

## MEETING OF THE ISLE OF ANGLESEY COUNTY COUNCIL

### Minutes of the meeting held on 12<sup>th</sup> May, 2011

- PRESENT:** Councillor Selwyn Williams - Chair  
Councillor G.O Jones - Vice-Chair
- Councillors W.J.Chorlton, E.G.Davies; Lewis Davies; R.Anthony Dew; B.Durkin; Jim Evans; D.R. Hughes; Ff.M.Hughes; R.LI.Hughes; T.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; 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 (Environment and Technical Services)  
Corporate Director (Education and Leisure)  
Director of Legal Services/Monitoring Officer  
Head of Service (Policy)  
Head of Service(Leisure and Community)  
Head of Service(Lifelong Learning and Information)  
Head of Service(Planning and Public Protection)  
Head of Service (Highways and Waste Management)  
Head of Service(Property)  
Head of Service(Housing)  
Head of Service(Children's Services)  
Head of Service(Adult Services)  
Energy Island Director  
Acting Head of Service(Economic Development)  
Human Resources Services Manager  
Solicitor to the Monitoring Officer  
Senior Solicitor (Children's Services)  
Committee Services Manager.  
Communications Officer.
- ALSO PRESENT:** Alex Aldridge, Margaret Foster, Mick Giannasi and Gareth Jones (Commissioners)
- APOLOGY:** Councillors K.Evans, Rhian Medi; Mr.Byron Davies, Commissioner.

The meeting was opened by a prayer offered by Councillor G.O.Jones

#### 1 MINUTES

Submitted and confirmed as a true record, the minutes of the meeting of the County Council held on 8<sup>th</sup> March, 2011.

## **2 DECLARATION OF INTEREST**

Councillor R.G.Parry,OBE, declared an interest in Item 15 of these minutes and was not present at the meeting during any discussion or voting thereon.

Mr. Richard Parry Jones declared an interest in items 21 and 24 of these minutes and was not present at the meeting during any discussion or voting thereon.

## **3 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRPERSON, LEADER, BOARD OF COMMISSIONERS OR THE HEAD OF THE PAID SERVICE**

(i)Councillor Aled Morris Jones wished to point out that the name of the Leader of the Council had been omitted from the title of this item on the agenda papers and he requested that the Leader's name be reinstated in future.

The Interim Managing Director apologised for the oversight and would ensure that the matter was corrected.

Councillor Jones mentioned that the item also gave the Board of Commissioners the opportunity to make any announcements. He questioned that under Point 8 of the direction by the Minister, where it stated that the Commissioners would 'people' the Executive of this Council. There had been no name change as such and he requested that the Executive still be referred to as the Executive and not as the Board of Commissioners. He requested that this point be noted in the minutes.

The Interim Managing Director in reply stated that he would raise the matter with the Commissioners.

(ii)Mr.Mick Giannasi, Commissioner, was afforded the opportunity of providing the members of the Council with a brief summary of the progress made by the Commissioners since their appointment by the Minister on 18<sup>th</sup> March, 2011 and he also set out the key issues which Commissioners intended to address in moving this Council forward over the next twelve months.

He went on to explain how the Commissioners had organised themselves to carry out functions; where they had focused their efforts during their first 6 weeks of operation; what they would be addressing in the short to medium term; what they saw as the longer term priorities going forward to May 2012 and beyond and the important role elected members had to play in the process.

Over the last 6 weeks the Commissioners had:-

- Assumed executive responsibility;
- Established effective working arrangements;
- Created management stability with the appointment of the Interim Chief Executive;
- Maintained business as usual and made important progress on a range of issues;
- Taken stock and begun to prepare a plan of action going forward.

A longer term strategy, supported by a detailed action plan would hopefully be in place by September and would aim to:-

- Put the citizens of Anglesey at the heart of everything the Council did;
- Restore public and stakeholder confidence in the Council and its administration;
- Deliver cost effective services which were valued by the public;
- Bring long term prosperity and well being to the people of the Island;
- Ensure future sustainability against a background of significant financial constraint.

In the short to medium term the Commissioners would be working with the Chief Executive and his team in 7 key areas, all of which had been identified as requiring early attention and all of which were critical to the delivery of the longer term vision. These were:-

- Reviewing and strengthening the corporate centre;
- Developing a community engagement strategy;
- Enhancing the business and financial planning process;
- Re-engaging in the collaboration and shared service agenda;
- Developing the economic development programme;
- Strengthening the Constitution where necessary;
- Working with officers to facilitate improved services for the people of Anglesey.

Mr.Giannasi thanked the Council for the opportunity of speaking on behalf of the Commissioners.

(iii) Councillor H.W.Thomas was afforded the opportunity of making the following statement to Council:-

*“As the majority of you know, I appeared before a Court recently. I am not going to elaborate on the details of the case in this Chamber, but I would like to declare that I am very pleased that the Works and Pensions Department accepted that I made a mistake and that there was no attempt to be fraudulent.*

*Despite that, I feel duty bound today to apologise to my fellow members, to the County Council and to my Ward for any embarrassment that I may have caused. Thank you very much Chair for the opportunity to make this announcement.”*

(iv)The Chairman extended a warm welcome to the Commissioners who were attending their first meeting of the County Council.

He referred to the fact that Mr.David Bowles,Interim Managing Director had left the Authority at the end of April and he thanked him for all his hard work and wished him well for the future. He then welcomed Mr.Richard Parry Jones as the new Interim Managing Director, wished him well in his post and stated that the Council looked forward to working with him.

He went on to thank staff who were involved with the ‘One Big Day’ event held at Mona to celebrate the wedding of Prince William and Miss Catherine Middleton.On behalf of the Council he had sent the couple a painting (South Stack from Pen Las Rock by Steven Jones) as a wedding gift and a letter of congratulations. A book of congratulations was also left at the main reception area for Members of the public, Councillors and staff to add their best wishes, and this would be forwarded to the Duke and Duchess of Cambridge in due course.

The Chair extended his best wishes to all the young people who would take part in the Urdd Eisteddfod at Swansea later this month.

The Chair referred to those members of staff who had retired recently and he thanked them for their good work and wished them well for the future.

Congratulations were extended to Mr.Ieuan Wyn Jones on being re-elected as Assembly Member for the Isle of Anglesey at the elections last week. Best wishes for a full and speedy recovery were extended to Mr.Albert Owen, MP, who was not in good health at the moment.

Congratulations were also extended following the success of Celtic Wave Cruises, an Interreg project led by the Economic Development Unit which had been successful in securing an award for the best international initiative in the north of Europe, at the recently held Cruise Excellence Awards in Bilbao, Spain. These were awards voted for by the Cruise Industry.

The Chair referred to the death recently of his Honour Judge Michael Farmer, QC. On behalf of the County Council he extended his sympathy to the family. The Interim Managing Director had already sent a letter of sympathy to the family.

He referred also to Miss Gladys May Williams, of Garreglwyd Residential Home, Holyhead who passed away recently aged 100 years and who had been one of the Island's oldest residents.

He also took the opportunity of sympathising with any Member or member of staff who had suffered bereavement. Members and Officers stood in silent tribute as a mark of their respect.

On behalf of the Council, Councillor Aled Morris Jones requested that the Chair write to the four regional members of the Assembly congratulating them upon their appointment.

The Chair stated that he would comply with that request.

#### **4. QUESTIONS RECEIVED PURSUANT TO RULE 4.1.12.2.1**

None received.

#### **5. PRESENTATION OF PETITIONS**

In accordance with Paragraph 4.1.11 of the Constitution, petitions would be presented to the Chair of the Council by Councillors Aled Morris Jones, G.O. Parry, MBE and G.W. Roberts, OBE which would be dealt with later in conjunction with Item 20 of these minutes.

#### **6. CHANGES TO THE COUNCIL CONSTITUTION**

(Note: The function of approving changes to the Council's Constitution was exercisable by the Welsh Ministers whose approval to these changes would be sought but the Council was requested to endorse the recommendations referred to at 6.1 - 6.4 below).

##### **6.1 GIFTS AND HOSPITALITY**

Reported - That the Board of Commissioners at their meeting on 26th April, 2011 had resolved as follows:-

*"To recommend to the County Council and the Welsh Ministers, approval of the protocol in Attachment 2 and the Declaration Form in Attachment 3 and to approve their addition to the Council's Constitution at 5.9 and to authorise Officers to make any consequential amendments to the Constitution;*

*That the Director of Legal Services/Monitoring Officer be requested to write to the W.L.G.A. requesting them to formulate a unilateral gifts and hospitality policy for Wales."*

(b) Submitted - The report of the Director of Legal Services/ Monitoring Officer as submitted to the Board of Commissioners on 26th April, 2011.

**RESOLVED to endorse the recommendations of the Commissioners to the Welsh Ministers.**

##### **6.2 REVIEW OF THE PLANNING MATTERS PROCEDURE RULES**

Reported - That the Board of Commissioners at their meeting on 26th April, 2011 had resolved to recommend to the County Council and to the Welsh Ministers to amend the Council's Constitution for a 12 month trial period for:-

*"• Changes to clarify the rules on Member/Officer applications and those of their relatives and close friends which should be reported to the Planning Committee for decision;*

- *Changes to the rules that Members on the Planning Committee should not be allowed to make or second a recommendation or vote on an application which is located in their ward, and;*
- *Changes to rules that other than speaking as local Councillor, Members of the Planning Committee should not be allowed to participate on an application at Committee if they have not been present when that application was previously substantively considered by the Committee. This includes any official site visit that has occurred.*
- *To note that all the changes to the Rules to implement the above are set out in the schedule to this report and that other minor changes to the Rules are set out in the appendix to this report."*

Submitted - A joint report by the Head of Service (Planning and Public Protection) and the Legal Services Manager as submitted to the Board of Commissioners on 26th April, 2011.

Councillor Aled Morris Jones requested that the report be withdrawn since he did not consider that there was enough evidence before Council today as to why there was a need for such change. He also felt that it was contrary to the spirit of the intervention principles which stated that intervention should be proportionate. This change was not proportionate to what was required. This Authority had already taken decisive action in removing departure applications from the Planning Committee and that in itself had been a positive step. He considered that there were sufficient balances and checks already in place as regards local members.

Councillor H.W.Thomas reiterated the above points and added that the Planning Committee had also introduced public speaking to the process.The recommendation before Council today would greatly undermine the role of members in the planning process. If a local member missed a site visit then he would be precluded from taking any further part in determining an application. The local member knew far more about his Ward than any other member on the Committee. He requested the Commissioners to reconsider the matter.

Various other members spoke against the proposal and requested that the Commissioners give further consideration to the matter bearing in mind the changes that had already occurred within the Planning Committee and that they bear in mind the way other Planning Authorities dealt with such matters.

The Director of Legal Services/Monitoring Officer stated that it was important for Members to appreciate the context of the report which had been actually commissioned by the former Interim Managing Director and was part of the response to the negative findings in the Corporate Governance Inspection report which was critical about a number of issues concerning public confidence in the planning process and in the work of the Planning and Orders Committee.The report was part of the Council's recovery programme and the substantive recommendations contained therein had been devised specifically to try and restore public confidence in the planning system.The views of the Council, Planning Committee and the Standards Committee would go forward as part of the consultation to the Welsh Ministers.

This report appeared before Council on 8<sup>th</sup> March,2011 but was deferred so as to enable Officers to undertake enquiries with other Councils as to their working practices particularly with regard to recommendations 2 and 3 of the report. Paras 2.7 and 2.8 of this report set out the findings of officers in this respect. Gwynedd for example did operate the same system as regards local members not participating in decisions of the Planning Committee. Carmarthenshire in particular operated the second recommendation namely that members were required to participate in the whole process before they were allowed to take part in the final decision. However, what other Authorities were doing was irrelevant as this Authority was now in exceptional circumstances and therefore needed to make an exceptional response.

**RESOLVED that the matter be referred back to the Commissioners with a recommendation that they be asked to reconsider the matter bearing in mind the changes that have already taken place within the Planning and Orders Committee of this Authority.**

### **6.3 PUBLIC SPEAKING AT THE PLANNING COMMITTEE**

Reported - That the Board of Commissioners at their meeting on 26th April, 2011 had resolved to recommend to the County Council and to the Welsh Ministers that they:-

*" amend the Protocol on Public Speaking in order to reflect the changes required following the 12 month trial period;*

*adopts the protocol permanently as part of the Planning Matters Procedure Rules as contained within the Constitution."*

Submitted- The report of the Chief Planning Officer as submitted to the Board of Commissioners on 26th April, 2011.

**RESOLVED to endorse the recommendations of the Commissioners to the Welsh Ministers.**

### **6.4 REPRESENTATION OF COMMUNITY / TOWN COUNCILS ON THE STANDARDS COMMITTEE.**

Reported - That the Board of Commissioners at their meeting on 26th April, 2011, had resolved as follows:-

*"To recommend to the County Council and to the Welsh Ministers that they amend the Council's Constitution by increasing the number of Town/Community Council representatives on the Standards Committee to two, and to authorise officers to make any consequential amendments to the Constitution."*

Reported – That in addition to the above recommendation made by the Board of Commissioners, Officers had following that meeting, further ascertained that legislation stated that *"a Standards Committee shall consist of not less than five and no more than nine members"*. The present membership of the current Standards Committee was a total of nine. Consequently in order to have two Town / Community Councillors it would be necessary to reduce the number of either County Councillors or independent members of the Standards Committee.

In order to achieve that aim, the Monitoring Officer proposed that the membership of the Standards Committee be changed so that it was either:-

- 2 County Councillors, 5 independent members and 2 Community / Town Councillors, or;
- 2 County Councillors, 4 independent members and 2 Community / Town Councillors.

**RESOLVED to endorse the recommendations of the Commissioners to the Welsh Ministers and to also recommend that the membership of the Standards Committee, with effect from the 18<sup>th</sup> December, 2011, shall be 2 County Councillors, 5 independent members and 2 Community / Town Councillors.**

### **7. RECRUITMENT OF THE NEW STANDARDS COMMITTEE**

Reported by the Monitoring Officer – That the five current independent / lay Members and the Town / Community Council Member of the Standards Committee would all cease to hold office on 17<sup>th</sup> December, 2011 and that it would be necessary for new appointments to take effect the following day. While the Town/ Community Council Member must be nominated by the Town and Community Councils, the independent Members must be appointed by the Council. All current Independent Members of the Standards Committee held office for a term of four years and with the exception of the Chairperson, were eligible to apply again for one further term should they decide to choose to be considered with any other applicants.

Regulations required that Independent Members be appointed by a Selection Panel and the Panel must consist of three County Councillors, one independent person and one Town / Community Councillor.

The Selection Panel would then score applications, compile a short list of candidates and conduct interviews. Following this process the Panel would make recommendations to the Council to confirm the appointments.

## **RESOLVED**

- **That the term of office of any new Independent Member/s of the Standards Committee shall expire on the 17<sup>th</sup> December, 2015;**
- **That a Selection Panel be established to recommend to the Council those whom it considers should be appointed as Independent Members of the Standards Committee from the 18<sup>th</sup> December, 2011;**
- **That the three County Councillors to serve on the Selection Panel shall be the three current Members, namely Councillors W.J.Chorlton, Bryan Owen and R.G.Parry, OBE;**
- **That the Town/Community Councillor to serve on the Selection Panel shall be nominated by "One Voice Wales";**
- **That the selection of the independent person to serve on the Selection Panel, following a process of advertising and written applications, shall be delegated to the Chief Executive, the Corporate Director (Finance) and the Monitoring Officer jointly, and in consultation with the Human Resources Services Manager;**
- **That the Selection Panel shall receive the following delegated powers from the Council:-**
  - **to decide the criteria required for Independent Members of the Standards Committee;**
  - **to advertise for individuals who meet the criteria and are interested in becoming independent Members of the Standards Committee;**
  - **from among those applicants to short list, interview and nominate appropriate candidates.**

## **8. INDEMNITIES FOR MEMBERS AND OFFICERS.**

Reported by the Director of Legal Services / Monitoring Officer – That the Local Authorities (Indemnities for Members and Officers) (Wales) Order 2006 allowed the Council to offer an indemnity to Members and Officers in respect of certain matters as detailed within the report.

The report dealt only with the principle of whether the powers to indemnify under the Order ought to be adopted by the Council and if adopted, then any future request by an individual Member or Officer for an indemnity would be addressed separately and at that time. The Order did not give power to indemnify the actions of Commissioners.

The giving of indemnities would potentially guarantee the payment of large sums in legal fees and other costs. However, there may be a very low likelihood of this happening. An appropriate way of managing such a risk was to arrange external insurance which could be called upon when required. The advice of the Corporate Director of Finance was that any indemnity given by the Council should extend no further than was capable of being externally insured at reasonable cost. The most potentially significant matter not already covered by the existing insurance policy but authorised under the Order were the costs incurred by a Member in defending proceedings brought against him/her on a complaint of breach of the Members Code of Conduct.

If the Council adopted the principle of granting indemnities authorised by the Order it was proposed to submit a further report in due course.

*(Councillors B.Durkin, P.S.Rogers and E.Schofield wished it to be minuted that they had left the Chamber for this particular item).*

**RESOLVED to agree in principle at this stage that the Council wishes to adopt the power to grant indemnities as provided for by the Order, and that a further report on the matter be submitted to Council in due course.**

## **9.CORPORATE BUSINESS PLAN 2011-12**

Reported - That the Board of Commissioners at their meeting on 3rd May, 2011 had resolved to recommend to the County Council that it adopts the draft Corporate Business Plan subject to the following:-

● *That it notes the feedback received on the initial draft Corporate Business Plan, subject to incorporating the following in the finalised document:-*

● *To acknowledge the importance of citizens and communities and an international perspective to support the Council's aim and strategic priorities;*

● *To recognise the importance of economic regeneration and particularly the Energy Island programme on a North Wales, Wales and UK basis;*

● *To confirm that reputation management should be replaced by raising the profile of Anglesey as above as a priority for 2011-12 and that the focus should be on the following:-*

● *Becoming more businesslike;*

● *Affordable priorities programme;*

● *Realisation of the Outcome agreement;*

● *Democratic renewal.*

● *To authorise Officers to make any further amendments including details of targets and monitoring arrangements in conjunction with relevant Commissioners;*

● *To note the intention to move towards a 3 year Corporate Business Plan from 2012 onwards to ensure alignment with a revised Community Plan and medium term financial strategy. As part of this task to acknowledge the important role of Scrutiny in this process."*

Submitted - The report of the Head of Service (Policy) as submitted to the Board of Commissioners on 3rd May, 2011.

Councillor Aled Morris Jones referred to the quote by Harold Wilson that had been used within the document. He proposed an amendment (which was seconded) that the quote be deleted and substituted with a quote by David Lloyd George, namely *'the greatest form of eloquence is action.'* The matter was put to the vote and carried.

*[Note: That following views received following the public consultation exercise, officers had decided to delete the quote by Harold Wilson which had originally been included in earlier drafts. Therefore, the amendment put up was based on an error and therefore the resolution was a nullity].*



Councillor Jones went on to state that he believed that there was a thrust to sideline Councillors and that this document went some way towards that. Councillors needed to show to their communities that they were still engaged with strategic initiatives across North Wales, such as the Energy Island. Councillors fully accepted that the Ministerial Direction meant that there would be no direct input from Councillors. However, the direction also mentioned 'approach' (Point 17)(Principles); that intervention should be proportionate and focused and that there be continuous improvement (Point 18). He felt it was essential and a positive step forward during this time that Councillors be allowed to attend meetings as observers. That was no disrespect to anyone who represented the Authority at this moment in time and that no one in this Chamber should be under any misapprehension of that.

He requested the Monitoring Officer to look at the Ministerial Direction since he believed that the spirit of the intervention had already been broken in that Councillors were excluded from being observers at key strategic meetings. On a point of law, he requested the Monitoring Officer to provide him with a written response in this respect. The Monitoring Officer in reply stated that she would provide Councillor Jones with a written response.

Councillor Jones also went on to mention the Energy Island and the fact that former Leaders and Members had worked tirelessly for many years on that initiative and that they should be allowed to continue to do so. He proposed an amendment(which was seconded) that Councillors with the relevant experience be allowed to attend various strategic meetings as observers, but without the right to vote.

The Director of Legal Services/Monitoring Officer stated that the proposed amendment was not relevant to the main motion and that it was therefore out of order. The proposer accepted the point.

**RESOLVED to endorse the recommendations of the Commissioners and that the Plan becomes operational as from today's date until 31<sup>st</sup> March. 2012.**

#### **10.SPG - LLANFEHELL CONSERVATION AREA CHARACTER APPRAISAL**

Reported - That the Board of Commissioners at their meeting on 26th April, 2011 had resolved to recommend to the County Council as follows:-

*"that it approves the Llanfechell 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 Board of Commissioners on 26th April, 2011.

**RESOLVED to endorse the recommendation of the Commissioners.**

#### **11.CHILDREN AND YOUNG PEOPLE'S PLAN 2011-2014.**

Reported that the Board of Commissioners at their meeting on 26th April, 2011 had resolved as follows:-

*"To recommend to the County Council that it approves the contents of the Children and Young People's Plan for 2011-14."*

Reported – That the Children and Young Peoples Plan 2011-2014 was a statutory document which required the Scrutiny and approval of the Commissioners before it could be published as a final document. A number of key national and local strategic policies and priorities were identified and the Plan provided all services and stakeholders with clear outcomes to be measured over the lifespan of the plan.

**RESOLVED to endorse the recommendation of the Commissioners.**

## 12. POLITICAL BALANCE

Reported by the Director of Legal Services / Monitoring Officer and the Corporate Director (Finance) – That following the recent change in the membership of the Original Independent Group and the dissolution of the Menai Group, the Council needed to review the political balance arrangements on its Committees.

Attached to the report was a table setting out the political balance of the Council's Committees in accordance with the Local Government and Housing Act 1989. The table showed the four political groups 14, 8, 5 and 5 Members respectively and 8 Unaffiliated Members.

Councillor G.W.Roberts,OBE proposed(and it was seconded) that the Council reverted to the original working practice that the appointment of unaffiliated members be made by the Leader of the Council as opposed to the Chair of the County Council.

The Director of Legal Services/Monitoring Officer stated that the proposal would vary one of the political management protocols already adopted within the Constitution. It was not possible to put up an amendment to amend the Constitution from the floor. It would have to be on Notice in accordance with the agreed procedures. Under the Ministerial Direction of 16<sup>th</sup> March, the Council had no power to change its Constitution and the proposal was therefore out of order and could not be voted upon.

### RESOLVED

- That the Council notes the new appropriate political balance arrangements and the number of seats attributable to each of the Groups under the Local Government and Housing Act, 1989, and the number of seats given by custom and practice to the Unaffiliated Members;**
- 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 and that the Chairperson of the County Council provide the names of the unaffiliated members on each Committee to the Committee Services Manager in readiness for the meetings to elect Chairs and Vice-Chairs to Committees on 20<sup>th</sup> May, 2011, by no later than 4pm on Friday 13<sup>th</sup> May, 2011.**

## 13. LOCAL AUTHORITY CRIMINAL RECORDS BUREAU POLICY

Reported- (a)That the Board of Commissioners at their meeting on 26th April, 2011, had adopted the Policy in relation to staff, independent contractors and volunteers on behalf of the Council and;

(b) Had recommended to the County Council that it *"adopts the Policy as it related to elected and co-opted members as detailed within the report."*

Submitted the report of the Senior Solicitor (Children's Services) as submitted to the Board of Commissioners on 26th April, 2011.

**RESOLVED to endorse the Policy as it relates to elected and co-opted Members.**

## 14. ANNUAL REPORT OF THE AUDIT COMMITTEE

Submitted for information, the annual report by Councillor Aled Morris Jones, Chair of the Audit Committee.

Councillor Aled Morris Jones took the opportunity of thanking the Director and his staff for their work in compiling this report and he also thanked previous Chairs, Councillors C.LI.Everett and R.LI.Jones for their work. He went on to refer to the fact that the completion of the audited Statement of Accounts for 2009-10 had been delayed and that the Department, Audit Committee members and the Auditors were striving to ensure that this did not happen again in the future.

He referred to a matter that he had raised with the former Interim Managing Director, namely that a draft peer review report of the Finance Department had been prepared by the WLGA going back to November/December last. This report was yet to be finalised and he requested the newly appointed Interim Managing Director to investigate the reason for the delay in its publication. The Audit Committee had requested that the Chair and Vice-Chair of the Audit Committee be allowed to see the report in draft form. He was anxious that the matter should be brought to a conclusion.

The Interim Managing Director in reply stated that he would be giving this matter his urgent attention so that Members and Commissioners received a copy of the report as soon as possible.

Councillor G.W.Roberts,OBE, requested a copy of the draft report in addition to the finalised version.

**RESOLVED to note the contents of the report.**

#### **15.NOMINATIONS TO OUTSIDE BODIES**

Reported by the Monitoring Officer – That the Commissioners had indicated that the general assumption would be to allow the Council at its AGM to nominate Councillors to serve on certain outside bodies.

At a meeting between the Chair of the Council and Group Leaders on 5<sup>th</sup> May, 2011, it was suggested that the Council be asked to delegate the decision to the Leader in consultation with the 4 Group Leaders and the Chair of the Council.

**RESOLVED to delegate the decision regarding making nominations to the Outside Bodies listed in Enclosure 1 to the Leader of the Council in consultation with the 4 Group Leaders and the Chairperson of the County Council.**

#### **16.STATE OF THE AREA REPORT.**

Submitted – The following verbal report by the Leader of the Council:-

*“As I begin this address in relation to the last 12 months, it must be borne in mind that this has been a crucial period for the Isle of Anglesey County Council. Following a very critical report by the Welsh Audit Office in 2009 and the appointment of Mr David Bowles as Interim Managing Director, work proceeded to improve the Council’s systems, including Scrutiny Committees. Despite all our achievements during the year, the behaviour and lack of co-operation between members had not improved sufficiently to satisfy the Minister for Local Government and he resolved in March this year to appoint Commissioners to run the Council.*

*Everything else that happened last year has to be considered in light of that decision. In preparing the budget for last year, we were fortunate to receive a settlement of 1% on the RSG from the Assembly because the WLGA had been able to negotiate a ‘floor’ agreement in order to safeguard a number of Councils which had received a very poor settlement. It became quite obvious as well that Local Government would be facing very difficult times in forthcoming years due to great pressure to repay Central Government loans. We began the task of indentifying savings in the Council’s departmental*

*budgets towards the figure of approximately £10,000,000 which we will have to make in the next 3 or 4 years.*

*The settlement and the financial prospects were a blow to the Island's economy, particularly following the loss of so many jobs at Anglesey Aluminium and a number of other redundancies in other companies on Anglesey. Preparing for the savings also meant that fewer posts would be available within the Council as they were grant aided by the Assembly. An Affordable Priorities Programme was established to identify areas where it would be possible to make considerable financial savings. 3 Task and Finish Groups were established to identify improvements relating to Leisure, Heritage Sites and Property. Savings were identified within these 3 areas and the recommendations made were approved by the Executive.*

*The Schools Rationalisation Plan continued and by the end of July 2011, four of the county's small primary schools will have closed. Much work remains to be done in this area if we are to realise the major financial savings to be made in relation to surplus places. It is regrettable that this was not done a decade ago when Assembly capital funding was available for new build. We were informed that the Council had succeeded in attracting funding in 2012 to begin construction of the new Ysgol y Bont.*

*A number of options were discussed during the year in terms of redesigning services for the elderly. A report came before the Board of Commissioners on 22 March and it was resolved to approve option 3 which enabled affordable provision, promotion of independence, reablement and cost effectiveness. The department is continuing to present an invest to save case in order to secure funding for the capacity required to realise the objectives.*

*We received confirmation towards the end of the year that the Regulators had approved an application by Magnox North on behalf of the NDA to continue to generate electricity at the current Wylfa station for 2 further years up to December 2012. This closes the employment gap that would have been evident before the plans for the new Wylfa B station were completed. We had good news in March last year that Horizon Nuclear Power had decided that the Wylfa Site would be the first they would develop in their plans. Having had this confirmation, the County Council subsequently established an energy team in order to promote green energy and sustainable energy in Anglesey and the plan was officially launched by the Assembly's Deputy Prime Minister on 18 June 2010. Due to the massive earthquake in Japan, we are awaiting information on the type of reactor that Horizon will be using and resulting number of jobs we will be able to attract to Anglesey. We are still busy in the period preparing strategies for an influx of workers for the construction of the new power station.*

*Work began on constructing a building on the campus of Coleg Menai to train for skills in the nuclear industry and another project was completed on the same campus on training in construction skills. In July, Anglesey Training was transferred to Coleg Penraig, thereby creating the biggest training campus for children and young people in Wales.*

*European grants were received during the year which have enabled the Council and its partners to begin work to improve 3 of the County's towns, with funding for improvements to Beaumaris pier amongst the coastal projects to the value of £3,000,000 from the same source of funding.*

*The Question Time sessions also continued across the island. This provided members of the public the opportunity to question members of the Executive Committee. Although the turnout varied from location to location, we received an enthusiastic welcome at every venue and I hope these sessions will continue in the future. The January sessions were used to consult on the Budget.*

*The County Council's marquee won the first prize at the Anglesey Show for the best exhibition marquee. A number of activities were held there over the two days, including a prize giving ceremony for 7 individuals in the County Council's care awards. This was the first ceremony held and all the winners enjoyed the occasion.*

*Although the year will be remembered as a difficult one for the Council, we must take pride in a number of areas of work where we have been successful. In Planning, members of the public speaking at the*

*meetings for the first time, the Planning Committee live on line, Holyhead Country Park being recognised as one of the best in Britain, signing an agreement to create a Joint Planning Policy Unit with Gwynedd County Council and creating a Local Development Plan for both counties.*

*In relation to Waste Management, the Assembly's acknowledgment that Anglesey has the best recycling rate in Wales.*

*In Property, a plan to begin improving the condition of our smallholdings.*

*In Leisure and Heritage, work continues to improve the condition of our libraries and a new records office for the County Council has been approved averting the risk of losing the Island's ancient collections.*

*I hope that I have given you a taste of the success of the County Council's performance during the last year. Thanks to each and every member of the Council's staff for their work in 2010/11. There are difficult years ahead to restore the confidence of the Island's residents in the credibility of the County Council."*

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*"Before finishing my period in office as the Leader of the Isle of Anglesey County Council, I would to thank my fellow Councillors for the honour bestowed upon me two years ago when I was elected Leader. It has been a difficult time in the Council, particularly as many of you have expressed dissatisfaction regarding important elements of collaboration across the Council.*

*In the first place, I have to thank Councillor Gareth Winston Roberts and former Councillor John Arthur Jones who strongly urged me to stand as a Councillor in the election in 2008. I am sure by now that both regret suggesting that I should attempt to be elected to the County Council. Secondly, I had to thank Councillors Bryan Owen and Elwyn Schofield. A little over two years ago both came to my home to ask me whether I would be willing to accept the Leadership of the Original Independent Group following the resignation of Phil Fowle. I am sure by now that you have questioned that act more than once.*

*Earlier I mentioned a number of important decisions taken on behalf of the people of Anglesey in the last year. I believe that it is important for Councillors to follow the "Nolan" guidelines, that is what the public expect of us. I do not have to elaborate on the history of this Council over more than three decades. The reason why the Commissioners are here managing the Council on our behalf is because of a failure to follow the "Nolan" guidelines and that is why the Minister for Local Government has taken administration powers away from us.*

*In June last year in a meeting of the Original Independent Group I mentioned the fate of the Council if the advice and guidance of the Minister were to be ignored. The response from some of you was "Bring it on", and since then some of you have missed the clear signs from Cardiff on several occasions. I hope you realise by now that you are no longer able to influence the direction of the Isle of Anglesey County Council.*

*I would like to thank my fellow Councillors in the Llais i Fôn group for their efforts in improving things for the people of Anglesey. I would also like to thank most of the Plaid Cymru councillors and others who supported the Alliance created last June. Unfortunately, individuals broke promises and a situation was created where the Minister had no option but to place the running of the Council in the hands of the Commissioners. Each of us now has an opportunity to look at the part we have played in this tragic drama. Many of us will be facing elections next year and we will have to face the people of Anglesey knowing that our self respect has been tarnished by a small minority of Councillors on the Island. I am sure they will be unequivocal in expressing their disappointment and concern regarding our performance. I hope that you can be honest with them about your performance over the past years.*

*Once credibility is built on what people say about you, what you say about yourself, your conduct and your actions. All these things reflect and shape you as a person. It is extremely important that the organisation which we represent is clear as to our principles. Our leadership is the foundation for our reputation. Being*

*clear about our credibility is not enough, we must also show that we are taking action and leading our Council to support what we represent. The organisations that do well in difficult times are those who are led by good values and driven by high performance.*

*I hope that the people of Anglesey are clear as to the reasons why the Commissioners have been appointed. We must also remember that if you do not end the playground politics the Minister has more powers that he can utilise to improve the performance of Councillors in Anglesey including forcing us to merge with Gwynedd County Council. I am sure that none us wish to see that happen.*

*The future of the Council is in our hands despite the efforts of a small number of you to create chaos. None of us has the right to be the Leader of the County Council although some of you think differently. As I have already said, the credibility of the person is essential in the post. There is no room for characters with a history behind them.*

*You will have the opportunity later this afternoon to elect a new Leader for the Isle of Anglesey County Council, think carefully before making the decision as to whether that person can put hand on heart and say 'I have no skeletons in the cupboard, I am able to comply with the Nolan guidelines, the nomination will not cause embarrassment for the Council and I am not a puppet'.*

*I would also like to thank the Leaders of Civic and County Councils in Wales for their support over the past two years and particularly to the Leaders in the North, by agreeing to collaborate we are about to complete a number of innovative projects in order to improve public service and save money at the same time.*

*I would also like to thank the officers and staff of the Council for the support they have given me during my period as Leader. They have lightened my load considerably. I am sure you will forgive me if I name Mrs Mary Wyn Jones and Mrs Carys Bullock specifically for their support in answering the phone, keeping my diary, help with the computer and welcoming visitors to the office. I would also like to thank Mrs June Williams who has been a great help to me.*

*I wish every success to the winner of the vote this afternoon."*

Councillor D.R.Hughes referred to the Heritage and Leisure Task Group and its decision to transfer the Moelfre Sea Watch Centre to the RNLI. He asked how much money the Council would save and what the situation was as regards the other 6 sites identified by the Task Group?

The Leader of the Council in response stated that he did not have the figures to hand but that he would provide Councillor Hughes with a written response.

Councillor Aled Morris Jones in response to the second part of the Leader's speech wished it to be noted in the minutes that he had never in his life listened to such a foul and underhanded speech at Council without any need to be so.

A vote was taken as to whether or not to accept the report. The voting was 18 for, 11 against and 5 abstentions.

**RESOLVED to accept the contents of the report.**

## **17.DELEGATIONS.**

Submitted for information – details setting out 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) and up to 16th March, 2011.

Reported – That no delegations had been made by the Board of Commissioners between 16<sup>th</sup> March 2011 and the date of this Council meeting.

**RESOLVED to note the contents of the report.**

#### **18. NORTH WALES FIRE AND RESCUE AUTHORITY**

Submitted - A verbal report from Councillor Aled Morris Jones, one of this Council's representatives on the North Wales Fire and Rescue Authority, on meetings held by that Authority between 1st March, 2011 and 31st April, 2011.

Reported - That 36,522 fire safety checks had been undertaken on the Island over the last year, the purpose of which was to protect vulnerable people. He thanked the Social Services Department who worked very closely with the Fire Authority in this respect. The Fire Authority had acknowledged the good work and the close co-operation that existed. The Authority were facing a difficult time with the budget and they had agreed to apply a 2.5% reduction in the budget in cash terms over the next 3 years and would be looking to manage that so as to ensure that North Wales remained safe for its inhabitants..

**RESOLVED to note the contents of the report.**

#### **19.NORTH WALES POLICE AUTHORITY**

Submitted - A verbal report from the Councillor P.S.Rogers, this Council's representatives on the North Wales Police Authority, on meetings held by that Authority between 1st March and 31st April, 2011.

Reported – That the new policing structure had now come into force across North Wales following the reduction of nearly £15m in the budget over the next few years. This followed a widespread consultation and had resulted in the old 3 basic Command Units covering North West, North and North East Wales being replaced by a single command unit to be headed by Chief Superintendent Simon Humphreys.

A Chief Inspector had also been appointed to each area to continue local partnership working with other agencies and authorities to reduce local crime. Inspector Nigel Harrison would be responsible for Anglesey.

The Force restructure would greatly reduce costs and minimise the impact on front line services. In addition the Force was rolling out 9 strategically placed hubs across the region to provide responses to emergency calls. Response officers would not stay at these hubs but would be out and about patrolling, ready to respond and also providing a reassuring presence in the local community.

The new local policing district would be led by a local Inspector and in Anglesey that would be Inspector Michael Isaacs based at Llangefni. The Force would continue to provide C.I.D, road policing, armed response, dogs, the major incident team and the vital air support.Collaboration and partnership working would also play a very vital role.

Councillor Rogers mentioned that he sat on the Estates Panel and that the Force were in the process of reviewing their estate which would be completed by October. Due to the Force restructuring, there was much urgency in resolving some accommodation issues in Colwyn Bay which would result in some enormous cash savings.

The Chief Constable deserved much praise in the speed that he had implemented the many changes brought about by the large cut in the Police budget. Councillor Rogers also paid tribute to the way the Force had been successful in apprehending and jailing some very active local criminals.

Councillor E.Schofield wished to defend the Planning Authority in the bad publicity it had received in some of the national newspapers as regards the release of the place of abode of the Royal couple. He wished to make it clear that there was no blame upon the Planning Authority in that they had complied fully with the procedures in place to release such information. He believed that a lapse had occurred within the Security Services and he requested Councillor Rogers to ensure that the message was brought to their attention if possible via the North Wales Police.

Councillor Rogers stated that he would pass that message on.

**RESOLVED to note the contents of the report.**

**20. MOTIONS RECEIVED PURSUANT TO RULE 4.1.2.2.12 OF THE CONSTITUTION.**

Petitions were submitted by Councillors Aled Morris Jones, G.O.Parry, MBE and G.W.Roberts, OBE in respect of the proposed review of electoral arrangements.

Submitted - The following Notice of Motion by Councillors K.P.Hughes, Aled Morris Jones, Bryan Owen, G.O.Parry, MBE and Eric Roberts:-

*"We the undersigned request that the Interim Managing Director calls an extraordinary meeting of the Isle of Anglesey County Council to discuss the direction of the Minister of Social Justice and Local Government dated the 28th March, 2011 to further review the electoral arrangements of the Isle of Anglesey.*

*It is intended that the final report is to be submitted to the Minister by 30th September, 2011.*

*This timescale will not allow an initial period of consultation with the communities of Ynys Mon at the start of the review."*

Councillor Bryan Owen stated that he did not have a problem with the Boundary Review of Anglesey but that he and his fellow members were asking the Minister to be fair with Anglesey and that it be treated in the same way as the rest of Wales. He hoped that the Council could work with the Commissioners in this respect and send a clear message back to Cardiff that Anglesey was not happy with the way this was being dealt with. He proposed (and it was seconded) that the matter be deferred today and that Anglesey be given the same treatment as the rest of Wales.

The Interim Managing Director stated that this was a matter of great significance to this Council and to the people of Anglesey. Since this was an issue that would have far reaching consequences upon the democratic framework of the Island, he recommended that an extraordinary meeting of the County Council be held as soon as practically possible to discuss the matter. Officers could then prepare detailed background papers so that discussion could take place based upon the full information available. That report would also provide legal guidance as to the Minister's instructions and the options available to this Council as a democratic body in availing itself the opportunity to express its own views as representatives of the tax payers of Anglesey, to both the Welsh Assembly Government and to the Boundary Commission.

Various Members expressed concern that the Minister was not following due process in allowing the residents of Anglesey the opportunity to be consulted upon this review of electoral arrangements. There was a need to try and persuade the Minister that to differentiate Anglesey with the rest of Wales, with an inappropriate timetable, was unfair, undemocratic and unacceptable. The proposal was extreme in that it involved departing totally from single member wards to comprehensive multi-member wards and the Boundary Commission would act without preserving the community identity of Anglesey.

Mention was made at the meeting that consideration should be given by the Council to seeking an injunction.

The Interim Managing Director advised that if the Council went down this route then the Council today would need to exclude the press and public for part of the meeting in order that the Director of Legal Services/Monitoring Officer could provide confidential legal opinion prior to any vote. Despite Legal advice been offered by the Legal Solicitor / Monitoring Officer.

**RESOLVED to defer consideration and that arrangements be made to convene an extraordinary meeting of the County Council to discuss the matter in detail within the next fortnight/three weeks.**



## **21. TERMS AND CONDITIONS OF EMPLOYMENT FOR THE CURRENT AND FUTURE HEAD OF PAID SERVICE AND CHIEF EXECUTIVE.**

*(Mr.Richard Parry Jones declared an interest and was not present at the meeting during any discussion or voting on the matter)*

Reported – That having warmly and unanimously supported the appointment of Mr Richard Parry Jones to the post of Managing Director, the Appointments Committee on 3rd May,2011 resolved to recommend to the County Council as follows:-

- "•That the Council redesignate the title of the post of Managing Director to that of Chief Executive;*
- That the Council ratifies the Job Description and Person Specification of the Chief Executive's post in accordance with the documents attached to this Report;*
- That the salary for the currently appointed Managing Director/Chief Executive shall be at a fixed point of £110k per annum;*
- To request a Report regarding the implications of this appointment for the Education and Leisure Services and that suitable arrangements be made urgently to cover the now vacant post of Corporate Director (Education and Leisure);*
- That a Report be submitted before the end of 2011, to the Appointments Committee, to decide on arrangements regarding the salary, terms and conditions, advertisement etc for the post for the next Chief Executive to be appointed after May 2012."*

Submitted- The report of the Corporate Director (Finance), Monitoring Officer and the Human Resources Services Manager as submitted to the Appointments Committee on 3rd May, 2011.

**RESOLVED to endorse the above recommendations of the Appointments Committee of 3<sup>rd</sup> May, 2011.**

*(Councillor P.S.Rogers wished it to be minuted that he had voted against the recommendation in view of the fact that he considered that the post of Chief Executive after May 2012 should be Welsh desirable as opposed to Welsh essential).*

## **22.AWARDING OF CONTRACTS**

Submitted for information - The report of the Head of Service (Finance) on the processes adopted by the Council for the awarding of contracts.

**RESOLVED to note the contents of the report.**

## **23. MEMBERS ALLOWANCES SCHEME**

Reported by the Corporate Director (Finance) – That the Minister for Social Justice and Local Government had written to the Independent Remuneration Panel for Wales asking them to undertake a review of allowances at Anglesey. The Panel reported on 13 April, and their role was to decide on a maximum allowance, and that this Authority must not exceed that maximum.

The report reduced the maximum basic allowance for this Council to £11,664 which was exactly the amount decided by the Council for 2011-12 following the cut of 10%. No change was required. It also reduced the maximum 'Band 3' allowance to £7,474 which was applicable to the Chairs of Scrutiny Committees, the Planning and Audit Committees where the Council decided on £7,473 for 2011-12. No change was required.

Special Responsibility Allowances for the Leader, Deputy Leader, Executive members and the Opposition Leader had been reduced to zero. This required changing the scheme.

**RESOLVED that the Members' Allowances Scheme be amended by reducing the Special Responsibility Allowances for Leader, Deputy Leader, Executive and Opposition Leader to zero with effect from 1 April, 2011.**

#### **24. ADJUSTMENTS TO THE COUNCIL BUDGET**

*(Mr.Richard Parry Jones declared an interest and was not present at the Chamber during any discussion or voting on the matter).*

Reported by the Corporate Director (Finance) – That as a result of recent developments, some changes to the 2011-12 budget were required which exceeded the virement powers of the Executive (detailed within the report)

**RESOLVED to approve the following virements to the 2011-12 budget headings, in reflection of the recent announcements and decisions with regard to Members' Allowances, Managing Director/Chief Executive, Recovery Board and the Board of Commissioners :-**

		Budget Increase/ Reduction £000
Outcome Agreement Grant	[270 - 65]	205
Members' Allowances		(170)
Managing Director/ Chief Executive	[35 – 130]	(95)
Recovery Plan		60

The meeting concluded at 2.20pm

**COUNCILLOR SELWYN WILLIAMS  
CHAIR**