

NORTH WALES FIRE AND RESCUE AUTHORITY

EXECUTIVE PANEL

25 JULY 2005

BETTER GOVERNANCE FOR WALES

Report by the Clerk

Purpose of Report

- 1 To consider the White Paper on proposed reforms to the devolution settlement, and whether members wish to submit a response to it.

Background

- 2 “Better Governance for Wales” was published on 15 June. The text of the White Paper can be seen at www.walesoffice.gov.uk/index2.html. The three main proposals are:
 - 2.1 enhanced legislative powers for the Assembly. Immediately, Bills will be drafted to give the Assembly framework powers to fill in the detail of legislation. A mechanism will be created to authorise the Assembly to produce primary legislation in closely-specified areas and ultimately, subject to a referendum, to have full law-making powers;
 - 2.2 formal separation between the Assembly as the scrutiny body and the Welsh Assembly Government as the executive;
 - 2.3 changes to the electoral system to prevent candidates standing in both constituency and regional elections.
- 3 While this is a White Paper, and therefore normally the content of the forthcoming Bill might be expected to be settled, comments have been invited by 16 September.

Advice

- 4 There are no proposals that would impact directly on the Fire and Rescue Authority. The Assembly already has extensive powers of intervention and direction under the Fire and Rescue Services Act 2004, and could legislate to merge authorities and appoint some of their members. The wider powers envisaged for the Assembly could allow it to make more substantial changes to the role and nature of the fire and

rescue service (although they are technically possible under the current system if the UK Government accepted a request from the Assembly to pass the necessary legislation at Westminster).

- 5 It is proposed that the current requirement for the Assembly to establish a range of committees should be repealed, with the exception of the requirement for an audit committee (paragraph 2.16). This would mean that, among other things, there would be no obligation on the Assembly to have a North Wales regional committee.
- 6 The White Paper explicitly rules out the possibility that the Assembly would have primary legislative powers in respect of the police (paragraph 3.26). While this would not prevent a change at a future date, or devolution of executive responsibility for the police without full law-making powers, the current division of responsibility between the Assembly and Home Office in respect of the emergency services and community safety issues may not assist collaboration in the Welsh public services envisaged in “Making the Connections”.

Recommendation

- 7 That the Panel considers the White Paper and whether it wishes to submit a response to it.