

Partnership Council for Wales
10:30 – 12:30, 12 June 2019
Conference Rooms C & D, Ty Hywel, Cardiff Bay
Minutes of meeting

Attendees

Welsh Government Ministers	
Minister for Housing and Local Government	Julie James AM
Deputy Minister for Housing and Local Government	Hannah Blythyn AM
Counsel General & Brexit Minister	Jeremy Miles AM
Local authorities	
Leader of Welsh Local Government Association and Leader of Newport City Council	Cllr Debbie Wilcox
Presiding Officer for Welsh Local Government Association and Leader of Rhondda Cynon Taff County Borough Council	Cllr Andrew Morgan
Leader of Cardiff Council	Cllr Huw Thomas
Deputy Leader of Carmarthenshire County Council	Cllr Mair Stephens
Leader of Ceredigion County Council	Cllr Ellen ap Gwynn
Leader of City and County of Swansea Council	Cllr Robert Stewart
Deputy Leader of Isle of Anglesey County Council	Cllr Ieuan Williams
Police and Crime Commissioners representative	Mr Alun Michael
National Health Service Wales and Local Health Boards representative	Maria Battle
Community Council representative	Cllr Michael Cuddy
Public Service Reform Partners	
Wales Audit Office (Observer)	Tim Buckle
Wales Council for Voluntary Action (Observer)	Anna Nicholl
Welsh Local Government Association	Chris Llewelyn Chief Executive
Wales TUC (Observer)	Martin Mansfield, General Secretary
One Voice Wales (Observer)	Lyn Cadwallader Chief Executive
Welsh Government Officials	
Reg Kilpatrick, Director, Local Government	
Liz Lalley, Deputy Director, European Transition	
Paula James & Lisa Hughes – Secretariat	

Apologies

Fire and Rescue Authorities representative	Cllr Tudor Davies
National Park Authorities representative	Mr Owain Wyn
Wales Council for Voluntary Action	Peter Davies

Action Points from this meeting

Action 1: For Sub Group - Paper on Statutory Joint Committees versus alternative models. Welsh Government. **Completed – paper went to Sub Group on 21 August**

Action 2: Police and Crime Commissioners to consider a session for Assembly Members on acceptable and unacceptable language linked with Brexit. Alun Michael. **Awaiting update from Police and Crime Commissioner**

Action 3: Consideration to be given to a joint WG/WLGA letter to UK Government post new Prime Minister appointment, regarding Comprehensive Spending Review. MHLG/WLGA **Completed – letter issued 27 August**

Welcome and introductions

1. The Chair, Julie James AM, Minister for Housing and Local Government, opened the meeting by welcoming members and thanking them all for attending.
2. The Chair firstly noted her thanks to Derek Vaughan, MEP, for his role as Chair of the Working Group on Local Government which concluded on 25 May. The Minister noted that the work would be continued with the Leader of WLGA and local government colleagues through a new sub group of this Partnership Council.

Actions from last meeting and updates

3. The minutes of the last meeting were accepted, and actions noted as complete.

Item 1 - Brexit update

4. The Chair introduced the Counsel General and Brexit Minister.
5. The Counsel General and Brexit Minister (CGBM) thanked the Minister for the invitation to this meeting and went on to thank all members for the preparations they had put in place in anticipation of the UK leaving the European Union (EU) at the end of March, and now the end of October. Unfortunately the risk of a 'no deal' Brexit was now increased.
6. Both Welsh Government and UK Government are undertaking stocktake reviews on lessons learned from the March preparations.
7. The CGBM discussed the importance of effective civil contingencies work, and the difficulties caused by the delay from March in now encouraging the level of focus to return to preparations. This is a particular concern and risk in relation to

businesses in Wales being as prepared in October as they were in March, and the Welsh Government is focusing on how to continue engagement with them, particularly with small businesses.

8. Councillor Rob Stewart (RS) stated his gratitude for the continued involvement of local authorities in the Brexit planning group, but also his growing concerns about the increasing costs associated with, for example, food supply and the negative impact of this on schools and other public services. The impact of Brexit causing the delay of the Comprehensive Spending Review will have a fundamental effect on this.
9. Alun Michael (AM) added his own concerns about the impact of the Comprehensive Spending Review delay on the police.
10. The CGBM echoed these concerns and stated that in the event of a 'no deal' Brexit there would be funding required from the UK Government but that this is currently not forthcoming.
11. There was agreement amongst members that some of the language used around Brexit, particularly related to hate crime and in migration debates, is very disturbing.
12. The Chair requested that Alun Michael consider briefing Assembly Members on acceptable language, and he confirmed he will speak to colleagues about this.
 - Action – Alun Michael to speak to Police and Crime Commissioner colleagues about delivering a session to Assembly Members on acceptable and unacceptable language linked with Brexit.
13. Reg Kilpatrick (RK) thanked local government and WLGA Leaders and officials for their engagement with the resilience fora and process, noting the work that continued to be needed. RK also thanked WLGA for the preparedness study commissioned from Grant Thornton which would inform this.
14. The Chair moved on to further discuss the situation regarding the Comprehensive Spending Review and expressed the view that it is unlikely with a new government and a new Chancellor a spending review will be delivered. If the proposal is for a roll-forward budget then it must be recognised that this is likely to be a base budget only, with no consequentials. This would cause fundamental problems around areas such as funding teachers' pensions. The Chair noted it was important to stand together and firm on the devastating impact this would have, and stated that the Welsh Government has written to the UK Government to raise these concerns.
15. Councillor Debbie Wilcox (DW) stated she would be happy to issue joint letters on behalf of Welsh Government and WLGA together regarding this issue, and the

Chair welcomed that offer. The Chair stated that this will be considered once the new Prime Minister is elected.

- Action – consideration to be given to a joint WG/WLGA letter to UK Government post new Prime Minister appointment regarding Comprehensive Spending Review. MHLG/WLGA

16. There was then a discussion on the resilience work needed over the Summer which would be communicated once agreed.

The Counsel General and Brexit Minister left the meeting.

Item 2 – Working Group on Local Government – recommendations and next steps

17. The Chair provided a brief update on the outcomes from the Working Group, which had concluded in May, and shared the draft terms of reference for the new Sub Group of the Partnership Council which was to continue the work on a number of the recommendations.

18. The Chair thanked all colleagues who had been involved in the Working Group which she felt had been a positive example of collaborative working, and particularly noted her thanks to Derek Vaughan for his skill and commitment in chairing the meetings.

19. The Chair referred to the full list of updates and recommendations as detailed in Paper 1, and asked that members note the draft Terms of Reference for the new Sub Group which was to initially focus on three of those recommendations, namely:

- Regional arrangements – to jointly develop details of how Statutory Joint Committees will operate in practice and what needs to be considered and agreed.
- Voluntary mergers - to ensure the Working Group's agreed approach to a prospectus for voluntary mergers is adopted and kept under review. The Sub Group will oversee the development of a more detailed process if two or more authorities express an interest in merging.
- Improvement and support – to consider the joint development of new sector-led improvement and support arrangements.

20. The Chair informed members that she will Chair the Sub Group and that it will provide reports to the Partnership Council to inform the Council's considerations of these and associated issues.

21. The Chair detailed the timescales associated with this work due to the timetable for the Local Government and Elections (Wales) Bill and the requirement for legislation to be in place in time for the next Local Government elections.
22. The Chair briefly described the lighter touch approach to performance and governance in the Bill and the planned repeal of the 2009 Local Government measure.
23. The Chair also described the regional working and collaboration elements of the forthcoming Bill, including the enabling of Statutory Joint Committees. There was a discussion around what these were, particularly in relation to the significance of the word 'statutory' in this context. The Chair explained that the term does not imply it is statutory to have an SJC, but that if you do utilise that structure then the joint committee itself is statutory.
24. The Chair confirmed that the Welsh Government's Cabinet had agreed the SJC proposals and for SJC structures to be used as an alternative to Joint Transport Committees (JTAs). The Chair stated she is pleased that there is now cross-Welsh Government agreement to seek simplification by using only the one mechanism in future, rather than adding to the layers of existing complexity.
25. The Chair stated she is looking forward to discussions on how to make the most of land use planning and economic development opportunities to progress social housing at the pace and scale needed. The Chair confirmed this is a power not a duty and she wishes to work in collaboration with local government. She wishes for SJCs to be a useful, democratically controlled vehicle for local government, whilst being open and transparent for citizens.
26. The Chair confirmed that the newly created Sub Group of the Partnership Council, and associated task and finish groups, would be taking forward this work over the Summer. The Chair welcomed views on the draft terms of reference.
27. Councillor Debbie Wilcox (DW) confirmed that Leaders at the WLGA Executive Board had agreed the recommendations of the Working Group and welcomed the new Sub Group. They had also welcomed the planned sector-led support arrangements. DW stated she has written separately to the Minister about SJCs as the model had engendered discussion at the Board, and the letter sought clarity on a number of issues.
28. There were discussions around whether wider public service partners, such as police, WCVA, OVV and NHS would be involved in the Sub Group work, but due to the tight timescales imposed by the Bill timetable, and the focused nature of the issues under debate specifically relating to local government reform, it was necessary for urgent discussions between Welsh Government and local government over the Summer. Other partners would be updated at the

Partnership Council meeting in October and involved as necessary as the work continues.

29. Councillor Rob Stewart (RS) welcomed the General Power of Competence and the light touch approach to performance and governance in the draft Bill. Both Councillor Stewart and Councillor Peter Fox (PF) requested further information on the difference between SJs and joint committees and clarity on what is proposed to be statutory or mandatory. The Chair agreed to this detail being available for the first meeting of the Sub Group.

- Action: For Sub Group - Paper on Statutory Joint Committees versus alternative models. Welsh Government

30. Councillor Ellen Ap Gwynn (EAG) raised the issue of Regional Partnership Boards but the Chair confirmed they were not currently in scope for consideration as SJs, but the Bill would enable such changes if appropriate in future.

31. Following further discussion on SJs the Chair provided clarity that it is her intention that the Bill is going to form Transport and Land Use Committees, and she hoped planning and economic development. The link with the new performance regime was that if an authority is failing after going through the entire performance and governance regime then that is the only way a Minister could intervene. The Chair stated her intention to discuss this further and develop the detail with the Sub Group.

32. The Chair also referred to the benefit of SJs being able to employ a skilled workforce which would be shared, rather than individuals being poached between authorities.

33. Councillor Andrew Morgan (AMo) welcomed the Chair's comments and asked that the work over the Summer includes looking into the implications of SJ structures on other work already underway so that existing structures can be morphed across, rather than needing to be restarted.

34. The Chair agreed it was important that this was the case. She stated that her intention was for this to be local government's vehicle to do with what they wished. It would be local government who would make the decision to delegate a function to the vehicle. The Chair suggested there would be a set of guidance and procedures developed and agreed by the Sub Group. The process would be transparent for citizens across Wales.

35. The Chair confirmed that the Sub Group would be set up and task and finish groups of officials would work on the technical aspects over the Summer. She was keen to work together with local government on the detail of this as quickly as possible.

36. EAG raised the issue of regional planning which she said is not undertaken at local authority level so asked how it would be funded. The Chair responded that the Planning Act already provides Ministers with the power to enforce regional planning, but she did not intend to do that, but would work with authorities on the detail of how this would be funded in future.

Item 3 (Paper 2) – Review of Strategic Partnerships

37. Daniel Hurford (DH) introduced this paper and the terms of reference which had been developed following discussions between Leaders and the Minister. It was important to manage expectations as the timings for this specific piece of work are very tight. It was also noted that there were several other partnership reviews which had already commenced or recently been concluded, including the Wales Audit Office (WAO) review of Public Service Boards (PSBs) which is currently underway, plus both local and regional partnerships have also undertaken their own reviews.

38. DH informed members that a letter would be circulated to public service partners seeking their involvement and views. The review will be completed by Autumn and an update provided to Partnership Council on 2 October.

39. Comments were invited, and DW raised concerns over Regional Partnership Boards (RPBs) and PSBs and the balance of elected and unelected partners, with unelected partners having undue influence over where funding is prioritised.

40. AM asked that police partners be involved as integral to discussion and involved in a wide range of partnerships.

41. Maria Battle (MB) stated that she felt the review was very important and offered an NHS Chair to work on the review, which was welcomed.

42. Anna Nicholl (AN) welcomed the review and stated how difficult it can be for the third sector to understand and support the plethora of partnerships. She stated that the WCVA would welcome the opportunity to be involved.

43. Martin Mansfield (MM) referred to paragraph 6 of the terms of reference and mentioned this in relation to the review of social partnerships and the Social Partnership Act that had been undertaken, asking that overlaps were noted. MM emphasised the importance of trade unions being a democratic partner and highlighted to difficulties around trade unions engaging with PSBs and skills partnerships.

44. Michael Cuddy (MC) raised the importance of local people being involved in decision making and being consulted on issues.

45. PF welcomed the review and highlighted a number of areas where he felt partnership arrangements had not delivered but had consumed resources and energy which could have been focused elsewhere.
46. The Chair confirmed that the intention is to try to create a structure that is democratic, representative, transparent and a good use of time. She agreed with MM that care must be taken for this review to be cognisant of others and overlaps avoided.
47. The item was agreed.

Item 4 – Finance Sub Group (FSG) update

48. The Chair confirmed that much of the information from this update, particularly in relation to the comprehensive spending review, had already been discussed during item 1 and the update from the Counsel General.
49. The Chair stated that given the weight of matters covered by FSG it was agreed to increase the frequency of meetings and that an additional meeting had taken place in May, with the Minister for Finance and Trefnydd, Rebecca Evans AM, attending.
50. The Chair repeated the concerns expressed earlier about the delayed timescales of the comprehensive spending review and the anticipated problems if Wales were to only receive a rollover of the Welsh Government baseline. It was not known whether this would include the extra funding negotiated for 2019-20 such as teachers pay and pensions funding.
51. The Chair confirmed that she had already written to the UK Government expressing major concerns about the difficulties for local government and other services if the CSR is delayed until December.
52. The possibility of a joint Welsh Government and WLGA letter to UK Government was raised again and it was agreed to consider this once new Prime Minister is appointed.
53. The Chair discussed social housing and the need to consider how to leverage what local authorities and Welsh Government have in place to enable the building of social housing at the pace and scale needed.
54. The final discussion point on this item was around local taxation, universal tax credits and the proposed changes to TV licences, and the impact on the poorest people in society. The Chair will be working with DWP in Wales on campaigns to increase take up of support where it exists.

Item 5 – Cyber Essentials Plus – paper to note

55. Reg Kilpatrick (RK) thanked the WLGA for undertaking the procurement associated with Cyber Essentials Plus and thanked all authorities for signing the concordat. RK updated that 5 authorities are now accredited, with 13 others working towards the standard. There is a need to engage the outstanding authorities.
56. The process has been useful and has also identified some issues such as old hardware and software.
57. Fire and Rescue Authorities are now looking to join.
58. It is hoped that the Cyber Essentials Plus process will be complete by the end of the year, and consideration needs to be given as to next steps.
59. Councillor Wilcox confirmed she is happy to see the progress made by authorities on this.

Minister for Housing and Local Government – Closing Remarks

60. The Chair noted that the WLGA AGM the following week would confirm local authority Partnership Council members for the coming year. The Minister thanked all local authority Leaders at the meeting for their contributions to the Council during their time as members.
61. The Chair thanked all members for their contribution today and closed the meeting.

The next meeting will take place 10.30 – 12.30, Wednesday 2 October at Ty Hywel.