

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013-2014

**CORPORATE GOVERNANCE AND
CONSTITUTION COMMITTEE**

2ND APRIL, 2014

**REPORT OF THE DIRECTOR, LEGAL
AND DEMOCRATIC SERVICES**

Agenda Item No.4

**THE LOCAL GOVERNMENT (WALES)
MEASURE 2011 (COMMENCEMENT NO.3)
ORDER 2014**

REMOTE ATTENDANCE

Author: Ms. Karyl May, Democratic Services Manager
(Tel.No.01443-424045)

1. PURPOSE OF THE REPORT

To inform Members of the Commencement Order which came into force on the 28th February, 2014 in respect of Section 4 of the Local Government (Wales) Measure 2011, which makes provision about remote attendance by Members of a local authority at meetings of the authority.

2. RECOMMENDATIONS

Members are asked to:

- 2.1 Note that the Commencement Order (as shown at Appendix 1 to this report) came into force on the 28th February, 2014 in respect of Section 4 of the Local Government (Wales) Measure 2011, which makes provision about remote attendance by Members of a local authority at meetings of the authority.
- 2.2 That the Council's Constitution be amended accordingly on receipt of the final Statutory Guidance in respect of remote attendance from the Welsh Government.

3. BACKGROUND

- 3.1 Members will recall that at the meeting of the Council held on the 24th July, 2013, consideration was given to the Welsh Government's Consultation Document relating to Remote Attendance and the Council's response was made by the deadline of the 21st August, 2013.
- 3.2 At that meeting I also updated Members on changes in the grant conditions of funding for Webcasting of Meetings/Remote Attendance and it was agreed that the grant monies be used to pilot remote attendance and webcasting of

Cabinet and the results to be reported back to the Council's Annual General Meeting.

- 3.3 The Commencement Order in respect of Remote Attendance has recently been published and came into effect on the 28th February, 2014 (as shown at Appendix 1 to this report). Local authorities in Wales will need to take steps to take account of remote attendance and will need to make amendments to their respective Constitutions to reflect this. However, this cannot be done until Councils have received the final Statutory Guidance from the Welsh Government.
- 3.4 An oral update on the potential guidance in respect of Remote Attendance will be provided at the meeting.

4. **CONCLUSION**

Due to the fact that the Commencement Order in respect of Remote Attendance came into effect on the 28th February, 2014 without the assistance of Statutory Guidance from the Welsh Government, that the information be noted at this stage in time and that the Council's Constitution be amended on receipt of the guidance.

W E L S H S T A T U T O R Y
I N S T R U M E N T S

2014 No. 453 (W. 51) (C. 20)

**LOCAL GOVERNMENT,
WALES**

The Local Government (Wales)
Measure 2011 (Commencement No.
3) Order 2014

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under section 178(3) of the Local Government (Wales) Measure 2011 (“the Measure”). It is the third commencement order to be made under the Measure.

Article 2 of this Order brings into force on 28 February 2014 sections 4 and 155(5) of the Measure.

Section 4 makes provision about remote attendance by members of a local authority at meetings of the authority.

Section 155(5) makes provision about repayment of payments made to members of relevant authorities (county and county borough councils, community councils, National Park authorities and Welsh fire and rescue authorities).

See also section 178(1) (commencement) for provisions which came into force on 11 May 2011 (the day after the day on which the Measure was approved by Her Majesty in Council) and section 178(2) for provisions which came into force on 10 July 2011 (the end of the period of 2 months beginning on the day on which the Measure was approved by Her Majesty in Council).

**NOTE AS TO EARLIER COMMENCEMENT
ORDERS**

(This note is not part of the Order)

The following provisions of the Measure have been brought into force in relation to Wales by the Local

Government (Wales) Measure 2011 (Commencement No. 1) Order 2011 (2011 No. 2011 (W.221)(C.74)) and the Local Government (Wales) Measure 2011 (Commencement No. 2 and Saving Provisions) Order 2012 (2012 No. 1187 (W. 145) (C. 40)), made before the date of this Order:

Provision	Date of commencement	S.I. No.
Sections 1 to 3	31 August 2011	2011 No.2011 (W.221)(C.74)
Sections 5 to 33	30 April 2012	2012 No. 1187 (W.145) (C.40)
Sections 56 and 57	30 April 2012	2012 No. 1187 (W.145) (C.40)
Sections 61 to 75	30 April 2012	2012 No. 1187 (W.145) (C.40)
Section 78	30 April 2012	2012 No. 1187 (W. 145) (C.40)
Sections 81 to 86	30 April 2012	2012 No. 1187 (W.145) (C.40)
Sections 87(1) and (2)	30 April 2012	2012 No.1187 (W.145) (C.40)
Sections 88 to 99	30 April 2012	2012 No.1187 (W.145) (C.40)
Section 141	31 August 2011	2011 No.2011 (W.221)(C.74)
Section 142 (partially) (so far as not already in force)	31 August 2011 30 April 2012	2011 No.2011 (W.221)(C.74) 2012 No. 1187 (W.145) (C.40)
Section 143 (partially) (so far as not already in force)	31 August 2011 30 April 2012	2011 No.2011 (W.221)(C.74) 2012 No. 1187 (W.145) (C.40)
Section 144	31 August 2011	2011 No.2011 (W.221)(C.74)
Section 145 (partially) (so far as not already in force)	31 August 2011 30 April 2012	2011 No.2011 (W.221)(C.74) 2012 No.1187 (W.145) (C.40)
Section 146	31 August 2011	2011 No.2011 (W.221)(C.74)
Section 147	30 April 2012	2012 No. 1187 (W.145) (C.40)
Section 148 (partially) (so far as not already in force)	31 August 2011 30 April 2012	2011 No.2011 (W.221)(C.74) 2012 No.1187 (W.145) (C.40)
Section 149	31 August 2011	2011 No.2011

(partially) (so far as not already in force)	30 April 2012	(W.221)(C.74) 2012 No.1187 (W.145) (C.40)
Section 150 (partially) (so far as not already in force)	31 August 2011 30 April 2012	2011 No.2011 (W.221)(C.74) 2012 No.1187 (W.145) (C.40)
Section 151 (partially) (so far as not already in force)	31 August 2011 30 April 2012	2011 No.2011 (W.221)(C.74) 2012 No.1187 (W.145) (C.40)
Section 152 (partially) (so far as not already in force)	31 August 2011 30 April 2012	2011 No.2011 (W.221)(C.74) 2012 No. 1187 (W.145) (C.40)
Section 153	30 April 2012	2012 No. 1187 (W.145) (C.40)
Section 154 (partially) (so far as not already in force)	31 August 2011 30 April 2012	2011 No.2011 (W.221)(C.74) 2012 No. 1187 (W.145) (C.40)
Section 155(1)	30 April 2012	2012 No. 1187 (W.145) (C.40)
Section 155 (2), (3) and (4) (partially) (so far as not already in force)	31 August 2011 30 April 2012	2011 No.2011 (W.221)(C.74) 2012 No. 1187 (W.145) (C.40)
Section 156 (partially) (so far as not already in force)	31 August 2011 30 April 2012	2011 No.2011 (W.221)(C.74) 2012 No. 1187 (W.145) (C.40)
Section 157 (partially) (so far as not already in force)	31 August 2011 30 April 2012	2011 No.2011 (W.221)(C.74) 2012 No. 1187 (W.145) (C.40)
Section 158	31 August 2011	2011 No.2011 (W.221)(C.74)
Section 160	30 April 2012	2012 No. 1187 (W.145) (C.40)
Sections 161 to 171	31 August 2011	2011 No.2011 (W.221)(C.74)
Section 176(1)	30 April 2012	2012 No. 1187 (W.145) (C.40)
Section	30 April 2012	2012 No. 1187

176(2) (so far as not already in force)		(W.145) (C.40)
Schedule 2	31 August 2011	2011 No.2011 (W.221)(C.74)
Schedule 3	30 April 2012	2012 No. 1187 (W.145) (C.40)
Schedule 4 (so far as not already in force)	30 April 2012	2012 No. 1187 (W.145) (C.40)

2014 No. 453 (W. 51) (C. 20)

**LOCAL GOVERNMENT,
WALES**

The Local Government (Wales)
Measure 2011 (Commencement No.
3) Order 2014

Made

27 February 2014

The Welsh Ministers make the following Order in exercise of the powers conferred upon them by section 178(3) of the Local Government (Wales) Measure 2011(1).

Title

1. The title of this Order is the Local Government (Wales) Measure 2011 (Commencement No.3) Order 2014.

Provisions coming into force on 28 February 2014

2. The following provisions of the Local Government (Wales) Measure 2011 come into force on 28 February 2014—

- (a) section 4(2) (remote attendance at meetings); and
- (b) subsection (5) of section 155 (withholding payments).

(1) 2011 nawm 4.
(2) Section 4(4) was amended by section 59 of the Local Government (Democracy) (Wales) Act 2013 (2013 anaw 4) and section 4(8) was repealed by Schedule 2 to that Act. The amendment and repeal came into force on 30 September 2013.

Lesley Griffiths

Minister for Local Government and Government
Business, one of the Welsh Ministers

27 February 2014