

EXTRAORDINARY MEETING OF THE ISLE OF ANGLESEY COUNTY COUNCIL

Minutes of the meeting held on 13th December, 2011

- PRESENT:** Councillor G.O.Jones (Chair)
Councillor R.Ll.Jones - Vice-Chair
- Councillors E.G.Davies; B.Durkin; K.Evans; C.Ll.Everett;
R.Anthony Dew; Ff.M.Hughes; R.Ll.Hughes; W.I.Hughes;
W.T.Hughes; K.P.Hughes; Aled M Jones; Eric Jones; H.Eifion
Jones; O.Glyn Jones; Raymond Jones; T.H.Jones; C.McGregor;
B.Owen; J.V.Owen; R.L.Owen; G.O. Parry MBE; R.G.Parry,OBE;
Eric Roberts; J.Arwel Roberts; P.S. Rogers; H.W.Thomas; J.P.
Williams.
- IN ATTENDANCE:** Chief Executive;
Director of Legal Services/Monitoring Officer
Head of Service (Policy)
Solicitor to the Monitoring Officer
Manager, Central Support and Emergency Planning
Committee Services Manager
Communications Officer
- APOLOGIES:** Councillors W.J.Chorlton, Lewis Davies, Jim Evans, C.Ll.Everett,
T.Ll.Hughes, R.Dylan Jones, Rhian Medi, G.W.Roberts,OBE,
E.Schofield, Ieuan Williams, S.Williams.

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

1. DECLARATION OF INTEREST

None to declare

**2. TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRPERSON, LEADER OF THE
COUNCIL, BOARD OF COMMISSIONERS OR THE HEAD OF PAID SERVICE**

The Chair extended his deepest sympathy to Councillor Eric Roberts upon the loss of his sister. He also extended his deepest sympathy to the family of one of the former arrangers of the Youth Service on the Island, Mr.R.Wyn Jones, who passed away over the weekend.

Members and Officers stood in silent tribute as a mark of their respect.

Councillor H.Eifion Jones sought legal advice as to whether or not it was in order for the Members to speak on agenda items 3 & 4 today?

The Director of Legal Services/Monitoring Officer in reply stated that it was in order for Members to speak as she did not consider it amounted to a breach of the Members Code of Conduct.

3. REVIEW OF ELECTORAL ARRANGEMENTS FOR THE ISLE OF ANGLESEY COUNTY COUNCIL.

Considered – The Council's response to the consultation document issued by the Local Government Boundary Commission for Wales on a review of the electoral arrangements for the Isle of Anglesey County Council.

The Commission proposed that the Council should have 30 Councillors in future, which was 10 fewer than at present. The proposed arrangement provided for 11 new electoral divisions – of those 11 electoral divisions, eight were to be represented by three Councillors each and the remaining three were to be represented by two Councillors each. The Commission was now asking people and groups across Anglesey to comment on the draft proposals.

Through development and the natural movement of people, some divisions had become much larger than others. It was the same in many local authorities throughout Wales, which was why the Commission were conducting electoral reviews of the 22 County, County Borough and City Councils across Wales.

The purpose of the review was to try and ensure that each Councillor represented around the same number of people so that every elector's vote was worth the same at local election time. That was not the case at the moment for Anglesey which had a county average of one Councillor to 1,237 electors. Holyhead Town division, for example, with 640 electors per Councillor, had 48% less electors per Councillor than the County average and Llaneilian with 1,735 electors per Councillor had 40% more. The review aimed to correct that situation by ensuring that each Councillor represented approximately the same number of people and that every elector's vote was worth the same.

In the review the Commission was guided by a Direction from the Minister which asked them to consider:-

- the desirability of multi-member electoral divisions throughout the County, and,
- to propose a Councillor to elector ratio which was as close as possible to 1:1750.

Residents had from 21 November 2011 to 3 January 2012 to have their say on the proposals. The Commission would then publish its final recommendations in the early spring. New divisions were scheduled to come into effect at the next County Council elections after 2012.

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The Chief Executive drew attention to the following matters which merited consideration as part of today's deliberations:-

Part 1 – Boundary Commission Proposals

(A) Reducing the number of members from 40 to 30.

- What will be the effect of a 25% reduction in members on the running of Council business?
- In view of the intention to create electoral wards where the member / elector ratio is 1:1750, how can lower ratios be justified?
- Which areas/wards should be excluded from the 1:1750 ratio and for what reasons?

(B) Multi-member wards.

- What are the advantages and disadvantages of multi-member wards?

- Is there a case for differentiating between areas in respect of single/multi-member wards?
- Is the pattern in respect of the communities to be included in the new wards reasonable and logical?
- Are the proposals in respect of naming the wards acceptable?
- What are the implications of the new wards to the pattern of town and community councils and their relationship with the County Council.
- Do the proposals promote or restrict democratic renewal on Anglesey?

(C) Postponing the May 2012 Election.

- Is it fair to treat the Anglesey electors differently in comparison with the rest of Wales?
- What will be the effects of postponement on the running of Council business?
- Will postponing the election be advantageous to the strategy to promote democratic renewal on the Island?

(CH) Timing

- Has the Commission given the Council and its stakeholders adequate time to formulate a comprehensive response?
- Should the Town and Community Council elections be postponed to run in parallel with the County Council?

(D) The Rest of Wales

- What are the implications of the changes proposed for Anglesey to the arrangements in the rest of Wales?
- What are the implications of these proposals to the democratic process in general?

(DD) Challenging the Proposals

- What are the political prospects of challenging the proposals, in whole or in part?
- What are the legal prospects of challenging the proposals?

(E) Formulating a Response

- Is it possible to formulate an united response on behalf of the Council?
- What are the main comments to be included in a response?
- Are there further questions which demand guidance from the Commissioner and/or the Minister?

Part 2 – The Proposal to Postpone the 2012 Elections.

- What are the implications in terms of cost and arrangements?
- Does postponement promote democratic renewal?
- What will be the effect on Town and Community Council?
- What are the implications for local government in general?
- What are the implications of postponement until September 2012, November 2012 or May 2013?

Councillor Keith Evans mentioned that the Council had visited boundary proposals several times over the last 3-4 years. The most recent had been during the summer when the Boundary Commission put forward proposals by which this Council reluctantly agreed on a compromise proposal to reduce the membership from 40 to 36 members with multi-member arrangements at Holyhead and Menai Bridge. That particular proposal died a death when the Boundary Commission was disbanded by the Minister who had taken the view that he was not satisfied with their work on Anglesey and Wales wide. The Boundary Commission was subsequently reformed and their new proposals were now before Council.

The Council's Boundary Commission Panel, of which he was Chair, had on 5th December resolved that there should be a Seminar for all Members in advance of today's meeting. That Seminar took place yesterday.

He mentioned that as an individual member of this Authority affected by the proposals he would be tabling a proposal to Council later in the debate.

Councillor A.Morris Jones queried the reference to Scotland in the Chief Executive's presentation since the same voting system was not in existence there. Secondly, his understanding was that the election could only be held during the month of May and that there was no middle option according to the Act.

Councillor R.G.Parry, OBE, thought democracy was going out through the window under these proposals. With the Christmas recess, the Council had effectively only been given 3 weeks to respond by the 3rd January, 2012 cut-off. More than that it did not give the Town and Community Councils sufficient time to respond. Trying to convene meetings at this time of the year was a difficult proposition for those Councils.

To reduce the number of Councillors to 30 would put tremendous pressure on members. 30 members were not sufficient to manage a Council and this could create problems in itself. Neither had the Commission looked at the Wards and their numbers carefully enough. The Boundary Commission had mentioned in their report '*effective and convenient local government*' '*electoral equality*' '*community ties and boundaries*' '*rural and urban consideration*' '*consideration regarding single or multi-member electoral wards*' They had also stated that they intended to meet with the Chief Executive and the Group Leaders. This had not taken place.

In some Wards under the new proposals, the lower number would be 1:1355 and at the other end of the scale that figure would be nearer 1:2000. There would be no change, some Wards would be much bigger, some much smaller. He questioned the words '*democratic renewal*' used by the Minister and the District Auditor.

In his opinion, and in the opinion of many outside the Council, these proposals were not going to help to get young people to stand for the Council. With 30 members it would almost become a full time job. He did not think young or middle aged people on the Island would be prepared to give up their day jobs, for a post as a Councillor and perhaps in 4 years time lose their seat. Mothers with small children would not be prepared to work from 9-5. The proposals would only encourage retired people to stand for election.

More time was required to evaluate the proposals. The election service required some 6 months to formulate a new electoral roll, so there would be nothing preventing the Minister moving the closing date to perhaps the middle of May or June 2012. He mentioned that he had represented this Council at the WLGA Co-ordinating Group where all Party Leaders across Wales were unanimous that Anglesey should not be different to the rest of Wales. That was a message that needed to be re-iterated to the Minister.

Councillor G.O.Parry, MBE stated that democracy was the important issue that the Council should be addressing. A change in boundaries and multi-member wards was going to create problems for the electorate as to who represented them at the end of the day. Many would no doubt stand for election, but would there be enough enthusiasm to come out and vote? It had been difficult in the past in this respect.

Small Wards should perhaps be amalgamated with other Wards to ensure the appropriate figures. A number of the proposed Wards would have Parish Councils within their boundaries. If membership was reduced to 30 members, it would be difficult for members to attend all those meetings. He considered that 36 members was a better option for Anglesey.

He hoped that the reference made by the Chief Executive in his presentation to 3 possible dates for the election were untrue and that the choice should be either May 2012 or May 2013. There was a danger of having 'election overkill' and thus put the public off voting. There was also no

intention to review the arrangements of other Authorities which only showed that Anglesey was an unique case. The WLGA had stated that they did not support making Anglesey a special case.

Councillor H.W.Thomas stated that he had sent a letter to the Minister inviting him to be present at today's meeting. If there was anything further removed from democracy then here it was. This had been done hurriedly knowing full well that there was a Christmas recess when it would be difficult for the Council and Town/Community Councils to meet. Why had the Minister deviated from the normal procedure. Why hadn't he asked the public for their views before publishing this report? The Boundary Commission did hold a review last year and because the Minister was not satisfied with their conclusions, he sacked them.

It was obvious that the Chairman of the new Boundary Commission favoured multi-member wards – that was his background in England. Commissioners had been sent in to govern Anglesey because the Minister wanted Anglesey to be run in line with other Authorities in Wales. And yet, he was making an exception of us? Councillor Thomas was concerned that the review would not be rolled out to other authorities across Wales.

He had no problem in reducing the number of Councillors but the Minister should have looked at single-member wards first. The electorate could then get in touch with their Councillor whether they liked them or not. That was democracy. Perhaps there would be 3 Councillors situated in the same corner of a multi-member ward and nobody in the other parts. When there was a problem, would those Councillors be familiar with the background to that problem?

As this was such a serious issue, he considered that the Council and the electorate should take a stand. If membership went down to 30, then surely the next move would be amalgamation with Gwynedd.

Councillor J.Arwel Roberts agreed with the points raised by Councillor Thomas. Assembly Ministers would be the first to shout if there were any proposals to amend their boundaries. It was only 10 days ago that the Boundaries Panel was set up, a Seminar for members held yesterday and a decision expected by Council today to reach the 3rd January response time. This was being rushed through. By agreeing to such course of action, Commissioners would still be governing the Island in a year's time at a huge cost to the ratepayers.

Councillor K.P.Hughes considered that the matter was being rushed through and that due process had been ignored. He questioned why Anglesey was being treated differently to the rest of Wales and was that fair to the people of Anglesey? What kind of person was the Minister – was he one who believed in democracy or was he a despot, time would tell?

The feeling of the electorate on Anglesey was that they wanted an election in May 2012 for 40 Councillors. They did not want multi-member wards but wanted one member, one ward. The WLGA had also stated their wish for an election on Anglesey in 2012. He hoped that the Minister would take those views on board. By listening to what was being said, the Minister would not be undermining the good work being done by the Commissioners in the recovery process.

Councillor J.V.Owen considered it important to challenge what was being proposed rather than the timing of the election. The boundaries as proposed would make it difficult for independent members to stand against the Party machine. The procedure for ascertaining the views of the electorate had been short-cut. If the Minister was serious about democratic renewal then he should hold a referendum so that the people of Anglesey could decide what was in their best interests at the end of the day. If we accepted what was being proposed then that would be the end of democracy on Anglesey.

Councillor Bryan Owen stated that the Council were not opposed to reviewing the boundaries but he did question as to why other authorities across Wales would have 4 years to review their boundaries and Anglesey only 4 weeks? He considered that due process had not taken place in

that they had not given sufficient time to this Council, the Town and Community Councils and the general public. The people of Anglesey deserved the same rights as the remainder of the people of Wales.

The Auditor General came here over a year ago when the Council was in difficulties. If he came here today and spoke to the Commissioners, he would see the change that had taken place over the last 6 months. He was unhappy that the Minister was minded not to convene an election in May 2012 and that a letter should be sent to him expressing this Council's concern and that he should also take on board the unanimous decision taken by the WLGA, that Anglesey should be treated no differently to the remainder of Wales.

In his opinion, it would be nigh on impossible to run a Council with only 30 members. The Minister had mentioned democratic renewal, yet 14 new members had already been elected to this Authority in 2008 and a further two by-elections had also been held. This was nearly half the sum of the Council. If that wasn't democratic renewal then what was?

Councillor A. Morris Jones was of the opinion that the Auditor General was here to look at efficiency in local government and not to make political recommendations. Multi-member wards was a political recommendation. For the Minister to hide behind that was a fallacy. Seven of the present County Council wards met the target of 1:1750 and would do so by 2016. Local Government legislation allowed for a maximum of 75 members and surprise, surprise a minimum of 30 members!

No-one was against reducing the number of Councillors but in his opinion that figure should be reduced to between 34 – 36 members and that the principle of democratic renewal should be carried out at the same time as the rest of Wales. An election could still be held in May 2012 and he requested the Returning Officer to keep planning for such a scenario.

There was also talk of the amalgamation of rural and town wards. That was a strong argument against this proposal. Nowhere else in Wales would you see town areas combined with rural areas. Prior to these proposals, the Electoral Commission had visited these offices but had refused to meet with any elected members.

The Minister had sacked his Boundary Commission in June and there had been no inclination until recently that elections would not be held. As a result, the Commissioners currently running this Authority would be here for another 12 months without there being any democratic control. During this time, there would be tough decisions to take, but would they be decisions taken by elected members or by the Commissioners?

The proposals were also an attack on Independent Councillors. The Independent tradition was an honourable one and no-one had the right to stop anyone standing as an Independent member. The Minister was meeting his Commissioners today. Why had he not attended the meeting of this Council to explain his intentions?

The Leader and Deputy Leader had on behalf of the Council rallied the WLGA. The Welsh Conservatives and the Welsh Liberals were prepared to stand up in the Assembly and challenge with a vote. Numerous Parish Councils were for holding the elections next year. Who was the Minister to say that a Parish election was not as important, and equally what price democracy? People had fought and died for the right to vote and no politician should have the right to interfere with that process.

Councillor B. Durkin was very concerned at what was taking place. The electorate were speaking loud and clear and were extremely unhappy in the way that their Island was being treated. The public had the perception that the Minister did not like who Anglesey residents had been voting for in the past, and therefore his solution for democratic renewal was to simply rig the election system

on Anglesey, so as to make it more difficult for those he didn't like, the Independents, to get elected. The Minister was forgetting that there were some hard working excellent Independent Councillors on one side and some awful Party affiliated Councillors on the other. Unfortunately, the new system would see the former punished and the latter prosper. Was this really a price worth paying in order to achieve a sham democratic renewal achieved through the dubious means of purposefully manipulating the Island's election system?

That was what people were perceiving. What an outrageous state of affairs this was to get into. Councillor Durkin suggested that the Council should stick to the status quo and take the fight on. He mentioned that the former Interim Managing Director had made it clear *"that Commissioners should be appointed until the election in 2012 together with investment and democratic renewal"* To be fair to that man, even he was being overruled.

Councillor Tom Jones supported the Leader's proposal that an election be held in May 2012. Any response to the Minister must also harness the views of the Town and Community Councils in supporting that view. The Council needed to be open minded in that after the 2012 elections it would be willing to consider a reduction in numbers, be ready perhaps to discuss multi-member wards and safeguarding individual wards. No adequate consultation had taken place and the Boundary Commission had no evidence to support their proposals. He hoped that the Leader was happy to accept his suggestions.

Councillor Keith Evans stated that the Council were meeting today in the grand new ward of Central Anglesey which according to the map would have 5,829 electors. By his rough calculation of 2 people living per dwelling, that probably meant 3,000 new dwellings in that new ward. It would in his opinion be impossible for a member to visit 3,000 houses in the election month. If the member considered that the only way he/she could communicate with those electors was by posting leaflets, that would cost 30 pence x 3,000 equating to £900 in postage costs with a further possible £900 in printing costs. This was an outlay of some £2k for an Independent member with no guarantee of success. The Island at present had 40 communities. He questioned whether the new 11 ward system would lead to a similar number of Town/Community Councils wards in the future?

Councillor Evans then put forward to Council his 7 proposals as a response to the consultation document.

The Leader stated that he was happy with what was being proposed by Councillor Evans and that he was prepared to withdraw his earlier proposal. However, the Council should make it perfectly clear that they were not against any changes, that an election on Anglesey was required in May 2012 and sufficient time given thereafter to discuss these proposals.

Councillor O.Glyn Jones referred to the following statements made in the Daily Post today, where the Tory Leader in the Assembly had stated *"You do not bring about democratic renewal by postponing elections. Likewise, manipulating the Island's boundaries and electoral system purely to achieve your own preferred outcome will also not lead to a sustainable recovery."* The Leader of the Liberal Democrats had likewise stated *"that we do not believe that delaying the elections by a year would not be an appropriate response for ensuring a thriving local democracy in Ynys Mon."* Ieuan Wyn Jones had also stated that he was in discussion with his members. It was also good to see that at least one member from the Labour Group on this Council was prepared to go against his own party on this issue.

Councillor J.Penri Williams stated that what the Minister was saying, was that he wanted to get rid of us but in order to achieve that he was giving us another year! The people of his ward had elected him as their representative and that it was only they that could vote him out at the end of the day. In a ward of 1500 people, a Member could at least get to know their people. In a ward of

5,000 they had no chance. He did not consider that a multi-member ward would bring more people out to vote.

The Chief Executive referred to the sixth proposal by Councillor Evans, namely *'that officers sought advice and take whatever reasonable measures that may be necessary to challenge the Boundary Commission proposals and the Minister's involvement.'* That in his opinion did not mean a complex and legal process but was merely this Authority seeking an opinion as to the powers of the Boundary Commission and the Minister in this respect.

Councillor R.LI.Hughes supported the proposals put forward by Councillor Evans. In his opinion, it would be wise to seek Counsel's opinion as to whether the contents of the report were legal and reasonable. He felt that the proposals were an attack on the people of Anglesey and their rights to exercise their democratic right to vote.

Councillor Eric Jones stated that the report was an insult to democracy and that it was a sad day when the word *'local'* went out of Local Government. He requested members to individually respond to the report.

Councillor P.S.Rogers considered that improvements had taken place since Commissioners had taken over the running of this Authority. He did not consider that the status quo was an option and that there had to be a reduction in the number of members. However, he did not consider that the consultation period had been sufficient.

Councillor B.Owen considered it worthwhile to seek Counsel's opinion and that the WLGA should be approached with a view to seeking a financial contribution from them towards the costs of that opinion.

Councillor A.Morris Jones proposed the following amendments to the proposals put forward by Councillor Evans:-

- Recommendation 2 – the words *'rural and urban'* before the word *'communities'* in the 5th line of the paragraph;
- Recommendation 4 – add to the end of the paragraph *'that the Returning Officer of the Isle of Anglesey County Council continue to plan for democratic elections in May 2012.'*
- Recommendation 7 – bearing in mind that there had been political unity in the Chamber today, he suggested that the Council should canvass all political parties at Welsh Assembly Government level and ask that they ensure that a vote takes place at the level of the Welsh Assembly.

The three amendments proposed by Councillor A.Morris Jones were accepted by Council and it was unanimously:-

RESOLVED

- **That the Council rejects and resists the Boundary Commission's latest proposals to introduce 11 multi-member wards to elect 30 Members for Ynys Môn / Isle of Anglesey at an election in May 2013.**
- **The Council is of the strong opinion that the proposals, which have not been available for proper consultation, would produce over-large wards, which would be undemocratic in limiting the range of candidates, would lack local accountability, be incompatible because of forced mergers of differing rural and urban communities, and would not provide enough Members for the efficient working of the County Council.**
- **To reaffirm a strong preference for single-member wards.**

●To urge the Minister to allow the normal democratic process to proceed by authorising the due election to take place in May 2012, in line with the other County Councils in Wales, on the basis of the existing electoral roll of 40 wards returning 40 members. That the returning Officer of the Isle of Anglesey County Council continues to plan for the holding of elections on Anglesey in May 2012.

●That the Council commits to engaging purposefully thereafter with the Boundary Commission to work towards ward parity, in terms of one Member to 1,400 electors and a reasonable reduction in the number of Members.

●To instruct the Chief Executive and Director of Legal Services/Monitoring Officer to seek advice and take whatever reasonable measures may be necessary to challenge the propriety of the Boundary Commission's proposals and the Minister's involvement.

●That the Council canvasses support for its stand by engaging with the WLGA, other County Councils, the Community Councils, the electorate in general and other quarters. That all political parties at the Welsh Assembly request a vote to enable and support democratic elections to take place on Anglesey in May 2012.

4. **PROPOSAL TO CHANGE THE YEAR OF THE LOCAL GOVERNMENT ELECTIONS IN THE COUNTY OF ANGLESEY.**

Reported – That in a letter dated 22nd November, 2011, the Minister for Local Government and Communities had stated that he was minded to change the year of the local government elections in the County of Anglesey by one year, from May 2012 to May 2013.

The Local Government Boundary Commission for Wales had published its draft report on a review of the electoral arrangements for Anglesey and intended to publish its final report by 30 March, 2012. Consequently it would not be possible to consider the Commission's final report and, if appropriate, give effect to any changes ahead of the May 2012 elections.

Elections to town and community councils in the County could go ahead in May 2012, despite any postponement to the ordinary election of County Councillors. However, the Minister was aware of the preference for town and community council and county council elections to be held together, as was normally the case.

The Minister was therefore seeking views on the proposal to change the year of both the County Council and the Town and Community Council elections in the County of Anglesey by one year and for the elections to take place in May 2013 and to this end he was seeking a response by 6 January, 2011.

RESOLVED to urge the Minister to allow the normal democratic process to proceed by authorising the due election to take place in May 2012, in line with the other County Councils in Wales and in parallel with the Town and Community Council elections.

The meeting concluded at 12:05pm

**COUNCILLOR G.O.JONES
CHAIR**