

**FLINTSHIRE COUNTY COUNCIL**

<b>Date of Meeting</b>	Tuesday 25 <sup>th</sup> January 2022
<b>Report Subject</b>	Local Government & Elections (Wales) Act 2021-Update
<b>Report Author</b>	Chief Officer (Governance)

**EXECUTIVE SUMMARY**

The Local Government and Elections (Wales) Bill was passed by the Senedd on 18th November 2020. It received Royal Assent, and became an Act at the end of January 2021.

As explained in previous reports to Council, the Act is a significant piece of legislation which encompasses a number of issues. It is large - It has 170 sections and 14 schedules- which reflects its lengthy gestation period. Some aspects of it reflect what Flintshire, as a best practice authority is already doing. For other parts, your officers will do the necessary work to implement them within the prescribed timescales.

Much of the Act has been brought into effect, although some key provisions will be implemented from 5<sup>th</sup> May 2022, to correspond with the date of the next Local Government Elections.

An officer working group has been established to ensure the Act is implemented in full. It will report from time to time to the Constitution & Democratic Services Committee and to Council.

**RECOMMENDATIONS**

1	That Council receives and is assured by this briefing report.
2	That Council notes the constitutional and other implications of the Act, and that these are being worked on by the Local Government & Elections Act 2021 Implementation Working Group of officers, led by the Chief Officer (Governance).

## REPORT DETAILS

1.00	<b>IMPLEMENTING THE LOCAL GOVERNMENT &amp; ELECTIONS (WALES) ACT 2021</b>
1.01	The Local Government and Elections (Wales) Act received Royal Assent, and became an Act at the end of January 2021. We gave an undertaking to keep Members apprised of the implementation of this complicated piece of legislation, through reports to Council, Constitution & Democratic Services Committee or Governance & Audit Committee, as considered appropriate.
1.02.	Members will recall that the Act has been/will be implemented in stages. So far 3 different implementation orders have been passed. These which bring the legislation into force on various dates between April 2021 and May 2022. A comprehensive list of the statutory duties that apply to councils is attached at Appendix 1. That appendix also shows our progress on implementing the requirement.
1.03	<p>Relevant elements of the Act have already been implemented in Flintshire, or are being worked on, so that they will be ready for May 2022, when a number of changes will be required.</p> <ul style="list-style-type: none"> <li>• The 2021 elections were administered in accordance with legislative changes (for example, enfranchisement of 16 and 17 year olds).</li> <li>• We have changed the name of the Audit committee and amended its terms of reference as the Governance &amp; Audit Committee.</li> <li>• We have employed our new chief executive with the statutory role of 'chief executive', rather than as 'head of paid service'</li> <li>• We are working on our Corporate self-assessment</li> <li>• We have published 'official' addresses for councillors (we commenced this work in late 2019, primarily as a wellbeing issue)</li> <li>• We have been holding our meetings remotely since 2020 and publishing our notices of meetings and agendas electronically</li> </ul> <p>The development of an interim multi-location meetings policy (Constitution &amp; Democratic Services Committee considered this at its meeting on 17<sup>th</sup> November; the actual policy will be determined by the new Council in the autumn of 2022).</p>
1.04	<p>We are currently working towards</p> <ul style="list-style-type: none"> <li>• Publication of the Constitution and Constitution guide (Members will be aware that we have published our Constitution for several years)</li> <li>• Developing our Public Participation Strategy</li> <li>• Development of our Petitions scheme (to go to Constitution &amp; Democratic Services committee in January 2022).</li> <li>• An interim Multi-location Meetings policy (on the agenda for this meeting as a separate report).</li> </ul>
1.05	As Welsh Government publishes further commencement orders, their implications will be assessed and Members are assured that work will commence on implementation. Some aspects of the Act are amorphous: the role of assistants to the executive being a case in point. We, along with

	the rest of the Welsh local government community will need further detail from Welsh Government before we are able to do any work on them.
1.06	<p>Our implementation of the Act is co-ordinated through a team of officers, as follows:</p> <p>Chief Officer (Governance) – chair  Head of Democratic Services  Internal Audit, Performance and Risk Manager  Legal Services Manager  Senior Manager Human Resources &amp; Organisational Development  Strategic Performance Advisor.</p>

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	None.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	This is an information report and thus not for consultation.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	Not applicable.

<b>5.00</b>	<b>APPENDICES</b>
5.01	Local Government & Elections (Wales) Act 2021- List of updates.

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>Report of the Chief Executive and Chief Officer (Governance) on the Local Government &amp; Elections (Wales) Bill. Council, 28<sup>th</sup> January 2020 and resultant minute.  <a href="http://modgov:9070/documents/g4472/Public%20reports%20pack%2028th-Jan-2020%2014.00%20Flintshire%20County%20Council.pdf?T=10">http://modgov:9070/documents/g4472/Public%20reports%20pack%2028th-Jan-2020%2014.00%20Flintshire%20County%20Council.pdf?T=10</a></p> <p>Report of the Chief Executive and Chief Officer (Governance) on the local government &amp; Elections (Wales) Bill. Council 26<sup>th</sup> January 2021 and resultant minute.  <a href="http://modgov:9070/documents/g4841/Public%20reports%20pack%2026th-Jan-2021%2014.00%20Flintshire%20County%20Council.pdf?T=10">http://modgov:9070/documents/g4841/Public%20reports%20pack%2026th-Jan-2021%2014.00%20Flintshire%20County%20Council.pdf?T=10</a></p>

	<p>Report of the Chief Officer (Governance) to Council 1st April 2021 and resultant minute.  <a href="http://modgov:9070/documents/g4843/Public%20reports%20pack%2001st-Apr-2021%2014.00%20Flintshire%20County%20Council.pdf?T=10">http://modgov:9070/documents/g4843/Public%20reports%20pack%2001st-Apr-2021%2014.00%20Flintshire%20County%20Council.pdf?T=10</a></p> <p><b>Contact Officer:</b> Gareth Owens , Chief Officer (Governance)  <b>Telephone:</b> 01352 702344  <b>E-mail:</b> <a href="mailto:gareth.legal@flintshire.gov.uk">gareth.legal@flintshire.gov.uk</a></p>
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<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	None.