

John Griffiths AM
Chair
Equality, Local Government & Communities Committee
National Assembly for Wales

8 January 2020

Dear John,

Local Government and Elections (Wales) Bill

The Auditor General for Wales copied his response to the Equalities, Local Government & Communities Committee consultation on the Local Government and Elections (Wales) Bill to the Public Accounts Committee, which we considered at our meeting on 6 January 2020.

We understand that your Committee's consultation on the Bill closed on 3 January but we wish to endorse the Auditor General's views and highlight a number of additional concerns that have arisen during our recent scrutiny of the operation of Town and Community Councils (T&CCs) in Wales. These concerns are set out below and I trust that these will be considered as part of your Committee's stage 1 scrutiny of the Bill.

Auditor General for Wales Consultation Response

While we wish to endorse the response as a whole we have a number of specific points that we wish to draw your attention to:

- Self-Assessments

We share the concerns of the Auditor General that the requirements of section 90 will not necessarily improve the quality of self-assessments. We are not convinced that self-assessments will deliver the level of rigour and consistent objectivity that is required to be effective. We are not clear on how these requirements will



improve upon the experiences of 'Best Value Reviews', which local authorities were required to do under the Local Government Act 1999, and the 2009 Measure, which demonstrated weaknesses in this approach.

- Panel Assessments

We share the Auditor General's reservations about whether panel assessments (section 91) will achieve Welsh Ministers' objectives and the risks involved in local authorities appointing their own panels. This would appear to conflict with good governance as self-selecting panels are open to the risk of self-interest undermining of their objectivity.

- Co-ordination between regulators

We are surprised at the requirement in section 118 of the Bill to produce timetables for each council for the exercise of functions by regulators. We agreed that inspections by regulators need to have an element of short notice in order to be effective and gain an accurate insight into the bodies being inspected.

Towns and Community Councils

- Increasing democracy and participation

You may be aware that the PAC held an evidence session with the Welsh Government on 25 November 2019 on the financial implications and governance of town and community councils. Following that session, the Welsh Government agreed to write with data relating to the number of uncontested T&CC council seats at the last election (2017).

The Committee has forwarded a copy of the Welsh Government's letter to inform the work your Committee is undertaking on the Bill. We were concerned about the high numbers of uncontested seats and the additional duties that are being placed on these organisations, which coupled with capacity issues, means that in many Town and Community Councils, these additional duties are not being able to be discharged. We are also of the view that there are too many T&CC's which is exacerbating the issue of under capacity and further reducing their effectiveness.



In written evidence to us, the Welsh Government set out an action plan around using existing powers to ensure 'community reviews' are conducted regularly and campaigning to encourage more people to stand for election in T&CC elections.

We consider increasing democracy and participation with T&CCs to be of utmost importance and the Welsh Government's action plan must be a priority. We heard in oral evidence that the Welsh Government is considering a more public facing campaign in the run up to the next elections. The purpose of which is to draw attention to the work of T&CCs and encourage more people to engage but also more actively participate. We think this needs to be an action rather than just a consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Darren Millar". The signature is fluid and cursive, with a long horizontal stroke at the end.

Darren Millar AM
Chair (Temporary)

