



**Cynulliad Cenedlaethol Cymru  
The National Assembly for Wales**

**Y Pwyllgor ar y Mesur Arfaethedig ynghylch  
Llywodraeth Leol  
The Proposed Local Government Measure  
Committee**

**Cyfnod 1  
Stage 1**

**Dydd Mawrth, 18 Tachwedd 2008  
Tuesday, 18 November 2008**

**Cynnwys**  
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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal,  
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.  
In addition, an English translation of Welsh speeches is included.

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

Alun Cairns	Ceidwadwyr Cymreig Welsh Conservatives
Janice Gregory	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
David Lloyd	Plaid Cymru The Party of Wales
Jenny Randerson	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Joyce Watson	Llafur Labour

**Eraill yn bresennol**  
**Others in attendance**

Alan Fry	Prif Weithredwr, Awdurdod Heddlu De Cymru Chief Executive, South Wales Police Authority
Rachel Morgan	Swyddog Polisi, Awdurdodau Heddlu Cymru Policy Officer, Police Authorities of Wales
Dan Shaw	Cadeirydd, Rhwydwaith Swyddogion Cynllunio Cymunedol Chain, Community Planning Officers Network
Simon White	Prif Weithredwr, Un Llais Cymru Chief Executive, One Voice Wales
Dr Barbara Wilding	Prif Gwnstabl, Heddlu De Cymru Chief Constable, South Wales Police

**Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol**  
**Assembly Parliamentary Service officials in attendance**

Claire Griffiths	Dirprwy Glerc Deputy Clerk
Joanest Jackson	Cynghorydd Cyfreithiol Legal Adviser
Gareth Williams	Clerc Clerk

*Dechreuodd y cyfarfod am 9.30 a.m.*  
*The meeting began at 9.30 a.m.*

**Cyflwyniad, Ymddiheuriadau a Dirprwyon**  
**Introduction, Apologies and Substitutions**

[1] **Janice Gregory:** Good morning, everyone, and welcome to this morning's meeting of the Proposed Local Government Measure Committee. This is Stage 1, as I am sure that you are all aware. Thank you all for agreeing to attend at what is relatively short notice. We felt that it was important to take as much evidence as we possibly could from everyone who will be affected by the proposed Measure.

[2] I will first run through the usual housekeeping issues. If you have any mobile phones, pagers, BlackBerrys, or any other electronic device on your person, please switch it off completely, otherwise it interferes with our broadcasting equipment. There is no fire drill this morning, so, if the fire alarm sounds, we will be asked to leave the building in an orderly fashion. Please be guided to the nearest exit by the ushers. As I am sure that you are all aware,

the National Assembly for Wales operates through the media of the Welsh and English languages. Therefore, if you require simultaneous translation, you will need to set the headsets to channel 1; for amplification of sound, you need channel 0. You will never need to amplify the sound when I am talking; I can guarantee that, but some of you may have difficulty in hearing some of the questions.

9.32 a.m.

**Y Mesur Arfaethedig ynghylch Llywodraeth Leol (Cymru), Cyfnod 1, Sesiwn  
Dystiolaeth 3  
Proposed Local Government (Wales) Measure Stage 1, Evidence Session 3**

[3] **Janice Gregory:** I formally welcome Dr Barbara Wilding CBE, QPM, chief constable of South Wales Police—it is lovely to see you, Barbara—and, representing the Welsh Association of Chief Police Officers, Alan Fry who is the chief executive of the South Wales Police Authority and representing the Police Authorities of Wales, along with Rachel Morgan, its policy officer.

[4] I also welcome Dan Shaw from Pembrokeshire County Council, representing the Community Planning Officers Network, and Simon White, who is the chief executive of One Voice Wales. Welcome to you all.

[5] Members will have a set of questions that they will ask you. Some will be put to you all. Please do not feel that you have to respond. Only respond if you feel that you have a point to raise. Some of the questions will be quite specific to an individual organisation. We will get through to the end and I am sure that you will pick it up as we go along or I will pick it up as we go along, as I am sure will Members. We have to finish by 11 a.m., just to let you know. So, we will move straight to questions. The first is from Dai Lloyd.

[6] **David Lloyd:** Good morning. My first question is directed at all of you. I will preface my remarks by commending you on your written submissions, which we have all read thoroughly and with interest and they form the basis of these questions, particularly those that will focus on the community planning aspects of the proposed Measure. The Assembly Government's explanatory memorandum says, in paragraph 5.17, that there is at present,

[7] 'inconsistency and weakness of local co-operation in community planning'—

[8] and, in paragraph 3.8, that

[9] 'Collaboration between local service providers ... is patchy and inconsistent.'

[10] Do you share those views?

[11] **Janice Gregory:** Who will answer first?

[12] **Dr Wilding:** I will. I would say that my experience of working on community planning, in its widest sense, has been since 1998, when the Crime and Disorder Act came in. Section 5 of that Act clearly sets out the partners who are to collaborate for community safety. So, I have a wide experience in bringing statutory and non-statutory organisations to the table. It is a fact that the duty placed on the policy and on those statutory and non-statutory partners was picked up in a patchy way. That Act applied across England and Wales and was picked up in a patchy way. When I came to Wales in 2004, I was immediately struck by just how good the partnership working was, but, in my view, it is not as good as the Act envisaged that it should be and, indeed, it is patchy. Since I have been here, I have been trying to set the

police service, which is a non-devolved organisation, into a picture that people can buy in to. That is to say that we, as a service, can create security. We can use the law, we can arrest people, and we can carry on doing that, but it is all to no good end unless, by working with our partners, we can then create stability. In other words, you create stability within the community and then you get economic regrowth. Our role is in each of those: it is more predominant in the first, we are certainly a major player in the second, and we enable the last, economic regrowth, through that consideration. So, since painting that picture, I have been trying to get all partners on board. If I may, I will just quote to you a letter that I wrote on 1 November 2007 to the executive member for economic development and finance in Cardiff County Council. This followed receipt of the council's document 'Competitive Capital: The Cardiff economic strategy 2007-2012'. The letter reads:

[13] 'Since becoming Chief Constable nearly four years ago I have been sent several strategy documents by the Council and as requested have responded to the invitation to provide feedback. It is therefore disappointing to read yet another strategy which appears to marginalise the contribution the police and council are making alongside our many other community safety partners to improve the security and stability of the city. For example, community safety does not appear to be one of the strategic areas identified in a strategy based on collaboration alongside partners and yet, the aims for Cardiff as an international city include many areas in which we are involved.... In reading the strategic document I am concerned that it appears to indicate a lack of appreciation of the work of the community safety partnership and the part they have to play in delivering the Proud Capital Vision. We want to contribute and we want our policing plans to dovetail with strategies and policies being developed by our partners.'

[14] I write many such letters to my seven local authorities and, indeed, to the Welsh Assembly Government, particularly on the spatial plan, where community safety was only mentioned twice, in the same paragraph. Community safety does not just mean crime and anti-social behaviour—community safety is set in those terms of security, stability and economic regrowth. We play a part in every aspect of local authority development, and that can include waste management. Why? It is because litter creates a fear of crime. Litter means that people will avoid areas, and that communities are not as cohesive as they could be. We have a part to play in that. There was a Police And Communities Together meeting that I went to not very long ago, where the big concern was that the council had cut down on waste collections from once a week to once every other week. That caused problems with rats and for children and all sorts of other things. Those issues were raised at community meetings and the police were asked to deal with them. We are involved in every aspect. I have given a long answer, I am sorry, but, sadly, we are not involved as much as we really want to be. That is not reticence on our part—I am talking now for the four chief constables—it is actually the failure of some of our partners to understand the contribution that we can make.

[15] **Mr Shaw:** I broadly agree with that. When I talk to colleagues and community planning officers across Wales, I see that there is an awful lot of variation that goes beyond what you might expect from different authorities that are coming from different backgrounds. Certainly in terms of collaboration, local service boards and community planning are not the only way that that has been taken forward, and Making the Connections would be another example. Progress has been generally pretty slow and it has been patchy.

[16] **Mr White:** I would agree about the patchiness. In our experience, there are examples where community and town councils are undertaking some very good and innovative work in their communities, developing local regeneration plans and so on, but very often they do not feel that that work is being sufficiently recognised in some of the wider strategies that are being developed. We have had some successes and we are talking to a number of authorities about trying to improve that situation, but I think that it is due to the lack of priority that was given, perhaps, to community and town council involvement in the first place. Therefore, we

would certainly welcome inclusion now.

9.40 a.m.

[17] **Mr Fry:** We fully support what Barbara has said on the policing side of it. The only point that I would make from the police authority point of view, coming back to the issue of patchiness and inconsistency, is that sometimes police authorities are overlooked and that our separate constitutional position, if you like, is sometimes confused with the constitutional position of chief constables. I think that we have made that particular point in our written evidence in any case, about the community safety partnerships. We were left out and now we have been brought back into the loop. That is the patchiness as far as we are concerned.

[18] **David Lloyd:** Do you therefore agree that a statutory approach to community planning, as set out in the proposed Measure, is appropriate to overcome these shortcomings? A 'yes' or 'no' will do.

[19] **Dr Wilding:** Sadly, I cannot answer by just saying 'yes' or 'no'. I set out the legislation that we have had since 1998 and, in following years, a statutory instrument extended the partners with whom we were to collaborate on community safety. I understand that the Measure that you are talking about goes much wider than that. However, I think that that gives a very good indication. Even now things are not operating as the legislation originally intended. Therefore, I think that there is something about how you make the proposed Measure have an impact. I am not sure that, as drafted, it will do it. It is something to do with finance, performance indicators and outcomes and having a similar vision.

[20] **Mr Shaw:** I agree with Dr Wilding. We already have a statutory basis. I think that the proposed Measure is a much better way forward and offers many advantages. There is an awful lot of detail that we will need to work through.

[21] **Mr White:** The additional point that I would make on legislation is that the Welsh Assembly Government is committed to extending the power of wellbeing to community and town councils. With the whole community strategy process being founded on the power of wellbeing in the Local Government Act 2000, I think that that reinforces the need to have a consistent approach and involve the sector in this legislation.

[22] **Mr Fry:** From the police authority point of view, we would broadly support the duty to co-operate. This probably goes back to my first answer in a way, in that this would give the police authorities the opportunity to become involved.

[23] **Alun Cairns:** Chair, can I ask Dr Wilding to be slightly more explicit about how parameters would be set in place to enable co-operation to take place far more effectively?

[24] **Dr Wilding:** One of the biggest inhibitors for collaboration is the fact that targets are usually set by bodies operating in silos and not understanding the cross-cutting elements. Therefore, you can find that two organisations that want to work together have two different sets of targets that pull them apart. Therefore, that is the element. It is also about the funding. To overcome some of the initial problems—and I am glad to say that it still endures today—of allowing the Act to come to life, extra money was provided to policing to be able to put into the collaborative endeavour so that other partners would come to the table more easily.

[25] **David Lloyd:** Linked to this, part of the rationale of the proposed Measure is to remedy, as stated in paragraph 3.8 of the explanatory memorandum, the fact that:

[26] 'Community strategy objectives are not often reflected in shorter term delivery and service change'.

[27] Do you think that the proposed Measure overcomes this particular shortcoming?

[28] **Dr Wilding:** My natural reaction would be as follows. Currently, every local authority and organisation has business plans. Usually, they are three-year plans. Within those plans, there will be short, medium and long-term delivery. If the plan is managed appropriately, through proper programme mechanisms, anything short term that comes along should be discussed in terms of how it relates to the plan, whether there is finance for it, and whether resources have to be changed, and all the rest of it. So, from where I am coming from, any short-term measure should not just come along, outwith the plan. If the proposed Measure can ensure that there is a combined strategy and that people are working to short, medium and long-term measures, anything that comes, shall we say, from left-field should be considered against that plan.

[29] **Mr Shaw:** I think that the proposed Measure will make an improvement on that. Picking up on Barbara's point about business plans, one of the most important ways in which it does that, although it is only mentioned fleetingly, is by linking what would be the corporate improvement plan to the community plan, and the community plan's objectives will become the improvement plan's objectives. It is only one line, but it makes quite a bit of difference in terms of tying the two together.

[30] **Mr White:** Yes, I agree. The link with the Wales programme for improvement within the proposed Measure and, particularly, the emphasis on monitoring and implementation relating to community planning, are important. Picking up on the comment that Dr Wilding made about silo-based planning, one of the contributions often made is that it is within individual communities that you see the problems of silo planning coming out for real. So, by having that grass-roots involvement, there is an ability to say, 'Look, something is going wrong here. Can we feed into the community strategy partnership and look for a resolution to it?'

[31] **Mr Fry:** To be honest, Chair, I am supportive of what has been said, and I do not want to repeat what colleagues have said.

[32] **Janice Gregory:** Thank you. Dai has the next question.

[33] **David Lloyd:** How will the proposed Measure change what you currently do in terms of community planning? Or will it have no effect whatsoever? [*Laughter.*]

[34] **Dr Wilding:** All four chief constables in Wales work together and we work with our partners, and I am delighted to say that that has been recognised by the Welsh Assembly Government. We do want to work with our partners. We already have a duty under the Act, but we also want to work more widely. As I said earlier, there is no element of what a local authority is responsible for that we do not have a part to play in.

[35] **Mr Shaw:** On key changes across Wales, it will give greater impetus to the community planning process. In practical terms, many of the people on local service boards are also the people doing community planning, and there has, perhaps, been a loss of focus on community planning. The other big change is that it will make the existing statutory guidance, the statutory status of which is perhaps a little questionable at the moment, truly statutory.

[36] **Mr White:** I think the focus on citizen engagement is much stronger now than when the community planning process was first envisaged, and I think that that is reinforced again through the proposed Measure. I would certainly look to supporting our councils having a more proactive involvement, through working with the local authorities ourselves to set a framework for that closer engagement. I particularly draw attention to the role set out in the

Beecham review of community councils of being the voice of the citizen, and I think that this is an opportunity to ensure that that voice is heard.

[37] **Mr Fry:** As a simple answer to that question, it will mean that we, as police authorities, will be involved in community planning at a strategic level for the first time. So, although we would welcome that, there are some constitutional issues, and I know that that question will follow shortly.

[38] **David Lloyd:** We have read your report [*Laughter.*].

[39] How will Part 2 of the proposed Measure improve services to the public and also improve the quality of life of people in communities? That question follows on from what Dan and Simon have been saying, so they may wish to kick off and give Barbara a rest.

[40] **Mr White:** I think that I have already touched on this. I think that it will do that by having a broader engagement with individual communities, which will lend much more realism to the community strategy. There is a disconnect at the moment. The community strategy is working very much at a county level, and, strangely, for something called a community strategy, it is probably not having the resonance that it could have at the lower level with individual communities. So, it is about providing an opportunity for some of those aspirations and concerns to be fed through, which should, in turn, lead to better-quality services, one would hope.

9.50 a.m.

[41] **Mr Fry:** I think that the point has been well made. Hopefully, the proposed Measure will improve the practice and operation of community planning overall.

[42] **Dr Wilding:** It will perhaps bring some of the reluctant partners to the table. However, there has to be something that backs up the proposed Measure with regard to performance and those kinds of areas, and that should be outcome-focused. So, I think that the proposed Measure will help with that.

[43] **Mr Shaw:** I echo the comments that have been made. To be fair, there are no organisations in Pembrokeshire that are reluctant, but that is not necessarily the case across Wales. This would ensure that the community plan is genuinely grounded in the community, and it would have an effect on business plans, and the larger business plans that have a real effect on the community.

[44] **Jenny Randerson:** My first question is for Dan Shaw. You referred earlier to the way in which the proposed Measure links the objectives of the community plan to the improvement plan. Can you tell us a bit more about that, and whether you think that that approach is right?

[45] **Mr Shaw:** This centres upon how you see the role of local authorities. Are they simply there to provide services, or do they have a wider, community leadership role? The Local Government Act 2000 emphasises the community leadership role, and it becomes more important to link the organisation's own improvement plan to that broader community strategy. I think that the proposed Measure will help with the risk caused by the fact that the improvement plan—and I think that you will find this across all local authorities—tends to focus on what is new. They will ask, 'What did we do last year that was new? What will we do this year that is new?'. Education is a good example of this. Education probably takes up almost half of the local authority's budget, and although there are innovations in education, the bulk of the service is fairly straightforward and, therefore, can get lost in that process. The community strategy is much better at picking up on the wider outcomes emerging from



education. So, in that sense, it may lead to a more realistic balance in the improvement plan. Having said that, and in terms of whether this will work, it is really something for the guidance. That will come out with the improvement plan, which I understand is expected around this time next year.

[46] **Jenny Randerson:** My next question is also for Dan Shaw. Your response welcomes the duty to collaborate, and,

[47] ‘especially the emphasis on collaboration with any person rather than collaboration with a body.’

[48] Why is that particularly welcome?

[49] **Mr Shaw:** This will probably show up my ignorance of the law. My understanding is that local authorities are statutory bodies, and our ability to undertake services is governed by statute, and one of those statutes is the Goods and Services Act 1970, which focuses on bodies that we can work with. That has been extended with the power of wellbeing. As I understand it from talking to legal colleagues—and I may be wrong on this—emphasising collaboration with persons will give local authorities a much broader capacity and flexibility to work with people as services develop. Adult social care might be one example, where you are talking about complicated relationships with people that are difficult to frame in statute. So, this would give local authorities the flexibility to develop services that are better suited to helping people remain in their own homes. It is just a much more grown up and mature relationship between the Assembly and local government.

[50] **Jenny Randerson:** The next question is for the rest of you. What are your views on the extent to which the proposed Measure will succeed in bringing the improvement framework and the community planning framework together?

[51] **Mr Fry:** This may sound like a cop-out, but my understanding is that Part 1 and the improvement framework will not apply to police forces and police authorities. So, it might not be fair for me to comment on that.

[52] **Dr Wilding:** We support the aims of the legislation and we will work with whatever comes together out of this.

[53] **Mr White:** I would echo the point that there has not been a very strong link between the two previously. I understand that the Minister underlined the importance of creating that link in his evidence. I would also like to draw attention to the national performance framework that has been operating in England. There is a very interesting indicator there of the extent to which local communities influence decision-making, and it is a suggestion of where we ought to be heading, as this legislation beds down, and in further guidance that might follow from it.

[54] **Mr Shaw:** I do not think that I have anything to add.

[55] **Jenny Randerson:** I have some questions for Dr Wilding. Could you explain why you do not support the duty placed on you in section 37 of the proposed Measure to participate in community planning and assist local authorities?

[56] **Dr Wilding:** We already have a duty to do that under the 1998 Act, as I have already mentioned, and we have been doing it. If you extend that duty, you get into the territory of the tripartite agreement between the Home Office, the Association of Police Authorities and the police service. The aforementioned Act operates across England and Wales, and our concern

with regard to anything that extends our requirement in Wales is that it could extend our bureaucracy, and we are not resourced for that.

[57] We do not believe that we need the requirement because, as we have demonstrated, I hope, to all Assembly Members, we are committed to working together in areas that people may not hitherto have thought that the police would be interested in. We, as the four chief constables, are as one on this. We are committed. We put resources into it, but we have a concern that this could grow. To give you an example, our measurement profile is a requirement from the Home Office but, in Wales, the Assembly is not going to mandate local authorities to participate in some areas, which means that, at the end of the year, when we get those wonderful league tables that the media create, we will be out on our own, because we will not be competing in the same way as our colleagues in England, and I mean competing in a healthy way. That would have an effect on communities' confidence and on the confidence of our staff, because they do not read the small print and understand how all these things are constructed.

[58] So, we have these concerns that, if there is a mandate for us to co-operate in these areas, this may grow, and it needs to be understood right at the beginning that it goes to the heart of our constitution and how we work together at the moment as a non-devolved organisation. So, the legal side would need to be very much involved. I do not know whether there has been any consultation with the Home Office in relation to this. I have raised it with the Home Office, and I know that the Secretary of State has also done so. I do not know what the response to the committee has been, but the Home Office needs to get engaged with this. Locally, for us as chief constables, if there is a mandate on us to do something over and above what we already do, it needs to be resourced but, underlying that is the fact that we are committed to working with all our colleagues, statutory and non-statutory, in Wales.

[59] **Mr Fry:** I would like to add something, if I may. I appreciate that the question has been raised with the Welsh Association of Chief Police Officers, but the concerns that Barbara has outlined echo our concerns in the police authorities, particularly as we have the statutory responsibility for ensuring that the forces are effective and efficient. The resourcing issue is a huge one for us, and this is really going to the heart of it all now, from our perspective.

10.00 a.m.

[60] **Jenny Randerson:** The evidence from Dr Wilding is that it is unnecessary to have this duty. However, in your answer, you implied that you would have to do more as a result of it. There is a slight tension between the idea that it is unnecessary and is therefore a duplication and the idea that, as a result of this duty, you would have to do more.

[61] **Dr Wilding:** Sorry if I articulated that unclearly. We have a duty already, which we fully engage with; indeed, I would say that we play the leading role on many occasions. Through that collaboration, there may be a requirement to do more that we cannot see at the moment. So, sorry if I did not articulate that very well.

[62] **Jenny Randerson:** You said earlier that you were not aware of any discussions with the Home Office. The committee will clearly need to follow that up with the Minister. However, you say in your evidence that there is potential for creating tensions between the Assembly, the Home Office, and the UK Government. Can you explain what tensions you think there might be?

[63] **Dr Wilding:** I gave the classic example of our performance framework, the assessments of policing and community safety framework. Our colleagues in England will be competing on a level playing field, while the forces in Wales will not be. The tension there is

that we have to manage the confidence of the public and our own staff, because we are not seen to be on the level playing field. Other tensions can come from the funding as well. So, many areas of tensions can be identified and we would have to look at them clearly and work our way through them.

[64] **Alun Cairns:** Dr Wilding, in the penultimate paragraph of your evidence, you suggest that there would be a need for an amendment to the Police Act 1996. Given that you have a duty under section 25 of the Children Act 2004 to co-operate with children's services authorities, could you explain how the principles of this Act differ from what is in the proposed Measure?

[65] **Dr Wilding:** The 2004 Act was for England and Wales, and not just for Wales. Therefore, we are operating again on that level playing field. That Act reflected our primary duty, which is to protect people. It was different in that it covered England and Wales.

[66] **Janice Gregory:** I have just been handed a note by our lawyer that says that there is a specific Wales provision. Part 3 deals specifically with children's services in Wales.

[67] **Dr Wilding:** Yes, but there was a level playing field because it applied in England and Wales. That is the difference.

[68] **Alun Cairns:** Thank you. To the other witnesses, do you support the duty to participate in community planning and assist local authorities, specifically as set out in section 37 of the proposed Measure? We have talked about the generalities, but this question refers specifically to section 37.

[69] **Mr White:** Yes, we do. We think it appropriate for community councils to be involved in the way described in section 37. Were they not to be involved, it would undermine their role of representing their communities.

[70] **Mr Shaw:** The only omission that we would possibly question would be colleges of further education. They play a significant role in the education of pupils aged 16 plus, because of the links needed back to the Children Act. It is one that ought to be examined in further detail.

[71] **Alun Cairns:** Funnily enough, my next question was on the further education sector, which you have now covered. Before I move on, Mr Fry, do you have any comments about section 37?

[72] **Mr Fry:** Not really. Barbara has commented on section 37. Going back to my first answer, at least it would ensure that police authorities are not overlooked.

[73] **Alun Cairns:** To all witnesses again, are there any bodies that should be removed from or added to the section 38 list of community planning partners?

[74] **Mr White:** We are content with this.

[75] **Mr Shaw:** As I just said, colleges of further education probably warrant further thought.

[76] **Alun Cairns:** Would anyone else like to add or remove anything?

[77] **Dr Wilding:** The voluntary sector and businesses.

[78] **Alun Cairns:** You have pre-empted my next question again.

[79] **David Lloyd:** You are telepathic. *[Laughter.]*

[80] **Alun Cairns:** Given that they are not included, Dr Wilding, do you think that that will be a barrier to the discharge of local authorities' duties under section 37(1)?

[81] **Dr Wilding:** Yes, because, in Wales, the third sector plays a huge role in that community planning. If it is not included, it would be a barrier. When I talk about security, stability and economic regrowth, businesses should certainly be a part of that.

[82] **Joyce Watson:** My question is for Dan. Welcome. To what extent has the capacity of the potential community planning partners to engage been a problem in the past?

[83] **Mr Shaw:** There have been problems of capacity across Wales, according to colleagues. This is true in two areas. The first is the voluntary or third sector, where there are problems of capacity but certainly not of capability. Part of that is due to the large number of initiatives that it is also involved in, such as the Wales spatial plan. My understanding is that the chief officer of Pembrokeshire Association of Voluntary Services, our local association, would be involved in two or three meetings to do with the Wales spatial plan. There are many other things that it would get involved in. The other area that is coming out more frequently is the health service, mainly owing to issues arising from reorganisation. That is bound to happen. We are not apportioning blame, but if you are talking about merging 22 local health boards with a number of trusts, which are then being merged again, that will clearly cause a lot of disruption.

[84] **Joyce Watson:** You have partly answered my second question. If you think that there have been capacity problems, and you have mentioned some, what are your views on the potential success of the proposed Measure in achieving its community planning objectives?

[85] **Mr Shaw:** It can only really help and set up a framework for local authorities and other partners to work within. The Welsh Local Government Association has raised questions that remain unanswered about whether the proposed Measure can be introduced without additional resources where there are resource implications. I agree with the Welsh Local Government Association; it is difficult to see how you can make effective use of things such as the duty to collaborate without recognising that, in some areas, there will be a need for additional expenditure. The questions of 'Where?' and 'How much?' need to be worked out in greater detail later.

[86] There is probably an ongoing question with regard to the voluntary sector, because it is being asked to be involved in so many different things. The burden of representation tends to fall on county voluntary councils. Local authorities, as well as the Welsh Assembly Government, will probably need to look at that in further detail.

[87] **Joyce Watson:** Finally, I have a question to anyone who cares to answer it, really. What are your views on the capacity of your individual organisation to comply with the duty to participate in community planning and assist local authorities, provided in section 37?

[88] **Mr White:** With 735 community and town councils across Wales, they will differ in how they operate. As a representative body, we have local area committees that meet quarterly. We can start providing a mechanism, where it does not already exist, for unitary authorities to engage better with the sector. We are also in the process of rolling out a training programme for community and town councillors, and we are also looking to develop further training on community engagement. There might also be scope to open up some of the training that might be provided to unitary authority councillors on subjects such as community planning, for that to be broadened out to include community councillors. That will

not only raise skills and awareness and understanding of the process, but also promote a better joint working arrangement generally between the two tiers of local government.

10.10 a.m.

[89] **Dr Wilding:** I have already referred to the resource and capacity issue. It occurs to me that, although currently the local commander sits on the local service board, perhaps they ought to be further engaged in local authorities—by sitting on their management teams, and so on—to ensure that cross-cutting elements are built in. However, that then detracts them from playing their top-cop role as well. So, there will be capacity issues, without a doubt, which—I failed to articulate clearly, too—could grow.

[90] **Mr Fry:** From a police authority member position, we will definitely have a capacity issue. We want to be involved, as we currently are, with the community safety partnerships. We also have the local service boards coming on board now, with the community planning. If I just centre on south Wales, we have 19 members and seven local authority areas, so capacity is an issue for us. Looking ahead slightly, the proposals under the Government's Green Paper could even reduce the membership of police authorities, with directly elected members, and so on. So, this is a huge issue for us. However—and this is tongue in cheek, at this point—it also creates a resource issue for us, as this would be a new duty, and I would hope that someone would fund that new duty.

[91] **Janice Gregory:** Right. We will take that on board. We will now move on to the last section. In relating the community strategy to other local authority strategies, do you think that there will be a danger of duplication?

[92] **Mr Shaw:** With the rationalised plans and the partnerships that sit underneath them, I think that the risk of duplication is fairly small. It is when you start to talk about other initiatives, particularly the Wales spatial plan, the 'Making the Connections' agenda, and so on, that the real complexity starts to hit and bite. Although I do not think it appropriate for it to be in the legislation itself, there clearly is a need for partnership rationalisation, and partnerships themselves need to manage that. It is almost impossible to drive that, either from a local service board saying to its health, social care and wellbeing partnership, 'This structure looks a bit ragged there', or, worse, from the Assembly Government looking down in. However, there is considerable duplication at present within partnerships and in how they work. That also releases capacity, which can then be used for other purposes. In rural authorities, much of that capacity will probably be needed for engagement with town and community councils.

[93] **Dr Wilding:** As I said earlier, there is always a risk of duplication unless proper programme management is developed to further the delivery, and unless that it is monitored against outcomes and the spending of the finance.

[94] **Mr Fry:** The only point that I would make on that is that we would have to ensure that the community strategy is informed by other plans, and that it informs them. From our point of view, the local policing plan would have also to fit in with all the other plans.

[95] **Mr White:** We would support the continued pre-eminence of the community strategy over the other plans that unitary authorities are currently engaged in delivering with other partners. I have a nagging concern about the relationship with the local service board and the local service agreement, as those come online. There is a particular danger that, if the community strategy is not built into the monitoring and reporting arrangements, and possibly into the local service board as well, the community strategy could find itself relegated again, and, as the explanatory memorandum set out, it could get left on the shelf. There is a danger of that if we do not ensure that those two things are joined up properly.

[96] **Janice Gregory:** Local authorities are tasked with drafting the strategy once a consensus has been reached between them and community planning partners. Do you think that a statutory obligation should be placed on the local authority to consult with partners once that draft has been prepared?

[97] **Mr White:** Yes. That seems to be an oversight in the legislation.

[98] **Mr Shaw:** I agree with Simon. I am sure that all authorities would do that.

[99] **Dr Wilding:** I would have thought that, through the mechanism of them having to consult before they produce the draft, you would have buy-in. So, I would have thought that that would be the case through that process.

[100] **Mr Fry:** I would also support that.

[101] **Janice Gregory:** The WLGA, in its written evidence, expressed some concern about the concept of the review as a periodic event—in particular, the four-yearly review period for the community strategies. This is set out in section 40. Do you think that the community strategy should be reviewed every four years or over a shorter period of time?

[102] **Mr White:** Our initial response to the community strategy guidance that came out last year was that it should probably be reviewed every four years following the local elections, so that each newly elected unitary authority had clear ownership of their community strategy. The four-year period is right for doing that significant review, but it probably needs an annual refresh, to ensure that any significant developments can be taken on board.

[103] **Mr Shaw:** I think that a four-year process for updating it is appropriate, although the WLGA has raised a valid point in that there is a need to reconsider the community strategy if events change significantly within a local area.

[104] **Dr Wilding:** Any strategy always needs to be periodically reviewed to ensure that it remains fit for purpose. We currently operate a three-year strategy, which we review every year to ensure that it is still fit for purpose. It is then updated accordingly. Things can change—external elements and financing as well as resource aspects.

[105] **Mr Fry:** We think that an interim annual review, followed by a fundamental review every four years is probably right, but perhaps the decision on frequency and process should be determined locally. Our plea would be that it should not be too onerous.

[106] **Janice Gregory:** Thank you for that. My final question is: do you have any comments on the community planning provisions of the proposed Measure as they affect you?

[107] **Mr White:** We welcome it, but it should just be the start of a more engaged process, working with communities across Wales. We would like to see a recognised sustainable development plan for every community in Wales, having currency in the wider community strategy process. The evidence given by Sustainable Development Commission UK to the Sustainability Committee last week stressed that that local engagement is essential if we are to move some of these pressing issues forward. So, this sets the right framework, but we can go further to enhance community development at an individual community level.

[108] **Mr Shaw:** The proposed Measure is necessary, in that it gives community planning the proper legislative background as compared with how we operate at the moment. The current legislative background, under current legislation, is pretty flimsy.

[109] **Dr Wilding:** I would like to reiterate that any extra duty placed on us has to be dealt with through the constitutional elements of the Act and must involve the Secretary of State. Any other capacity and capability issues must be funded.

[110] **Mr Fry:** We fully support partnership working, so we broadly welcome this proposed Measure. We have an excellent working relationship with the National Assembly, but as Barbara said, the constitutional position and funding are the worries for us.

[111] **Janice Gregory:** As Jenny mentioned earlier, we will raise this. The committee will look at how the proposed Measure affects us in Wales, but the wider issues will be raised with the Minister.

[112] I thank you all for attending committee this morning and for your detailed and succinct answers. We are very grateful to you. With that, I declare the meeting closed.

*Daeth y cyfarfod i ben am 10.20 a.m.  
The meeting ended at 10.20 a.m.*