

## **CEREDIGION COUNTY COUNCIL**

**Report to:** Democratic Services Committee

**Date:** 15<sup>th</sup> October 2021

**Title:** Update on the Local Government and Elections (Wales) Act 2021 – matters relevant to the Democratic Services Committee

**Purpose of report:** To update the committee as to aspects of the Local Government and Elections (Wales) Act 2021 relevant to the Democratic Services Committee.

### **Background**

The Local Government and Elections (Wales) Act was passed in the Senedd on 18 November 2020 and received Royal Assent on 20 January 2021. The Act will be implemented by means of 3 Commencement Orders, bringing into force various aspects of the Act by means of a phased approach.

The Bill is extensive and has the potential to impact on numerous administrative and decision making processes of the Council, effecting most if not all Committees. Aspects which are resource intensive, relating specifically to the Democratic Services Committee have been highlighted below. However it is recommended that Members review the Bill in its entirety in relation to recommendations / proposals which will impact Members directly.

### **Duty to encourage local people to participate in decision-making by principal councils**

Sections 39-41, Chapter 4 of the Local Government and Elections (Wales) Bill stipulates that a principal council must prepare and publish a public participation strategy, including promoting awareness of the council's functions, how to become a member, what membership entails, ways of facilitating access to information about decisions made, or to be made, making representations, bringing the views of the public to the attention of overview and scrutiny committees and promoting awareness among members of the benefits of using social media to communicate with local people.

The draft engagement policy is currently under development and is due to be presented to Cabinet on 2 November 2021 following by a public consultation with residents of Ceredigion, and the amended policy presented to Cabinet on 15 March 2022.

This provision will come into force on 5 May 2022.

### **Duty to make a petitions scheme**

Section 42, Chapter 4 of the Local Government and Elections (Wales) Bill relates to a requirement to set out a petition scheme, including electronic petitions.

We are currently awaiting guidance documents from Welsh Government as to the set parameters of the petition scheme. Once this information has been received, final amendments can be made to the online petition system, and amendments made to the draft scheme, in order to ensure compliance with the legislation.

This provision will come into force on 5 May 2022.

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

Section 43, Chapter 4 of the Local Government and Elections (Wales) Bill requires that a principal council must publish an electronic and postal address for each member of the council, to which correspondence for the member may be sent.

Electronic and postal addresses for the majority of Ceredigion County Council Members are currently published on our website. This provision will come into force on 5 May 2022, and details of electronic address for all Members will be added to the Council's website following the elections in May 2022.

### **Electronic broadcasts of meetings**

Sections 46-51, Chapter 4 of the Local Government and Elections (Wales) Bill proposes that principal councils make and publish arrangements to ensure the broadcasting of proceedings at a meeting are available so that members of the public not in attendance can see and hear the proceedings, and made available for a specified time following the meeting. This will apply to meetings which are open to the public, including the executive of a principal council, a committee or sub-committee of an executive of a principal council, a committee or sub-committee or a principal council, a joint committee, or a sub-committee of a joint committee, of two or more principal councils.

From 1 May 2021, the 3<sup>rd</sup> Commencement Order of the Act came into force, which provides for attendance, including remote attendance at local authority meetings. The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 provided flexibility to enable local authorities to operate safely, effectively and lawfully, whilst retaining the principles of openness and accountability to the public. The 2020 Regulations related to meetings held before 1 May 2021, therefore the Local Government and Elections (Wales) Act enables authorities to transition from the 2020 Regulations to the permanent provisions of the Act, as set out in the Local Government and Elections (Wales) Act 2021 (Consequential Amendments and Miscellaneous Provisions) Regulations 2021.

The Welsh Minister may by regulation make further provisions in connection with the broadcast of proceedings at a meeting. This will come into force from 5 May 2022. The Welsh Government will also make guidance available to support local authorities in implementing these provisions.

Ceredigion County Council has successfully applied for funding from the Welsh Government Digital Democracy Fund to cover the cost of purchase for the installation of hardware, which will support software for which will support hybrid meetings, with translation in addition to broadcasting.

The tender process is now complete, and we are in the progress of installing the necessary hardware to support the hybrid meetings software, which will take place during November. We are currently awaiting guidance from the Welsh Government with regards to which meetings will be required to be broadcasted. Arrangements will be published once this information is received.

**Next steps:**

Work will be undertaken over the next year to ensure that the Council meets the statutory requirements of the Act. An Action Plan is currently being developed to ensure the timetable is met.

**Recommendations:**                      **That the Committee notes the aspects of the draft Local Government and Elections (Wales) Bill specific to the Democratic Services Committee.**

**Appendices:**                              **None**

**Background documents:**              **The Local Government and Elections (Wales) Act 2021:**  
<http://senedd.assembly.wales/mglIssueHistoryHome.aspx?Ild=26688>

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