
WELSH STATUTORY INSTRUMENTS

2000 No. 1271 (W.97)

LOCAL GOVERNMENT, WALES

The Local Government (Best Value) (Reviews and Performance Plans) (Wales) Order 2000

Made - - - - 22nd March 2000
Coming into force - - 1st April 2000

The National Assembly for Wales makes the following Order in exercise of the powers conferred on it by sections 5(2) and (4), 6(2) and (3), 7(6) and 29(1) of the Local Government Act 1999⁽¹⁾:

Citation, commencement, interpretation and application

1.—(1) This Order may be cited as the Local Government (Best Value) (Reviews and Performance Plans) (Wales) Order 2000 and shall come into force on 1st April 2000.

(2) In this Order—

“the Act” (“*y Ddeddf*”) means the Local Government Act 1999;

“performance indicator” (“*dangosydd perfformiad*”) means the factor by reference to which a best value authority’s performance in exercising a function as specified from time to time either by an order made under section 4(1)(a) or by a best value authority in accordance with guidance issued under section 5(6)(a) of the Act is to be measured;

“performance standard” (“*safon berfformiad*”) means the minimum acceptable level of service provision which must be met by a best value authority in the exercise of a function, measured by reference to a performance indicator for that function, as specified from time to time by an order made under section 4(1)(b) of the Act to be measured;

“performance target” (“*targed perfformiad*”) means the level of performance in the exercise of a function that a best value authority is expected to achieve, over a minimum period of a year, measured by reference to a performance indicator in relation to that function, as specified from time to time by guidance issued under sections 5(6)(b) and (7) of the Act.

(3) This Order applies to best value authorities in Wales with the exception of those specified in section 1(1)(d) and (e) of the Act.

Period of best value reviews

2. Best value authorities must conduct a best value review of all their functions by 31st March 2005 and must conduct a further best value review of all their functions by the end of each subsequent period of five years.

Content of best value reviews

3. In conducting a best value review, a best value authority must:—
- (a) consider whether it should be exercising the function;
 - (b) consider the level at which and the way in which it should be exercising the function;
 - (c) consider its objectives in relation to the exercise of the function;
 - (d) assess its performance in exercising the function by reference to any performance indicator specified for the function;
 - (e) assess the competitiveness of its performance in exercising the function by reference to the way in which the same function, or similar functions, are exercised by other best value authorities and by commercial and other businesses and by organisations in the voluntary sector;
 - (f) consult other best value authorities, commercial and other businesses and organisations in the voluntary sector, about the exercise of the function;
 - (g) assess its success in meeting any performance standard which applies in relation to the function;
 - (h) assess its progress towards meeting any relevant performance standard which has been specified but which does not yet apply;
 - (i) assess its progress towards meeting any relevant performance target.

Content of best value performance plans

4. Best value authorities must include the following matters in their best value performance plans—
- (a) a summary of the authority's objectives in relation to the exercise of its functions;
 - (b) a summary of any assessment made by the authority of the level at which and the way in which it exercises its functions;
 - (c) a statement specifying the period within which the authority is required to review its functions under section 5(2) of the Act and articles 2 and 3 of this Order;
 - (d) a statement indicating the timetable the authority proposes to follow in conducting a best value review;
 - (e) a statement specifying any performance indicators, standards and targets specified or set in relation to the authority's functions;
 - (f) a summary of the authority's assessment of its performance in the previous financial year with regard to performance indicators;
 - (g) a comparison of that performance with the authority's performance in previous financial years;
 - (h) a comparison of the authority's performance as summarised in accordance with paragraph (f) above, with the performance of other best value authorities in previous financial years;
 - (i) a summary of its assessment of its success in meeting any performance standard which applied at any time in the previous financial year;

- (j) a summary of its assessment of its progress towards meeting any performance standard which has been specified but which does not yet apply;
- (k) a summary of its assessment of its progress towards meeting any performance target;
- (l) a summary of any plan of action to be taken in the financial year to which the plan relates for the purposes of meeting a performance target;
- (m) a summary of the basis on which any performance target was set, and any plan of action was determined, in relation to a function reviewed under section 5 of the Act and articles 2 and 3 of this Order, in the previous financial year.

Date for publication of best value performance plans

5. Best value authorities must publish their performance plans for a financial year by 30th June of the year to which the plans relate.

Date for sending copies of auditors' reports

6. Copies of auditors' reports relating to best value performance plans shall be sent in accordance with section 7(5) of the Act by 31st October of the year to which the plans relate.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2).

22nd March 2000

D. Elis Thomas
The Presiding Officer of the National Assembly

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note does not form part of the Order.)

Part I of the Local Government Act 1999 imposes duties on local and other authorities to conduct best value reviews of their functions and to prepare a best value performance plan for each financial year.

The period within which an authority in Wales (except one specified in section 1(1)(d) and (e) of the Act) is to review all its functions, the matters which such an authority must include in such a review and the matters which such an authority must include in a best value performance plan for a financial year are to be specified by order made by the National Assembly for Wales. The National Assembly for Wales may also specify by order the date before which an authority must publish its performance plan for a financial year and the date by which copies of an auditor's report relating to that plan shall be sent to the authority, the Audit Commission and, if required, the National Assembly for Wales.

This Order specifies the best value review period, the matters which are to be included in such a review, the matters which are to be included in a best value performance plan, the date before which an authority's plan for a financial year must be published and the date by which copies of an auditor's report are to be sent.