

LGD 26 Penarth Town Council

Annexe 1

Local Government (Democracy) (Wales) Bill

Consultation Response Form

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



As part of its Stage 1 consideration, the National Assembly for Wales' **Communities, Equality and Local Government Committee** is calling for evidence on the general principles of the **Local Government (Democracy) (Wales) Bill**.

Please return this form to the National Assembly for Wales, by 31 January 2013. Should you have any queries please contact Bethan Davies, Clerk 02920 89 8120 or Leanne Hatcher, Deputy Clerk 029 2089 8147.

Responses should be sent to:

CELG.committee@wales.gov.uk

Or by post:
Leanne Hatcher
Legislation Office
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Your name: Mrs Shan E Bowden, Town Clerk

Organisation (if applicable): Penarth Town Council

Email address: sbowden@penarthtowncouncil.gov.uk

Telephone number: 02920 713844

Your address: West House, Stanwell Road, Penarth, CF64 2YG

The Local Government Boundary Commission

Question 1: Is there a need for a Bill to make changes to the constitution and functions of the Local Government Boundary Commission for Wales ("the Commission") and to make various provisions relating to local government?

Yes

No

Please expand on your answer

The Town Council supports the comment as submitted by One Voice Wales

Question 2: Do you think the Bill will improve the delivery of the statutory roles and functions of the Commission? (paragraph 3.1 of the explanatory memorandum)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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Please expand on your answer

The Town Council supports the comment as submitted by One Voice Wales

Question 3: Do you think the changes being made to the Commission are appropriate? (Part 2 of the Bill)

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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The Explanatory Memorandum states in Section 21:
Remit of the Commission

A number of public bodies in Wales other than councils also include elected councillors or council appointees in their structure. The Welsh Government considers it would be advantageous to have an independent body able to review and make proposals in relation to the constitution of such bodies. The Bill will give the Welsh Ministers the power to name other public bodies in Wales whose structure includes elected councillors or council appointees, as being subject to review by the Commission.

As reported in the Explanatory Memorandum this appears too wide an additional function in so far as it relates, as described in Section 50 of the Bill, to attributes and qualifications. There is nothing to suggest membership of the Commission otherwise confined to boundary review and administrative process will have any expertise in relation to attributes and qualifications.

Local Government arrangements

Question 4: Do you think the provisions relating to procedures for local government reviews are appropriate? (Chapter 4 and 5)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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Please expand on your answer

The Town Council supports the comment as submitted by One Voice Wales

Question 5: Do you think the arrangements for local government in relation to:

- Duties of the Commission
- Duties of a principal council

are appropriate? (Chapter 1)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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Please expand on your answer

The Town Council supports the comments submitted by One Voice Wales

Question 6: Do you think the arrangements for local government in relation to:

- Democratic Services Committees (Section 56)
- Audit Committees (Section 57)
- Standards Committees (Section 63)

are appropriate?

Yes

No

Please expand on your answer

The Town Council supports the comments submitted by One Voice Wales

Independent Remuneration Panel for Wales

Question 7: Do you think the provisions relating to the Independent Remuneration Panel for Wales are appropriate? (Chapter 5, Sections 58-62)

Yes

No

Please expand on your answer

No further comment

Access to information (Town and Community Councils)

Question 8: Do you think the provisions relating to improving access to information (Town and Community Councils) are appropriate?			
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Please expand on your answer			
<p>In light of the Minister for Local Government and Communities announcement on 29th January 2013 to provide £1.25 million to county and county borough councils across Wales to improve local democracy. There should be clear guidance to the principal councils to ensure that there is the resolve to work with and support town and community councils to enable those councils to comply with the requirements of the Local Government (Democracy) (Wales) Bill.</p> <p>In addition to assisting with funding clerks and staff of town and community councils will require support by way of training in the development and/or up keep of a website and in the use of digital media. There will also be a need to have regard to the size and capacity of town and community councils in relation to the sophistication level of the website to be developed given the resources required to maintain and up keep a current website through which to communicate with the local community.</p> <p>What will be required is the resolve of the principal councils to provide the support required by community and town councils but this also presupposes a clear statement about roles and functions, There is need to combine the consideration of roles with the use of the internet and digital media generally. Guidance is referred to but this presupposes other guidance promised in the Aberystwyth Report and sorely needed in relation to the Well Being provisions for community and town councils, which goes far beyond the minimal level of information required here.</p> <p>As the impact analysis indicates there is no estimate of the cost of providing any guidance. See Q11.</p>			

Chairing of Principal Councils (Chairs and Mayors of Principal Councils)

Question 9: Do you think the provisions relating to the Chairing of Principal Councils (Chairs and Mayors of Principal Councils) are appropriate?			
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Please expand on your answer			
The Town Council supports the comment submitted by One Voice Wales			

General Provisions of the Bill

Question 10: What are the potential barriers to implementing the provisions of the Bill (if any) and does the Bill take account of them?

Please expand on your answer

The Town Council supports the comment submitted by One Voice Wales

Question 11: What are the financial implications of the Bill, if any? In answering this question you may wish to consider Part 2 of the Explanatory Memorandum (the Impact Assessment), which estimates the costs and benefits of implementation of the Bill.

Please expand on your answer

With reference to Town and Community Councils and access to information the Research Service Review states:

The Explanatory Memorandum states that it is the intention of the Welsh Government to work with community councils and their organisations, and to produce guidance so as both to identify cost effective methods of implementation and to see how collaborating together this policy may be pursued in the most effective manner. The Explanatory Memorandum states that there would be reviews of the implementation of these provisions, supported by searches of the internet by Welsh Government officials. **However, there is no estimation of the cost to the Welsh Government of providing this guidance, support and monitoring.**

The impact assessment proceeds to elaborate on some of these issues, In terms of how technical solutions could be contemplated, as noted in relation to Q8 these rely on others, could lead to confusion and perpetuate the lack of identity of the Sector. If the WG is to work with the Sector as noted above there needs to be early guidance built into cost estimates covering content management and attendant capacity. It is as much the prioritisation of guidance and ensuring that officials take this seriously as the cost estimates of technical implementation ,which will reduce over time .that is required This should cover the whole digital environment and how it can assist Councils.

Question 12: What are your views on powers in the Bill for Welsh Ministers to make subordinate legislation (i.e statutory instruments including regulations and orders) (section 5 of the Explanatory Memorandum)?

Please expand on your answer

The Town Council has no comment in relation to this Question

Question 13: Are there any other comments you wish to make about specific sections of the Bill?

The Town Council supports the comment submitted by One Voice Wales