

Reforming Local Government
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Friday, 07 April 2017

Dear Sir or Madam

Welsh Government White Paper: Reforming Local Government: Resilient and Renewed

We have received a copy of the above draft for comment as part of your consultation process.

The Chartered Institution of Wastes Management (CIWM) is the professional body which represents over 6,000 waste and resources management professionals, predominantly in the UK but also overseas. The CIWM sets the professional standards for individuals working in the waste and resources management industry and has various grades of membership determined by education, qualification and experience.

CIWM is recognised as the foremost professional body representing the complete spectrum of the waste and resources management industry. This gives the Institution the widest possible view and, perhaps more pertinently, an objective rather than partial view, given that our goal is for improvement in the management of all wastes and resources.

The Cymru Wales Centre Council of the Chartered Institution of Wastes Management welcomes the opportunity of contributing to the Consultation on proposals for arrangements for regional working; strengthened role for councils and councillors; a framework for any future voluntary mergers; and the role of community councils.

Our points are provided below and on the next pages as responses to the specific questions raised, in relation to the information received.

Question 1: The Welsh Government believes that it is appropriate to consider ‘tests’ to frame thinking around regional working. Do you think the ‘tests’ set out are helpful in guiding thinking? What other tests or considerations might also be used?

CIWM Cymru Wales thinks that the tests outlined in the paper are appropriate.

Question 2: In this White Paper the Welsh Government has set out a number of areas which it believes should be required to be delivered on a regional basis. Do you agree that these areas should be delivered regionally? What practical considerations should we consider in taking these proposals forward? What other ‘ancillary’ powers would be required to ensure the effective exercise of the functions exercised regionally?



Most of the areas outlined within the White Paper that should be required to be delivered regionally are not areas which CIWM Cymru Wales is qualified to comment on.

Question 3: In this White Paper the Welsh Government has set out a number of areas which it believes could also be delivered on a regional basis. Do you think that Local Authorities should also be required to work regionally to deliver these functions? Are there any other practical considerations we should be aware of?

The area of waste and recycling is highlighted in this section of the consultation paper and has already benefitted from a degree of regional working in respect of waste treatment contracts for both food wastes and residual fraction, and although slow to take off, there are successful examples of service delivery using regional arrangements. There are a number of parts to the delivery of these service areas some of which may be easier to convert to regional working than others and there are a range of views within the waste industry in Wales in relation to the benefits or dis-benefits of regional delivery. CIWM Cymru Wales has conducted a survey of membership to assist with delivering this response. 82% of the survey respondents agreed that the local authorities should be required to deliver the waste function on a regional basis, but concern was expressed regarding the degree of upheaval that this change would bring. One comment stated that there are too many different approaches and too much work involved on small scale procurements - this makes it harder to work with individual local authorities to the benefit of all parties. A common methodology across several areas would increase opportunities, including trade waste and recycling services which are too fragmented to work for larger organisations, this limits the degree to which larger waste management companies seek to have involvement with local authority contracts in Wales, on the other hand procuring all contracts regionally may result in viable SME's not being able to compete for these larger contracts. This would negatively impact local businesses. There was also a comment suggesting that large regional projects should be procured centrally.

There were comments in relation to the degree to which regional working should be required including the view that local authorities should be encouraged - but not required - to coordinate their services regionally, specifically with regard to the materials residents can recycle. The more consistent the message residents across Wales are given about what materials can be recycled, how and where to access the services the better the likely performance on recycling would be. Also, one view was specifically that waste disposal functions, including treatment and HWRC should be delivered at a regional level.

Half of the respondents felt that waste infrastructure contracts and all of the waste collection including recycling service should be subject to the requirement for regional working, but there would be merit in taking a phased approach to this particularly considering the area of existing contracts which expire at different times. Although the view expressed above regarding the scale of contracts and accessibility to local SME waste companies must be taken account of as a specific consideration.

There is also some obvious lack of compatibility between the proposals expressed in this white paper and the Welsh Government managed regional contracts for procurement of waste treatment of residual waste and food waste, and any proposals to regionalise this service must include a mechanism to address this geographical misalignment. The scale of and range of different contracts currently in place across the proposed regions may make the transition to the proposed regions within this consultation would be particularly complex. There are also considerations in relation to commercial confidentiality. Deadlines and target setting difficulties that need to be taken into consideration.



Question 4: Are there any other functions that would benefit from a systematic approach to regional working?

CIWM Cymru Wales is not able to make any suggestions.

Question 5: Welsh Government believes that, subject to engagement with local government and other partners, there should be flexibility to enable Welsh Ministers to mandate additional functions to be undertaken regionally. Do you agree or disagree? Why?

CIWM Cymru Wales is not able to make any suggestions.

Question 6: The Welsh Government believes that the new arrangements should not prevent Local Authorities using their existing powers to undertake additional functions regionally. Do you agree or disagree? Why?

CIWM Cymru Wales is not able to make any suggestions.

Question 7: The Welsh Government believes that some back office and transactional services ought to be organised and delivered regionally or nationally. Which services do you believe could best be organised and delivered in these ways?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 8: The Welsh Government believes that overcoming data sharing issues is key to taking forward greater regional working of back office functions. What legislative obstacles have made progress on sharing services difficult? How have they been or could they be overcome? What challenges does data sharing pose?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 9: The Welsh Government believes sharing more back office functions would be helpful. There are a number of options:

- Enable the NHS Wales Shared Service Partnership for providing services to local government (and others)
- Establish a similar model to provide back office services to local government (and others)
- Establish an alternative model to provide back office services to local government (and others)

Which do you believe would be most appropriate to best support regional working? Why? What other alternative models could work effectively and what steps could the Welsh Ministers take to enable or encourage local government-led alternative models to be implemented?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 10: The Welsh Government believes that joint understanding and planning of public sector assets is essential to maximize their impact and that this requires regional mapping of estates assets and future intentions. How can this joint governance and decision making best be achieved? Is the larger economic footprint the right one?



CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 11: The Welsh Government believes a strengthened joint committee (a 'Joint Governance Committee') offers an appropriate governance model for regionally delivered services and intends to set out a framework for local government to use to deliver this. What should the democratic accountability and scrutiny arrangements be for such a model? Should each participating Local Authority have equal voting rights or should they be weighted in some way?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 12: The Welsh Government believes that in order to put in place arrangements which reduce complexity for Authorities and their partners the position for Bridgend needs to be considered. Although Bridgend is fundamentally concerned in this, other partners including other Local Authorities and the Local Health Boards also have valid interests. We are therefore seeking views on how best to address the issues set out here.

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 13: The Welsh Government believes that 'Option 3: A framework and a footprint' is the most appropriate model for future regional working.

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 14: The Welsh Government would welcome comments on the appropriateness of seeking powers to create a Combined Authority. In particular, views on what minimum expectations there should be in considering the appropriateness of creating a Combined Authority are welcomed.

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 15: The Welsh Government believes that a mandatory financial framework should be developed to ensure the expenditure of each 'Joint Governance Committee' is met through pooled contributions from the constituent Local Authorities.

- Should the expenditure of 'Joint Governance Committees' be met by constituent Local Authorities, in proportions to be agreed locally, to ensure the most flexible approach?
- Should the framework provide for a default position if local agreement cannot be reached, and how such a process might be triggered?
- What further considerations might relate to, or need to be included in, a financial framework?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 16: The Welsh Government believes that to support organisations to move to a more consistent and regional approach to delivering services it will be necessary to issue statutory guidance where there is an identified need. Do you agree or disagree? If you agree, what types of advice, guidance and support on leadership and workforce matters might lead to greater local, regional and national consistency?

CIWM Cymru Wales is not able to make any suggestions.



Consultation Question 17: The Welsh Government believes it would be helpful if Public Services Boards could collaborate or merge across Local Health Board Boundaries. Do you agree or disagree? Why?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 18: The Welsh Government believes Public Services Boards should be allowed to demerge as well as merge. Do you agree or disagree? Why?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 19: The Welsh Government would welcome comments on what minimum expectations there should be in considering the appropriateness of voluntary merger.

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 20: The Welsh Government would welcome comments on any of the proposals set out previously in the draft Local Government Bill and associated consultation paper, Annex One refers.

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 21: The Welsh Government believes that Part 1 of the Local Government (Wales) Measure 2009 should be repealed for all 'Improvement Authorities'. Do you agree? Why?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 22: The Welsh Government believes there should be minimum expectations on Councillors for interacting with their local constituents. Do you agree or disagree? If so, what should these minimum expectations be?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 23: The Welsh Government believes it could be helpful to make some minor changes to existing area committee legislation to increase their flexibility. What do you believe these changes should be?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 24: The requirement for Local Authorities to work on a regional basis will require Councillors, the Local Authority and employees to balance the responsibilities they have to their local area, with those for the larger region. How best could this be achieved?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 25: The Welsh Government intends to make a return to a form of the committee system available to Local Authorities where it best meets local circumstances. How would this option best work within the context of the proposals for new regional arrangements?

CIWM Cymru Wales is not able to make any suggestions.



Consultation Question 26: The Welsh Government believes it may be appropriate to limit future designation of relevant statutory Senior Officer posts to a regional level where the functions are being delivered regionally. Do you believe this is appropriate? Why? If so, how might this best be delivered?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 27: The Welsh Government believes there are things that can be done now to help build resilience and renewal in the sector in the short to medium term and would welcome comments on the list of actions at paragraph 6.1.6 that could be taken in the short term to help the sector be more effective/ resilient views on any other actions which could be taken?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 28: The Welsh Government is seeking initial views on all of the proposals set out in Chapter 7 on elections and voting.

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 29: The Welsh Government would welcome any views on the potential financial and nonfinancial benefits and costs associated with the proposals in the White Paper.

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 30: The Welsh Language Impact Assessment published alongside the White Paper outlines the Welsh Government's view of the effect of the proposals contained in the White Paper on the opportunities for people to use the Welsh language and treating the Welsh language no less favorably than the English language. The Welsh Government seeks views on that assessment. Are there any other positive or adverse effects not identified in the assessment? Could the proposals be reformulated so as to increase the positive effects or reduce any possible adverse effects?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 31: The Children's Rights Impact Assessment published alongside the White Paper outlines the Welsh Government's view of the effect of the proposals contained in the White Paper on children and young people. The Welsh Government seeks views on that assessment. Are there any other positive or adverse effects not identified in the assessment? Could the proposals be re-formulated so as to increase the positive effects or reduce any possible adverse effects?

CIWM Cymru Wales is not able to make any suggestions.

Consultation Question 32: The Equalities Impact Assessment published alongside the White Paper outlines the Welsh Government's view of the effect of the proposals contained in the White Paper on protected groups under the Equality Act 2010. The Welsh Government seeks views on that assessment. Are there any other positive or adverse effects not identified in the assessment? Could the proposals be re-formulated so as to increase the positive effects or reduce any possible adverse effects?





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Consultation Question 33: Please provide any other comments you wish to make on the content of this White Paper.

CIWM Cymru Wales is not able to make any suggestions.

Should you have any query with regards to our response, please do not hesitate to contact us.
Kind regards

Celine Anouilh
CIWM Regional Development Officer for Wales

For CIWM Cymru Wales

