

The National Assembly for Wales and local government

Devolution and the advent of the National Assembly for Wales have transformed Welsh government. A team from the University of Glamorgan has assessed the impact of the Assembly on local government in Wales. The study shows how the Assembly and local government are working together to formulate a new relationship. It identifies the key tensions facing the Assembly, and shows how the Assembly administration and local government are developing a distinctive style of intergovernmental relations within Wales. The researchers found:

-  **The Assembly has not adversely affected local government discretion. Local government offers the Assembly Cabinet both crucial political support and valuable policy and professional expertise.**
-  **Assembly ministers are more favourably inclined towards local government than their Westminster counterparts and have adopted a less restrictive approach to local authorities.**
-  **The introduction of policy agreements and community strategies has the potential to allow a more equal matching of priorities. However, those in local government remain ambivalent about both these new approaches to Assembly-local government relations.**
-  **The advent of the Assembly has engendered some new policy networks and given a new role and energy to established networks. Potentially, these networks perform a vital role as channels of influence and communication.**
-  **Collectively local government, primarily through the WLGA, has been able to influence the Assembly on significant issues. Individually, local authorities have at least retained similar levels of discretion to those they enjoyed pre-devolution.**
-  **The researchers conclude with the following lessons for practice:**
 - A better strategic vision from the Assembly could assist local authorities in developing their own policies.
 - Improved consultative processes could assist the Assembly to engage local government more effectively.
 - The Welsh Local Government Association could play an enhanced role mediating between the Assembly and local government. The professional associations, too, could play a greater role, given the deficit of policy development resources within Wales.
 - The WLGA could do more to enhance the role of elected members.
 - Individual authorities could adopt a more strategic approach in their relationship with the Assembly.

Setting the scene

Unlike the Scottish Parliament and Northern Ireland Assembly, which have primary legislative powers, the Welsh Assembly exercises only secondary legislative power and remains dependent on Westminster for primary legislation. Thus the Assembly has to work within the constraints of England-and-Wales policy systems, which shape and sometimes over-ride Assembly policy priorities. However, the Assembly does enjoy complete discretion in determining its budgetary priorities as its spending is in the form of a block grant not specific grants.

The Assembly is a corporate body not a parliament, which means that the distinction between executive and legislative functions is blurred; this has created difficulties within the Assembly. It has 60 elected members and a small Cabinet which comprises the First Minister and eight ministers. Since October 2000, the Assembly Cabinet has been a coalition between Labour, the largest party, and the Liberal Democrat group, which has two Cabinet seats. Even critics of the coalition agree that it has brought much needed political stability to the Assembly following its turbulent first year, during which its foundation First Minister was forced to resign.

The Assembly Cabinet ministers have been keen to assert their policy leadership within Wales, especially in the light of continued public scepticism of the Assembly. Yet they have recognised the political salience of local government (especially Labour local government) and the potential contribution of local government, given the Assembly's deficit of policy development resources. Similarly those in local government recognise the need for a policy framework for Wales, but still sometimes question whether the Assembly's political mandate should ever over-ride their own local mandate.

The central question this study addresses is whether the creation of the Assembly has led to a more crowded governance system in Wales and, therefore, reduced local government discretion. The Government of Wales Act 1998 not only left Welsh local government powers untouched, but required the Assembly to form a statutory partnership with local government. The assumption behind the Act was that the combination of a reinvigorated, directly elected devolved level of government and powerful local government units would neither inhibit the Assembly's ability to make policy for Wales nor compromise local discretion. This study tested out this assumption.

The Assembly's ambitions

Assembly members and ministers are acutely aware that they must be seen to be delivering better public

policy in Wales, if the Assembly is to win greater recognition and legitimacy within and without Wales. Yet they face severe constraints. Quite apart from the legislative and financial constraints, they have very limited staff resources to develop policy. These constraints mean that they have strong incentives to work closely with local government. Local government offers the Assembly Cabinet both crucial political support within Wales, as well as a significant source of much needed policy and professional expertise.

The Assembly has to:

- work within the constraints of an England-and-Wales policy system, which shapes and sometimes overrides its own policy priorities;
- respond to growing public demands for service uniformity yet be responsive to local diversity;
- reconcile service-based departmentalism and cross-service co-ordination; and
- ensure that the quality of local service delivery is high yet respect local democracy.

Assembly ministers are more favourably inclined towards local government than their Westminster counterparts. They have adopted a less restrictive approach to local authorities and have introduced, in policy agreements, an important new policy instrument with the potential to promote a real Assembly-local government partnership and to co-ordinate Assembly and local priorities.

Furthermore, key issues of accountability underlie these challenges: not least the new realities of devolution mean that Assembly ministers will increasingly take the blame when things go wrong with public services.

Local government aspirations

The twenty-two Welsh local authorities are characterised by wide diversity, ranging from Cardiff, a major UK city with a tenth of the Welsh population, to the North and West Wales authorities with large areas but sparse populations. Political cultures also differ strikingly across Wales. The South Wales authorities have strong Labour traditions, although the Plaid Cymru electoral resurgence now poses a serious challenge to Labour domination. Meanwhile, outside South Wales, most authorities are characterised by weak party control, some have significant numbers of independent councillors and several have strong Welsh linguistic traditions.

The crucial issues for local authorities are twofold: money and discretion. Devolution has not led to a significant increase in local government's share of the Welsh spending cake. Other policy

priorities, not least health, press heavily on the Assembly. Over recent years central government, under the Conservatives and now Labour, has significantly eroded local discretion. To some extent, the Assembly has slowed this erosion, notably by making less use of specific grants than does central government. Furthermore, the introduction of policy agreements and community strategies does have the potential to allow a more equal matching of priorities. However, those in local government as yet remain ambivalent about both these new approaches to Assembly-local government relations.

The structures of partnership

The Partnership Council fulfils a significant role in embodying the idea of partnership between the Assembly and local government. It is not, nor was it intended as, a decision-making body. Unlike the English Central-Local Partnership, it meets in public and includes cross-party Assembly members. Most of those involved felt it did provide a useful forum for trying to align the broad policy agendas or future intentions of the Assembly and local government. Local government can use it to communicate its priorities and vision for its own role in Welsh governance. Meanwhile, the nitty-gritty policy work is done through a series of sub-groups.

The Welsh Local Government Association (WLGA) represents all Welsh local authorities. It is formally part of the (English and Welsh) Local Government Association (LGA) but is largely autonomous. The WLGA holds a central place in Welsh governance, much more so than the LGA in English governance. It faces the challenges of how to represent diversity yet conduct a meaningful policy dialogue with the Assembly, how to work with the Assembly without being co-opted by it and how to make the best use of very limited staff resources. The challenge of representation implies a closer relationship with elected members. The WLGA could also play an enhanced role in improving and widening the policy dialogues between the Assembly and local authorities, and indeed, across authorities.

The Labour party plays a crucial role in relations between local government and the Assembly. Labour links are important in coordinating policy between the Assembly Cabinet and local government. Those links and party solidarity underpin the way in which the Partnership Council presently works and are crucial in holding the WLGA together. Meanwhile, many members from non-Labour authorities felt that the WLGA did not fully embody their views.

The advent of the Assembly has engendered some new policy networks and given a new role and energy to established networks. Many well-established policy networks or communities have

quickly re-orientated their activities around the Assembly. Potentially, these networks perform a vital role as channels of influence and communication. Cabinet ministers in Wales are themselves plugged into many of these networks and draw on them in their search for ideas and information outside the conventional civil service channels. Professional links are very important, especially as many Welsh authorities are officer-driven. The links between authorities and different Assembly divisions have also varied. For example, in social services a wide range of contacts is in place, including day conferences and regular meetings with the minister and civil servants. In contrast, in housing comparable meetings with directors are only just beginning; although the Assembly housing divisions have long-standing and close contacts with the wider housing policy network in Wales.

Conclusion

The report's findings do not bear out the view that the Assembly would, as a strong sub-national body, crowd Welsh policy space, reducing local discretion. Collectively local government, primarily through the WLGA, has been able to influence the Assembly on significant issues. Individually, local authorities have at least retained similar levels of discretion to those they enjoyed pre-devolution.

Four main factors have produced this outcome:

- the small number of authorities involved;
- the closeness of the Assembly to local government;
- the role of the Labour party; and
- the Assembly's policy development deficit.

There is a striking contrast with English central-local relations. In England central government is more remote from the more numerous local authorities and Labour ministers, unlike their Welsh counterparts, do not see local government as an important political constituency.

Despite the relatively harmonious state of relations between the two, some key local government figures have argued that the Assembly should define its spheres of responsibility with greater clarity and stick to those spheres.

The report concludes that this demand for a tidy and mutually binding statement of respective powers and responsibilities is unattainable. Workable lines of managerial accountability between the Assembly and local authorities do have to be established but the arguments for an overall, internal Welsh 'constitutional settlement' are weak. The Assembly, like any comparable sub-national body, faces irresolvable tensions that make a strategic role both extremely difficult to define with any clarity and

even more difficult to sustain over time.

In Wales, as in other parts of the UK, both sides have to learn to live with ambiguity accept the existence of irresolvable tensions.

Lessons for the Assembly

- *Building on policy agreements.* As yet policy agreements are at an early stage of development as policy instruments and many in local government are ambivalent over their utility. However, they do have the potential to articulate more effectively the policy priorities of the Assembly and local government.
- *Better strategic vision from the Assembly.* Many of those interviewed were concerned that the Assembly had failed to express a strategic policy vision for itself and local government. Such an overall policy vision of the Assembly's future direction would assist local government in its planning processes, promote more cross-cutting working and a more coordinated style of working within the Assembly.
- *Improving consultative processes.* Many in local government felt over-burdened by consultative initiatives from the Assembly and alienated from the consultative process. The Assembly should ensure that its consultative processes more effectively engage local government.
- *Scope for improved understanding between Assembly and local government.* We propose various initiatives whereby mutual understanding could be improved.

Lessons for local government

- *Strengthening mediating organisations – The Welsh Local Government Association.* The WLGA could play an enhanced role in improving and widening the policy dialogues within Wales, particularly as a knowledge broker.
- *Strengthening mediating organisations - professional associations.* Given the deficit of policy development resources within Wales, many professional associations could contribute more to policy development.
- *Strengthening the role of elected members.* The WLGA could do more to create effective accountability in relations between the Assembly and local government by enhancing the role of elected members.
- *Individual authorities could adopt a more strategic approach in their relationship with the Assembly.* Individual local authorities need to consider what messages they want to send to the Assembly rather than simply reacting to Assembly initiatives.

About the project

The project was directed by Professor Martin Laffin with Dr Gerald Taylor and Dr Alys Thomas. The research examined the role of the main mediating bodies between the Assembly and local government, in particular the Partnership Council and the WLGA. Three policy areas were selected for further investigation – school education, housing and social care – as representing major areas of local government service delivery. Extensive interviews were held with Assembly ministers, Assembly members, civil servants, local government leaders, local government chief officers and WLGA staff.

In addition, six case study authorities were selected as a representative sample of Welsh local government. Interviews were conducted in each of these authorities with senior officers and councillors. The Project Advisory Panel of eight members – a civil servant, two local government chief executives, a WLGA officer, a representative of the Welsh Council for Voluntary Action (WCVA), two academics and a JRF staff member – also played a key role in advising the researchers.

A parallel project by a team from Strathclyde University has looked at the impact of devolution on Scottish local government. This study is due to be published in June 2002.

How to get further information

The full report, *A new partnership? The National Assembly for Wales and local government* by Martin Laffin, Gerald Taylor and Alys Thomas, is published for the Foundation by YPS (ISBN 1 84263 059 8, price £12.95).