

**CITY & COUNTY OF CARDIFF COUNCIL
DINAS A SIR CAERDYDD**

ENVIRONMENTAL SCRUTINY COMMITTEE

14th July 2015

**IMPLICATIONS OF THE WELL-BEING OF FUTURE GENERATIONS
(WALES) ACT 2015**

Reason for the Report

1. To provide Members with briefing on the implications on the Council from the introduction of the Well-being of Future Generations (Wales) Act 2015. It is hoped that the item will provide some context on the obligations of the Council and that Members will be able to suggest future possible avenues for scrutiny on the issue.

Background

2. The Well-being of Future Generations (Wales) Act 2015 has been created to help improve the social, economic, environmental and cultural well-being of Wales. The act became law on the 29th April 2015 and it is anticipated that formal consultation on the statutory guidance will be held in the summer of 2015. The actual law will come into force for local authorities in April 2016.
3. The new legislation will mean that the public bodies listed in the Act will need to think more about the long term; work better with people and communities and each other; look to prevent problems and take a more joined-up approach; in order to carry out sustainable development. The public bodies relevant to the Act are described as:
 - Welsh Ministers;
 - Local Authorities;
 - Local Health Boards;
 - Public Health Wales NHS Trust;
 - Velindre NHS Trust;
 - National Park Authorities;
 - Fire and Rescue Authorities;

- Natural Resources Wales;
 - The Higher Education Funding Council for Wales;
 - The Arts Council of Wales;
 - Sports Council of Wales;
 - National Library of Wales;
 - National Museum of Wales.
4. The Act establishes a statutory Future Generations Commissioner for Wales, whose role is to act as a guardian for the interests of future generations in Wales, and to support the public bodies listed in the Act to work towards achieving the well-being goals.
5. The Act also establishes Public Services Boards (PSBs) for each local authority area in Wales. Each PSB must improve the economic, social, environmental and cultural well-being of its area by working to achieve the well-being goals.
6. A Welsh Government document titled ‘Well-being of Future Generations (Wales) Act 2015 – The Essentials’ has been attached to this document as **Appendix 1**. This document sets out:
- What the Well-being of Future Generations (Wales) Act 2015 is designed to do;
 - A description of the seven Well-being goals – ‘a globally responsible Wales’; ‘a prosperous Wales’; ‘a resilient Wales’; ‘a healthier Wales’; ‘a more equal Wales’; ‘a Wales of cohesive communities’; ‘a Wales of vibrant culture and thriving Welsh Language’;
 - Why the law is needed;
 - The public bodies covered by the Act;
 - An explanation of the ‘Sustainable Development Principle’;
 - The ‘Transparency’ required under the new legislation;
 - The role of the ‘Future Generations Commissioner for Wales’ and the ‘Auditor General for Wales’;
 - Information on the ‘National Indicators and Milestones’ and the ‘Future Trends Report’;
 - The role of the ‘Public Services Boards’.

7. In preparation to the legislation coming into force in Wales the Council has submitted a corporate response to a recent discussion document around the format and content of the statutory guidance.
8. In addition to this response the Council has since spring 2014 participated in the Welsh Local Government Association early adopter programme for the legislation. In doing this the Council has focused its contribution around the business planning (community & corporate) processes, this has included:
 - The trialling of a self assessment diagnostic tool on sustainable development integration;
 - A desktop study of our strategic corporate documentation through a 'WFG Act' lens – Cardiff: What Matters, Corporate Plan, Directorate Business plan process etc..;
 - Interviews with relevant members of staff from Sustainable Development; Policy Development; Partnership Planning; Performance and the Cabinet Member for the Environment;
 - Workshop session with Policy Improvement Working Group on how the Act could influence their area of work, and how they can in turn use it to their advantage with challenge, etc..
9. Following a visit in spring 2015 the Welsh Local Government Association published a short progress paper in May 2015. This considered Cardiff's part in the 'Early Adopters Programme' for the Wellbeing of Future Generations Act and provided some positive feedback on the work currently being delivered by the Council. It should be noted that this was not an audit as the details of audit for the legislation are still in development and the focus of the work was to identify opportunities for improvement ahead of the legislation coming into force. . A copy of the report titled 'Well-being of the Future Generations Act (2015) – Welsh Local Government Association – Early Adopters Programme – Cardiff Council' has been attached as **Appendix 2**.

Way Forward

10. Councillor Ramesh Patel (Cabinet Member for Transport, Planning & Sustainability) has been invited to attend for this item. He will be supported by officers from the City Operations Directorate.

Legal Implications

11. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

12. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATIONS

The Committee is recommended to:

- i. Note the contents of the attached reports;
- ii. Consider whether it wishes to make any comments to the Cabinet to take into consideration when it receives the report.

MARIE ROSENTHAL
Director Governance & Legal Services
8th July 2015