

Local Government and Public Services Committee

Report to Plenary under Standing Order 9.9: April 2006 to March 2007

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 2006 to March 2007.

2. MEMBERSHIP

2.1 Our membership from April 2006 to March 2007 was Ann Jones (Chair), Sue Essex (Minister for Finance, Local Government and Public Services), Mike German, Peter Law (January 2006 – April 2006), Dai Lloyd, David Melding, Catherine Thomas and Gwenda Thomas.

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 13 formal meetings in the reporting period. All formal meetings were held in the Senedd in Cardiff Bay except on 6 July 2006 when the Committee met at the National Assembly building in Colwyn Bay. On 8 June 2006 Members met informally with Sir Michael Lyons at HM Treasury to discuss his inquiry into Local Government. The Committee also met jointly with the Social Justice and Regeneration Committee to consider an evaluation report on implementing Communities First in Wales, and subsequently sought the views of all Welsh local authorities on the delivery of Communities First in their areas.

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 15 February 2007 meeting, in line with the agreed protocol for monitoring policy development, the Minister provided an update with progress in implementing the recommendations of the Committee's report.

Welsh Assembly Government's Response to the Committee's report 'The Operation of new political and management structures in local government'

4.2 On 15 February 2007 the Committee received an update from the Minister on progress in implementing the recommendations of the Committee's report. The WLGA also provided an update on progress with relevant recommendations.

Electoral arrangements in Wales scrutiny project

4.3 The Committee agreed the terms of reference for its project on Electoral arrangements in Wales¹ in March 2005. Further oral evidence was taken from witnesses during the reporting period, and on 6 December 2006 a final report was published. The report was debated in plenary session on 6 March 2007 and the Welsh Assembly Government's response scheduled for consideration in Committee on 22 March 2007.

4.4 The Committee also received a paper from the Minister on elections and widening participation in local government elections in December 2006.

Beecham Review of Local Service Delivery

4.5 Sir Jeremy Beecham presented his 'Beyond Boundaries' report to the Committee in September 2006, and in December Members considered the response of the Welsh Assembly Government and the WLGA. The Director of Cardiff University's Centre for Local and Regional Government Research also introduced his work on comparing local authority performance in England and Wales to the Committee – this research had been included in the 'Beyond Boundaries' report.

4.6 During the reporting period the Committee also considered the following in relation to the Welsh Assembly Government's 'Making the Connections' agenda: a report from the WLGA on activities in support of local government efficiency and joint working; a presentation from the Director of Public Service Management Wales (PSMW) on its work and future plans; and an update from the Head of the Making the Connections Unit on developing Core Principles for Customer Service for the Welsh Public.

Community Strategy Research Report

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.'

4.7 The Committee requested an update paper on the independent evaluation of the first round of Welsh community strategies. It provided an overview of developments in evaluating community strategies in Wales and proposals for taking community planning forward.

Local Authority Procurement

4.8 In May 2006 the Committee received a presentation from Carmarthenshire County Council and Value Wales officials on developments in local authority procurement. Further updates on the work of Value Wales were received in November 2006 and March 2007.

Progress on LABGI and BIDs

4.9 In June 2006 the Committee considered progress on the Local Authorities Business Growth Incentive Scheme (LABGI), and with the Swansea Business Improvement District (BID).

Small Business Rate Relief Scheme

4.10 The Committee considered proposals for a Small Business Rate Relief Scheme in September 2006 and later scrutinised regulations to implement the scheme.

The Night-time Economy

4.11 The Committee received presentations from a number of guests on issues relating to the night-time economy in North Wales, including local authorities, the Licensed Victuallers Association and the emergency services. This followed earlier consideration of the implications of the Licensing Act 2003.

Public Services Ombudsman for Wales

4.12 The Committee received a report from the Public Services Ombudsman for Wales on his first six months in office.

Progress with Census 2011

4.13 Officials from the Office of National Statistics and the Statistical Directorate updated the Committee on development work towards Census 2011 in Wales.

Local Government Partnership Scheme Annual Report

4.14 The Committee approved the Local Government Partnership Scheme annual report for 2005-06.

Report of the Committee on School Funding

4.15 In October 2006 the Chair of the Education, Lifelong Learning and Skills Committee presented the report of the Committee on School Funding and responded to Members questions.

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

Minister's Report

4.16 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))

4.17 The Committee's remit includes the Local Government Boundary Commission for Wales. In November 2006 the Committee considered the Commission's Annual Report and Accounts for 2005-06. The Committee took evidence from the WLGA on a number of issues during the reporting period. All Wales local government performance data for 2005-06 was discussed with Welsh Assembly Government officials, the WLGA and the Local Government Data Unit.

Legislation (SO 9.8(i))

Primary Legislation

Electoral Administration Bill

4.18 Following Committee scrutiny of the Bill in 2005-06, a motion was carried in plenary on 11 January 2006 requiring the First Minister to ask the Secretary of State for Wales to bring forward the Committee's amendments. In April 2006 the Committee also wrote to the Department of Constitutional Affairs to express concern at the lack of reference to bilingualism in the regulatory appraisal accompanying the Bill. In June 2006 the Committee considered the Lord Chancellor's response to its amendments, and an update on the progress of the Bill.

Local Government and Public Involvement in Health Bill

4.19 On 28 November 2006 the Assembly remitted the Bill to the Local Government and Public Services Committee for consideration. The Committee received papers from the Minister about the Welsh provisions in the Bill on 18 January and 15 February 2007 and will report to the Assembly on its scrutiny of the Bill in March 2007.

Secondary Legislation

4.20 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 14 pieces of draft legislation during the period covered by this report.

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

European Legislation

4.22 In October 2006 the Committee considered an update of the EU legislative and policy items it had selected for further scrutiny or monitoring from the European Commission's 2006 Work Programme. In January 2007 the Committee considered items in the European Commission's 2007 Legislative and Work Programme of relevance to the Committee's remit. The Commission Communication on the implementation of national strategies for Green public procurement was identified for inclusion in its legacy report to the 3rd Assembly.

Budget (SO 9.8(ii))

4.23 In May 2006 the Committee considered its priorities for the Local Government Main Expenditure Group for 2007-08 and wrote to the Minister to formally convey its views. Following its scrutiny session on the draft budget on 8 November 2006, the Committee wrote to the Finance Minister in accordance with Standing Order 21. The Committee also considered firm proposals for three year settlements for Local Government in Wales in October 2006, and considered the Provisional Local Government Settlement in November 2006.

Complaints (SO 9.8(iii))

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

Public Appointments (SO 9.8(iv))

4.25 The Committee's public appointment nominees² were consulted on the appointment of a Member to the Governing Council of the Valuation Tribunal Service for Wales.

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

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

5. CROSS CUTTING ISSUES

Equality

5.1 The Committee scrutinised relevant parts of the Welsh Assembly Government's Seventh Annual Report on Equality (2005-06) in October 2006 and conveyed its views to the Chair of the Equality of Opportunity Committee.

² Ann Jones and David Melding.

5.2 The Committee's scrutiny of Electoral arrangements in Wales sought to address equality issues including access to the electoral process by disabled people, young people, ethnic minority and social disadvantaged groups. A number of its final report recommendations were aimed at promoting equality in electoral arrangements.

5.3 The Committee also discussed the response of Welsh local authorities to the Civil Partnerships regulations with the WLGA.

Sustainable Development

5.4 The Minister provided the Committee with updates on the development of the Wales Spatial Plan. Consideration was also given to sustainable development in the context of procurement activities undertaken by Value Wales.

6. FORWARD PROGRAMME

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

Subordinate legislation considered by the Local Government and Public Services Committee

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

- The Standards Committees (Wales) Regulations 2006
- The draft Regional Transport Planning (Wales) Order 2006
- Non- Domestic Rating (Small Business Relief) (Wales) Order 2006
- Non-Domestic Rating (Demand Notices and Discretionary Relief) (Amendment) Regulations 2006
- The Local Government Act 2003 (Commencement No.1 and Savings) (Wales) Order 2006
- The Non-Domestic Rating Contribution (Wales) (Amendment) Regulations 2006
- Smoke-free premises etc (Wales) Regulations 2006
- The Placement of Children (Wales) Regulations 2007
- Children's Homes (Wales) (Miscellaneous Amendment) Regulations 2007
- Local Health Boards (Functions) (Wales) (Amendment) Regulations 2007
- Review of Children Cases (Wales) Regulations 2007
- The Health, Social Care and Well-being Strategies (Wales) (Amendments) Regulations 2007
- The Local Authorities (Allowances for Members of County and County Borough Councils and Fire and Rescue Authorities) (Wales) Regulations 2007

In line with SO 26, the Committee considered The Sex Discrimination (Public Authorities) (Statutory Duties) Order 2006.

Reports on the above can be found on the Committee's website³.

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

- The draft Public Transport Users' Committee for Wales (Establishment) Order
- The Congestion Charging Regulations
- Local Authorities (Political Restrictions Regime) (Wales) 2005
- The Conduct of Members (Principles and Model Code of Conduct) (Wales) Order 2006/07
- The Local Authorities (Conduct of Referendums) (Amendment) (Wales) Regulations 2007

³ <http://www.wales.gov.uk/keypubassemlocgovpubsvs/content/reports-e.htm>

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 reference⁴ 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

⁴To 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