

## ISLE OF ANGLESEY COUNTY COUNCIL

|                           |                                                                                                                                                         |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>MEETING:</b>           | County Council                                                                                                                                          |
| <b>DATE:</b>              | 8 September 2020                                                                                                                                        |
| <b>TITLE:</b>             | Executive Decisions between May 2019- July 2020                                                                                                         |
| <b>REPORT BY:</b>         | Annwen Morgan<br>Chief Executive                                                                                                                        |
| <b>PURPOSE OF REPORT:</b> | To report on the executive decisions made during the year to date                                                                                       |
| <b>CONTACT OFFICER:</b>   | Lynn Ball, Director of Function (Council Business)<br>/ Monitoring Officer (ext 2568)<br><a href="mailto:lbxcs@ynysmon.gov.uk">lbxcs@ynysmon.gov.uk</a> |

### 1. **Background**

- 1.1 In accordance with the Executive Procedure Rules (included in Part 4.4 of the Council's Constitution), "*The Leader may amend the scheme of delegation relating to executive functions at any time during the year. To do so, The Leader must give written notice to the Chief Executive and to the person, body or Committee concerned. The notice must set out the extent of the amendment to the scheme of delegation, and whether it entails the withdrawal of delegation from any person, body, Committee or the Executive as a whole. The Chief Executive will present a report to the next Ordinary Meeting of the Council setting out the changes made by the Leader.*" (Paragraph 4.4.1.4.2)
- 1.2 As a result of the coronavirus pandemic, the Leader amended the scheme of delegation on 23<sup>rd</sup> March 2020. Details of the changes are included in paragraph 3.5 below.
- 1.3 This report is presented in accordance with paragraph 1.1 above and at the request of the Council's Internal Audit Service.

### 2. **Part 3 of the Council's Constitution – the scheme of delegation**

- 2.1 Part 3 of the Council's [Constitution](#) sets out the responsibilities in relation to decision making for various functions of the Council (the Council's scheme of delegation).
- 2.2 The Council's scheme of delegation is based on the principle that the Executive will exercise all of the local authority's decision making which have not been delegated to any other part of the local authority i.e. it will be an executive decision unless it has been noted, in law or under the Constitution, to be a decision of full Council, a regulatory committee or a decision for officers. This complies with the details included in [Local Government Act 2000](#) and [The Local Authorities \(Executive Arrangements\) \(Functions and Responsibilities\) \(Wales\) Regulations 2007](#) [which provides information on the decisions that (a) must not and (b) may not be for an Executive to make].

### 3. Executive decisions

- 3.1 Section 3.3 of the Constitution details items upon which decisions are to be made by the Executive. The delegation of executive functions lies with the Leader.
- 3.2 Executive decisions are made by the Executive as a whole, or may be made by individual members of the Executive (the Leader/Portfolio Holders), or Committees of the Executive, or officers acting under specific delegated executive authority.
- 3.3 Executive Decisions by Cabinet:

Executive Cabinet decisions are made in [the webcasted meetings](#) which are usually held monthly. The [decisions made](#) in each meeting are subsequently published.

### 3.4 Portfolio Holder Decisions:

Portfolio Holder decisions are made in accordance with the standing [Executive delegation](#) and in accordance with the [Job Description for Executive Members](#)

The [decisions made by each Portfolio Holder](#) for the current period have been collated and are attached in the following Appendices to this report:

| <b>Portfolio Holder</b>                 | <b>Councillor in role</b>                 | <b>Appendix</b> |
|-----------------------------------------|-------------------------------------------|-----------------|
| Planning and Public Protection          | Councillor Richard Dew                    | None to report  |
| Social Services                         | Councillor Llinos M Huws (Leader)         | <b>1</b>        |
| Major Projects and Economic Development | Councillor Carwyn Jones                   | None to report  |
| Education, Youth, Libraries and Culture | Councillor R Meirion Jones                | None to report  |
| Housing and Supporting Communities      | Councillor Alun Mummery                   | None to report  |
| Highways, Property and Waste            | Councillor Bob Parry OBE FRAGS            | None to report  |
| Corporate Services                      | Councillor Dafydd R Thomas                | None to report  |
| Transformation and the Welsh Language   | Councillor Ieuan Williams (Deputy Leader) | <b>2</b>        |
| Finance                                 | Councillor Robin Williams                 | <b>3</b>        |

### 3.5 Decisions of the Leader:

Under the powers granted by legislation, and by the Council's Constitution, the Leader may also make any executive decisions; including those which have been delegated to others.

In response to the coronavirus pandemic, the Leader amended the usual delegation process for executive decisions by a [delegation signed on 23<sup>rd</sup> March 2020](#).

All decisions made by the Leader during the period of this report are listed in **Appendix 4** hereto.

**4. Recommendation**

For Council to note the decisions made by the Executive, by various means, in accordance with the scheme of delegation included in the Council's Constitution.

## Appendix 1 – Portfolio Holder for Social Services

| <b>Date</b>    | <b>Link to the Decision Record</b>                                                                                                     | <b>Decision</b>                                                                                                                                                                                  |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| September 2019 | <a href="#">Record of an Executive Decision taken by the Portfolio Holder for Social Services</a>                                      | For Ynys Môn County Council to formally adopt the North Wales Carers' Strategy.                                                                                                                  |
| September 2019 | <a href="#">Record of an Executive Decision taken by the Portfolio Holder for Social Services and the Portfolio Holder for Finance</a> | That Anglesey County Council agree to the approach noted in the enclosed papers to meet Welsh Government requirements for a Pooled Budget for care and nursing home placements for older people. |
| March 2020     | <a href="#">Record of an Executive Decision taken by The Portfolio Holder for Social Services</a>                                      | To approve the Council's Annual Equality Report 2018/19 for publication by 31 March 2020.                                                                                                        |

## Appendix 2 – Portfolio Holder for Transformation and the Welsh Language

| <b>Date</b>  | <b>Link to the Decision Record</b>                                                                                                                 | <b>Decision</b>                                                                                                 |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| June<br>2019 | <a href="#">Record of an Executive Decision taken by the Portfolio Holder for Service Transformation and responsibility for the Welsh Language</a> | To accept the content of the 2018/19 Annual Report on the Welsh Language Standards and approve its publication. |

### Appendix 3 – Portfolio Holder for Finance

| Date         | Link to the Decision Record                                                                                                                        | Decision                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| July 2019    | <a href="#">Record of an Executive Decision taken by the Portfolio Holder for Finance</a>                                                          | <p>- To approve the upgrade to the BACS business payment entity environment as detailed in the attached report;</p> <p>- Virement of £25,000 from the Cost of Change reserve to meet the cost of the upgrade.</p> <p>See attached - letter from the Council Leader delegating the right to the Portfolio Holder (Finance) to take the decision on behalf of the whole Executive, due to urgency.</p> |
| July 2019    | <a href="#">Record of an Executive Decision taken by the Head of Function (Resources)/Section 151 Officer and the Portfolio Holder for Finance</a> | To write off debts with a value of £40,844.12.                                                                                                                                                                                                                                                                                                                                                       |
| January 2020 | <a href="#">Record of an Executive Decision taken by the Head of Function (Resources)/Section 151 Officer and the Portfolio Holder for Finance</a> | To write off debts with a value of £38,056.95.                                                                                                                                                                                                                                                                                                                                                       |

## Appendix 4 – Leader

| Date          | Link to the Decision Record                                                         | Decision                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| October 2019  | <a href="#">Record of an Executive Decision taken by The Leader</a>                 | To refer to full Council the decision in relation to approving delegated power to the Director of Place & Community Well-being to carry out all the statutory functions of the Council as both Local Authority and Planning Authority in connection to consenting applications which include planning permission or deemed planning permission or the equivalent to be determined by the Welsh Government, including the negotiation and completion of planning obligation agreements. |
| December 2019 | <a href="#">Record of an Executive Decision taken by The Leader</a>                 | To recommend to Council that paragraph 4.3.2.2.8 of the Constitution be suspended for 2020/2021 only.                                                                                                                                                                                                                                                                                                                                                                                  |
| May 2020      | <a href="#">Record of an Executive Decision Taken by the Leader - 4 May, 2020</a>   | To accept the Council's RIPA Policy and to permit the Council's Director of Function (Council Business) / Monitoring Officer to make periodic changes to the Policy as required in accordance with emerging practice and legislative changes.                                                                                                                                                                                                                                          |
| May 2020      | <a href="#">Record of an Executive Decision Taken by the Leader - 13 May, 2020</a>  | Financial assistance to the Council's business tenants during the Coronavirus Crisis.                                                                                                                                                                                                                                                                                                                                                                                                  |
| May 2020      | <a href="#">Record of an Executive Decision Taken by the Leader - 27 May, 2020</a>  | Introduce a temporary Business Rates Discretionary Relief Policy as a consequence of COVID – 19.                                                                                                                                                                                                                                                                                                                                                                                       |
| May 2020      | <a href="#">Record of an Executive Decision Taken by the Leader - 27 May, 2020</a>  | Amendments to the Council Tax Discretionary Relief Policy as a consequence of COVID – 19.                                                                                                                                                                                                                                                                                                                                                                                              |
| June 2020     | <a href="#">Record of an Executive Decision Taken by the Leader - 11 June, 2020</a> | Agree that the Council offers support to the Community and Town Councils that have been identified as lacking capacity for burials in order to create additional provision.<br>This to be done by assisting them in the first instance to accept the Welsh Government's agreement to borrow funds and by providing assistance with the loan process subsequently.                                                                                                                      |

|           |                                                                                            |                                                                                                                   |
|-----------|--------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
|           |                                                                                            | If all else fails, subject to a further report and decision, a direct loan from the Council could be considered.  |
| June 2020 | <a href="#"><u>Record of an Executive Decision Taken by the Leader - 22 June, 2020</u></a> | To accept the content of the 2019/2020 Annual Report of the Welsh Language Standards and approve its publication. |