

Local Government and Public Services Committee

Report to Plenary under Standing Order 9.9: April 2005 to March 2006

1. INTRODUCTION

1.1 The Local Government and Public Services Committee is one of the Assembly's seven subject committees. This report is made under Standing Order 9.9, which requires subject committees to report to the Assembly from time to time on their progress in fulfilling their work programme. It summarises the Committee's work from April 2005 to March 2006.

2. MEMBERSHIP

2.1 Our membership from April 2005 to March 2006 was Ann Jones (Chair), Glyn Davies (until December 2005), Sue Essex (Minister for Finance, Local Government and Public Services), Mike German, Peter Law (from January 2006), Dai Lloyd, Val Lloyd (until December 2005), David Melding (from January 2006), Catherine Thomas (from January 2006), Gwenda Thomas, Brynle Williams (until December 2005).

3. REMIT AND RESPONSIBILITIES

3.1 The Committee's remit mirrors the local government and public services portfolio of the Minister for Finance, Local Government and Public Services. This includes local government and the development of a strategic approach to the delivery of public services. It does not cover the Minister's responsibilities in respect of the Assembly's finances or policy or financial matters falling solely within another portfolio.

3.2 The Committee held 16 formal meetings in the reporting period.

3.3 In January 2006 the Committee met informally with Members of the House of Lords to discuss their proposed amendments to the Electoral Administration Bill.

3.4 The responsibilities of subject committees are set out in Standing Orders 9.7 and 9.8. The remainder of this report details significant aspects of Committee work under each of these headings.

4. WORK AND ACHIEVEMENTS TO DATE

Policy Development (SO 9.7(i))

Welsh Assembly Government's Response to the Committee's Inquiry Report on the Regulation and Inspection of Public Services in Wales

4.1 At its September 2005 meeting, in line with the agreed protocol for handling inquiry reports, the Minister provided a written response to the Committee's findings and recommendations.

The Operation of new political and management structures in local government

4.2 In November 2005, in line with the agreed protocol for monitoring policy development, the Committee received an update from the Minister on the Welsh Assembly Government's progress in implementing the recommendations of the Committee's report.

Electoral arrangements in Wales

4.3 Following consideration of the Electoral Commission report *Local elections in Wales 2004*, at its March 2005 meeting the Committee agreed the terms of reference for its project on Electoral arrangements in Wales¹. The Committee took oral evidence from a number of witnesses². The Committee undertook a series of rapporteur visits to Denmark, the Netherlands, and Belgium where they examined alternative voting systems, electronic voting and the engagement of young people in the democratic process.

4.4 The Committee met Sir Michal Lyons and Sir Jeremy Beecham, both of whom are carrying out inquiries into aspects of local government in England and Wales^{3,4}. The Committee submitted evidence to both reviews in the form of reports.

Review of Expenditure and Administration (SO 9.7(ii))

Minister's Report

4.5 The Committee received a report from the Minister at alternate meetings allowing regular scrutiny of policies and decisions for which the Minister is accountable.

Review of Assembly Sponsored Public Bodies (SO 9.7(iii))

4.6 The Committee's remit includes the Local Government Boundary Commission for Wales. In April 2005 the Committee considered the Commission's Annual Report and Accounts for 2003-04. In November 2005 the Committee also considered the Commission's Annual Report and Accounts for 2004-05.

Legislation (SO 9.8(i))

Primary Legislation

Electoral Administration Bill

4.7 At its meeting on 13 October, the Local Government and Public Services Committee unanimously agreed to scrutinise the Bill with a view to influencing its passage through Westminster. The Committee sent an interim report of their findings from their scrutiny project to the Standing Committee in the house of Commons dealing with the Bill. The Committee took written and oral evidence on the Bill at two meetings. The Committee published its Scrutiny of the Electoral Administration Bill report in January 2006. The report contains a series of recommended amendments to the Bill, based on the evidence received. It also includes several issues relating to

¹ Terms of reference: '*To consider the issues surrounding the arrangements for local government and National Assembly elections in Wales, in particular, voter registration, voter turnout, the participation of young people and voting in languages other than English; to consider a range of measures used within other political systems to improve voter turnout, registration and the participation of young people and the extent to which they could be applied to local government and National Assembly elections in Wales; to consider if any additional measures are required to ensure that voting arrangements in Wales are fully inclusive; to make recommendations.*'

² Roger Morris, former returning officer for England, Roger Morris, returning officer for Wales, Association of Electoral Administrators, The Electoral Commission, All Wales Ethnic Minority Association, Disability Rights Commission, CEWC Cymru, Welsh Assembly Government

³ Terms of reference of the Lyons Inquiry can be found at:
<http://www.lyonsinquiry.org.uk/index.php?leftbar=home&text=introduction>

⁴ Terms of reference for the Beecham Review can be found at:
<http://new.wales.gov.uk/about/strategy/makingtheconnections/localservicedelivery/termsoref/?lang=en>

electoral arrangements in general, based on evidence received on the Bill and on the Committee's scrutiny project Electoral Arrangements in Wales. The final report was sent to all Welsh Members of the House of Lords.

On 11 January, Members of the Committee laid a motion before plenary requesting the First Minister to ask the Secretary of State for Wales to bring forward the Committee's amendments. The motion was carried unanimously with 1 amendment.

Secondary Legislation

4.8 The Committee continued to work to its agreed protocol for handling subordinate legislation, which was established in June 2004. The Committee received a detailed timetable of forthcoming legislation within the Minister's portfolio at alternate meetings and considered 11 pieces of draft legislation during the period covered by this report.

4.9 Details of SIs considered in Committee are attached at Annex 1.

European Legislation

4.10 In January 2006, the Committee considered the European deposited documents within the Committee's remit.

At its meeting on 30 March, the Committee took evidence on the proposed Green Vehicles Directive. Their conclusions and recommendations were sent to the Minister, Welsh MEPs and the Minister for Transport in the UK Government.

Budget (SO 9.8(ii))

4.11 In May 2005 the Committee considered its priorities for the budget within the Local Government Main Expenditure Group for 2006-07 and wrote to the Minister to formally convey its views. Following its scrutiny session on the draft budget at its 13 October 2005 meeting, the Committee wrote to the Finance Minister in accordance with Standing Order 21.

Complaints (SO 9.8(iii))

4.12 The Committee considered no reports brought to it in line with Standing Order 23.

Public Appointments (SO 9.8(iv))

4.13 The Committee's public appointment nominees⁵ were involved in the appointment of the Chair and Members of the Welsh Independent Remuneration Panel.

Matters referred by the Assembly (SO 9.8(v))

4.15 There were no matters referred to the Committee by the Assembly under Standing Order 9.8(v).

5. CROSS CUTTING ISSUES

5.1 At its meeting on 2 March 2006, the Committee considered local authorities' responses to recent equalities legislation in Wales and the Welsh Assembly Government's Equalities Report 2004-05. The entire meeting was devoted to equality

⁵ Ann Jones and Glyn Davies (until December 2005), David Melding from January 2006).

issues and the Standing Invitees from the Equality of Opportunity Committee⁶ were present to give evidence to the Committee.

5.2 The Committee's current project into Electoral arrangements in Wales seeks to address equality issues including voting in languages other than English (see paragraph 4.4). During the course of the project, the Committee consulted relevant organisations to assist with its work.

6. FORWARD PROGRAMME

6.2 The Committee's strategic work programme, is attached at Annex 2.

⁶ Equal Opportunities Commission, Disability Rights Commission, Commission for Racial Equality, Stonewall Cymru, Welsh Language Board. The WLGA equalities unit were also present.

Subordinate legislation considered by the Local Government and Public Services Committee

There were 2 SIs formally referred to the Committee under SO 24.6

- The Food Hygiene (Wales) Regulations 2005
- The Feed Hygiene (Wales) Regulations 2005

In line with the agreed protocol for handing subordinate legislation in Committee, the following SIs were identified and subsequently scrutinised:

- The Local Authorities (Access to Information) (Exempt Information) (Wales) Regulations 2005
- The Valuation Tribunals (Wales) Regulations 2005
- The Local Authorities (Indemnification of Members and Officers) (Wales) Regulations 2005
- The Public Services Ombudsman for Wales (Jurisdiction and Transitional Provisions and Savings) Order 2006
- The Local Government (Best Value Authorities) (Power to Trade) (Wales) Order 2006
- NDR (Alternation of Lists and Appeals) (Wales) Regulations 2006
- The Local Authorities (Standing Orders) (Wales) Regulations 2005
- Local Government (Improvement Plans) (Wales) Order 2006.

In line with SO 26, the Committee considered The Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005

Reports on the above can be found on the Committee's website⁷.

The following SIs have been identified by the Committee for future consideration:

- The draft Regional Transport Planning (Wales) Order 2006
- The draft Public Transport Users' Committee for Wales (Establishment) Order
- Council Tax (Alteration of Lists and Appeals) Regulations 1993 (SI 1993/290)
- The Standards Committees (Wales) Regulations 2006
- Local Authorities (Political Restrictions Regime) (Wales) 2005

⁷ <http://www.wales.gov.uk/keypubassemlocgovpubsvs/content/reports-e.htm>

Local Government and Public Services Committee

Committee's forward work programme

Purpose

1. To agree the Committee's forward work programme for the coming twelve months.

Strategic work programme

2. Standing Order 9.9 requires subject committees to maintain a rolling programme of work covering a period of at least 12 months, and to report to plenary from time to time on progress.

3. The draft strategic work programme at Annex 1 suggests ways of working that aim to strike a balance between the policy development and scrutiny responsibilities of the Committee.

4. A more detailed draft programme for the autumn term will be agreed at the end of the summer term.. It will be based on key policy issues and priorities being taken forward by the Welsh Assembly Government and other matters identified as being of potential interest to this Committee.

Action for the Committee

5. The Committee is invited to comment on and agree the draft strategic work programme attached at Annex 1

**Ann Jones AM
Committee Chair**

Local Government and Public Services Committee

Strategic Forward Work Programme May 2006 to April 2007

Introduction

1. This work programme sets out the strategic priorities of the Committee for the next twelve months.

Remit and responsibilities

2. The Committee's remit is based on the portfolio of the Assembly Minister for Finance, Local Government and Public Services and covers local government, the development of a strategic approach to the delivery of public services and the Wales Spatial Plan. It does not cover the Minister's responsibilities in respect of the Assembly's finances or policy or financial matters falling solely within another portfolio.

3. The responsibilities of subject committees, as set out in Standing Order 9, are principally: policy development; scrutiny of Ministers and relevant bodies; and scrutiny of legislation.

Aims

4. The Committee will develop a strategic approach to its work and aim to balance consideration of subjects across the portfolio and its range of responsibilities.

Priorities

5. Priorities for the coming period will be:

Policy development (SO 9.7(i)) – the Committee will focus on those areas of policy development where it can make the greatest impact. It will continue with its project on electoral arrangements in Wales, for which the terms of reference⁸ have been agreed. The Committee will continue to follow-up progress on implementation of recommendations from its inquiry reports *The operation of new political management structures in local government* and *Regulation and Inspection of Public Services in Wales*. The Committee will

⁸To consider the issues surrounding the arrangements for local government and National Assembly elections in Wales, in particular, voter registration, voter turnout, the participation of young people and voting in languages other than English; To consider a range of measures used within other political systems to improve voter turnout, registration and the participation of young people and the extent to which they could be applied to local government and National Assembly elections in Wales; To consider if any additional measures are required to ensure that voting arrangements in Wales are fully inclusive; and To make recommendations.

continue with its scrutiny project in Electoral Arrangements in Wales and will publish its final report in the autumn of 2006. In addition the Committee will seek to help shape any reform of the public services agenda in Wales, which is brought about as a result of proposals in *Making the Connections*.

- *Scrutiny of the Minister (SO 9.7(ii))* - the Minister will report to the Committee at alternate meetings on current developments within the portfolio. The Committee may also undertake inquiries into particular topics in greater depth.
- *Scrutiny of relevant bodies (SO 9.7 (iii))* – the Committee will consider the work of the Local Government Boundary Commission for Wales, the Welsh Local Government Association, the Local Government Equalities Unit and the Local Government Data Unit of Wales.
- *Scrutiny of proposed legislation affecting Wales (SO 9.8(i) and 24)* – the Committee will receive, at alternative meetings, a timetable of forthcoming secondary legislation within its remit. The Committee will identify for scrutiny those items of legislation where there is scope to influence content and will also consider draft secondary legislation referred by the Deputy Presiding Officer as appropriate. In addition, the Committee will be informed of relevant proposed primary legislation.

The Committee will consider the following items as they arise:

- *proposals for the Assembly's budget (SO 9.8(ii))* – the Committee will indicate its budget priorities in the summer term and comment on the draft budget in the autumn term;
- *complaints (SO 9.8(iii) and 23)* – the Committee will consider any complaints referred to it under Standing Order 23;
- *public appointments (SO 9.8(iv) and 22)* – the Committee's two public appointment nominees will take part in the process of appointments to public bodies as vacancies arise;
- *other matters referred by the Assembly (SO 9.8 (v))* – the Committee will consider other matters referred to it by the National Assembly, but would ask Assembly Members to consult the Committee Chair before tabling motions inviting plenary to remit work to the Committee.

The Assembly's Statutory Duties

6. The Government of Wales Act 1998 places certain duties on the National Assembly, the Committee's work will be guided by the following:

- *Equality of Opportunity (s.48 and s.120)* - Committee meetings will be held in public and on occasion away from the National Assembly building to increase the accessibility of its business to people across Wales. Over the range of issues within its portfolio, the Committee will have regard to equality of opportunity;

- *Sustainable Development (s.121)* - throughout its deliberations the Committee will focus on the need to balance economic and social growth with the conservation of the environment, through sustainable development. Its own policy review recommendations will reflect this principle.

Local Government and Public Services Committee
May 2006

**Local Government and Public Services Committee
June 2006**