

17 September 2021

Dear

ATISN 15452 – Freedom of information request - Interventions when local authorities fail

Information requested

Thank you for your request which I received on 24 August 2021. You asked for:

- a list of interventions by Welsh Ministers into Welsh Authorities where Welsh Authorities have experienced governance or performance challenges.

Our response

Welsh Ministers current powers of intervention and support are provided for under Part 6 of the Local Government and Elections (Wales) Act 2021. The Local Government and Elections (Wales) Act 2021 repealed and replaced the Local Government (Wales) Measure 2009. The intervention and support powers under Part 6 of the Local Government and Elections (Wales) Act 2021 contains intervention and support powers broadly similar to those in the Local Government (Wales) Measure 2009 and came into force on the 1st of April 2021.

There have been no interventions under the Local Government and Elections (Wales) Act 2021.

The Local Government (Wales) Measure 2009 included a power for Welsh Ministers (Section 29) to intervene (provide direction) where a Welsh Improvement Authority (defined as a county and county borough council in Wales, a National Park authority for a National Park in Wales or a Welsh fire and rescue authority) is considered to be failing, or likely to fail, to meet the requirements of Part 1 of the 2009 Measure. The Local Government (Wales) Measure 2009 also provides Welsh Ministers with a power (section 28) to provide support to a Welsh Improvement Authority to comply with the requirements of the 2009 Measure or where requested by the Welsh Improvement Authority.

The response to the above freedom of information request lists those authorities who received an intervention or support under the 2009 Measure from Welsh Ministers.

The information below does not include sector specific interventions under other legislation, for example social services and education. However I can confirm no sector specific intervention powers exist to address performance issues in relation to Welsh authorities planning functions. Any intervention would rely on the broader local government intervention powers outlined above.

Interventions by Welsh Ministers under the Local Government (Wales) Measure 2009:

- Anglesey County Council – intervention under section 29 of the Local Government (Wales) Measure 2009. Appointment of commissioners to

exercise the Councils executive functions on behalf of the Welsh Minister.
(2009 – 2013)

- Blaenau Gwent Borough Council - statutory support package provided under Section 28 of the Local Government (Wales) Measures 2009 to support the council to address financial planning, decision-making and scrutiny arrangements. (2013 – 2014)
- Merthyr Tydfil County Borough Council - statutory support package provided under Section 28 of the Local Government (Wales) Measures 2009 to support the council to comply with its requirement to make arrangements to secure continuous improvement (2014 – 2015)
- Powys County Council - statutory support package provided under Section 28 of the Local Government (Wales) Measures 2009 to provide challenge and support to Powys County Council in relation to Social Services (Adults and Children) and corporate matters. (2017 – 2020)
- Merthyr Tydfil County Borough Council - statutory support package provided under Section 28 of the Local Government (Wales) Measures 2009 to support the council to address the key challenge areas identified by the Wales Audit Officer including financial sustainability, Leadership and capacity, Governance and scrutiny and service pressures (2019 – ongoing)

Next steps

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ

or Email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely