

Some of the proposals and policy options are complex but the White Paper offers limited detail around how proposals would be implemented.

The following list summarises a number of the main proposals and/or policy options outlined. The summary does not provide a critique of any of the proposals, which will be subject to fuller consultation and debate in councils and through the WLGA Council and Coordinating Committee ahead of the consultation deadline of 28<sup>th</sup> April.

For a full-list of proposals/options see the Welsh Government's 30 page consultation form <http://wales.gov.uk/docs/dsjlg/consultation/150203-power-to-local-people-response-en.docx>:

### **Balancing the Responsibilities of National and Local Government**

1. Recasting the Partnership Council and Partnership Scheme – Partnership Council would assess performance, progress and collaboration against a limited set of national priority outcomes (these would be underpinned by more detail local priorities).
2. The provision of a general power of competence to Local Authorities and eligible Community Councils.
3. All authorities to be called 'Counties' i.e. dropping the term County Borough

### **Renewing Democracy**

4. Roles and responsibilities of leaders and cabinet member set out in legislation.
5. Leaders should produce a manifesto and produce Annual Reports for Council. Leaders should also publically set and performance manage objectives for Cabinet Members and Chief Executives.
6. Council Leaders to have explicit duties in respect of diversity and standards of behaviour, including bullying and harassment of councillors and staff
7. A reduction in full-time Cabinet roles and introduction of (part-time) Deputy or 'Junior' Cabinet Members.
8. Reduction in number of councillors in line with UK average.
9. Mandatory training introduced for councillors and all councillors have to produce annual reports detailing activities, attendance, training etc.
10. Councils will be elected on a fixed five year election cycle in line with Parliament and the Assembly.
11. Views are sought on whether Council elections should be phased in thirds.
12. Term limits of 5 terms for councillors and 2 terms for leaders and cabinet members.
13. Enhanced powers for Standards Committees
14. A possible recall mechanism for councillors in line with proposals for MPs. No detail is included on how this might work.
15. A review to reduce the level of remuneration of councillors, Leaders and Cabinet members.
16. Lift the restrictions on council staff (other than politically-restricted posts) from standing for election to their own authority (although they would have to resign if they were elected).
17. Staff of devolved bodies who are councillors to be given more time off to attend council business.
18. Views sought on whether people should be prevented from holding posts as a Councillor and Assembly Member at the same time, or Community Councillor and County Councillor.
19. Statutory duties around promoting democratic engagement and having Youth Councils.

20. Role and responsibilities of the Chief Executive in Local Authorities defined in legislation, including duties around improvement, corporate planning and promoting democratic engagement.
21. Proposed term limits on chief executive appointments.
22. Chief Executives to be recruited through a national recruitment process via a Public Sector Appointments Commission.
23. Tight and more consistent, nationally set standards and controls on the remuneration of chief executives and other chief officers

### **Connecting with Communities**

24. Councils to establish Local Area Boards, led by elected members, including third sector and community group representatives and Community Councillors. Local responsibilities and/or budgets could be delegated to such Boards. All members of board to have voting rights.
25. Responsibility for the consistency of Community Council structures to lie with Principal Councils and councils should complete, by 2022, a review of the Community Councils in their area.
26. Minimum standards to be met by Community Councils who wish to be considered 'competent' and able to utilise the general power of competence or the community rights.

### **Power to Local Communities**

27. Activist councils should lead in the development of new forms of community control of services, including mutual and cooperatives, establishing new 'community rights';
  - to be involved in the improvement of services
  - to initiate the transfer of land and other assets from local government to community groups
  - a first refusal to buy assets of community value
28. Governance tests will apply to organisations delivering services or assets.
29. Welsh Government will support local authorities in the development of new skills to create this cultural change.

### **Corporate Governance and Improvement**

30. Repealing Part 1 of the LG (Wales) Measure 2009, removing the requirement upon Local Authorities to produce annual Improvement Plans.
31. Councils required to undertake an annual self-assessment process.
32. Councils will be subject to rolling programme of biennial peer reviews and joint inspections from WAO, Estyn and CSSIW. The latter will produce an joint assessment of local authority performance in Wales.
33. A strengthened role for audit committees, with an independent chair, and a requirement to consider the Local Authority's self-assessment, peer review and 'whole system' assessment reports.
34. Clarification of powers for Welsh Ministers to intervene in the event of corporate or service failure (following repeal of current powers outlined in 2009 Measure) and revision of joint protocol on support and intervention.

### **Performance in Local Government**

35. Local Authorities will be required to prepare a corporate plan (in place of the improvement plan and linking to the wellbeing plan).
36. Local Authorities will be required to publish comparative service performance real-time data, which should be consistent and include contextual information.
37. Views are sought on the establishment of minimum setting of minimum performance outcomes or standards and whether there should be financial penalties.
38. Local Authorities must embrace digital technology to improve services to local communities
39. Local Authorities will be required to establish an online complaints process.
40. Strengthens provisions with regards to broadcasting of proceedings (including the webcasting of all full Council and Executive meetings) and rights of the public to engage in proceedings via social media.

### **Strengthening the Role of Review**

41. Heads of Democratic Services should be Chief Officers and restriction on Monitoring Officer being an HDS removed.
42. A strengthened relationship between internal scrutiny and external Audit, Inspection and Regulation.
43. Scrutiny to be able to call-in only specified 'Key Decisions' as in England.
44. Co-opted members of scrutiny given power to vote.
45. Further extension of Scrutiny Committees duty to provide the public and community based bodies with opportunities to engage with scrutiny.
46. Proposal to consider the establishment of Local Public Accounts Committees to scrutinise all public service expenditure in Wales (in line with pilots being explored with England).

### **Reforming Local Government Finance**

47. A review of the mechanisms for funding Local Authorities (longer term).
48. Implementation of the necessary changes to the framework of financial governance required to enable and support the above reforms.

Yr Adran Llywodraeth Leol a Chymunedau  
Department for Local Government and Communities



Llywodraeth Cymru  
Welsh Government

Local Authority Leaders / Chief Executives  
Heads of Democratic Services  
Welsh Local Government Association

4 March 2015

Dear Colleagues

### ***Reforming Local Government: Power to Local People Engagement Sessions***

On 3 February, the Minister for Public Services published the White Paper *Reforming Local Government: Power to Local People* for consultation.

We are holding six regional engagement sessions for Local Authority elected members and officials to raise awareness of the proposals set out in the White Paper and engage with you on the vision for Local Government in Wales.

To enable as many of you to attend as possible, there will be two sessions, one morning and one afternoon, at each venue.

The details of the events are as follows:

|  |   |                     |                                      |
|--|---|---------------------|--------------------------------------|
| <b>North West Wales</b><br>Gwynedd<br>Anglesey<br>Conwy                                    | Venue Cymru,<br>Llandudno   | Monday<br>16 March  | 10.00am - 12.30pm<br>2.00pm - 4.30pm |
| <b>South West and Mid Wales</b><br>Ceredigion<br>Carmarthenshire<br>Pembrokeshire<br>Powys | Halliwell Centre,<br>University of Wales,<br>Trinity St Davids,<br>Carmarthen | Friday<br>20 March  | 10.00am - 12.30pm<br>2.00pm - 4.30pm |
| <b>North East Wales</b><br>Denbighshire<br>Flintshire<br>Wrexham                           | Catrin Finch Centre,<br>Glyndŵr University,<br>Wrexham                        | Tuesday<br>24 March | 10.00am - 12.30pm<br>2.00pm - 4.30pm |

Council Meeting - 25th March, 2015

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|--|--|----------------------|--------------------------------------|
| <b>Gwent</b><br>Torfaen<br>Blaenau Gwent<br>Newport<br>Caerphilly<br>Monmouthshire             | Caerleon Campus,<br>University of South<br>Wales | Thursday<br>26 March | 10.00am - 12.30pm<br>2.00pm - 4.30pm |
| <b>Western Bay</b><br>Swansea<br>Neath Port Talbot<br>Bridgend<br>Powys                        | National Waterfront<br>Museum, Swansea           | Tuesday<br>31 March  | 10.00am - 12.30pm<br>2.00pm - 4.30pm |
| <b>South East Wales</b><br>Cardiff<br>Rhondda Cynon Taf<br>Merthyr Tydfil<br>Vale of Glamorgan | City Hall,<br>Cardiff                            | Wednesday<br>1 April | 10.00am - 12.30pm<br>2.00pm - 4.30pm |

Whilst we would encourage you to attend a session in your area, if you are unable to attend on the date arranged you are welcome to attend any of the other sessions.

Please confirm your attendance as soon as possible (at the latest one week before the respective event), indicating which session you wish to attend, so we may make the necessary arrangements

Responses please to: [RLGProgramme@wales.gsi.gov.uk](mailto:RLGProgramme@wales.gsi.gov.uk)