

MEETING	Audit and Governance Committee
DATE	27 May 2021
TITLE	Local Government and Elections (Wales) Act 2021
PURPOSE OF THE REPORT	To seek the Committees approval of the proposed Work Programme following the Council recommendation of 4th March 2021
RECOMMENDATION	To approve the proposed work programme for the implementation of the Act..
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1. Introduction

- 1.1 There is considerable history to the Local Government and Elections (Wales) Act 2021, which stems from the Local Government (Wales) Bill introduced by the former Local Government Minister Leighton Andrews in 2015. Since then, there have been several changes and developments to the aim and emphasis of the Legislation. The main change is a step back from an Act, which focused, on reorganising Councils be that voluntarily or through statute. You may recall the consultations that were considered along the way.
- 1.2 By now, although there are provisions in the Act that create a framework for merging councils, they do not represent the main aim of the provision. There is now Legislation on the table that introduces a number of changes and powers in relation to the governance of Local Government in Wales. This is not to say that there are elements of the Act that are not far reaching; this is especially true in the area of Local Government franchise, Collaboration and Performance Management. The Council was provided with a report in March and asked that the Committee maintain and overview of the implementation of the Act.

2. The Act

- 2.1 The Act received Royal Assent on 20 January 2021. It has nine main parts that relate to Principal Councils Town and Community Councils and other Authorities. There are some provisions that are already in force but await the publication of relevant regulations or guidance.

PART 1 - ELECTIONS

PART 2 - GENERAL POWER OF COMPETENCE FOR LOCAL AUTHORITIES

PART 3 - PROMOTING ACCESS TO LOCAL GOVERNMENT

PART 4 - LOCAL AUTHORITY EXECUTIVES, MEMBERS, OFFICERS AND COMMITTEES

PART 5 - COLLABORATIVE WORKING BY PRINCIPAL COUNCILS

PART 6 - PERFORMANCE AND GOVERNANCE OF PRINCIPAL COUNCILS

PART 7 - MERGERS AND RESTRUCTURING OF PRINCIPAL AREAS

PART 8 - LOCAL GOVERNMENT FINANCE

PART 9 - MISCELLANIOUS

3. Risks

The Act has already been placed in the Corporate Risk Register because of its significance. However, some aspects will need more detailed consideration in particular Corporate Joint Committees:

Development work needs to be undertaken on the model and further regulations are expected which will provide more detail on interrelationship between these bodies and the Councils. Consideration needs to be given to;

- the interrelationship between the Councils and the CJC
- the role will Local Authority Scrutiny have in their governance
- the implications for the North Wales Economic Ambition Board and the Growth Deal.

Following the Committee's approval of the proposed Work Programme it is intended that a report is presented to the Corporate Governance Group in relation to the risks with a view to focusing on the issues and responses.

4. The Next Steps

The proposed Work Programme is set out in Appendix 1. The range of provisions in the Act means that a series of reports will be submitted as appropriate to the Council, Cabinet and relevant Committees. Elements of the work are already underway. The timetable for these provisions to come into force, and their diverse range, leads to this type of process. An officer-working group has started on this work.

DECISION SOUGHT

To approve the Work Programme and to request an update for the Committee's October meeting.

Appendix 1

(Council = Full Council, Cab=Cabinet, AGC=Audit and Governance Committee, DSC=Democratic Services Committee SC=Standards Committee)

Provisions	Leading Department / Service	Preparatory Steps / Resources	Principal Meetings
Part 1 Elections	Legal Services	Matter for nominations for elections. And administrating electoral registration Awareness raising	Blends with the DSC's work to promote democratic involvement
Part 2 Chapter 1 General Power of competence for Local Authorities	Legal Services	Briefing note on the powers explaining their nature etc. <u>Departmental Briefing Note -</u> Brief the Council and Cabinet as part of awareness of the Act.	
Part 3 Promoting Access to Local Government,	Corporate Support	Legal Services to lead on reviewing the Constitution	Council, DSC AGC
Part 4 - Local Authority Executives, Members, Officers and Committees	Corporate Support Service	Legal Services to lead on reviewing the Constitution and Code of Conduct issues, The Democratic and Language Service to lead on matter relating to remote attendance and publication of agendas etc.	Report to AGC, DC and Council
Part 5 Collaborative Working by Principal Councils	Leadership Team	Brief Council and Cabinet as part of awareness of the Act. Report on the implications of establishing regulations to Cabinet and Scrutiny Committees	Cabinet and Scrutiny
part 6 - Performance and Governance of Principal Councils and the Duty of a Principal Council to Continuously Review its Performance	Leadership Team and Finance Service in terms of Audit Committee arrangements	Brief Council and Cabinet as part of awareness of the Act. AGC to lead	AGC and Council
Part 7 - Mergers and Restructuring of Principal Areas	Leadership Team	Brief Councillors and Cabinet as part of awareness for information	
Part 8 - Local Government Finance	Finance Service		
Part 9 - Miscellaneous	Corporate Support Service		Report to the Appointments Committee and the Council as appropriate