

## **Consultation on the Local Government and Elections (Wales) Bill**

One Voice Wales is recognised by the Welsh Government as the national representative body for community and town councils in Wales. It represents the sector on the Local Government Partnership Council and over 85% of the 735 community and town councils are in membership, with numbers growing year on year. As well as our representative role, we also provide support and advice to councils on an individual basis and have previously launched, with Welsh Government support, a modular training programme for councillors. We believe strongly that community councils are well-placed to develop the economic, social and environmental well-being of the areas they serve and, as such, are active and proactive in debating key issues such as energy policies, environmental issues and strategic planning. Our sector is therefore well placed to contribute to a successful future nation, building community and public services from the bottom up.

One Voice Wales is delighted to respond to the Local Government and Elections (Wales) Bill (the Bill) and welcomes the opportunity of submitting this written submission in support of the planned 'Stage 1 - consideration of general principles' evidence session to the Equality, Local Government and Communities Committee on 15th January 2020 at the Senedd. The response has been co-ordinated and written by Mr Lyn Cadwallader, Chief Executive of One Voice Wales. The Local Government and Elections (Wales) Bill was discussed at the National Executive Committee of One Voice Wales in December 2019 and the views expressed have been incorporated into the response below.

One Voice Wales members recognise that the Bill is a significant and substantial piece of legislation at 176 pages and 683 pages of accompanying documents, including an Explanatory Memorandum and Regulatory Impact Assessment. It includes provisions for:

- Reforming electoral arrangements for local government, including:
- extending the voting franchise to 16- and 17-year olds and foreign citizens legally resident in Wales,
- changes to voter registration, and
- enabling a principal council to choose between the 'first past the post' or the 'single transferable vote' voting systems;
- A general power of competence for principal councils and eligible community councils;
- Reforming public participation in local democracy;
- The leadership of principal councils, including to encourage greater diversity amongst executive members and establishing a statutory position of chief executive;

- The development of a framework and powers to facilitate more consistent and coherent regional working mechanisms;
- A new system for performance and governance based on self-assessment and peer review, including the consolidation of the Welsh Ministers' support and intervention powers;
- Powers to facilitate voluntary mergers of principal councils and restructuring a principal area;
- Local government finance including non-domestic rating and council tax;
- Miscellaneous provisions relating to:
  - information sharing between regulators,
  - abolition of community polls,
  - fire and rescue authorities,
  - the Local Democracy and Boundary Commission for Wales, and
  - Public Service Boards.

The Bill is the culmination of several years of policy consultation, including:

- Draft Local Government (Wales) Bill – November 2015
- Consultation on Electoral Reform – October 2017
- Reforming Local Government: Resilient and Renewed White Paper - January 2017
- Consultation on Powers and Flexibilities – January 2018
- Strengthening Local Government: Delivering for People Welsh Government Green Paper - June 2018
- The Independent Review of the sector in 2018-19 with an outcome report making 46 recommendations to improve the work of the community and town council sector.

One Voice Wales has aimed in its response to make commentary on all the provisions above where relevant and sets out further considerations in its concluding comments. Overall One Voice Wales is pleased with the direction of travel and many of the provisions will assist the community and town council sector to further develop and improve its efficiency and effectiveness and provide opportunities for innovation and greater sustainability. Moreover, the Bill provides for better financial and management governance by community and town councils and this is welcomed and reflects the progressive discussions with Welsh Government over several years.

## **PART 1 ELECTIONS**

### **Extension of right to vote in local government elections**

One Voice Wales supports the intention to extend the local government franchise to foreign citizens on the basis that they are lawful residents of Wales, irrespective of their nationality.

One Voice Wales also supports the proposal to allow 16- and 17-year olds to be able to register to vote in Welsh local government elections.

## **Voting systems of elections to principal councils**

### *Two voting systems*

One Voice Wales recognises the Bill intention to allow principal councils to choose their own voting system, either the current first past the post system or Single Transferable Vote. Whilst One Voice Wales would welcome the Bill requirement for principal councils to consult with community councils in its area before contemplating changing the voting system from one system to another, One Voice Wales is generally supportive of the Electoral Commission's position that there should be a common electoral system across all local authorities to avoid complexity and voter confusion and that local authority's should not be able to choose their own voting systems. One Voice Wales members hold various views of the benefits or otherwise of the Single Transferable Vote for local elections, with the general view concerned that the approach would be administrative complex and confusing if held on the same day as 'first past the post' community and town council elections and that larger electoral wards would need to be created which may undermine the local links between a councillor and his/her community.

### **Electoral cycles**

One Voice Wales supports the proposal to change the electoral cycle for local elections from four to five years. This would bring local government elections into line with the five-year terms for the UK Parliament (as set in the Fixed Term Parliaments Act 2011) and for the Assembly in GoWA 2006. One Voice Wales has previously supported the extension of 4-year terms to 5 years.

### **Database for electoral registration information**

One Voice Wales supports the intention to establish and maintain a national database of electoral registration information.

### **Registration of local government electors without application**

One Voice Wales welcomes the intention for electoral registration officers being able to add electors to the register of local government electors automatically where they are satisfied, they should be entered.

### **Qualification for membership of a local authority**

The Bill (sections 24-26) amends the eligibility criteria for candidates at local government elections to allow a citizen of any country to stand for election and One Voice Wales supports this proposal.

Furthermore, the Bill provides that council officers and employees, other than those holding politically restricted posts, will be entitled to stand for election to their own council. They will only be required to resign their paid employment with the council if they are elected. The Welsh Government's intention is that this will widen the pool of potential candidates while ensuring there is no conflict of interest once the candidate is elected. One Voice Wales supports approaches to make it easier for people to

stand for election and encourage a broader cross-section of the community to consider standing however recommends that before such a provision is introduced that further work is undertaken to explore the risks and challenges associated with employees standing for election can have on governance and relationships for example depending on the outcome of the election unsuccessful candidates may find what they campaigned presents issues in terms of impartiality of administering council matters.

### **Disqualification of members of local authorities**

The Bill amends the disqualification provisions in Wales to disqualify individuals, from standing for election, or holding office as a member of a principal council or community council in Wales, if they are subject to a the notification requirements of, or an order under, the Sexual Offences Act 2003. One Voice Wales supports this amendment.

### **Piloting of voting arrangements**

The provisions in the Bill will enable the Welsh Ministers to direct a Returning Officer, ERO or local authority (where appropriate) to conduct a specific electoral pilot at a local government election. The Welsh Ministers may direct the electoral pilot to take place in a particular area or across the whole authority. Previously the onus was on the Returning Officer, ERO or local authority alone to apply to conduct an electoral pilot. One Voice Wales members did not have an express view on the merit or otherwise of this provision.

### **Expenditure of returning officers**

#### *Meeting expenditure of returning officers*

The Bill (Section 28) clarifies that Returning Officers can only claim expenses properly incurred in the running of a local government elections. Personal fees in respect of services rendered during the conduct of a local government elections could not in future be claimed as they would not be deemed as “expenses”. It is proposed that the personal fee will also be removed for National Assembly for Wales elections when an order is next made under article 23 of the National Assembly for Wales (Representation of the People). One voice Wales welcomes this.

During the consultation period One Voice Wales and the Society of Local Council Clerks (SLCC) attended a technical advisory briefing on the Bill with Welsh Government colleagues. The SLCC raised a specific point regarding the clarity of the provisions of section 28 – “there needs to be a sub section inserted or something similar which is unambiguous in language and meaning about personal fees and which states ‘no personal payment is due to the returning officer for services in respect of local government elections. This removes any doubt about how Section 28 will be interpreted.” One Voice Wales concurs with this view.

## **PART 2 GENERAL POWER of COMPETENCE**

### **The general power (Chapter 1)**

One Voice Wales welcomes the provisions for the General Power of Competence (GPoC) included in the Bill. One Voice Wales has long called for a general power of competence and welcomed its inclusion in the White Paper. Local government functions are determined by legislation and so any action performed in the absence of statutory powers is deemed unlawful and consequently One Voice Wales concurs that the existing suite of legislative measures available to Welsh local government is too restrictive. The Local Government (Wales) Measure 2011 extended the Wellbeing power to the community and town council sector however its ability to drive innovation within the sector was curtailed by the fact that it was restricted by the same financial limit as section 137 of the Local Government Act 1972. It had not been anticipated that the limit would be retained on the statute book and hence why the power has had limited use within the sector to date.

Consequently, One Voice Wales welcomes the generality of the power is not limited by the existence of any other power of a 'qualifying local authority' and vice versa any other power of a local authority is not limited by the existence of GPoC. This will remove any doubt about the extent of how the power can be used to encourage the potential devolution of services to community and town councils from principal councils and it is hoped that the power will carry broad appeal amongst community and town councils more generally. Importantly it will provide clarity and reduce the likelihood of community and town councils acting unlawfully.

### **Eligible community councils (Chapter 2)**

One Voice Wales supports the eligibility criteria a local council must meet and the procedure it must follow in order to become an 'eligible community council'.

One Voice Wales fully supports the CiLCA qualification as the sector standard but considers it necessary for Welsh Government to provide funding support to encourage the take up of the qualification for a period of no less than five years. During the Technical Advisory meeting held in December with Welsh Government colleagues the issue of 'other qualifications' arose – One Voice Wales considers that any regulations developed regarding 'other qualifications' would benefit from input by the National Training and Advisory Group (NTAG) including representatives from Welsh Government, One Voice Wales, SLCC, WLGA and others as necessary.

### **Guidance on exercise of functions under this Chapter**

One Voice Wales supports the issuing of guidance to the local council sector about how it should use GPoC.

During discussions at the recent Technical Advisory briefing with SLCC colleagues and Welsh Government the idea of Welsh Government making a grant available to councils who achieve eligible status was discussed. One Voice Wales has made many representations over the last eight or nine years that the sector should be supported via a grant program to facilitate development and improvement and the potential of doing this as an incentive to achieving eligible status would be welcomed by One Voice Wales.

## **PART 3 PROMOTING ACCESS TO LOCAL GOVERNMENT**

The Bill outlines several proposals to encourage a more diverse range of members of the public to engage with local democracy, encourage public participation in council decision-making and support openness and transparency. One Voice Wales promotes and supports democratic engagement, public participation and openness and transparency and has endorsed several previous proposals to support improvements.

### **Public participation in local government (Chapter 2) principal councils' duty to encourage participation in decision-making in local government**

One Voice Wales is supportive of the spirit of the Welsh Government's ambitions and local councils are committed to promoting access to very local government. However, One Voice Wales does not support the duty set out under Section 46 placed on principal councils to encourage local people to participate in decision making by authorities connected with the principal council such as and including local councils. One Voice Wales would be very concerned with such a development as a local authority cannot be responsible for the participation in other levels of government as the responsibility (and risk of non-compliance) should rest with community and town councils as separately accountable bodies. Placing a duty on a local authority to promote participation in community and town councils also undermines their own status, accountability and sovereignty as separate bodies.

### **Duty to make petition scheme (Section 49)**

The Bill repeals community polls and introduces a duty to make a petition scheme which One Voice Wales welcomes this and which we understand the WLGA also agree with – the proposal will reduce burden and costs for the local authority, as well as encouraging a more accessible and immediate mechanism for communities to express their views. Although community polls have generally not been widely used, there is a risk that they can be misinterpreted by the community as binding local referendums which can cause tension between communities, their elected representatives and the council.

### **Duty to publish official addresses**

Section 50 of the Bill refers to principal councils having a duty to publish official addresses for each member and that the address may be an official address such as the council's address rather than a home address. To ensure consistency across both tiers of local government in Wales One Voice Wales would recommend that this duty should also apply to community and town councils.

### **Annual reports by community councils (Chapter 5)**

An Independent Review on the future of community councils in Wales reported its findings in October 2018. The recommendations included that all community councils should be required to report annually on their work.

The Bill requires community councils, as soon as reasonably practicable after the end of each financial year, to prepare and publish an annual report about the council's priorities, activities and achievements during that year.

One Voice Wales in principle supports this development as it will encourage engagement with the local electorate and improve transparency and accountability within the sector. However, One Voice Wales would welcome some transition funding for Councils as set out in the costings in the accompanying documents to the Bill. Annual reporting – or performance management reporting as it could be described – will represent a new resource implication for Councils and to enable their implementation in the short term the provision of a grant would be welcomed. Alongside this clear guidance on how to produce an annual report should be delivered by Welsh Government including advice on the avoidance of delivering separate reports for other legislative requirements eg Environment Act and Wellbeing Act.

### **Participation at meetings of community councils**

One Voice Wales welcomes this proposal – it is already undertaken across many community and town councils in Wales and will ensure consistency of approach, greater opportunity for electoral input and better understanding of the roles and purpose of community and town councils.

### **Notices etc. of local authority meetings**

Section 56 provision and the inclusion of Schedule 4 of the Bill which extends previous amendments made by Section 57 of the Local Government (Democracy) (Wales) Act 2013 to electronically publish the time and place of committee and sub-committees of principal councils and community councils. This is welcomed by One Voice Wales as well as provision for the electronic service of summonses, removal of the prohibition of holding community council meetings in licenced premises and the ability to permit the calling of urgent meetings provided 24 hours' notice is given.

## **PART 4 LOCAL AUTHORITY EXECUTIVES, MEMBERS, OFFICERS AND COMMITTEES**

### **Conduct of members**

Section 67 of the Bill provides that leaders of political groups must take reasonable steps to promote and maintain high standards of conduct by the members of their group. Whilst technically community and town councils are apolitical bodies, we find that in larger community and town councils political group meetings are held. Consequently, it would appear to be a prudent move if the same provision was included in the Bill for community and town councils to ensure consistency across both tiers of local government.

## **Training of members and staff of community councils**

The Bill (Section 72) requires community councils to consider and address the training needs of members and staff. This can be undertaken in a proportionate way recognising the current variation in the scope of what individual councils are responsible for. The purpose of the provisions is to make community councils and their staff more effective and capable, to improve their administration and governance so that they are better able to perform their responsibilities. One Voice Wales welcomes this development as it will assist in driving improvement and development in the sector and in particular address particular capacity and capability issues prevalent at the present time which has all too well been set out by the Wales Auditor General in his annual reports over the last few years. Both One Voice Wales and the Society of Local Council Clerks have comprehensive training courses available to support this development and in addition to this One Voice Wales has a number of agreements with other specialist providers of training, for example, planning training is provided via Planning Aid Wales.

The Bill provides for further guidance and in particular the mandatory training topics – again One Voice Wales welcomes this development and indeed One Voice Wales has developed seven e-learning modules which would form the basis of discussions moving forward as they address the key foundations of knowledge to carry out the role of a Councillor – training courses such as Law, Equalities, Finance, Being an Employer and Health and Safety as well as Code of Conduct. One Voice Wales would welcome grant funding to be made available to Community and Town Councils specifically relating to core mandatory training requirements to encourage better governance and encourage electors to consider taking up the role of councillor in the knowledge they will have adequate support and development mechanisms available to them.

## **PART 5 COLLABORATIVE WORKING BY PRINCIPAL COUNCILS**

### **Establishing corporate joint committees**

This section of the Bill introduces the powers for local authorities and Ministers to establish Corporate Joint Committees (CJCs). One Voice Wales understands the reason for the creation of CJCs in terms of efficiency and effectiveness of working across principal council boundaries.

One Voice Wales notes that the Bill provides for powers local authorities to request the establishment of CJCs covering any functions. The Bill also provides Ministerial powers to establish CJCs in the functions of school improvement, economic development, strategic planning and transport.

The Bill provides the outline of the CJC proposals, however, the detail including specific functions, boundaries and governance arrangements will be covered in Regulations introduced by the Minister.

One Voice Wales would welcome clarification how the views of local councils will be incorporated into the governance arrangements of CJC's to ensure transparency and accountability to local electorates is maintained.

## **PART 6 PERFORMANCE AND GOVERNANCE OF PRINCIPAL COUNCILS**

The Bill proposes a new streamlined performance framework for local government, repealing the Wales Programme for Improvement and performance provisions of the Local Government (Wales) Measure 2009.

In summary, the Bill will introduce a new duty for a council to keep its performance under review to the extent to which it is

- it is exercising its functions effectively,
- it is using its resources economically, efficiently and effectively, and
- its governance is effective for securing the matters set out in paragraphs (a) and (b).

In addition, a council must conduct an annual self assessment of the above duty, publishing a report of this assessment and also commission an independent Panel Assessment of its performance once per municipal term. One Voice Wales would welcome further discussions with Welsh Government colleagues in the role that community and town councillors could play regarding membership of any Panel Assessment process – One Voice Wales has advocated on many occasions the potential for Community and Town Councils to support the scrutiny endeavours of principal councils.

Alongside the proposed reforms to strengthen self-assessment and self-improvement, One Voice Wales is aware the Minister has committed to reinvesting in sector-led improvement support for principal councils through the WLGA. This commitment and recognition of the value of sector-led improvement is particularly welcomed by One Voice Wales and it is hoped that the same commitment could be offered to One Voice Wales as the National representative body for local councils to encourage reforms to strengthen self-assessment and self-improvement – and support the sector to create an improvement and development strategy, providing a framework for good governance, community engagement and council improvement. Considering options for provision of expert advice and support for the sector, within the context of the wider work supporting improvement in local government was highlighted in the Independent Review Panel report and since its publication the need for this level of support has become more acute.

## **PART 7 MERGERS AND RESTRUCTURING OF PRINCIPAL AREAS**

One Voice Wales has previously made comments on the implications of mergers and restructuring of principal areas – concerns about the potential for fewer Unitary Authorities within Wales there is potential for decisions taken during this process to reduce or stop services being provided at the second tier of local government to have significant impacts on the future roles of community and town councils...these are unknowns at the present time but given recent financial impacts on non-statutory services e.g. recently Gwynedd Council stopped funding of 40 youth facilities in their area because of budgetary pressures there is a likelihood that the community and town council sector will have to consider taking on more of this activity in future.

Austerity and retrenchment has already impacted heavily on those we serve. As other public service access points are closing down or having their services reduced dramatically One Voice Wales members we are experiencing an increase in the extent to which local people turn to the Community and Town Councils as a more convenient and effective conduit to secure action / responses from other organisations. Naturally this is impacting on the resources of community and town councils as they are having to face up to challenges previously beyond their remit and this is often compounded by the lack of advanced notification of closure or reduction of service by other public bodies.

The local council sector in Wales is well placed to work up new ways of working and share improvement and developments to ensure sustainable local services for the future. Councils in Wales are not starting from scratch; they can build on a lot of good work that has been going on over the last five years. But the pressures they face are real and growing. Local community councils could provide the most solid bottom-up framework for community governance because they can be independently grounded through democratic legitimacy and statute.

Community and town councils in Wales have a number of basic responsibilities in making the lives of local communities more comfortable. Essentially these powers fall within three main categories:

- representing the whole electorate within the community or town;
- delivering services to meet local needs;
- and striving to improve quality of life in the community or town

One Voice Wales agrees with the Young Foundation who argue that for the sake of innovation, confidence and clarity, make it clear that community and town councils have a principal purpose, for example, “to improve local liveability” (i.e. community safety, environment, activities and infrastructure et as set out in Table 2 above).

Here’s some thought on the potential future roles and responsibilities for community councils which has resonance with the feedback form our member councils and provides a direction of travel for the potential future purpose of the sector:

- **Being asset based leaders** - Identifying, utilising and optimising assets. Local councils can lead the development of asset strategies for their communities to ensure local resources are used to best effect.
- **Achieving fairness for everyone** – addressing the challenges of poverty. With increasing fuel prices local councils could co-ordinate schemes for such as oil purchasing consortiums.
- **Empowering local governance** – development of youth councils. By engaging young people and supporting their involvement in democracy local councils can enable new ideas and initiatives to meet the future needs of their communities.
- **Increasing resources for community benefit** – supporting the development of community renewables. One Voice Wales and Aberystwyth University research on this agenda identifies a ‘facilitator’ role for local councils in communities taking forward community renewable initiatives. This may include funding feasibility studies on energy options creating new local income streams for re-investment.

- **Enjoying locally relevant services** – services designed based on local needs using robust community engagement methods. Increasingly local councils are going to need to demonstrate effective use of precept to their communities – community plans or ‘place plans’ such as those developed by Borth Community Council will enhance local accountability and engagement.
- **Enriching social capital and well-being** – working with social entrepreneurs and social enterprises to jointly deliver services for communities, for example, youth drop-in centres.
- **Valuing local distinctiveness** – initiatives supporting local heritage and tourism. Kidwelly Town Council has designed a range of leaflets attracting visitors to local historic monuments.
- **Developing reliable infrastructure** – creating ‘One Stop Shop’ hubs such as the one being developed by the Penllyn Partnership by Bala Town Council and neighbouring community councils.
- **Enhancing environmental capacity** – embracing bio-diversity initiatives – Llandough Community Council has its own strategy - such as creating new allotments for community growing or community orchards that act not only as a food source but educational resource to local primary schools.
- **Supporting a dynamic local economy** – working with local businesses to support employment initiatives’ including apprenticeships and mentoring schemes

These thematic areas align with the work of the Carnegie Trust, who, over the last six years who have identified key areas of activity to improve local resilience within communities and details of which are set out in their recent publication ‘Supporting Local Places and Local People: Opportunities and Challenges for Welsh Towns’ (Rebekah Menzies 2017).

In light of all the above One Voice Wales would re-iterate the need for Welsh Government to take the opportunity presented by the Bill and help to fully democratise Welsh society by supporting the development of all community areas in Wales having a community or town council and make provision within the Bill to make available grant funding for the development of new community and town councils in those areas where they do not currently exist. This view was clearly expressed in the Independent Review Panel report and the Bill should bring forward enabling provisions to support their development.

## **PART 8 LOCAL GOVERNMENT FINANCE**

One Voice Wales notes the content of this part of the Bill and is disappointed that the overwhelming evidence from the Independent Review Panel report and its recommendations relating to funding of Community and Town Councils has been overlooked.

In their report the Independent Review Panel make the following five observations:

1. To support and encourage Community and Town Councils to work together we believe the Welsh Government should look at mechanisms and incentives to encourage collaboration such as match funding to deliver a joint

collaborative project or legal assistance with formal collaborative arrangements. We know that the Welsh Government already encourages Community and Town Councils to work together for a purpose through their clustering grant. IRP report

2. We believe there are many different avenues which should be explored in relation to additional funding for Community and Town Councils including:
  - Better use of existing funding sources (e.g. raising the precept, using reserves, ability to borrow, power to charge for a discretionary service)
  - New access to funding sources (e.g. eligibility for grants, power to trade)
  - Redistribution of funding provided to Local Government (e.g. proportions of non-domestic rates and council tax; Community Infrastructure Levy)
  - Additional funding (e.g. new local taxation, direct funding from Welsh Government).
3. We believe that Community and Town Councils should be made aware of, and have increased access to, these alternative sources of funding. In addition, we recommend the Welsh Government should explore how the transfer of funding and income related to place-based services taken on by Community and Town Councils can be achieved.
4. Even when increased, there are also cases where precept would not be sufficient to sustainably fund services. The majority of responses to our surveys outlined the need for greater access to funding for Community and Town Councils. Many respondents identified various different funding streams which it is believed Community and Town Councils should have access to. For example, many Community and Town Councils contribute to the viability of their community, which local businesses benefit from. A vast number of responses highlighted the need for Community and Town Councils to receive a proportion of Business Rates. We also understand there are various restrictions on access to some grants for Community and Town Councils.
5. When services are transferred from Local Authorities to Community and Town Councils, there is an expectation that an agreement is found in relation to funding. We know this does not happen and often Community and Town Councils are, effectively, asked to take on liabilities without support. While we recognise the financial constraints on Local Authorities, the presumption should be that where Community and Town Councils take on place-based services the funding / income associated with them comes with them. In addition, any place-based income generated should be received by the community.

One Voice Wales would welcome Welsh Government reconsidering the above recommendations and observations in relation to funding and consider making provisions for appropriate grant funding of the sector to encourage capability and capacity issues as well as driving and innovation and improvement agenda.

## **PART 9 MISCELLANEOUS**

### **Public Services Boards**

Section 161 of the Bill deals with merging and demerging public services boards under the Well-Being of Future Generations (Wales) Act 2015. One Voice Wales that the Bill in its present draft remains silent on representation on Public Service Boards. Following the receipt of the Independent Review Panel report on 3 October 2018 and subsequent Cabinet Secretary statement there was a commitment from Welsh Government over key actions to be taken forward in advance of the next round of local government elections: one of which was to “Add a representative from community and town councils in the area to the list of required ‘invited participants’ on Public Services Boards. Consequently, One Voice Wales would welcome an additional provision within the Bill enabling community and town council representation on future Public Service Board panels.

Additionally, another key action was to “Facilitate work to strengthen key relationships between community councils and principal councils” and One Voice Wales would welcome putting the establishment of Charter’s between the two tiers of Local Government to be placed on a statutory footing to ensure there is regular and consistent engagement between the two tiers of local government to address issues of County and local council concern in particular sustaining locally valued cultural, environmental and leisure services.

### **Funding to support repair of Church buildings**

One Voice Wales made representation to the former Local Government Minister regarding the repealing of the 1894 Act prohibiting Community and Town Councils following a motion at its Annual General meeting. Amending the legislation to enable Community and Town Councils the ability to financially support the repair of church buildings.

One Voice Wales included in its submission to the Independent Review Panel evidence to support the above however it was not considered in the final report. One Voice Wales would welcome Welsh Government considering the repeal of the 1894 Act and subsequently making provision within the Bill for this to be enabled.

### **Chapter 21 Post implementation review**

The Bill sets out that with regards to community councils, officials will take stock of the number of councils declaring themselves eligible to use the general power of competence through a survey after the next local government election. This will be a couple of years after issuing guidance to the sector and commencing provisions. Ahead of the survey, they will monitor the uptake of training through the Welsh Government’s national bursary scheme for council clerks and evaluate the numbers completing the qualification. In addition, the Society of Local Council Clerks will report progress on the number of qualified clerks to the National Training Advisory Group, which meets quarterly.

In order to evaluate the effectiveness of the provision to require community councils to publish their training plans, the Welsh Government will monitor these plans

through an annual sample of 10% of community council websites, selected at random.

One Voice Wales supports and welcomes each of the above actions.

## **Concluding Comments**

Community and Town Councils are the most local part of our democracy and play an integral role in the functioning of communities in Wales. They provide our neighbourhoods, villages and towns with a democratic voice and a structure for taking action – real people power at grassroots level.

We need more local democracy with more empowered people and places. The Local Government and Elections Bill provides an opportunity for politicians of all parties to support our most local, an increasingly important, level of governance. A chance to demonstrate their commitment to citizen-led action, which protects local assets and services and delivers responsive services based on local priorities – all of which improves lives and enhances communities.

One Voice Wales wants to work with Government to turn this vision into a reality. We agree with SOLACE's<sup>1</sup> (Society of Local Authority Chief Executives) principles for public services reform:

- **LOCAL SOLUTIONS** have been proven to work most effectively in improving outcomes for communities, achieving greater efficiency and reducing costs.
- **INTEGRATION** has the potential to improve outcomes, transform services and deliver significant financial savings. It is the long-term priority of local councils across all service areas and should be for the wider public services.
- **ACCOUNTABILITY** must be re-invented in the light of pan-public sector whole-place approaches, and it needs to be comprehensible to the public.
- **A NEW CONTRACT WITH COMMUNITIES** is needed to restore trust and build a more sustainable, adaptive relationship between local state and citizen.

There is undoubtedly a wider role for the community and town council sector in the future:

- Community and Town Councillors are committed to their communities and are an under-valued Wales-wide resource. Through their representative body, One Voice Wales, closer connections need to be made with Welsh Government departments.
- In the future there will be an increased expectation on Community and Town Councils' resources by Unitary Authorities, and current arrangements for partnership working between both tiers of local government need to be further enhanced and reflected in joint Charter arrangements that establish a firm foundation for effective working

<sup>1</sup> **OPPORTUNITY KNOCKS:** An alternative manifesto (Graeme McDonald© The Solace Group 2014)

- There is a need to support and build the capacity and skills of community groups to work in partnership with Community and Town Councils as well as raising the general awareness of the powers and responsibilities of this tier of local government.
- Any place-based approach by Welsh Government and its delivery partners should explicitly take account of the role of Community and Town councils and connect them to the local infrastructure and development plans so that they can enhance the effectiveness of locally based approaches and help sustain the continuing benefit of local interventions.

One Voice Wales considers that the Local Government and Elections Bill is taking many steps in the right direction for the future effectiveness of the local council sector however to realise the full potential of the community and town council sector necessary step changes are needed that will enable the Welsh Government to democratise Welsh society – the pace and scale of support not apparent in the Bill in its current form and the key areas for further development include:

- Provisions within the Bill to enable 100% coverage of Wales by community and town councils
- Provisions within the Bill as outlined above that enable the appropriate funding of the sector to realise its ambitions for the communities of Wales.

3 January 2020