

BRIDGEND COUNTY BOROUGH COUNCIL
REPORT TO THE DEMOCRATIC SERVICES COMMITTEE
12 MARCH 2020

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

LOCAL GOVERNMENT AND ELECTIONS (WALES) BILL

1. Purpose of Report

- 1.1 To provide Members with the key proposals in the Local Government and Elections (Wales) Bill.

2. Connection to Corporate Objectives / Other Corporate Priorities

- 2.1 This report assists in the achievement of the following corporate objectives / corporate priority/priorities:

Smarter use of resources – ensuring that all its resources (financial, physical, human and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

3. Background

- 3.1 The Local Government and Elections (Wales) Bill was presented in November 2019 to the National Assembly for Wales. It will reform and strengthen local government and improve electoral arrangements.

4. Current situation / proposal

- 4.1 The key proposals in the Bill are outlined at paragraphs 4.2 to 4.9 for information.

4.2 Local Government Electoral Arrangements

- 4.2.1 The voting age for local government elections will be lowered from 18 to 16 and the right to stand and vote in local government elections will be extended to qualifying foreign citizens resident in Wales.

- 4.2.2 Local authorities and community councils will be put on a permanent five year electoral cycle, powers will be given to the Welsh Government to establish an all Wales digital electoral register and pilots of new ways to hold local elections will be allowed (i.e. all postal voting, new voting hours, electronic voting, electronic counting).

4.3 Disqualification criteria to stand as a councillor

- 4.3.1 People who have been declared bankrupt, are registered sex offenders, have served a prison sentence (suspended or not) of 3 months or more will be disqualified.

4.3.2 Council staff will be allowed to stand in elections for their employer local authority but will be required to resign if elected.

4.4 Governance Arrangements

4.4.1 The Bill will introduce a general power of competence for local authorities and eligible community councils, giving the power to act in their respective community's best interests, generate efficiencies and secure value for money.

4.4.2 Local authorities will still need to appoint a Chief Executive but must publish arrangements for managing their performance. The Bill introduces job sharing for Cabinet level positions and places a requirement on councils to have provision for maternity leave for councillors.

4.4.3 Standards Committees will be required to publish an Annual Report, while community councils will need to draft and publish a training plan for councillors and staff.

4.5 Mergers

4.5.1 There will be provision for regional working by more than one local authority through corporate joint committees. It also gives the Welsh Government the power to intervene or order one local authority to assist another one if it is believed a council is not meeting performance requirements (based on self-assessment and peer review).

4.5.2 Any mergers will be wholly voluntary. Two or more local authorities can apply to Welsh Government with a merger application. The Bill sets out the formal public consultation process and regulations required to create a merged local authority. Councils can also request to be abolished.

4.6 Public engagement

4.6.1 Local authorities will be required to publish a public participation strategy. There will also be a duty placed on local authorities to encourage local people to participate in local government.

4.6.2 Local authorities will need to introduce public petition schemes, webcast all public meetings (subject to regulations) and make arrangements for remote attendance by councillors. These provisions will not apply to community councils.

4.6.3 Community Councils will be required to allow members of the public to make representations during meetings and publish annual reports at the end of each financial year.

4.7 Two Voting Systems

4.7.1 The Bill proposes a change to allow Councils to choose their own voting system in which elections can be contested, either the existing first past the post system or single transferable vote system. Councils would need a majority of two thirds to

change the voting system, the system could not be changed back for the period of two ordinary elections.

4.8 Governance and Audit Committees

4.8.1 The Bill proposes changes to reform Audit Committees, renaming it the Governance and Audit Committee.

4.8.2 The Bill also proposes that one third of the Committee must be lay members and also that the Chairperson must be a lay member.

4.9 Duty on principal councils to publish official addresses

4.9.1 The Bill proposes a duty on Councils to publish an electronic and postal address where councillors can be contacted by their electorate to ensure councillors are freely accessible to local people. The duty however allows these contact details to be a general council address, rather than councillors' personal addresses, which is an approach this Council has already adopted on request from individual Members.

5. Effect upon Policy Framework & Procedure Rules

5.1 None.

6. Equality Impact Assessment

6.1 None.

7. Wellbeing of Future Generations (Wales) Act 2015 Implications

7.1 The well-being goals identified in the Act were considered in the preparation of this report. As the report is for noting only, it is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

8. Financial Implications

8.1 It is unclear at this stage how much the Local Government and Elections (Wales) Bill will cost the Authority.

8.2 The total cost of the Bill's provision is expected to be around £17.2 million spread over 10 years. Most of this will fall on Welsh Government, with around £3 million falling on local government.

9. Recommendation

9.1 Members are recommended to note the report.

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Background Documents

None