



CONSULTATION ON THE FUTURE OF LOCAL COUNCILS



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Secretary to the Association



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1. The Association

The North and Mid Wales Association has been in existence for over 40 years representing Town and Community Councils over an area from Welshpool in the South to the Coast in the North of Wales.

1.1 Membership

The Association has over 30 member Councils and at the meeting which discussed this document the following were present:

Abergele Town Council
Argoed Town Council
Baguillt Town Council
Bangor City Council
Bay of Colwyn Town Council
Buckley Town Council
Caerwys Town Council
Connah's Quay Town Council
Conwy Town Council
Denbigh Town Council
Flint Town Council
Holywell Town Council
Menai Bridge Town Council
Llandudno Town Council
Penmaenmawr Town Council
Prestatyn Town Council
Rhyl Town Council
Ruthin Town Council
St Asaph City Council
Towyn and Kinmell Bay Town Council
Welshpool Town Council



1.2 Seminar

The Seminar was held at the Springfield Hotel Holywell on Friday 19th January 2018. The format of the Seminar was an introduction to the subject, breaking into groups to discuss the various elements and then a final plenary session with report back.

1.3 Final document for presentation

The final document for presentation to the Panel was prepared from the Seminar, posted on the North and Mid Wales Association of Local Councils Web Site for comment and then finally issued as an approved document.

1.4 The Association Web Site is at www.northwalesassociation.org.uk



2. Remit and Consultation

2.1 Remit of this presentation

The remit of the Seminar was to consider the Future of Local Councils taking into account the following areas for discussion:

The Council

GROUP	Detail
RED	Should Councils be combined or clustered?
	What size should a Council be?
	If clustered how would this work?
	How many Councillors should there be?
	How would you set up combining Councils or clustering of Councils?
	Are there any issues with the Council Ward sizes or boundaries?

Financial

GROUP	Detail
BLUE	Precept level – taking into account current Town and Village levels.
	Precept and how it is set if Councils are clustered.
	What about reserves to support services?
	What about Councillor allowances when the Council is larger?
	Are there any issues around assets and liabilities of each Council when the changes come into effect?



Duties and Powers

GROUP	Detail
PURPLE	What duties should be applied to Local Councils?
	What powers should be applied to Local Councils?
	What services should Local Councils be expected to provide?

Staffing

GROUP	Detail
BLACK	How should the new head of service be appointed?
	What should be the minimum qualifications for a new Chief Officer?
	Is there a role in an enlarged Council or Clustered Councils for existing Clerks?
	What issues are there around inheriting staff from other Councils and how should it be addressed?
	What about the Pension deficits that Councils have?
	Where should the Council Offices be located and should there be more than one. i.e. a weekly base in outlying villages away from a town?
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Civic and Culture

GROUP	Detail
BROWN	How would you cope with differing cultures including the Welsh Language?
	How should the name of any new Council or Cluster of Councils be arrived at?
	Are there any issues around civic ceremonies (i.e. some communities have a Mayor and others a Chair) For example: what about remembrance where there might be more than one memorial in a new Council area?
	How about decision making and the best way of doing this when making decisions on all of the subjects raised where there might be disagreement?



3. Future of Local Councils

3.1 Issues identified

The issues which were of main concern when considering the future of Local Councils included:

- Community identity and differing cultures of communities.
- Differing abilities to deliver local services.
- Governance.
- Council Tax levels being very difference from area to area.
- Reserves.
- Existing liabilities of Councils including pension deficits.

3.2 Future of Councils

The proposal below sets out the view of the Association as to what is feels would work into the future.

3.2.1 Size of Council

One size does not fit all. For example if you have all Local Councils comprising approx 12,500 populations then you would need to combine many. However as a 'blunt tool' this leads to splitting into two larger towns such as Llandudno or Bangor. The method proposed would cover all towns equally.

The size of Council should be based on a minimum. The suggested level is over 10,000 populations with no maximum (so that areas such as Bangor remain intact).

The Boundary Commission for Wales I completing a piece of work seeking to create wards of a similar size. This will aid the combining of wards to create new Local Councils.



The size of the Council, on the model suggested, would be achieved by looking at communities that logically join together and not be just looking at a map remote from the area.

The number of Councils should not be prescribed but allowed to evolve as the process goes forward.

3.2.2 Enlarging or Clustering

The idea of Clustering was considered and from local experience (i.e. local clusters not working) those present recommend a single Council. There were only two member Councils present who felt Clustering should be the preferred option.

The idea of the suggested pattern for new Local Councils is as follows:

- a) There would be a single election to each Council with 3 members per ward elected (with the Boundary Commission Review this should be achievable).
- b) Councils would then comprise of between 18 and 24 Councillors (depending on the number of wards put together to form the new Local Council).
- c) Due to the smaller number of Local Councillors consideration should be given to how County Councillors might also be Town Councillors without the Council being in an imbalance.

3.2.3 Differing Communities

The communities created in Wales have very varied cultures and backgrounds. This must be recognised as far as possible when deciding new boundaries.

3.2.4. Council Tax

The Council Tax in larger Towns is often more than that in the smaller villages. On combining into one Council this will level with the tax falling in some areas and rising in others.



It could be argued that this is unfair as the villages do not get the same services, however it could also be argued that the Towns provide services that the villages use but do not pay for. While a County Council is providing services everyone pays towards it, when it is delivered locally the burden falls on the people in that electoral area only.

The overview is that an equal Council Tax should be applied to all homes in a Council area

3.2.5 Reserves and Assets

When considering what services should be delivered by Local Councils the subject of reserves needs to be considered. There may be a need to create on formation of the new Councils a level of reserves to allow them to deliver the services that they are required to do. This must be done on an equitable basis and not penalise those who have had the forethought to have good reserves.

It was suggested that a 'kick start' budget sum should be allocated to each new Council area.

The transfer of assets to a Local Council should be at no cost (on the basis that whilst the asset remains in public ownership the public have already paid for it) and any reserves attached to that asset should be transferred as well.

There was also a concern that some Council assets are not well kept with any new Council picking up the tab for bringing them up to a good standard.

3.2.6 Budget

Budgets would be set by the Council but it is suggested that the budget should allow a sum of money for each ward to be expended so as to meet the issue of keeping identity and fairness.

3.2.7 Allowances

The issue of allowances has caused some concern to Councils following the latest report from the Independent Review Panel for Wales. The imposition of any allowances (other than as a recommendation) should be the decision of each Local Council and not that of an unelected body.



3.2.8 Powers and Duties

There should be as a minimum the following duties on Local Councils:

- To hold at least 10 Council Meeting per annum
- To set a precept
- To set and monitor a budget
- To have a Finance and a Planning Committee as a minimum

The existing powers for Local Councils should increase to cover not only basic local services but more. However, applying duties is difficult as each area is different.

The Powers considered important and it is suggested that maybe authority to Local Councils should cover the following:

- Some social care
- Village Halls
- Markets
- Libraries
- Recreational spaces and playgrounds
- War memorials and Memorial Gardens.
- Bus shelters
- CCTV
- Public Toilets
- Footpaths and pavements
- Leisure and recreational
- Cemeteries
- Litter, bins and street scene
- Tourist Promotion
- Car parks
- Economic development
- Local entertainment

The Local Councils should have the wider powers to do what they feel is right for their communities subject to meeting a level of competence.



3.2.9 What should a Local Council Deliver?

The issue of what a Local Council should deliver is difficult to prescribe as each community is different. However, the powers set out above would give a Local Council the ability to deliver what its community needs.

It could be better if a sum of money was allocated to communities which they can spend on local services which fit the needs locally. This may mean that some services would be passed over and come within this remit.

The basic services provided by the Principal Authorities would still include:

- Education
- Social Services
- Highways
- Regulation
- Support for principal services such as youth, libraries etc.

All other local services (toilets, youth, libraries, tourist information, recreational etc.) could be provided by the Local Council.

If a Local Council wishes to support or enhance the services delivered by the Principal Authorities then this should be able to do this.

3.2.10 The new Head of Service

The new Head of Service of the Local Council would be either CEO or Town Clerk. They would need more powers within the Local Council to ensure it ran efficiently. The authority of any CEO should be set out in a delegated powers document approved by the Council.

The day of the part time Clerk is probably at an end.



3.2.11 Funding of a Local Council

Local Councils at present are funded by Council Tax and any other income they can generate themselves including grant aid.

Serious consideration should be given to some direct funding from either Welsh Government or the Principal Authority.

3.2.12 Staff matters

The issue of staff cost concerned many of those present. The new Local Councils should be allowed to employ staff on terms and conditions they feel fit and not directed by others.

More important to highlight is the unaffordable terms and conditions of some Principal Authority Staff including the Local Authority Pension Scheme – these terms and condition should not be imposed on Local Councils who should be allowed to make their own decisions on such matters.

Staff transferred should be made redundant on separation agreements and then TUPE over to the new Council on local terms and conditions.

It is not morally right for the public to be loaded with the cost of local authority employees on substantial packages including extensive holidays, local government pensions or indeed built up redundancy payments.

3.2.13 How a new Council is set up

However the new councils are set up layers of management should be avoided as this will make such councils less viable.

It is suggested that the most efficient method of creating the new councils is to take the larger of the Councils in the area and add Councils to them rather than create a new Council which is complicated an expensive.

The public will be confused, there may need to be a web site and booklet (not just a web site) to explain it all.



3.2.14 How a new Council could operate

The new Council operation is explained in previous paragraphs.

3.2.15 Welsh Language

The issue of Welsh and English languages was discussed. The suggested rules on this subject should be as follows:

- a) All Web Sites and papers should be available in Welsh upon request but should not be a mandatory requirement. (Border Towns have very little Welsh language basis whereas further into Wales they do).
- b) Interpreters (for either language) should be provided upon request giving 3 clear working days' notice before a meeting. (i.e. As soon as the notice of the meeting is published).

3.2.16 Name of the new Local Council

Names of the new Local Councils should be based upon historic ties and history, if a name cannot be found on this basis the joining of those Councils may not be right.

3.2.17 Civic

The civic ceremonies and positions (such as a Mayor) should be retained not only in the central area but also the outlying areas of each community making up the new Council.

3.2.18 Overall Governance

The overall governance laid down for Local Council was considered adequate and just needs to be carried out by Local Councils.

Elections are important to gain credibility and accountability. Elections should be mandatory unless there are exceptional reasons why a co-option should take place. There should be a limit of no more than 3 co-options on any new Council.



3.2.19 Suggested way forward for Local Councils

The overall suggested way forward is as follows:

- i) Councils should comprise of between 5 and 8 wards of 3 Councillors per ward. (i.e. 18 and 24 Councillors). Size of wards is not relevant.
- ii) A small budget for each ward should be allocated to ensure each area has an identity and an input.
- iii) The larger Council in an area should absorb smaller Councils around it in line with guidelines.
- iv) Council Tax should be even over all the Councils which are combined.
- v) Duties should see little change but with more powers for Local Councils to deliver services.
- vi) It is important that each community knows how to contact the Council.
- vii) Staff transferred from principal authorities should be employed on a 'start again basis'.

3.2.20 Other matters of interest

Other subjects put forward of interest included:

- a) The liabilities of former Councils should not be passed onto the new Councils.
- b) Reserves from Local Councils would in theory be pooled, however some areas may have saved up for particular schemes, this should be respected.
- c) Some Councils have management experience in staffing and many services (i.e. Welshpool), others may only have a part time Clerk (i.e. Bagillt Community Council) and others getting involved but by providing money rather than direct delivery (i.e. Rhyl).
- d) The need for professional Clerks or Chief Offices was considered, the number of such potential leaders is few compared with those that will be required.
- e) The Groups felt that a representative from the Association should meet the Panel as part of their deliberations.



4. Signatures to the consultation document

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CIlr Brian Roberts
Chair of the Association

.....
R. A. Robinson FRICS FSLCC
Secretary to the Association

Dated



**GENERAL NOTES FROM GROUPS AT THE
SEMINAR FOR INFORMATION ONLY**

NOTES FROM RED GROUP (The Council)

8-10 Councillors from different local Councils.

The following are the notes from this group:

- i) The group considered what type of Council might be right for the future.
- ii) Clustering was considered and the view reached that this would be cumbersome and unworkable.
- iii) A single Local Council for each area was considered appropriate.
- iv) Any Local Council which is enlarged should be enlarged on the basis of adding wards together.
- v) When putting together a new Local Council area the following factors need to be considered:
 - a) Distances in time that Councillors will need to travel to get to meetings.
 - b) Additional costs of travel.
 - c) Timings of meetings.
 - d) Additional costs of bi-lingual delivery.
 - e) Each Council needs to be in control of its own destiny.
- vi) The size of Council should be flexible to take into account larger towns (i.e. Bangor) and groups of smaller councils.
- vii) Local Councils should be prepared on the basis of empathy and not just numbers.
- viii) All Local Councils should be warded to allow for local representation.
- ix) The initial cost of setting up of new Councils should be borne by Welsh Government and not the Local Electorate.
- x) Shadow Councils will be important on handover from several areas leading to one unit. (probably 12 months should be the prescribed period).



NOTES FROM BLUE GROUP (Financial)

8-10 Councillors from different local Councils.

The following are the notes from this group:

- i) The group was sceptical about financing due to the extreme differences between each Local Council.
- ii) A target level should be identified for finance which would include a list of what each community needs.
- iii) Some direct funding from Welsh Government should be put in place.
- iv) Duties need to be set early so that financial planning can be put in place and precepts set with clarity.
- v) If Councils are to be Clustered there needs to be clarity around financing arrangements set out in statute.
- vi) Precept levels will need to allow for emergency expenditure more than t present due to the larger responsibilities.
- vii) There needs to be timely guidance on expenses and allowances.
- viii) Any expenses or allowances need to be statutory and not left to Local Councils to decide.
- ix) Consideration needs to be given to how services are dealt with if a Local Council fails to achieve its objectives. (i.e. Who is responsible).
- x) Concern over the cost of transfer of staff from Principal Authorities to Local Councils. (i.e. Benefits and redundancy costs built up).



NOTES FROM BLACK GROUP

8-10 Councillors from different local Councils.

The following are the notes from this group:

- i) This group considered staffing and related issues.
- ii) The following issues were identified:
 - a) The flexibility of the new Chief Officer with extensive experience maybe difficult to locate.
 - b) The cost of Local Government staff benefits enjoyed by many Principal Council Officers maybe unaffordable by Local Councils.
 - c) Some Councils have Pension Deficits – how these are dealt with will be important.
 - d) Liabilities for redundancy should not be passed over from one authority to another – the feeling was that any new Council should start with a ‘clean sheet’.
 - e) Ability of many Local Councils to manage staff will need support.
 - f) A role for Local Clerks in smaller communities should be considered as important in any larger Local Council.

NOTES FROM PURPLE GROUP

8-10 Councillors from different local Councils.

The following are the notes from this group:

- i) This group considered powers and duties.
- ii) The basis of the conclusions revolve around more powers than more duties. In this way Local Councils can meet local needs without being too prescriptive.
- iii) Enforcement locally could be more effective.
- iv) Collaboration in areas of local interest should be encouraged.
- v) Ability to set up a business and development fund considered important.
- vi) A list of likely services a Local Council could deliver was prepared and noted in the main report.



NOTES FROM BROWN GROUP

8-10 Councillors from different local Councils.

The following are the notes from this group:

- i) This group considered history and civic matters.
- ii) Each areas history and identity needs to be protected.
- iii) When naming Local Councils history should be taken into account as an important factor.
- iv) Traditions in each area are important and allowance made to allow protection of these.
- v) The cost of change was questioned along with any necessity for change.
- vi) Concern expressed over standards falling due to excessive pressure on Clerks.
- vii) Maybe if Local Councils take on more responsibility Councillors should receive commensurate allowances.
- viii) Concern that any new approach might reduce democracy.
- ix) There would need to be a plan to allow for good handover including shadowing over an extended period of time. (probably around 12 months)