

**Pwyllgor Deddfwriaeth Rhif.3  
Legislation Committee No.3**

Bae Caerdydd / Cardiff Bay  
Caerdydd / Cardiff  
CF99 1NA

Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



**Consultation on proposed Local Government (Wales) Measure**

July 2010

Dear Sir / Madam

The National Assembly for Wales' Legislation Committee No.3 is calling for evidence on the general principles of the [\*proposed Local Government \(Wales\) Measure\*](#).

**What is a Measure?**

A Measure is a piece of law made by the Assembly, which has a similar effect to an Act of Parliament. The Assembly is able to pass Measures on any 'matter' listed in [Schedule 5](#) to the Government of Wales Act 2006. The proposed Local Government (Wales) Measure uses matters 12.5 to 12.17 relating to local government.

While a Measure is in progress through the Assembly, it is known as a 'proposed Measure'.

There is a four stage process for the consideration of a proposed Measure. Stage 1 involves consideration of the general principles of the proposed Measure by a committee (which includes the taking of written and oral evidence from interested parties and stakeholders), and the agreement of those general principles by the Assembly.

**What does this proposed Measure seek to achieve?**

The key provisions of the proposed Measure are to:

“(i) broaden and increase participation in local government by permitting steps which will help remove barriers and disincentives to standing for election to local councils (*Parts 1 -2 of the proposed Measure*);

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(ii) enable the review and improvement of the governance structures introduced through the Local Government Act 2000 so that they better suit the circumstances of local government in Wales (*Parts 3 -4*);

(iii) enhance the role of non-executive (“backbench”) local authority councillors in the scrutiny of local services (*Parts 5 - 6*);

(iv) develop and strengthen the role of community councils in Wales, including enabling them to deliver a wider range of services and actions locally as well as to increase the effectiveness of their representational role and their ability to work in partnership with other bodies (*Part 7*);

(v) reform the system for setting allowances for councillors (*Part 8*);

(vi) allow the Welsh Ministers to issue statutory guidance on collaboration between local authorities, and between them and other bodies (*Part 9*)”.

### **What is the committee’s role?**

The role of Legislation Committee No. 3 is to consider and report on the general principles of the proposed Measure. In doing so, the Committee has agreed to work within the following framework:

To consider:

- i) the need for a proposed Measure to deliver the stated objectives of strengthening the structures and working of local government in Wales at all levels and ensuring that local councils reach out to and engage with all sectors of the communities they serve.
- ii) whether the proposed Measure achieves its stated objectives;
- lii) the key provisions set out in the proposed Measure and whether they are appropriate to deliver its objectives;
- iv) potential barriers to the implementation of the key provisions and whether the proposed Measure takes account of them;
- v) the views of stakeholders who will have to work with the new arrangements.

### **How you can help – the consultation questions**

Further details of the proposed Measure and the accompanying Explanatory Memorandum can be found on the National Assembly’s website at:

<http://www.assemblywales.org/bus-home/bus-legislation/bus-leg-measures/business-legislation-measures-localgov.htm>

**The Committee would like to invite you to submit written evidence to assist in its scrutiny of the proposed Measure. In particular, we would welcome your views on the questions listed in Annex 1.**

If you wish to submit evidence, please send an electronic copy of your submission to [legislationoffice@wales.gov.uk](mailto:legislationoffice@wales.gov.uk) and entitle the e-mail *Consultation - Proposed Local Government Measure*.

Alternatively, you can write to:

Carys Jones, Clerk, Legislation Office, National Assembly for Wales, Cardiff Bay, CF99 1NA.

We are required to report no later than 17 December 2010. In order to allow us adequate time to analyse written responses and take oral evidence in the autumn term, our consultation will be open for 11 weeks. **Submissions should arrive by 1 October 2010. It may not be possible to take into account responses received after this date.**

Further information on the **legislative process** can be found at:

<http://www.assemblywales.org/bus-home/bus-legislation/bus-legislation-guidance/bus-legislation-guidance-measures.htm>

When preparing your submission, please keep the following in mind:

- your evidence should address the issues before the Committee. Please reference your response using the title applied above;
- the National Assembly normally makes responses to public consultation available for public scrutiny and they may also be seen and discussed by Assembly Members at committee meetings. **If you do not want your response or name published, it is important that you clearly specify this in your submission.** However you should be aware that it may not be given the same weight by the Committee when considering the evidence. You should also be aware that the information you have provided in your response to this consultation, including company information, may be published or disclosed in accordance with the Freedom of Information Act 2000.

Please also:

- indicate whether you are responding on behalf of an organisation, or as an individual, and provide a brief explanation of your area of expertise; and
- provide a summary of the main points made in your submission.

The Committee welcomes contributions in English and Welsh and will consider responses to the written consultation during the autumn term.

If you have any queries, please contact Carys Jones, Committee Clerk on 029 2089 8598.

Yours faithfully



## Legislation Committee No.3

### Proposed Local Government (Wales) Measure

#### Consultation Questions

1. Is there a need for a proposed Measure to deliver the stated objectives of strengthening the structures and working of local government in Wales at all levels and ensuring that local councils reach out to and engage with all sectors of the communities they serve?
2. How will the proposed Measure change what organisations do currently and what impact will any such changes have?
3. Are the sections of the proposed Measure appropriate in terms of achieving the stated objectives?

**In considering this question, the Committee is particularly interested to hear your views on the following:**

- (i) **broaden and increase participation in local government** by permitting steps which will help remove barriers and disincentives to standing for election to local councils (*Parts 1 -2 of the proposed Measure*);
  - (ii) **enable the review and improvement of the governance structures** introduced through the Local Government Act 2000 so that they better suit the circumstances of local government in Wales (*Parts 3 -4*);
  - (iii) **enhance the role of non-executive** (“backbench”) local authority councillors in the scrutiny of local services (*Parts 5 - 6*);
  - (iv) **develop and strengthen the role of community councils** in Wales, including enabling them to deliver a wider range of services and actions locally as well as to increase the effectiveness of their representational role and their ability to work in partnership with other bodies (*Part 7*);
  - (v) **reform the system for setting allowances** for councillors (*Part 8*);
  - (vi) allow the Welsh Ministers to **issue statutory guidance on collaboration** between local authorities, and between them and other bodies (*Part 9*).
4. What are the potential barriers to implementing the provisions of the proposed Measure (if any) and does the proposed Measure take account of them?

5. What are the financial implications of the proposed Measure for organisations, if any? In answering this question you may wish to consider Part 2 of the Explanatory Memorandum (the Regulatory Impact Assessment), which estimates the costs and benefits of implementation of the proposed Measure.

6. Are there any other comments you wish to make about specific sections of the proposed Measure?