

ISLE OF ANGLESEY COUNTY COUNCIL

Minutes of the meeting held on 11 May 2010 (2:00pm)

PRESENT: Councillor Gwilym O.Jones -
Vice-Chair

Councillors W.J.Chorlton;
E.G.Davies; Lewis Davies;
Barrie Durkin; Jim Evans;
K.Evans,C.LI.Everett;
P.M.Fowlie,D.R.Hughes; Fflur
M.Hughes; K.P.Hughes;
R.LI.Hughes; W.I.Hughes; Eric
Jones; G.O.Jones; H.Eifion
Jones;Raymond Jones;R.Dylan
Jones;A.Morris
Jones;R.LI.Jones;C.McGregor;
Rhian Medi;Bryan Owen;
J.V.Owen; R.L.Owen;
R.G.Parry OBE; G.O.Parry
MBE; Eric Roberts;
G.W.Roberts OBE, Peter S.
Rogers, J.Arwel Roberts;
E.Schofield; Ieuan Williams.

IN ATTENDANCE: Interim Managing Director;
Corporate Director (Finance);
Corporate Director
(Environment & Technical
Services);
Corporate Director (Education
and Leisure);
Acting Corporate Director
(Housing and Social Services);
Director of Legal Services /
Monitoring Officer;
Head of Service (Policy),
Solicitor to the Monitoring
Officer;
Committee Services Manager;
Communications Officer

APOLOGIES: Councillors T.Lloyd Hughes,
W.T.Hughes, T.Jones,
H.W.Thomas, J.Penri Williams.

The meeting was opened with a Prayer by Councillor K.P.Hughes.

1. MINUTES

Submitted and confirmed as a true record, the minutes of the meetings of the County Council held on the following dates:-

- 24th February, 2010 (Visit of Minister)
- 4th March, 2010, subject to the name of Councillor D.R.Hughes being added to the list of those Members present.

Arising thereon -

Item 10(CH) Chairing of the Principal Scrutiny Committee.

Councillor W.J.Chorlton challenged the minute with regard to what was said by Councillor B.Owen, in that he did not feel that the minute was a true reflection of what happened on the day. He wished it to be noted that he had abstained from voting upon this particular minute.

- 16th March, 2010 (Extraordinary)

2.DECLARATION OF INTEREST

None to declare

3.TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRPERSON, LEADER, MEMBERS OF THE EXECUTIVE OR THE HEAD OF THE PAID SERVICES.

The Chairperson on behalf of the Members and Officers conveyed his best wishes for a speedy recovery to Councillor Eurfryn Davies following his recent stay in hospital.

Best wishes were extended on behalf of the Council to Mr.Ross Morgan, Head of Corporate Services, who would be retiring in the near future. The Chairperson took the opportunity of personally thanking Mr.Morgan for his co-operation and support during his term of office.

Congratulations were extended to Mr Albert Owen upon being re-elected as Member of Parliament for Anglesey.

Councillor W.J.Chorlton was also afforded the opportunity of congratulating Mr.Albert Owen, M.P. upon his success over the last campaign. He also wished to state that Mr Ross Morgan had been an excellent officer for this Authority and he wished him well upon his retirement.

Best wished were extended to those who would be competing in 'Eisteddfod Môn' and also at the Urdd Eisteddfod at Cardigan during Whit week.

The Chairperson took the opportunity of informing everyone present that the armed forces Day would take place on 19th June, 2010.

On a sadder note, the Chairperson referred to the recent deaths of Mr Iorwerth Rowlands, Beaumaris (former Member of the Borough Council) and also Hon. Alderman O.E.Hughes. On behalf of the Council he extended his deepest sympathy to both families.

He also sympathised with any Member or member of staff who had suffered bereavement. Members and Officers stood in silence as a mark of their respect.

The Leader of the Council on behalf of the Political Groups, stated that the list of representatives to serve on the Council's Outside Bodies was close to completion and that there would be further discussion over the next few days to ensure agreement upon its contents.

4.PRESENTATION OF PETITIONS

No petitions were received in accordance with Paragraph 4.1.11 of the Constitution.

5.CHANGES TO THE COUNCIL CONSTITUTION.

5.1 - STANDARDS COMMITTEE

(a) Reported - That the Executive at its meeting on 27th April, 2010, had resolved to recommend to the County Council as follows:-

“That 3 County Councillors serve on the Standards Committee and that they be appointed forthwith until the ordinary Local Government Elections for Isle of Anglesey County Council next following this appointment (May 2012). The three Councillors to be nominated are:-

*Councillor J.Arwel Roberts
Councillor Ieuan Williams
Councillor J.Penri Williams*

To authorise officers to make all necessary and consequential amendments to the Council's Constitution including “Article 9 – The Standards Committee” and also the Constitution of the Standards Committee.”

(b) Submitted - The report of the Director of Legal Services/Monitoring Officer as submitted to the Executive on 27th April, 2010.

RESOLVED to endorse the recommendations of the Executive of 27th April, 2010 in this respect, subject to the name of Councillor J.Penri Williams being substituted by the name of Councillor T.Lloyd Hughes.

5.2 - ADDITION TO THE APPENDIX TO 3.5 - SCHEME OF DELEGATION TO OFFICERS.

(a)Reported - That the Executive at its meeting on 27th April, 2010, had resolved to recommend to the County Council as follows:-

“To amend the Constitution by adding to the Appendix the legislation detailed within the report.

That subject to the Direction of the Welsh Ministers to amend the Constitution by adding the legislation detailed within the report to the Appendix.”

(b)Submitted - The report of the Director of Legal Services/Monitoring Officer as submitted to the Executive on 27th April, 2010.

RESOLVED to endorse the recommendations of the Executive of 27th April, 2010 in this respect.

5.3 - PART 8

(a) Reported - That the Executive at its meeting on 27th April, 2010, had resolved to recommend to the County Council as follows:-

“To adopt Part 8, as drafted in attachment C of the report into the Council’s Constitution.

To make the changes to the Member/ Officer Protocol as indicated in attachment Ch of the report.

To authorise officers to make sure all necessary and consequential amendments to the Council’s Constitution including the insertion of Part 8 and the changes to the Member Officer Protocol.”

(b) Submitted - The report of the Director of Legal Services/Monitoring Officer as submitted to the Executive on 27th April, 2010.

RESOLVED to endorse the recommendations of the Executive of 27th April, 2010 in this respect.

5.4 - SCRUTINY AND OVERVIEW COMMITTEES.

(A) Reported - That the Executive at its meeting on 7th May, 2010, had resolved to recommend to the County Council as follows:-

“To invite the County Council to resolve that:-

1. There are to be 5 Scrutiny and Overview Committees and that their names shall be Corporate Scrutiny Committee, Housing and Social Services Scrutiny Committee, Education and Leisure Scrutiny Committee, Environment and Technical Services Scrutiny Committee and Economic Development, Tourism and Property Scrutiny Committee and that each of them shall be described as a Scrutiny Committee.

2. The terms of reference of each and every committee are to be as indicated in Attachments A to D respectively and that there is a Steering Group of Chairs and Vice-chairs of the Scrutiny Committees.

3. The meetings cycle will be a six weekly cycle for each Scrutiny Committee and the number of members on each Committee will be 10 with 12 on the Corporate Scrutiny Committee

4. The power of call-in will be exercised by the Corporate Scrutiny Committee and 5 members of the Council who are not members of the Executive may call-in a decision.

5. The restrictions on call-in shall be the same as currently in the Constitution at paragraph 4.5.16.8 but only for the one Scrutiny Committee which has call-in powers which is the Corporate Scrutiny Committee.

6. To extinguish the 2 sub-committees of the Audit Committee and transfer the responsibilities as follows:

6.1 The Governance and Risk Management Sub-committee's responsibilities to be absorbed by the Audit Committee itself

6.2 The Customer Focus Sub-committee's responsibilities to be transferred to the Corporate Scrutiny Committee

7. To approve the changes described above and authorise officers to make all necessary and consequential amendments to the Constitution.

8. That the full Council receive a report by September at the latest regarding the feasibility of convening meetings of the Council outside office hours"

(b) Submitted - The report of the Interim Managing Director as submitted to the Executive on 7th May, 2010.

Councillor C.LI. Everett enquired as to whether the Corporate Management Team had considered how they were going to resource and actually service the revised committee structure?

The Interim Managing Director in response stated that a sum of £400k had been set aside in this year's budget to build Corporate capacity to respond to those sort of issues. A report would be going to the Executive suggesting some enhancements to the core officer scrutiny team. Training and development was also taking place within Directorates so that they were better able to support Scrutiny as well.

RESOLVED to endorse the recommendations of the Executive of 7th May, 2010 in this respect.

6. POLITICAL BALANCE.

Submitted - A joint report by the Director of Legal Services/Monitoring Officer and the Corporate Director (Finance).

Reported - That following the recent changes in the membership of the Original Independent Group, the Council now needed to review its political balance arrangements on the Council Committees.

Attached to the report was a table setting out the political balance of Council Committees in accordance with the Local Government and Housing Act 1989. The table showed the five political groups 17,8,5,3 and 3 Members respectively and 4 separate Unaffiliated Members. Details of the revised Committee Structure were listed at paragraph 3.2 of the report.

During recent discussions by Group Leaders it had been considered that the Planning and Orders Committee and the Licensing Committee should have identical membership and therefore the same number of Members. To achieve that, it was proposed to change the number of Members on the Licensing Committee from 15 to 14. It was a legal requirement to have a separate and distinct Licensing Committee.

Each political group on the Council could only allocate the seats it received under the political balance arrangements to its own members and cannot allocate to a Councillor who was not a Member of that same political group.

RESOLVED

To change the number of members on the Licensing Committee from 15 to 14.

To note the new political balance arrangements and the number of seats attributable to each of the Groups and the Unaffiliated Members under the Local Government and Housing 1989;

To agree the whole numbers of seats to be allocated to the Unaffiliated Members but, taking into account the views of those Members, the Group Leaders be authorised to meet in order to determine the allocation of each of those seats to the individual unaffiliated members.

To ask the Group Leaders to provide the list of the names of their group representatives on each Committee to the Committee Services Manager by no later than the morning of Thursday the 13th May 2010 so that arrangements can be made to prepare a definitive list of committee membership prior to meetings to elect chairpersons and vice-chairpersons to Council Committees on the 20th May 2010."

7. MEMBERS EXPENSES .

Reported for information by the Corporate Director (Finance) - That in June 2009, the Council asked for a report on Members expenses over the last three years.

The report before Council today analysed the total cost to the Authority of travelling and subsistence expenses of Members. This was not the same as the figures included in the table of allowances, which was published annually already, because that table only included amounts claimed by, and paid to, members directly. The present analysis was the total cost chargeable to the ledger, the main difference being that included cost paid for by the Authority instead of being claimed by the Member. The outcome of the exercise was detailed in Table 1-6 of the report.

The main issue identified by this analysis was that the total of Members travelling and subsistence expenses shown was significantly higher than the amount published as members' allowances: the total over the three year period was 32% higher than the published amounts. This was simply a result of administrative practice, but there may be a public interest in the fact. Twelve members had not claimed any expenses at all in this period, and although some reflected where they lived and other circumstances, there were undoubtedly others who could have claimed travelling costs but chose not to.

Although the municipal and financial years did not exactly tie up, the main responsibilities in the relevant municipal year had been noted in Tables 2 to 4. As would be expected, more expenses were incurred by those with higher responsibilities.

RESOLVED to note the contents of the report.

8.MEMBERS ALLOWANCES SCHEME

Reported by the Corporate Director (Finance) - That the special Council meeting on 16 March considered a report by the Independent Remuneration Panel for Wales and resolved, inter alia:-

“to accept the following amounts of allowance for 2010-11 whilst the current committee structure remains in place and that a further report be submitted to the AGM of the Council identifying any changes needed to the committee structure “

A separate report on this agenda detailed proposed changes to the committee structure which if changed, then under the term of the previous resolution, the allowance scheme fell unless adopted again.

However, it was by no means essential to change the Members Allowances scheme, since it was flexible enough to accommodate a change to the number of overview and scrutiny committees now that there was no longer an allowance paid to their vice chairs. Within a total number of 20 allowances, it was possible to pay 10 Executive members, chairs of Planning, Licensing, Audit, Leader of the Opposition and up to six scrutiny and overview committees. Any doubling-up would reduce the number of allowances actually paid. It was recommended that the rates of allowances be confirmed for the remainder of the financial year.

RESOLVED to confirm the rates of allowances detailed in the table to the report for the remainder of the 2010/11 financial year, amended as follows:

- (i) deleting the allowance for the Chair of the Licensing Committee,**
- (ii) amending the allowance payable to the Chair of the County Council to £8,304 and that the sum to the Vice-Chair of the County Council remain at £5,121.**

9. ACTION PLAN TO BRING WELSH ASSEMBLY GOVERNMENT INTERVENTION TO AN END.

Reported by the Interim Managing Director - That the purpose of this report was to set out more clearly the remaining steps the Council needed to take, and suggest ways that Members could be more fully involved, which was an essential prerequisite to sustainable change.

Substantial progress had been made since the Council meeting in March and the 5th Report of the Recovery Board to the Minister had expressed cautious optimism. The steps already taken were detailed at Annex A of this report. Set out at Annex B of the report was the Minister's letter of the 4th March, 2010 setting out his expectation of the Council with clear targets for their achievement by 11th May.

Subject to the decisions taken today, many of these requirements from the Minister would have been satisfied. Where the requirements were not clear or strict adherence to the timetable inconsistent with sustainability, these had been discussed with W.A.G officials and the Recovery Board and understandings had been achieved.

Annex C of the report (available in the Managing Director's office) was a high level summary of the actions still to be taken (detailed at Paragraph 3 of the report).

The Interim Managing Director now felt it appropriate to establish a more formal arrangement to engage more widely with the Council as a whole and achieve a sustainable change. There were a number of existing Groups/Committees which might have a role but it was proposed that a Steering Group be established. The overall arrangements of which were detailed at Paragraph 4 of this report.

The Recovering Steering Group would have the role of monitoring overall progress against all the projects which comprised the Recovery Plan and giving the Council assurance that the projects would meet the objectives and outcomes sought. Details of the above were again detailed at Paragraph 4 of the report.

The Member Development Group was also key and their plans would assist in the broader understanding of roles and responsibilities and ensure that all Members had an opportunity to engage in the modernisation of the Council.

The Steering Group would report to each meeting of the Council to give the Council assurance that the Recovery Plan was properly prioritised and resourced and that timetables and outcomes were being achieved. The possible Terms of Reference were detailed at Annex D of the report. Neither the Steering Group nor the Member Development Group were formal Committees of the Council.

Elsewhere on the agenda it was proposed that there should be an all Member workshop on the Performance Improvement Plan. A key part of that plan would include steps being taken to support the recovery. This workshop would be a further opportunity for Members to develop the action plan.

RESOLVED

- **To note the substantial progress to date set out at Annex A of the report and subject to the decision taken elsewhere on the agenda, to instruct the Leader of the Council to write to the Minister highlighting the progress the Council has made in relation to his letter of 4th March;**
- **That the Leaders of the individual Political Groups on the Council be requested by 30th June, 2010, to respond positively to the Minister's report that they publish their own values and priorities and that the Council's Director of Legal Services/ Monitoring Officer collate these for distribution for information to all Members of the Council;**
- **To endorse the overall Steering Group arrangements and decisions required as set out in Paragraph 4 of the report and to note that the Membership of the Recovery Steering Group is to be decided over the next few days following discussion between the Political Group Leaders;**
- **To endorse the Action Plan and that the Steering Group be requested to consider what further steps can be taken in relation to the concerns expressed by the Recovery Board as set out in Paragraph 3 of the report, and specifically what further steps the Council can take to assist moving some Members from discredited attitudes and ways of working and from issues and rivalries of the past;**
- **That an all Member seminar be organised to review and develop the action plan as part of the Council's overall Performance Plan.**

Councillor E.Schofield in response to being named within the report wished to point out to the Council that the majority of the Original Independents Group, of which he was originally a member, were unaware that agreement had been reached between the Leader and the other Group Leaders as to the proposed nomination to the Chair of the then Principal Scrutiny Committee. All he had done at that meeting was to convey the original nomination of the Group. He requested that it be

minuted that before the Intervention Board came in, he had advocated and supported the proposal that the Chair of the Scrutiny Committee be given to the Opposition. He also wished to state that he was fully supportive of the good work the Leader was setting out to achieve within the Council. He asked it to be noted that none of the comments he had made in the Chamber today had been denied.

Councillor P.S.Rogers drew the Council's attention to the recent letter by Councillor G.O.Parry , MBE the contents of which had recently appeared in the Press and which had again in his opinion brought this Council into disrepute. He also referred to the unnecessary expense of holding an inquiry into his own planning application and that the claims made against him were a complete fabrication. He considered the Ombudsman to be a complete waste of time and public money in that it took him up to 2 years to reach any kind of decision.

Councillor G.O.Parry, MBE, in reply stated that he had written a private letter to a Councillor on this Authority. There was no campaign to undermine the Leader or anybody else or to try to harm this Council in any way.

10. CORPORATE IMPROVEMENT PLAN.

Reported by the Interim Managing Director - That under the Local Government (Wales) Measure, 2009, the Council needed to publish Improvement Plan as soon as practicable after the 1st April, 2010 to contain the Authority's Improvement objectives. The Council's new strategic priorities which were consulted upon widely recently provided the basis for shaping the Improvement Plan underpinned by business plan priorities.

Members needed to be engaged on a wider basis in the development of the Council's high level work plan following initial work on shaping strategic priorities during the past 6 months. It was therefore proposed to arrange a workshop for all Members in early June for this purpose. This would allow for outputs to be reported to the Executive and full Council later that month. In addition, Committee work programmes would need to be developed to include arrangements for the monitoring and scrutiny of the Improvement Plan during 2010/11.

RESOLVED

- **To note the current position and the development of the Council's Improvement Plan;**
- **To authorise Officers to make arrangements to convene a workshop during June 2010 on the Council's Work Programme.**
- **To note the need to arrange a special Council meeting in June 2010 to consider the Improvement Plan.**

11. SPG - CEMAES CONSERVATION AREA CHARACTER APPRAISAL.

Reported by the Planning Portfolio Holder - That the Executive that its meeting on 27th April, 2010 had resolved to recommend to the County Council as follows:-

“that it approves the Cemaes Bay Conservation Area Character Appraisal and to support the submission of the document to the next Full Council for adoption as Supplementary Planning Guidance.”

Submitted - The report of the Head of Service (Planning and Public Protection) as submitted to the Executive on 27th April, 2010.

RESOLVED to endorse the recommendation of the Executive of 27th April, 2010 in this respect.

12. PROPOSED CHANGES TO ELECTORAL DIVISIONS FOR ANGLESEY COUNTY COUNCIL.

(a) Submitted - A letter dated 30th March 2010 from the Local Government Boundary Commission for Wales stating that they were willing to attend a meeting in order to receive views on their Draft Proposals. (This took place on 30th April, 2010). The Commission were content to extend the representation period up to the date of this meeting.

(b) Reported verbally by the Leader of the Council - That on Friday 30th April 2010, four representatives of the Boundary Commission met with Council representatives. Concerns were expressed to the Commission that this Council did not support multi-member Wards. The point of reviewing community wards before reviewing County Wards was also aired. The Commission in response stated that they had written to this Council in 2006/07 recommending that work needed to be done on community boundaries before the current review. Not all of this work had been completed to date and therefore it was not possible to change those arrangements at present.

The Commission also refuted the impression given that planning applications which had been approved had not been considered in some of the recommendations that had come back from the Commission

Concern was also expressed to the Commission that reducing the number of Wards could bring pressure upon the Council in the filling of seats on the Scrutiny and Overview Committees. Also mentioned were the boundaries being recommended which cut across communities and which merged English and Welsh communities.

A number of members had suggestions as to ways of improving the pattern which had been published. These were noted by the Commission and every response would be considered before making a final recommendation to the Minister. The Council would have 6 weeks to respond once the plan had been published. It was made clear to Members, that no change was not an option, but that an approximate Ward figure of 1450 was under consideration.

RESOLVED to note the position.

13. ANNUAL REPORT OF THE AUDIT COMMITTEE.

Submitted- The annual report of the Chair of the Audit Committee as required by Paragraph 3.4..8.1.1. (ix) of the Constitution for the 2009/10 municipal year.

The report referred to the number of meetings held over the course of the year and upon the considerable work done to provide training for Members and in developing the role of the

Committee. The Committee would be taking seriously the need to develop its role as an independent and non-political Committee which would require all Councillors and the Political Groups to also respect that role.

The Chairperson also took the opportunity of thanking the Vice-Chair for his support and also to the officers of the Finance Department and Internal Audit. He thanked Mrs. Ann Holmes, the Committee Officer for the excellent work she had done in compiling the minutes of the Committee. The work of the Committee support staff was sometimes taken for granted. Without their hard work the whole process of local government would come to a grinding halt. Likewise, the work of the Translation Service was to be commended.

14. DELEGATIONS BY THE LEADER.

Submitted for information - A report by the Interim Managing Director setting out any changes to the scheme of delegation relating to Executive functions made by the Leader since the last Ordinary meeting (Rule 4.4.1.4 of the Executive Procedure Rules of the Constitution refers).

RESOLVED to note the contents of the report.

15. NORTH WALES FIRE AND RESCUE AUTHORITY

Submitted - A verbal report from Councillor J.V.Owen, one of this Council's representatives on the North Wales Fire and Rescue Authority, on meetings held by that Authority between 20th February, 2010 and 31st April, 2010.

Reported - That the Fire Authority had received a positive response following the recent Health and Safety check. He stated that they had far less to worry about than other Fire Authorities. Any issues identified would be addressed. He paid tribute to former members of this Authority who had served on the Fire Authority and in particular the initiative taken in making use of Rhyl Fire Station as a community facility which had received praise from the Welsh Assembly Government. He impressed upon Members to ensure that their constituents took advantage of the free fire safety checks for homes and thanked those Members of the Fire Authority for undertaking this invaluable service. If there were any questions by Members he would pass these to the Fire Authority for a written response.

RESOLVED to note the information

16. NORTH WALES POLICE AUTHORITY

Submitted - A verbal report from Councillor P.S.Rogers, this Council's representative on the North Wales Police Authority, on meetings held by that Authority between 20th February, 2010 and 31st April, 2010.

Councillor Rogers apologised to Members that because of health reasons he had not been able to attend many meetings since his last report to Council. However, he intended to re-commence his duties next Friday at their quarterly meeting.

Councillor G.O.Parry, MBE, enquired as to the fate of the 'bobby car' which had been a very useful instrument in bringing young people into communication with the Police and also as a P.R tool. He understood that it had been extensively vandalised. He also enquired as to whether the Police

Authority had made use of an external security company to protect police stations and if so at what cost?

Councillor. P.S.Rogers in reply stated that the car in question was from abroad and that it had not been replaced because the cost of parts was prohibitive. As regards security, this took place with the refurbishment of the Police Headquarters at Colwyn Bay where private security had been used since it was far cheaper to bring in outside security than having to use their own officers on a 24 hour basis.

Councillor C.LI.Everett requested Councillor Rogers to convey his thanks to the North Wales Police Authority, in that the statistics for detection of certain crimes on the Island were some of the best in Wales and were even better than some UK Police forces.

Councillor P.S.Rogers thanked Councillor Everett for his words of praise which he would convey to the Police Authority.

RESOLVED to note the information.

The meeting concluded at 3:30 pm

**COUNCILLOR O.GLYN JONES
CHAIRPERSON.**