

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

20 JANUARY 2021

REPORT OF THE CHIEF EXECUTIVE

LOCAL GOVERNMENT AND ELECTIONS (WALES) BILL

1. Purpose of report

- 1.1 To provide Council with an update regarding the Local Government and Elections (Wales) Bill and an Action Plan to ensure that the Council is prepared for the various elements of the Bill that will come into force in due course.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-
1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
 2. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

- 3.1 The Bill was passed by the Senedd on 18th November 2020 and will receive Royal Assent in January 2021. It is a substantial piece of legislation covering electoral reform, public participation, governance and performance and regional working.
- 3.2 The new approach, as set out in the Bill, is designed to be a more streamlined, flexible, sector-led approach to performance, good governance and improvement. The intention is for councils to be proactive in considering how internal processes and procedures should change to enable more effective planning, delivery and decision making in order to drive better outcomes.
- 3.3 In summary the Bill introduces:

Reforming Electoral Arrangements for local government

- Extending the voting franchise to 16 and 17 year olds and foreign citizens legally resident in Wales;
- Enabling councils to choose between 'first past the post' or the 'single transferable vote' voting systems;
- Change of electoral cycle for principal councils from four years to five years;

- Allowing non-politically restricted council staff to stand for election in their own authority (but who should resign if elected);
- Removal of Returning Officers' Fees for local elections.

General Power of Competence

- There was wide spread support for a general power of competence. This is now included in the Bill.

Reforming public participation in local government

- Duty to encourage local people to participate in local government (and to produce a strategy to that effect);
- Duty to make petition scheme (and repeal of community polls);
- Duty to broadcast certain council meetings;
- Flexibility around remote attendance of Members.

Reforms around democratic governance and leadership

- Appointment of Chief Executives (rather than Head of Paid Service) with specific duties;
- Appointment of assistants to Cabinets and allowing job-sharing Leaders or Cabinet Members;
- Updating family absence provisions in line with those available to employees;
- Requiring Leaders of political groups to promote and maintain high standards of conduct by Members of their groups.

Reform of the performance and governance regime

- Repeal of the 2009 Measure duties, replacing audit and reporting duties with self-assessment and panel assessment (peer review);
- Reforms to Audit Committees, renaming as Governance and Audit Committees and prescribing membership and chair.

Collaborative Working

- Powers for councils to initiate the establishment of Corporate Joint Committees (CJCs) covering any functions
- Powers for Ministers to establish CJCs covering the four functions of economic development, transport, strategic planning and school improvement.

Voluntary Mergers of principal councils

- Compulsory mergers are no longer Government policy;
- Powers to facilitate voluntary mergers of principal councils and restructuring a principal area.

4. Current situation / proposal

- 4.1 It is anticipated that the Bill will receive Royal Assent in January 2021. The 'Coming into Force' provisions of the Bill are complex with some provisions coming into force within days of Royal Assent, others within months, and the majority via Ministerial

Statutory Instrument. Welsh Government will be developing a clear outline timetable for implementation for local authorities.

- 4.2 Attached as **Appendix 1** is an Action Plan to ensure that this Council is prepared for the introduction of the Bill. The Action Plan will be updated accordingly as various provisions of the Bill come into force.

5. Effect upon policy framework & procedure rules

- 5.1 None directly applicable to this report.

6. Equality Impact Assessment

- 6.1 There are no equality implications arising from this report.

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 information 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. Elements of the Bill will however have a positive impact on the five ways of working under the Act.

8. Financial implications

- 8.1 None directly applicable to this report but individual elements of the Bill will have future cost implications.
- 8.2 Welsh Government has committed to providing support and funding for some aspects of the Bill's implementation, including £500,000 to support digital democracy and potential set-up costs to support Corporate Joint Committees.
- 8.3 Improvement support will also be provided to councils through the WLGA, for example in supporting new councillor duties, public participation duties, statutory self-assessments and panel assessments.

9. Recommendations

Council is recommended to:

- 9.1 Note the report and Action Plan attached as **Appendix 1**;
- 9.2 Note that further reports on individual elements of the Bill will be submitted to Cabinet and Council in due course.

Mark Shephard
Chief Executive
January 2021

Contact Officer: Mark Shephard, Chief Executive.

Telephone: 01656 643106

E-mail: mark.shephard@bridgend.gov.uk

Postal Address Civic Centre, Angel Street, Bridgend, CF31 4WB

Background documents: None