

Vale of Glamorgan Council

Cabinet 3 April 2017

Report of the Leader

The Council's Response to the White Paper "Reforming Local Government: Resilient and Renewed"

Purpose of the Report

1. To seek Cabinet approval for the proposed response to the White Paper "Reforming Local Government: Resilient and Renewed."

Recommendations

1. That the proposed response ([Appendix A](#)) is submitted to Welsh Government.

Reasons for the Recommendations

1. So that the Council apprises Welsh Government of its views on the matters included in the White Paper.

Background

2. The White Paper ([Appendix B](#)) is the latest in a series of White Papers and draft legislation issued by Welsh Government in recent years proposing changes to local government. In the wake of the report of the Williams Commission a White Paper "Reforming Local Government" was published in July 2014, followed by "Reforming Local Government: Power to Local People" in February 2015 and a Draft Local Government Bill in November 2015. These documents all contained varying proposals for the merger of Councils (as well as other changes to the running of Councils and elections) but none ever made it to the statute book.
3. Following the National Assembly elections in May 2016 Welsh Government changed its stance on the merger of Councils. The Cabinet Secretary for Finance and Local Government made an announcement at the end of 2016 that enforced mergers were no longer on the agenda and that collaboration between existing Councils would now constitute the way ahead. The latest White Paper sets out proposals for regional working between Councils and how that might work in practice. It also covers issues relating to local democracy and Councils, performance and governance, Community Councils, and elections and voting. The White Paper was published in January 2017; responses are required by 11 April 2017.

Relevant Issues and Options

4. One of the main proposals made in the White Paper is that for certain services or functions, regional working should be made compulsory. A number of "tests" are

listed to determine the appropriateness of regional working. If those tests are met then certain services - Economic Development, Transport and aspects of Land Use Planning and Building Control - would be delivered regionally, with the South East Wales region being the appropriate one for the Vale of Glamorgan. The Council's proposed response agrees that these strategic services could be suitable for regional delivery, which would be in line with similar arrangements being established for the Cardiff Capital Region City Deal. However, we also emphasise that the "tests" should be rigorously applied before determining what arrangements are the most appropriate for each service. As a result a key issue raised is that the tests should be at the forefront of the consideration and a compulsory approach would not appear to be appropriate.

5. A number of other services are then listed which would need to be delivered in collaboration (Social Services, Education Improvement, Additional Learning Needs and Public Protection), but where the footprint for delivery is sub-regional and not prescribed. This would accord with the Council's existing flexible approach to collaboration, where the partners for each collaboration would vary to meet the circumstances of each service. It would also enable existing joint arrangements in respect of some existing services to continue and be developed further.
6. Finally, in relation to collaboration, other services are listed (Housing, Waste, Community Safety and Youth Justice, supporting and back office services) and views sought on the way forward. Again our response argues for a flexible approach and the use of the "tests" mentioned above.
7. An overarching "Joint Governance Committee" is proposed at the SE Wales regional tier which would also have oversight of any sub-regional arrangements. We express the view that arrangements should not become over-complicated.
8. The Council's response to these proposals stresses the need to continue to focus on the local delivery of services while regional and sub-regional collaboration proceeds in relation to key strategic areas. This will bring with it issues and potential difficulties for Elected Members, who will increasingly have to address both dimensions. We put in a plea for the governance arrangements that will need to be in place to be as simple as possible and to avoid over-complication. If the collaboration agenda is to work, it is important for it not to be rushed: there is a real danger of overload and even paralysis if too many services collaborate at any one time; progress must be incremental if the programme is to succeed. It is our experience that significant set-up costs are incurred when collaboration initiatives are introduced, and additional financial assistance from Welsh Government will be necessary to ensure the new arrangements are successful.
9. The White Paper also includes proposals originally included in the Draft Local Government Bill published in November 2015 (see paragraph 4 above) - Annex One to the White Paper lists the original proposals and whether they are being taken up. The Council responded to these proposals in February 2016, and our response is embedded as a link in Appendix A.

Resource Implications (Financial and Employment)

10. The White Paper outlines in paragraph 2.8 how the proposed regional arrangements would be funded, and clearly this will need further consideration as Welsh Government intentions are firmed up. Equally, the implications for staff would be very considerable and will emerge as legislation is formulated.

Sustainability and Climate Change Implications

11. The White Paper starts by referencing the Well-being of Future Generations Act 2015 and the vision Welsh Government has for local government in Wales. The Act emphasises the principle of Sustainable Development as central to how organisations should work, and the White Paper is drafted with the principle in mind. We do also make the point that the five ways of working in the Well Being of Future Generations Act 2015, could be included as a 'test' against which future collaboration is assessed.

Legal Implications (to Include Human Rights Implications)

12. The White Paper contains a large number of proposals which it is presumed will be enacted. The legal implications will be addressed as legislation emerges.

Equal Opportunities Implications (to include Welsh Language issues)

13. The White Paper contains Impact Assessments in respect of the Welsh language, children' rights and equalities. All seem appropriate.

Corporate/Service Objectives

14. A major element of the White Paper is that Councils should work in collaboration with each other, which has been a corporate objective for the Council for a number of years.

Policy Framework and Budget

15. This is a matter for Executive decision.

Consultation (including Ward Member Consultation)

16. As the matters raised in the White Paper cover the whole of the Council's services and areas, it is not appropriate for Ward Members to be consulted direct.

Relevant Scrutiny Committee

17. Corporate Performance and Resources

Background Papers

None.

Contact Officer

Huw Isaac, Head of Performance and Development, 01446709760

Officers Consulted

Corporate Management Team, All Heads of Service and Operational Managers

Responsible Officer:

Rob Thomas, Managing Director