

ISLE OF ANGLESEY COUNTY COUNCIL

Minutes of the held on 9th December 2010

- PRESENT:** Councillor Selwyn Williams - Chair
Councillor G.O Jones - Vice-Chair
- Councillors W.J.Chorlton E.G.Davies; Lewis Davies; R.Anthony Dew;
C.LI.Everett Jim Evans; K.Evans; Fflur M.Hughes; R.LI.Hughes;
W.I.Hughes; W.T.Hughes;K.P.Hughes; Aled M Jones; Eric
Jones;H.Eifion Jones; O.Glyn Jones; Raymond Jones; R.Dylan
Jones;R.LI.Jones; T.H.Jones; C.McGregor; Rhian Medi; Bryan
Owen; J.V.Owen; R.L.Owen; Bob Parry OBE; G.O. Parry MBE; Eric
Roberts;G.W.Roberts, OBE;J. Arwel Roberts;
P.S. Rogers; H.W.Thomas;E Schofield, Ieuan Williams;
J.P. Williams.
- IN ATTENDANCE:** Interim Managing Director;
Corporate Director (Finance);
Corporate Director (Housing and Social Services)
Corporate Director (Planning and Environment)
Director of Legal Services/Monitoring Officer
Head of Service (Highways and Waste Management)
Head of Service (Planning and Public Protection)
Committee Services Manager.
Communications Officer.
- APOLOGIES:** Councillors D.R.Hughes, T.Lloyd Hughes

The meeting was opened by a prayer offered by Councillor Eric Jones.

1. DECLARATION OF INTEREST

Councillor Selwyn Williams declared an interest in Items 5 and 6 of these minutes and was not present at the meeting during any discussion or voting thereon. The Vice-Chair took the Chair for those items.

Councillors Tom Jones and H.W.Thomas declared an interest in Item 6 of these minutes, took part in the discussion but were not party to the voting thereon.

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

The Chair extended a warm welcome to Councillor Richard Anthony Dew, newly appointed member for the Rhosneigr Ward and also extended his best wishes to Councillor D.R.Hughes for a full and speedy recovery.

At the behest of Councillor A.Morris Jones, congratulations were extended to George North upon his promotion to the Welsh Rugby Team and upon his recent success at the Autumn series of Internationals at Cardiff.

The Chair also promised Councillor Aled Morris Jones that he would write to him with regard to the future development of the Armed Forces Day on the Island and would also give consideration to his request in respect of bequeathing the Freedom of the County to the Royal Regiment of Wales following the casualties they had incurred as part of their tours of duty in Afghanistan.

3. MINUTES

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

- 14th September, 2010
- 28th October, 2010 (Extraordinary)

4. QUESTIONS RECEIVED PURSUANT TO RULE 4.1.12.4 OF THE CONSTITUTION

Councillor G.O.Parry, MBE, put the following question to the Leader of the Council:-

“Since May 2010, how many posts, permanent, temporary or agency have been advertised and filled? What has been the advertising cost and the annual cost of these posts?”

How many employees have left and how many exit interviews have been held and recorded?”

The Leader of the Council in response, provided Councillor Parry with the following information for the period 1st May to 30th November, 2010:-

Posts advertised (including permanent and temporary posts but excluding agency).	103
Posts filled as at 7th December	69
Advertising costs of these posts	£42,918.61
Annual gross salary of these posts as full time employment	£2,474,563
Number of staff who had left the Authority (70 under TUPE)	156
Exit interviews	7

Councillor G.O.Parry, MBE asked the following supplementary question:-

“ I think it is important that more emphasis should be placed on exit interviews since it is important to be able to see the bearing they have on the pattern of employment throughout the Authority. Will the Executive be addressing that?”

The Leader in response stated that attention would be given to it by the Executive and that the Officers of the Authority would be also taking those comments on board.

Councillor G.W.Roberts, OBE (who was allowed to speak on this matter by the Chair) requested further information from the Leader as to the breakdown of staff who had left the Authority and the number of exit interviews that had been held.

The Leader in reply stated that he would provide Councillor Roberts with a written response in this respect.

(The Vice-Chair took the Chair for items 5 & 6 and the Chairman left the meeting in light of his declaration of interest).

5. **PRESENTATION OF PETITIONS.**

In accordance with Paragraph 4.1.11 of the Constitution, Councillors B.Durkin, K.P.Hughes, W.T.Hughes and B.Owen were given the opportunity of presenting their petitions in respect of Item 6 below with regard to the Benllech Car Park, Rhosneigr Library Car Park, Swtan Car Park and the Cemaes Car Park.

6. **MATTER REFERRED TO THE COUNTY COUNCIL BY THE CORPORATE SCRUTINY COMMITTEE HELD ON 16TH NOVEMBER, 2010.**

In accordance with Paragraph 4.1.27.1 of Council Procedure Rules, it was **RESOLVED** to suspend standing Orders for this Item.

Car Parking Charges

Reported- That the Corporate Scrutiny Committee at its meeting on 16th November, 2010, upon consideration of a call-in with regard to a decision taken by the Portfolio Holders for Finance and for Highways, Transportation and Maritime on 2 November, 2010, had resolved as follows:-

“ to refer the Portfolio Holder’s decision to the County Council meeting to be held on 9th December 2010 for the reasons outlined in Councillor G.O.Parry MBE’s proposal viz:-

- (i)The decision is contrary to the principles of the Constitution;*
- (ii)Proportionality – the cost of providing the service as opposed to the income raised;*
- (iii)Inadequate consultations;*
- (iv)In the interest of openness and transparency;*
- (v)The clarity of objectives and desired outcomes;”*

A very lengthy debate took place and reference was made by some members as to the reasons why the Corporate Scrutiny Committee had decided to refer the matter to Council for further consideration. Particular reference was made to the following points:-

- cost of implementation against income raised;
- the adverse effect upon small businesses;
- the lack of consultation that had taken place with citizens, local members and the Town and Community Councils (contrary to recent WAO recommendations);

- the effect upon the economy, tourism, environment and the road safety of rural areas;
- the fact that some 3,000 people had signed petitions against the proposal;
- decision taken in haste and unfair to the Island's taxpayers
- the Council should have the power to decide as it was considered to be a policy issue;
- undermine small villages by sending customers away;
- lack of information on the current income and expenditure of Council car parks;
- that no provision had been made for on-street parking permits for residents.

Councillor Durkin read out the contents of a lengthy letter from the Clerk to the Llanfair Mathafarn Eithaf Community Council to this Council, which he considered had a profound impact upon the decision issued by the Portfolio Holders.

It was proposed and seconded that the Environment and Technical Services Scrutiny Committee should look at the whole question of car parking and they should come up with a local parking policy to be determined by full Council.

The Director of Legal Services/Monitoring Officer stated that the Council today had two options, either to endorse the decision taken by the Portfolio Holders in which case that decision would automatically take effect or alternatively to reject that decision with reasons and send it back to the Portfolio Holders so that they could either confirm or change the decision they had taken. Her advice to Portfolio Holders in that situation would be to defer the decision so as to complete the consultation process which should have occurred and that their decision be then forwarded to the Executive for determination.

Legally, full Council did not have the authority to take any decision today and neither could it refer the matter to the relevant Scrutiny Committee. The purpose of any Task and Finish Group proposed by the Leader and Portfolio Holders would be to try and agree a recommendation to be put forward to the Executive.

As a suggested way forward, the Interim Managing Director was of the opinion that the feeling at Council today was to set up a Task and Finish Group, comprising cross party representation to look at the 8 car parks mentioned but in the context of car parking policies across the Council as a whole, given the sort of issues raised today with regard to economic development, social deprivation, etc. That report would then go back to the Executive, both the policy and the implication of the policy on those specific car parks. The policy document would then go to Scrutiny to review. They would make observations on that and under the current arrangements they would have to report back to the Executive, not the Council, to get that policy changed. Once again any decision by the Executive would be subject to the call-in procedure.

Under the provisions of Council Rule 18.5, a recorded vote was taken on the matter (i.e. to refer the matter back to the Portfolio Holders in accordance with the wording of the recommendation put forward by the Interim Managing Director):-

For: Councillors W.J.Chorlton E.G.Davies;B.Durkin; Lewis Davies; R.Anthony Dew; Jim Evans; Fflur M.Hughes; R.LI.Hughes; W.I.Hughes; W.T.Hughes;K.P.Hughes;

Aled M Jones; Eric Jones; G.O. Jones; H. Eifion Jones; O. Glyn Jones; Raymond Jones; R. Dylan Jones; R. Ll. Jones; C. McGregor; Rhian Medi; Bryan Owen; J. V. Owen; R. L. Owen; Bob Parry OBE; G. O. Parry MBE; Eric Roberts; G. W. Roberts, OBE; J. Arwel Roberts; P. S. Rogers; E Schofield, Ieuan Williams; J. P. Williams.

Total:33

Against: Councillor K. Evans.

Total:1

As the Portfolio Holders responsible for issuing the decision, Councillors Tom Jones and H. W. Thomas did not vote, but stated that they had no issue with the proposed course of action proposed.

RESOLVED that the matter be referred back to the Portfolio Holders with a recommendation:-

- **That any decision to impose car park charges on the 8 car parks named be deferred for the time being;**
- **That a Task and Finish Group representing all Political Groups on the Council together with one Unaffiliated Member, considers the Council's overall policies regarding all Council Car Parks and that the Portfolio Holders in question reconsider the decision on the 8 car parks in the light of that proposed policy framework;**
- **The policy recommended by the Task and Finish Group to report to the Executive and then be referred to the relevant Scrutiny Committee for review, prior to being adopted by the Executive.**

*(It was **RESOLVED** at this juncture to re-instate Standing Orders).*

(Councillor Selwyn Williams back in the Chair for the remaining items).

7. **CHANGES TO THE CONSTITUTION - JOINT PLANNING POLICY COMMITTEE.**

Reported that the Executive at its meeting on 30th November, 2010 had resolved to recommend to the County Council as follows:-

“(i) To approve the Agreement in Appendix 1 for a Joint Planning Policy Committee and to support the adoption of the necessary constitutional changes by full Council.

(ii) To delegate the power to the Head of Service (Planning and Public Protection) to make, in conjunction with the Legal Services Manager, any necessary minor amendments to the Agreement in Appendix 1 if required and sign the Agreement with Gwynedd Council.

(iii) To make (or, where applicable, to delegate to the Head of Service (Planning and Public Protection), in consultation with the Legal Services Manager, the changes to the Constitution as set out in Appendix 2 so as to implement the above recommendations.

(iv) To withdraw the formally published stages of the Ynys Môn LDP pursuant to Section 66 of the Planning and Compulsory Purchase Act 2004 and to delegate authority to the Head of Service (Planning and Public Protection) to undertake all the necessary actions arising from the withdrawal.

(v) That an update report be submitted to the Executive within 3 months detailing the progress of the Joint Planning Policy Unit."

Councillors A.Morris Jones, B.Owen and G.W.Roberts,OBE referred to the fact that there were no costings available with the report in order to reassure members that the proposal was cost effective to this Council at the end of the day.

Councillor W.J.Chorlton, Portfolio Holder in reply stated that he would provide the Councillors in question with a written response as regards costings.

RESOLVED to endorse the above recommendations of the Executive.

8. **POLITICAL BALANCE**

Submitted a joint report by the Director of Legal Services/Monitoring Officer and Corporate Director (Finance) on a review of the political balance arrangements across the Council.

Some concern was expressed that as a result of the Menai Group now only comprising 2 members, both of which were serving members of the Executive, that it was impossible for that Group to be represented on Scrutiny Committees. Concern was also expressed that the calculations proposed had been tabled at the meeting and that consequently members had not received sufficient time to digest them.

Concern was also expressed by some of the opposition members as to the allocation of seats to their respective Groups. The rounding up and down of allocations were questioned. Likewise, the calculations regarding allocations to Unaffiliated members were considered to be undemocratic and unfair.

The Corporate Director (Finance) stated that he would be prepared, outside of this meeting, to meet with Group Leaders and a representative of the Unaffiliated members in order to explain these issues more thoroughly. However, the decision in itself should not be deferred today.

The Interim Managing Director stated that it was an unfortunate fact of Local Government Law that Unaffiliated members did not have the same rights in terms of the allocation processes as accorded to Political Groups under the Constitution. No decisions had yet been reached as to the allocation of seats to Unaffiliated members since the decision proposed today would be to delegate that task to the Chair of the County Council so that he may reach a consensus with those members. Failing that, the Chair would have ultimate authority to determine which Committees those members would serve upon.

RESOLVED

- That the Council notes 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 Act, 1989;
- To agree the whole number of seats to be allocated to the Unaffiliated Members and that the Chairman of the Council shall determine the allocation of each of those seats to an individual unaffiliated member; by agreement where possible;
- 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 10am on Friday 10th December, 2010, and that the Chair of the County Council provide the names of the unaffiliated members by no later than 12 noon on Monday, 13th December, 2010.
- That authority be given to the Corporate Director(Finance) to convene a meeting with Group Leaders and a representative of the Unaffiliated members in order to explain the reasoning behind the allocations agreed to at Council today.

12. ACCEPTANCE OF GIFTS BY MEMBERS.

Reported by Mr. Jeff Cotterell, Chairman of the Standards Committee- That the Standards Committee had been reviewing the issues of Gifts and Hospitality, as part of its ongoing Work Programme. Details of the responses received from Members and the position at other Councils in Wales were reported upon.

While the Standards Committee's scrutiny of the Council's Register of Gifts and Hospitality gave no cause for concern, and for reasons of public perception and reputation, the Standards Committee favoured re-setting the maximum value allowed for acceptance of gifts by Members at zero. The final decision rested with the County Council and, subject to that decision, the Standards Committee would develop Guidance on Gifts and Hospitality, and would consult thereon with Members and Officers, before finalising Guidance and recommending its adoption at the next Ordinary meeting of the County Council.

After a lengthy debate, some of the members proposed that the level be set at zero. Other members proposed no change to the present level of £20. The matter was put to the vote.

(Councillor J.V.Owen wished it to be minuted that he had not voted on the matter as he had been denied the opportunity by the Chair to speak on the matter).

RESOLVED that the Council confirms that it wishes to retain the current arrangement, namely, that the maximum threshold for acceptance of gifts shall remain at £20.

14. **NORTH WALES POLICE AUTHORITY**

Submitted- A verbal report by Councillor P.S.Rogers, this Council's representative on the North Wales Police Authority on meetings held by that Authority between 1st September, 2010 and 30th November, 2010.

He reported that North Wales Police were going ahead with the purchase of a site on the Llangefni Industrial Estate for a purpose built Police Station and that one of the reasons behind that decision was the restructuring of the Police Authority in order to create operational hubs across North Wales, one of which would be at Llangefni. He also mentioned that a pilot scheme was being run on the Island as regards community engagement meetings. The first one was held at Llangefni two weeks ago and another was to be held at the Holyhead Town Hall next week. These meetings would provide an opportunity for residents to question the Police and also provide the Police with an opportunity to discuss the future of policing on the Island bearing in mind the proposed cuts to their budget.

RESOLVED to note the information.

18. **PARTNERSHIP WORKING AND PROTECTING FRONT LINE SERVICES**

Submitted- The report of the Interim Managing Director on the context and basis for collaborative working with Gwynedd Council as set out in correspondence from WAG. The Minister had recently met with Group Leaders of both Authorities to discuss the potential for greater and more strategic collaboration. On that basis WAG proposed to commission a scoping study which would explore options for collaboration in more detail. Details were set out in a letter attached to this report and the outcome of the study was due to be reported to each Council next February.

Mention was made by members as to the need to convene a workshop to ascertain members' views as to what matters should be raised with Gwynedd Council.

Councillor Schofield queried whether such a workshop for all members was possible bearing in mind the present terms of engagement?

The Director of Legal Services/Monitoring Officer stated that Councillor Schofield had a wellbeing interest under the Code of Conduct for Members as regards the terms of the Alliance, since the terms mentioned him specifically by name. That interest was also a prejudicial interest and he should therefore declare an interest and leave the meeting. The fact that the terms of engagement were not endorsed by full Council was irrelevant. Both Councillors Schofield and Durkin would be very unwise to discuss this issue in the Chamber today where the Code of Conduct applied to them.

Councillor Durkin stated that as the discussion was continuing, he would not take any further part in the meeting and would be leaving the Chamber.

RESOLVED

- That this County Council has a record of bold and collaborative working with the public, private and voluntary sector and in that context supports a scoping study proposed by the Minister on greater collaboration with Gwynedd Council and explores such opportunities to protect front line services;
- The Council notes the assurance from the Minister that no Council will be committed now to accepting or implementing the findings from the scoping review;
- That Group Leaders establish a high level group of senior Members to form if possible a joint stakeholder group with Members from Gwynedd to oversee the review;
- That the Corporate Scrutiny Committee be asked to monitor the progress of the review and contribute as appropriate.
- That prior to meeting with Gwynedd Council, the Interim Managing Director be requested to give consideration to convening an informal workshop with the members of the Council in order to ascertain their views as to what matters should be raised as part of the discussions to be held with Gwynedd Council.
- That the Leader be requested to write to the Minister reinforcing the points raised at this Council meeting with regard to engagement.

It was proposed and seconded and RESOLVED by Council to defer consideration of Items 9,10,11,13,15,16 & 17 to an extraordinary meeting of this Council to be held in the New Year.

The meeting concluded at 7.50 p.m.

COUNCILLOR SELWYN WILLIAMS
CHAIR