

MEETING	FULL COUNCIL
DATE	2 MARCH, 2017
SUBJECT	WHITE PAPER – LOCAL GOVERNMENT - RESILIENCE AND RENEWAL
AUTHOR(S)	Councillor Dyfed Edwards (Council Leader)
PURPOSE	Submit draft observations in response to the White Paper

1. Welsh Government has published a White Paper outlining some proposals to reform Local Government. This is partly in response to a consultation carried out around 18 months ago on proposals which, at the time, included local government reorganisation through the merging of councils. The White Paper builds on a statement by the Minister in October 2016 recommending strengthening regional working rather than enforced merging of local authorities as suggested in 2015.
2. The timetable for submitting observations on the paper is extremely unfortunate considering that the closing date for the consultation is 11 April 2017, a date which coincides with the Election Period.
3. In order to ensure members' input to the Council's opinion, five workshops were arranged to gather members' opinions on various elements of the White Paper. The aim was to include those opinions in the observations submitted to the Council today. 25 members attended those workshops.
4. At the workshops, some of the main White Paper proposals were outlined and the opinion and observations of members were sought on those main proposals. Clearly, opinions were divided at those meetings but this report attempts to summarise the main points where consensus was reached, noting the main observations made about the different elements.
5. One fundamental aspect to note is that expanding fields of regional working in order to be more effective or efficient is, of course, appropriate. However, if this diminishes accountability, then what we would have is a regional government as opposed to a local government. The White Paper seems to suggest that it is possible to have both. Yet, considering some of the proposed governance models described in the document, one questions whether this is true.
6. The remainder of the document offers draft observations responding to the main proposals and questions posed by the paper and upon which the Council's response will be based. They are set out below for the Council to accept or amend.

6.1 Regional Working Tests

Proposal - The White Paper emphasises that regional working should not happen "if that is not the best way of working." The Government has developed a series of 'tests' that could help when considering whether regional working is suitable or not.

Draft Observations - In general, the statement "regional working should not happen if that is not the best way of working" is welcomed; but, an important question to consider

is who eventually decides this. That is, something could be better for the region but worse for an individual council area.

The tests are numerous and complex and are likely to be fertile ground for disagreement. There may be room to simplify and ask whether the proposal will lead to a more efficient and effective service, and whether it is likely to increase bureaucracy and, finally, whether it diminishes accountability.

Two items are missing from the tests, namely, that services and decisions related to services are accountable, and that it is possible to provide the regionalised services through the medium of Welsh.

Another suggestion is to structure the tests as obstacles that have to be crossed - if the answer to those tests or questions is 'no', then joint working should not take place.

6.2 The Collaboration Area

Proposal - The Government proposes four possible options for a regional footprint for collaboration. It varies from Welsh Government determining the area and services, to considering each case individually.

Draft Observations - The general observation on this element is, if the Government is serious in its intention to use tests for any collaboration, that pre-empting areas for collaboration and, in fact the fields of collaboration (see 5.3 below), is premature. Although some difference of opinion exists on this matter, the majority of those who voiced their opinion were in favour of discussing each service individually and on a case-by-case basis, since pre-empting a generalised response suitable for every Service is foolish.

Another important point raised is that the document only mentions Regional collaboration, where, in fact, sub-regional collaboration (Gwynedd and Anglesey, or Gwynedd, Anglesey and Conwy) would likely be more successful. The Government's final proposals should leave room for this.

6.3 Service areas for collaboration

Proposal - The Government states six service areas that should be provided regionally and three areas that could be provided regionally.

Draft Observations - As noted above, if the Government is serious in its intention to use tests for any collaboration, pre-empting the Service fields for collaboration is premature. Certainly, stating that some services "should" be provided regionally before giving them thorough consideration is foolish, to say the least.

However, based on this, the following observations based on each service area are proposed:-

Economic Development - The majority saw this as a service with elements that could be improved at a North Wales level; building, perhaps, on the work of the Ambition Board on strategic matters and attracting more funding to develop the economy. Concerns were expressed, however, that rural areas such as Gwynedd could lose out under such

an arrangement in relation to supporting small businesses and tourism. Certainly, the importance of the Welsh Language and the importance of rural economies in sustaining our communities would have to be acknowledged.

Land Use Planning and Building Control - A clear majority opposed this field as local area knowledge is required and there were concerns that this would be lost as a result of working regionally and that a sub-regional model of Gwynedd and Anglesey would be better.

Social Services - A clear majority opposed this because of the importance of local area knowledge. A move toward service provision over a wider area would also mean more unproductive time for managers who travel to meetings, and a greater emphasis on committee-based work as opposed to considering what works on the level of the relationship with the individual. No evidence exists to support the claim that regional working would lead to better results. Furthermore, clear and robust accountability is needed and regionalisation would likely complicate the situation. Regionalising everything to the same degree is not suitable and in our experience working on a sub-regional basis, Gwynedd and Anglesey is more efficient and offers a better service. Proposing further changes beyond what is already in the pipeline would be premature and has the clear potential to have a detrimental impact on services and the vulnerable people who use them. A Regional Partnership Board exists to supervise and advise the partners on alternative and better ways of delivering; this is the route to achieving changes.

Education Improvement - Opinion was divided on this matter. Obviously, GwE already operates across North Wales; and, despite concerns about this, there were more widespread advantages in continuing with that model if the local education authorities could be assured of the quality of the provision and Welsh language provision. Recent reports produced raise concerns about having two organisations now in charge of Education in North Wales (the Local Government and GwE) and a lack of clarity surrounding accountability as a result of this. This is a field where collaboration with adjoining counties could be considered rather than across the whole of the North.

Additional Learning Needs - The majority of those who expressed strong opinions disagreed on this matter. This is because smaller regions are unique, though there is some willingness to collaborate where practical within smaller sub-regional areas such as Gwynedd and Môn.

Public Protection - A clear majority saw some sense in this suggestion because the standards to which these services work and enforce are similar across North Wales, and finding expertise in some fields is difficult. However, there was concern that managers could have more unproductive time as a result of travelling to meetings over a wider area.

Housing - There was clear and definite opinion that this should not be regionalised as the nature of the housing market and requirements of individual council areas were so different

Community Safety and Youth Justice - Some elements of this field already operate on a regional basis and it is not clear what benefits would stem from further regionalisation as the existing patterns are effective and meet the local needs of our residents with respect to language and culture in a very rural area.

Waste - There was consensus that that the ongoing work in the field on a regional basis provides a template for the future in order to achieve consistency with some operational elements, but that an understanding of local needs would be required within that.

6.4 Back Office Services

Proposal - The Government proposes that back office Services such as finance, legal, internal audit, asset management, Welsh language, could be provided regionally.

Draft Observations - Even though some could see some logic to the proposals in some fields, the majority disagreed, mainly because of concerns about the ability to provide these services through the medium of Welsh and the impact on local employment in areas that are heavily dependent on the public sector.

6.5 Regional Governance

Proposal - The Government proposes the establishment of **Joint Governance Committees** to supervise the regional service under the leadership of the relevant cabinet members. The alternative option to Combined Authorities.

Draft Observations - The options proposed in this field highlight a fundamental weakness of the collaboration model, namely that it will complicate governance and make it even more difficult to determine accountability for services. There was clear dissatisfaction about this and, consequently, of the Combined Governance Committees and the Joint Authority options. But, one member argued that if working regionally then one body should manage.

6.6 Funding Regional Arrangements

Proposal - The Government proposes the development of a **mandatory financial framework** which would ensure that the expenditure of each Joint Governance Committee is met by combining contributions of each participating local authority

Draft Observations - Whilst the idea appears attractive at first glance, in that there would be less debate and discussion on individual Service fields, further consideration gives way to grave concerns and what would form the basis of this financial framework. Should it be established, it would have to be tailored; and dissatisfaction also exists around the enforcement element of any framework. The risk of funding going to areas of greatest need thus neglecting other areas was also identified.

6.7 Voluntary Mergers

Proposal - The Government continues to support voluntary mergers between authorities and offers support to do this.

Draft Observations - Some time ago, this Council expressed its willingness to consider merging with adjoining councils if the benefits could be shown to the people of Gwynedd. The Council's standpoint on this matter remains and we will support the provision for councils to be able to merge voluntarily.

6.8 Local Leadership

Proposal - The Government states the need to build on the respect and trust which exists between local government and Welsh Government.

Draft Observations - Obviously, a good relationship between local government and central government is important as is mutual trust. The Council is of the opinion that it does not sense this kind of trust from Welsh Government at present and would welcome any improvements in that respect.

6.9 Power of General Competence

Proposal - The Government proposes giving **Power of General Competence** to local governments to enable them to work in a more innovative and flexible way.

Draft Observations - The Council and other local authorities have been pressing for this for some years. We would welcome this greatly but, it is clear, that detailed work needs to be done to ensure that the proposed changes do not lead to further legal complications.

6.10 Role of Councillors

Proposal - The Government proposes numerous ideas on such varying issues as standards of conduct, broadcasting meetings, local consultation and regional committees.

Draft Observations - There is some discontent that the Government finds it necessary to tell councils and councillors how to do their jobs but, in relation to the points raised, the majority are good ideas but they should not be enforced. It is entirely appropriate for the Government to set the standards in the field but it should also allow councils and individual councillors to make decisions and be accountable for these choices. It was also questioned if moving to a regional model would make it more difficult to engage with the public.

6.11 Committees Procedure

Proposal - The Government proposes the option to allow a committees procedure rather than a leadership and cabinet model for local government

Draft Observations - Whilst opinions differed about the existing arrangements: some were in favour of the Cabinet and Scrutiny System as being more effective and accountable, whilst others saw it as being less open and inclusive, opinion was strongly in favour of allowing councils to choose their own procedure.

6.12 Community Councils

Proposal - The Government proposes numerous ideas on such varying issues as the powers of community councils, improving the relationship with county councils, council clusters, training and power of competence.

Draft Observations - The relationship between the Council and the area's community councils is vitally important, especially in considering the joint-provision of services in future and the Council would welcome the opportunity to work with community councils in order to enable them to develop and form clusters on the basis of successful local examples. However, this cannot be done by enforcing documents and standards on community councils.

6.13 Elections and Voting

Proposal - The Government proposes numerous ideas on such varying issues as electronic voting, electronic registration and different voting locations and dates, as well as allowing 16 year olds and over to vote, and allowing local authorities to choose their voting system.

Draft Observations - There is some suspicion about some of these proposals with concerns being raised about deception and electronic voting. The Council would welcome allowing those who are 16 years of age and above to vote, but, in general, every local government as a whole should have the same voting system which must be appropriate for situations where a substantial proportion of candidates are independent and are not members of any parties.

6.14 Election Candidates

Proposal - The Government proposes that candidates must declare their membership of any particular party, that candidates must publish electoral statements on a central website and assembly members must be prohibited from standing.

Draft Observations - It is agreed that candidates must declare whether they are members of any parties and, in fact, of any other bodies; and Assembly members must be prohibited from standing as councillors.

6.15 Government Requirements

Proposal - The Government proposes to reduce the number of plans and strategies they will insist upon, but they will determine some required service standards on a national level.

Draft Observations - The proposal to reduce the burden imposed by the number of plans and strategies required by the Government was welcomed. The proposal that the Government would be determining some standards, however, was not welcome. Individual councils should determine those standards based on their knowledge of their communities and should be held accountable for that.

6.16 Fire and Rescue Service

Proposal - The Government proposes to change the Fire and Rescue Service arrangements so that their budgets are determined through contract.

Draft Observations - The Council would welcome any change that secures more influence over taxation decisions of the Fire and Rescue Service.

6.17 Public Services Boards

Proposal - The only question about Service Boards that the Government mentions in the document is whether area boards that have merged can be allowed to de-merge.

Draft Observations - It was agreed that a means of de-merging boards that have merged must be made available. More importantly, however, is the observation that very little emphasis is placed on these important statutory bodies in the White Paper. Are these boards not important building blocks for holding discussions and for the joint-organisation of important services for residents rather than a large regional footprint?

7. The Council is invited to consider and amend the above observations, as appropriate, to form a basis to the Council's response to the White Paper