

Local Government and Public Services Committee

LGPS(02)-03-07(p7)

Date of meeting: Wednesday 7 March 2007

Venue: Committee Room 2, Senedd, National Assembly for Wales

Title: Annual Report to Plenary 2006-07 and Committee Legacy report 2003-2007

Purpose

1. To approve the Committee's Annual Report to Plenary 2006-07 and legacy report to the 3rd Assembly.

Background

2. Standing Order 9.9 requires subject committees to report to the Assembly from time to time on progress in fulfilling their work programmes. All subject committee annual reports will be laid before the Assembly in April 2007. The draft annual report is at annex A.

3. The Committee is also invited to agree a legacy report to the 3rd Assembly. The report gives a strategic overview of the work and achievements of the Committee from 2003-2007 and highlights issues that relevant Committees of the 3rd Assembly may wish to consider. The draft legacy report is at annex B.

Action for the Committee

4. The Committee is invited to comment on and approve the draft annual report and the draft legacy report attached to the paper (the legacy report to be agreed subject to any additional points the Committee may wish to add following its last meeting on 22 March).

**Members' Research and Committee Service
March 2007**

Local Government and Public Services Committee

Report to Plenary under Standing Order 9.9: April 2006 to March 2007

1. INTRODUCTION

1.1 The Local Government and Public Services Committee is one of the Assembly's seven subject committees. This report is made under Standing Order 9.9, which requires subject committees to report to the Assembly from time to time on their progress in fulfilling their work programme. It summarises the Committee's work from April 2006 to March 2007.

2. MEMBERSHIP

2.1 Our membership from April 2006 to March 2007 was Ann Jones (Chair), Sue Essex (Minister for Finance, Local Government and Public Services), Mike German, Peter Law (January 2006 – April 2006), Dai Lloyd, David Melding, Catherine Thomas and Gwenda Thomas.

3. REMIT AND RESPONSIBILITIES

3.1 The Committee's remit mirrors the local government and public services portfolio of the Minister for Finance, Local Government and Public Services. This includes local government and the development of a strategic approach to the delivery of public services. It does not cover the Minister's responsibilities in respect of the Assembly's finances or policy or financial matters falling solely within another portfolio.

3.2 The Committee held 13 formal meetings in the reporting period. All formal meetings were held in the Senedd in Cardiff Bay except on 6 July 2006 when the Committee met at the National Assembly building in Colwyn Bay. On 8 June 2006 Members met informally with Sir Michael Lyons at HM Treasury to discuss his inquiry into Local Government. The Committee also met jointly with the Social Justice and Regeneration Committee to consider an evaluation report on implementing Communities First in Wales, and subsequently sought the views of all Welsh local authorities on the delivery of Communities First in their areas.

3.4 The responsibilities of subject committees are set out in Standing Orders 9.7 and 9.8. The remainder of this report details significant aspects of Committee work under each of these headings.

4. WORK AND ACHIEVEMENTS TO DATE

Policy Development (SO 9.7(i))

**Welsh Assembly Government's Response to the Committee's Inquiry
Report on 'The Regulation and Inspection of Public Services in Wales'**

4.1 At its 15 February 2007 meeting, in line with the agreed protocol for monitoring policy development, the Minister provided an update with progress in implementing the recommendations of the Committee's report.

Welsh Assembly Government's Response to the Committee's report 'The Operation of new political and management structures in local government'

4.2 On 15 February 2007 the Committee received an update from the Minister on progress in implementing the recommendations of the Committee's report. The WLGA also provided an update on progress with relevant recommendations.

Electoral arrangements in Wales scrutiny project

4.3 The Committee agreed the terms of reference for its project on Electoral arrangements in Wales¹ in March 2005. Further oral evidence was taken from witnesses during the reporting period, and on 6 December 2006 a final report was published. The report was debated in plenary session on 6 March 2007 and the Welsh Assembly Government's response scheduled for consideration in Committee on 22 March 2007.

4.4 The Committee also received a paper from the Minister on elections and widening participation in local government elections in December 2006.

Beecham Review of Local Service Delivery

4.5 Sir Jeremy Beecham presented his 'Beyond Boundaries' report to the Committee in September 2006, and in December Members considered the response of the Welsh Assembly Government and the WLGA. The Director of Cardiff University's Centre for Local and Regional Government Research also introduced his work on comparing local authority performance in England and Wales to the Committee – this research had been included in the 'Beyond Boundaries' report.

4.6 During the reporting period the Committee also considered the following in relation to the Welsh Assembly Government's 'Making the Connections' agenda: a report from the WLGA on activities in support of local government efficiency and joint working; a presentation from the Director of Public Service Management Wales (PSMW) on its work and future plans; and an update from the Head of the Making the Connections Unit on developing Core Principles for Customer Service for the Welsh Public.

¹ Terms of reference: 'To consider the issues surrounding the arrangements for local government and National Assembly elections in Wales, in particular, voter registration, voter turnout, the participation of young people and voting in languages other than English; to consider a range of measures used within other political systems to improve voter turnout, registration and the participation of young people and the extent to which they could be applied to local government and National Assembly elections in Wales; to consider if any additional measures are required to ensure that voting arrangements in Wales are fully inclusive; to make recommendations.'

Community Strategy Research Report

4.7 The Committee requested an update paper on the independent evaluation of the first round of Welsh community strategies. It provided an overview of developments in evaluating community strategies in Wales and proposals for taking community planning forward.

Local Authority Procurement

4.8 In May 2006 the Committee received a presentation from Carmarthenshire County Council and Value Wales officials on developments in local authority procurement. Further updates on the work of Value Wales were received in November 2006 and March 2007.

Progress on LABGI and BIDs

4.9 In June 2006 the Committee considered progress on the Local Authorities Business Growth Incentive Scheme (LABGI), and with the Swansea Business Improvement District (BID).

Small Business Rate Relief Scheme

4.10 The Committee considered proposals for a Small Business Rate Relief Scheme in September 2006 and later scrutinised regulations to implement the scheme.

The Night-time Economy

4.11 The Committee received presentations from a number of guests on issues relating to the night-time economy in North Wales, including local authorities, the Licensed Victuallers Association and the emergency services. This followed earlier consideration of the implications of the Licensing Act 2003.

Public Services Ombudsman for Wales

4.12 The Committee received a report from the Public Services Ombudsman for Wales on his first six months in office.

Progress with Census 2011

4.13 Officials from the Office of National Statistics and the Statistical Directorate updated the Committee on development work towards Census 2011 in Wales.

Local Government Partnership Scheme Annual Report

4.14 The Committee approved the Local Government Partnership Scheme annual report for 2005-06.

Report of the Committee on School Funding

4.15 In October 2006 the Chair of the Education, Lifelong Learning and Skills Committee presented the report of the Committee on School Funding and responded to Members questions.

Review of Expenditure and Administration (SO 9.7(ii))

Minister's Report

4.16 The Committee received a report from the Minister at alternate meetings allowing regular scrutiny of policies and decisions for which the Minister is accountable.

Review of Assembly Sponsored Public Bodies (SO 9.7(iii))

4.17 The Committee's remit includes the Local Government Boundary Commission for Wales. In November 2006 the Committee considered the Commission's Annual Report and Accounts for 2005-06. The Committee took evidence from the WLGA on a number of issues during the reporting period. All Wales local government performance data for 2005-06 was discussed with Welsh Assembly Government officials, the WLGA and the Local Government Data Unit.

Legislation (SO 9.8(i))

Primary Legislation

Electoral Administration Bill

4.18 Following Committee scrutiny of the Bill in 2005-06, a motion was carried in plenary on 11 January 2006 requiring the First Minister to ask the Secretary of State for Wales to bring forward the Committee's amendments. In April 2006 the Committee also wrote to the Department of Constitutional Affairs to express concern at the lack of reference to bilingualism in the regulatory appraisal accompanying the Bill. In June 2006 the Committee considered the Lord Chancellor's response to its amendments, and an update on the progress of the Bill.

Local Government and Public Involvement in Health Bill

4.19 On 28 November 2006 the Assembly remitted the Bill to the Local Government and Public Services Committee for consideration. The Committee received papers from the Minister about the Welsh provisions in the Bill on 18 January and 15 February 2007 and will report to the Assembly on its scrutiny of the Bill in March 2007.

Secondary Legislation

4.20 The Committee continued to work to its agreed protocol for handling subordinate legislation, which was established in June 2004. The Committee received a detailed timetable of forthcoming legislation within the Minister's

portfolio at alternate meetings and considered 14 pieces of draft legislation during the period covered by this report.

4.21 Details of SIs considered in Committee are attached at Annex 1.

European Legislation

4.22 In October 2006 the Committee considered an update of the EU legislative and policy items it had selected for further scrutiny or monitoring from the European Commission's 2006 Work Programme. In January 2007 the Committee considered items in the European Commission's 2007 Legislative and Work Programme of relevance to the Committee's remit. The Commission Communication on the implementation of national strategies for Green public procurement was identified for inclusion in its legacy report to the 3rd Assembly.

Budget (SO 9.8(ii))

4.23 In May 2006 the Committee considered its priorities for the Local Government Main Expenditure Group for 2007-08 and wrote to the Minister to formally convey its views. Following its scrutiny session on the draft budget on 8 November 2006, the Committee wrote to the Finance Minister in accordance with Standing Order 21. The Committee also considered firm proposals for three year settlements for Local Government in Wales in October 2006, and considered the Provisional Local Government Settlement in November 2006.

Complaints (SO 9.8(iii))

4.24 The Committee considered no reports brought to it in line with Standing Order 23.

Public Appointments (SO 9.8(iv))

4.25 The Committee's public appointment nominees² were consulted on the appointment of a Member to the Governing Council of the Valuation Tribunal Service for Wales.

Matters referred by the Assembly (SO 9.8(v))

4.26 There were no matters referred to the Committee by the Assembly under Standing Order 9.8(v).

5. CROSS CUTTING ISSUES

Equality

² Ann Jones and David Melding.

5.1 The Committee scrutinised relevant parts of the Welsh Assembly Government's Seventh Annual Report on Equality (2005-06) in October 2006 and conveyed its views to the Chair of the Equality of Opportunity Committee.

5.2 The Committee's scrutiny of Electoral arrangements in Wales sought to address equality issues including access to the electoral process by disabled people, young people, ethnic minority and social disadvantaged groups. A number of its final report recommendations were aimed at promoting equality in electoral arrangements.

5.3 The Committee also discussed the response of Welsh local authorities to the Civil Partnerships regulations with the WLGA.

Sustainable Development

5.4 The Minister provided the Committee with updates on the development of the Wales Spatial Plan. Consideration was also given to sustainable development in the context of procurement activities undertaken by Value Wales.

6. FORWARD PROGRAMME

6.1 The Committee's strategic work programme is attached at Annex 2.

Subordinate legislation considered by the Local Government and Public Services Committee

In line with the agreed protocol for handing subordinate legislation in Committee, the following SIs were identified and subsequently scrutinised:

- The Standards Committees (Wales) Regulations 2006
- The draft Regional Transport Planning (Wales) Order 2006
- Non- Domestic Rating (Small Business Relief) (Wales) Order 2006
- Non-Domestic Rating (Demand Notices and Discretionary Relief) (Amendment) Regulations 2006
- The Local Government Act 2003 (Commencement No.1 and Savings) (Wales) Order 2006
- The Non-Domestic Rating Contribution (Wales) (Amendment) Regulations 2006
- Smoke-free premises etc (Wales) Regulations 2006
- The Placement of Children (Wales) Regulations 2007
- Children's Homes (Wales) (Miscellaneous Amendment) Regulations 2007
- Local Health Boards (Functions) (Wales) (Amendment) Regulations 2007
- Review of Children Cases (Wales) Regulations 2007
- The Health, Social Care and Well-being Strategies (Wales) (Amendments) Regulations 2007
- The Local Authorities (Allowances for Members of County and County Borough Councils and Fire and Rescue Authorities) (Wales) Regulations 2007

In line with SO 26, the Committee considered The Sex Discrimination (Public Authorities) (Statutory Duties) Order 2006.

Reports on the above can be found on the Committee's website³.

The following SIs have been identified by the Committee for future consideration:

- The draft Public Transport Users' Committee for Wales (Establishment) Order
- The Congestion Charging Regulations
- Local Authorities (Political Restrictions Regime) (Wales) 2005
- The Conduct of Members (Principles and Model Code of Conduct) (Wales) Order 2006/07
- The Local Authorities (Conduct of Referendums) (Amendment) (Wales) Regulations 2007

³ <http://www.wales.gov.uk/keypubassemlocgovpubsvs/content/reports-e.htm>

Local Government and Public Services Committee

Strategic Forward Work Programme May 2006 to April 2007

Introduction

1. This work programme sets out the strategic priorities of the Committee for the next twelve months.

Remit and responsibilities

2. The Committee's remit is based on the portfolio of the Assembly Minister for Finance, Local Government and Public Services and covers local government, the development of a strategic approach to the delivery of public services and the Wales Spatial Plan. It does not cover the Minister's responsibilities in respect of the Assembly's finances or policy or financial matters falling solely within another portfolio.

3. The responsibilities of subject committees, as set out in Standing Order 9, are principally: policy development; scrutiny of Ministers and relevant bodies; and scrutiny of legislation.

Aims

4. The Committee will develop a strategic approach to its work and aim to balance consideration of subjects across the portfolio and its range of responsibilities.

Priorities

5. Priorities for the coming period will be:

Policy development (SO 9.7(i)) – the Committee will focus on those areas of policy development where it can make the greatest impact. It will continue with its project on electoral arrangements in Wales, for which the terms of reference⁴ have been agreed. The Committee will continue to follow-up progress on implementation of recommendations from its inquiry reports *The operation of new political management structures in local government* and *Regulation and Inspection of Public Services in Wales*. The Committee will

⁴To consider the issues surrounding the arrangements for local government and National Assembly elections in Wales, in particular, voter registration, voter turnout, the participation of young people and voting in languages other than English; To consider a range of measures used within other political systems to improve voter turnout, registration and the participation of young people and the extent to which they could be applied to local government and National Assembly elections in Wales; To consider if any additional measures are required to ensure that voting arrangements in Wales are fully inclusive; and To make recommendations.

continue with its scrutiny project in Electoral Arrangements in Wales and will publish its final report in the autumn of 2006. In addition the Committee will seek to help shape any reform of the public services agenda in Wales, which is brought about as a result of proposals in *Making the Connections*.

- *Scrutiny of the Minister (SO 9.7(ii))* - the Minister will report to the Committee at alternate meetings on current developments within the portfolio. The Committee may also undertake inquiries into particular topics in greater depth.
- *Scrutiny of relevant bodies (SO 9.7 (iii))* – the Committee will consider the work of the Local Government Boundary Commission for Wales, the Welsh Local Government Association, the Local Government Equalities Unit and the Local Government Data Unit of Wales.
- *Scrutiny of proposed legislation affecting Wales (SO 9.8(i) and 24)* – the Committee will receive, at alternative meetings, a timetable of forthcoming secondary legislation within its remit. The Committee will identify for scrutiny those items of legislation where there is scope to influence content and will also consider draft secondary legislation referred by the Deputy Presiding Officer as appropriate. In addition, the Committee will be informed of relevant proposed primary legislation.

The Committee will consider the following items as they arise:

- *proposals for the Assembly's budget (SO 9.8(ii))* – the Committee will indicate its budget priorities in the summer term and comment on the draft budget in the autumn term;
- *complaints (SO 9.8(iii) and 23)* – the Committee will consider any complaints referred to it under Standing Order 23;
- *public appointments (SO 9.8(iv) and 22)* – the Committee's two public appointment nominees will take part in the process of appointments to public bodies as vacancies arise;
- *other matters referred by the Assembly (SO 9.8 (v))* – the Committee will consider other matters referred to it by the National Assembly, but would ask Assembly Members to consult the Committee Chair before tabling motions inviting plenary to remit work to the Committee.

The Assembly's Statutory Duties

6. The Government of Wales Act 1998 places certain duties on the National Assembly, the Committee's work will be guided by the following:

- *Equality of Opportunity (s.48 and s.120)* - Committee meetings will be held in public and on occasion away from the National Assembly building to increase the accessibility of its business to people across Wales. Over the

range of issues within its portfolio, the Committee will have regard to equality of opportunity;

- *Sustainable Development (s.121)* - throughout its deliberations the Committee will focus on the need to balance economic and social growth with the conservation of the environment, through sustainable development. Its own policy review recommendations will reflect this principle.

Local Government and Public Services Committee
May 2006

LOCAL GOVERNMENT AND PUBLIC SERVICES COMMITTEE

REPORT TO PLENARY UNDER STANDING ORDER 9.9:

LEGACY REPORT - 2003 to 2007

INTRODUCTION

The Local Government and Public Services Committee is one of the Assembly's seven subject committees. This report is made under Standing Order 9.9, which requires subject committees to report to the Assembly from time to time on their progress in fulfilling their work programme. The report is made separately from the Committee's annual report for 2006-07, and is in two parts. Firstly it gives an overview of the strategic priorities and work activities of the Local Government and Public Services Committee (the Committee) during the 2nd Assembly. The second section of the report is a legacy to the relevant successor Committee(s) of the 3rd Assembly, indicating key issues that those Committees may wish to consider.

Copies of all the Committee's reports, agendas, papers, minutes and transcripts of meetings can be found on the National Assembly website.

1. STRATEGIC OVERVIEW

Remit and Responsibilities

1.1 The Committee's remit mirrors the local government and public services portfolio of the Minister for Finance, Local Government and Public Services. This includes local government and the development of a strategic approach to the delivery of public services. It does not cover the Minister's responsibilities in respect of the Assembly's finances or policy or financial matters falling solely within another portfolio.

Work and Achievements

1.2 The Committee met 52 times during the 2nd Assembly. The Committee met jointly with the Social Justice and Regeneration Committee to consider the interim evaluation of the Communities First Programme and with the Welsh Affairs Committee to scrutinise the *Public Services Ombudsman (Wales) Bill*. Formal meetings were held at the Assembly Building in Cardiff Bay, with the exception of a meeting on 6 July 2006 in the National Assembly visitor centre in Colwyn Bay. The Committee also undertook a number of visits in Wales and to other European countries to gather evidence for its policy reviews. In June 2006 Members met Sir Michael Lyons in London to discuss his inquiry into Local Government.

1.3 The Committee's main strategic priorities during the 2nd Assembly have been:

- The operation of new scrutiny arrangements in local government
- The role of town and community councils
- Encouraging more candidates to stand for local election
- Electoral arrangements in Wales
- The operation of the regulation and inspection regime for public services
- Helping to shape reform of the public services agenda in Wales as a result of proposals in *Making the Connections*

1.4 The principal achievements of the Committee during the 2nd Assembly are outlined below.

Scrutiny of Legislation

1.5 The Committee scrutinised and reported on the following primary legislation:

The Local Government Bill 2003 (June 2003) - the Committee also undertook detailed scrutiny of subordinate legislation flowing from the Act.

The Civil Contingencies Bill (December 2003) – the Committee also scrutinised the draft regulations and guidance arising from the Civil Contingencies Act 2004 and responded to the Cabinet Office.

The Public Services Ombudsman (Wales) Bill (December 2004) - the Committee undertook joint scrutiny sessions with the House of Commons Welsh Affairs Committee. The Committees invited written and oral evidence from a wide range of organisations affected by the legislation and reported separately.

The Electoral Administration Bill (October 2005) - the Committee recommended a series of amendments to the Bill and met informally with Peers to discuss them. On 11 January 2006, a plenary motion under Standing Order 33.9 was carried, requesting that the First Minister ask the Secretary of State for Wales to bring forward the Committee's amendments. The Committee considered the response of the Lord Chancellor on 21 June 2006.

The Local Government and Public Involvement in Health Bill (February 2007) – the Committee scrutinised the Bill with a view to reporting in March 2007. See also part 2 of this report – strategic issues.

Scrutiny of subordinate legislation

1.6 A protocol for handling subordinate legislation was agreed in June 2003. The Committee received a detailed timetable of forthcoming legislation within the Minister's portfolio, including cross-cutting items, at alternative meetings. Details of the statutory instruments scrutinised by the Committee are contained in the Committee's annual reports for 2003-2007.

European Legislation

1.7 The Committee has considered items in the European Commission's Legislative and Work Programme relevant to its remit. Detailed consideration of European proposals has included responding to consultations on relevant Directives and Green Papers.

Policy Reviews

The Operation of New Political Management Structures in Local Government

1.8 The Committee published its report in June 2004 and considered the Government's response in September 2004. An update from the Minister on the Welsh Assembly Government's response to the report was considered on 15 February 2007. As a result of one of the report's recommendations, the Assembly approved *The Local Authorities (Changing Executive Arrangements and Alternative Arrangements) (Wales) Regulations 2004* in November 2004.

Regulation and Inspection of Public Services in Wales

1.9 The Committee published its report in May 2005. During the course of the inquiry the Committee undertook a number of rapporteur visits and met with the Scottish Parliament's Local Government and Transport Committee, Scottish Executive officials and officers from the Convention of Scottish Local Authorities to discuss regulation and inspection arrangements there. The Welsh Assembly Government's response was considered in September 2005, and a further update from the Minister was considered on 15 February 2007.

Electoral Arrangements in Wales scrutiny project

1.10 The Committee agreed a terms of reference in March 2005 and after taking evidence and undertaking visits to Sweden, the Netherlands, Belgium and Denmark, an interim report was published in November 2005. A final report was launched in December 2006, and debated in plenary session on 6 March 2007, with the written Cabinet response being considered in Committee on 22 March 2007.

Public Services Reform – Making the Connections

1.11 A key development in the Local Government and Public Services portfolio is the Welsh Assembly Government's '*Making the Connections*' agenda aimed at transforming public services in Wales. The publication of Sir Jeremy Beecham's Review of Local Service Delivery report – *Beyond Boundaries* – has been a milestone. The Committee has also monitored the work of the related policy delivery functions: the *Public Service Management Wales* people programme, the *Value Wales* procurement arm, and the *Citizen Service/Access Team* developing citizen-centred public services.

The Lyons Inquiry

1.12 The Lyons Inquiry into Local Government began in July 2004 and the Committee met twice with Sir Michael Lyons, the latest meeting being in June

2006 after the remit of the original inquiry had been extended. The Committee made a submission on the impact of council tax revaluation in Wales in March 2006.

Budget scrutiny

1.13 The Committee carried out its requirements to contribute to the budget process each year by identifying priority areas for expenditure within the local government main expenditure group. During the 2006-07 Draft Budget Planning Round, at the request of the Chair of the Education, Lifelong Learning and Skills Committee, the Committee considered relevant recommendations of the Committee on School Funding.

Public appointments

1.14 The Committee's public appointment nominees⁵ were involved in the appointment of the Independent Adjudicator and to the Welsh Independent Remuneration Panel in 2003-04.

Complaints

1.15 In October 2004 the Committee considered a report of the Welsh Administration Ombudsman, in accordance with Standing Order 23, and recommended an amendment to the First Minister's proposed response to the report.

Scrutiny of relevant bodies

1.16 The Committee considered the work of the Local Government Boundary Commission for Wales, the Welsh Local Government Association, the Local Government Equalities Unit, The Local Government Data Unit, Syniad, the Electoral Commission and the Audit Commission.

Cross-cutting issues

Equality

1.17 As part of the consultation process to inform the Committee's policy reviews and scrutiny project, written submissions were invited from a number of groups representing minority interests. The scrutiny project into electoral arrangements in Wales specifically focused on the needs of disabled voters, young people, people from ethnic minorities and Welsh speakers.

1.18 The Committee considered and responded to the following:

- Electoral Commission's review of the minimum age of voting and candidacy in UK elections
- Children's Commissioner for Wales annual report for 2003-4

⁵ Ann Jones and Glyn Davies.

- Equality of Opportunity Committee's review of mainstreaming equality in the Assembly
- Independent Commission to Review the Voluntary Sector

1.19 In March 2006 a meeting was devoted to equality issues. The Standing Invitees to the Equality of Opportunity Committee attended for consideration of local authorities' responses to recent equality legislation. An update on how those authorities were implementing their equality schemes was considered in March 2007.

Sustainable Development

1.20 The Committee wrote to the Minister for Environment, Planning and Countryside in April 2004 with its views on the Sustainable Development Scheme draft action plan. The Minister has also provided regular updates on the development of the Wales Spatial Plan, most recently in March 2007.

2. LEGACY TO SUCCESSOR COMMITTEE(S)

Strategic Issues

2.1 It is recommended that successor Committee(s) should concentrate on the following high level strategic issues.

Local Government structure and functions

The Beecham agenda – Delivering Beyond Boundaries

2.2 The Welsh Assembly Government published its action plan 'Making the Connections: Delivering Beyond Boundaries' in November 2006, and the Committee discussed plans to pilot Local Service Boards in 2007-08 with the Minister in December. The further development of plans set out in the document are anticipated with interest.

2.3 The Auditor General for Wales has been undertaking a review via the Wales Audit Office (WAO) which covers the whole of Welsh public services. The focus of the work has been to establish the progress that has been made to meet the challenges of 'Making the Connections', identify barriers and solutions and share the findings. Elements of this work have reflected the recommendations of the Committee's 2005 report into the Regulation and Inspection of Public Services in Wales, involving the use of self assessment techniques and a focus on the identification and dissemination of good practice to support the improvements necessary.

2.4 Members of the 3rd Assembly may wish to give consideration to the progress of the WAO review along with other areas including developments in performance measurement, benchmarking, regulation and inspection, citizen involvement, governance and scrutiny functions and the capacity of public service managers to deliver.

2.5 The Committee also specifically recommends that any successor Committee be involved in any possible future consultation on the de-regulation of services regulated by the Care Standards Inspectorate for Wales.

2.6 The Minister has indicated the opportunities offered by the Government of Wales Act 2006 for new legislative powers to progress the public service reforms outlined in *'Beyond Boundaries'*. The Committee has carefully considered the implications for Wales of the UK Government *Local Government and Public Involvement in Health Bill*, which provides for new legislative competence to be conferred on the Assembly. The insertion of certain Matters into Part 1 of Schedule 5 to the Government of Wales Act 2006 under Field 12 (local government), will enable the Assembly to adopt Assembly Measures on those Matters. The Welsh Assembly Government is also due to issue a *Local Government Policy Statement* in March 2007. The implications of the statement for the future of local government in Wales, and the consideration of any future Assembly Measures in this respect will be a matter for scrutiny by the 3rd Assembly.

Scrutiny of Performance Measurement Data

2.7 All Wales local government performance data for 2005/06 was considered in Committee in November 2006, and the outcome of consultation on changes to the Performance Measurement Framework was considered in March 2007. A Performance Wales team has also been established as part of the Delivering the Connections action plan.

The role and functions of elected Members

2.8 Research into the role and functions of elected Members in Wales is expected to be published by the Welsh Assembly Government before the Assembly elections. The role of councillors was also raised in the interim report of the Lyons Inquiry. The outcome of the research will be an issue to consider in the 3rd Assembly.

The Role of Town and Community Councils

2.9 A future Committee may wish to consider the future role of town and community councils, in the light of recommendations of the 2003 Aberystwyth report, the provisions of the Local Government and Public Involvement in Health Bill, the Welsh Assembly Government's Policy Statement, and the Lyons Inquiry final report. It may wish to take evidence from One Voice Wales on this issue.

Revised Community Planning Guidance

2.10 The Minister is due to update the Committee on revising Community Planning Guidance in March 2007 but the guidance will not be revised before the Assembly elections.

Local Government Finance

The Lyons Inquiry

2.11 Sir Michael Lyon's final report into local government finance and functions is scheduled for publication around the time of the Chancellor's Budget speech in March 2007 and can be expected to have implications for Welsh local government.

Promoting engagement in local democracy

2.14 The Committee finalised its report on Electoral Arrangements in Wales in December 2006 to allow time for Cabinet response before the elections. Some late evidence was received from Estyn and the Wales Debating Federation on delivering citizenship education in Welsh schools. The Committee would have welcomed further exploration of this issue with teaching trade unions, the Assembly Parliamentary Service's education service and youth organisations such as Funky Dragon.

2.15 Assembly Elections in 2007 will also test changes brought in by the Electoral Administration Act 2006, including the ability to register up to 11 days before polling and the verification of personal identifiers for postal votes. Schedule 2 of the Government of Wales Act 2006 also gives powers to the Assembly Commission to promote public awareness of Assembly elections and the Committee has recommended that full use is made of those powers. Scrutiny of the impact of the Act, and implementation of the Committee's recommendations about electoral arrangements, will be timely in the run-up to local government elections in 2008.

Cross-cutting issues

Communities First

2.16 After meeting jointly with the Social Justice and Regeneration (SJR) Committee to consider the Communities First programme, the Committee sought the views of local authorities on the delivery of Communities First in their areas. Responses were circulated to Members and the SJR Committee Chair and there is scope for further scrutiny.

Children's Issues

2.17 The Committee considered the Welsh input to the UK Government review of implementation of the UN Convention the Rights of the Child in March 2007. It has also recently considered a package of regulations - 'Towards a Stable Life and a Brighter Future' – aimed at improving arrangements for looked-after children in Wales. Continued scrutiny of the corporate parenting role of local authorities will be essential in the 3rd Assembly. The Committee notes the importance of involving young people in the development of proposed Local Service Boards, local government scrutiny

processes and the development of Children's Services, for example when recruiting Heads of Children's Services. Guidance in these areas should be subject to scrutiny.

Equality

2.18 The Committee considered the latest local government performance data in November 2006 and expressed concern about differences in waiting times for disabled facilities grant between local authority areas. The WLGA reported that it was due to publish an Assembly-sponsored benchmarking study on adaptations in 2007 and that there was scope for speeding up the procurement process.

2.19 The results of pilot question testing for the 2011 Census in Camarthenshire are due to be published in late 2007 – early 2008 and there is scope for Members to continue to feed into the development process. The Committee is keen to ensure that the Census will obtain accurate data from all Welsh residents, including migrant workers and Gypsies and Travellers, to inform formula funding for public services.

2.20 The Welsh Assembly Government's equality report is required under section 77 of the Government of Wales Act 2006. When the Committee last considered relevant sections of the report it agreed that future consideration should include a separate report from the WLGA Equalities Unit, for example to include information on diversity in public appointments.

Sustainable Development

2.21 Future development of the Wales Spatial Plan should incorporate marine planning issues. The Committee has sought the opportunity for joint scrutiny of a forthcoming UK Government Marine Bill with the Environment, Planning and Countryside Committee. A key component of the proposed Bill is a potential system of marine spatial planning. Publication of a White Paper on the Marine Bill is expected on 15 March 2007.

Role of the Public Services Ombudsman

2.22 The Public Services Ombudsman for Wales reported to the Committee on his first six months in office in September 2006. A relevant Committee of the 3rd Assembly may wish to further consider the progress of the Ombudsman's investigations and the public profile of the Office.

Legislation

Primary Legislation and Measure-making powers

2.23 The implications of the powers to be conferred on the Assembly through the *Local Government and Public Involvement in Health Bill* are highlighted under strategic issues above. This Government Bill is due to reach report stage in the House of Commons by 8 March 2007.

Subordinate Legislation

2.24 A number of items of draft legislation were identified for scrutiny by the Committee but not brought forward for consideration before March 2007.

These are listed in the table below. Some relate directly to local government policy or finance, others are cross-cutting.

Working Title and details	Scope and effect
<p>The Conduct of Members (Principles and Model Code of Conduct) (Wales) Order 2006/07 Ref: LG.084, previously LAA 21. Identified for scrutiny: 22 Sept 2004.</p>	<p>To prescribe a revised code of conduct for local government in Wales, following outcome of the review of the operation of the existing code. Introduces a new code applying to members of county/county borough and community councils, fire authorities and national park authorities.</p>
<p>Local Authorities (Political Restrictions Regime) (Wales) 2005 Ref: LG.065, previously LAA 30. Identified for scrutiny: 1 Dec 2004.</p>	<p>To review the restrictions on the political activity of local government employees. To amend regulations on the scope of staff affected; the extent of restrictions; role of the independent adjudicator; pay of political assistants.</p>
<p>The Local Authorities (Conduct of Referendums) (Amendment) (Wales) Regulations 2007 Ref: LG.100 Identified for scrutiny: 21 Sept 2006</p>	<p>To update the existing regulations to reflect changes introduced by the Local Authorities (Changing Executive Arrangements and Alternative Arrangements) (Wales) Regulations 2004. To incorporate amendments subsequently identified by Legislation Committee and to make administrative improvements similar to those already made by the comparable regulations for England.</p>
<p>The draft Public Transport Users' Committee for Wales (Establishment) Order Ref: to be provided. Identified for scrutiny: 30 March 2006</p>	<p>To establish a Public Transport Users' Committee for Wales, which will Act as a watchdog to ensure that the passengers' voice is heard. Will represent the interests of users of all modes of public transport in Wales, that is ferries, taxis and air services as well as buses and trains. It therefore has the potential to help promote and develop integrated transport policies across Wales.</p>
<p>The Congestion Charging Regulations Ref: to be provided Identified for scrutiny: 17 May 2006</p>	<p>To enable Local Authorities to introduce two forms of charging: congestion charging and work place parking levies. Will enable a Local Authority to introduce a congestion charging scheme within their area, subject to Assembly approval.</p>

European Legislative Proposals

2.25 On 18 January 2007 the Committee considered European Union policy and legislative issues in 2007 that were relevant to the remit of the Committee. The following proposal was identified as a priority for scrutiny in the 3rd Assembly: **Commission Communication on the implementation of national strategies for Green public procurement based on EU-wide target setting and regular monitoring and benchmarking**. Its expected date of adoption is autumn 2007.

The proposal aims to:

- convince Member States of the need to address National strategies for green public procurement, co-ordinated and verified by the Commission;
- indicate ways of achieving the EU wide target for Green public procurement which has been set by the EU leaders in the renewed Sustainable Development Strategy;
- link Green public procurement to other policies and demonstrate its usefulness for reaching key environmental and economic objectives (climate change through energy efficiency in public buildings and transport for instance, or demand driven development of eco-technologies).

Members' Research and Committee Service
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