

Communities, Equality and Local Government Committee

Meeting Venue:
Committee Room 2 – Senedd

Meeting date:
12 January 2012

Meeting time:
09:30

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



For further information please contact:

Bethan Davies
Committee Clerk
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Agenda

1. Introductions, apologies and substitutions

2. Local Government Byelaws (Wales) Bill – Stage 1 Evidence Session: Minister for Local Government and Communities

Member in Charge of the Bill

- Carl Sargeant AM, Minister for Local Government and Communities

Bill as introduced:

<http://www.assemblywales.org/bus-home/bus-business-fourth-assembly-laid-docs.htm?act=dis&id=227840&ds=11/2011>

Explanatory Memorandum:

<http://www.assemblywales.org/bus-home/bus-business-fourth-assembly-laid-docs.htm?act=dis&id=227841&ds=11/2011>

3. Local Government Byelaws (Wales) Bill – Stage 1: Private Session (Pages 1 – 3)

The Committee will be invited to resolve to exclude the public from item 3 of the meeting in accordance with Standing Order 17.42(vi):

A Committee may resolve to exclude the public from a meeting or any part of a meeting where:

(vi) the Committee is deliberating on the content, conclusions or recommendations of a report it proposes to publish; or is preparing itself to take evidence from any person.

LGB(4)-01-12 Paper 1



CITY AND COUNTY OF SWANSEA
DINAS A SIR ABERTAWE

Ann Jones AM,
Chair of the Communities, Equality and
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National Assembly for Wales,
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Date: 9th January 2012
Dyddiad:

Dear Ms Jones AM,

Re: Consultation on Local Government Byelaws (Wales) Bill

I refer to the request from the Communities, Equality and Local Government Committee (the Committee) that a representative from the Council attend at the meeting of the Committee on 18th January 2012 to give evidence to the Committee.

The request was received from the Assembly office on the 21st December. It was referred to me for attention and my Deputy telephoned the Assembly office on the 21st to try to establish why this Council had specifically been asked to attend the Committee meeting. The relevant officers of the Assembly were not available but my Deputy was advised to e mail the office to explain why we felt that it was not appropriate that this Council should attend the Committee meeting on the 18th January. That e mail was sent on the 22nd December. I attach a copy to this letter.

You will note from the e mail that there was no certainty at the date of the 22nd December that the Council would be responding to the consultation. In addition, it was not clear why this Council had been asked to attend in view of the fact that the WLGA are to attend on the 18th to cover the position for Welsh councils in general. The WLGA has been forwarded the consultation response which this Council had made to an earlier consultation on Byelaws.

On January 3rd this week Ms Bethan Davies of the Assembly Office telephoned my Deputy in response to the contact made prior to the Christmas holiday period. Ms Davies informed us that County Councillor Mike Hedges AM, who is a member of the Committee, had suggested that this Council be asked to attend to give evidence. Ms Davies also suggested that if the Council wished to be excused from attendance we should write to you setting out the reasons for the request.

LEGAL, DEMOCRATIC SERVICES AND PROCUREMENT
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I have contacted Councillor Hedges AM since Tuesday and he has clarified the reasons why he felt this Council might have extra information which might help the Committee. I have responded to him with further details of the issues he had in mind, which go back to the late 1990s. Councillor Hedges e-mailed me yesterday to say that he will also contact you. He is aware that this letter is to be sent.

I would respectfully request that the Council be excused attendance at the Committee meeting on the basis that we have no specific issues to add to the evidence beyond the evidence which will be given by the WLGA. We would not wish to take up Committee time for no useful purpose. In addition, to have a representative attend to give evidence to the Committee is something which requires authority from the Council. This is not a matter delegated to officers by our Constitution and it is not possible to get the necessary authority from the Cabinet in time for the 18th January.

However, in order to seek to assist the Committee as best we can, we have arranged for a report to go to the next meeting of the Cabinet to obtain authority for a written response to the consultation to be sent by the deadline of February 2nd. I can also confirm that the WLGA have contacted the Council to ask for our support and we will give the WLGA support in giving their evidence to the Committee on the 18th January by sending a Council Officer to assist the WLGA as part of their team at the Committee meeting.

I look forward to hearing from you.

Yours sincerely,



Patrick Arran - Head of Legal, Democratic Services & Procurement and Monitoring Officer

**LEGAL, DEMOCRATIC SERVICES AND PROCUREMENT
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