

THE EXECUTIVE

Minutes of the meeting held on 16 March 2015

- PRESENT:** Councillor Ieuan Williams (Chair)
- Councillors R Dew, K P Hughes, A M Jones, H E Jones and Alwyn Rowlands
- IN ATTENDANCE:** Chief Executive,
Deputy Chief Executive,
Corporate Director (Community),
Corporate Director (Lifelong Learning),
Corporate Director (Sustainability),
Interim Head of Democratic Services (JHJ) (for items 5 & 6),
Policy and Strategy Manager (CWO) (for item 6),
Head of Function (Council Business)/Monitoring Officer (for item 8),
Head of Environment and Technical (for items 14 & 15),
Programme Manager (Education) (EB) (for items 11 & 12),
Revenue & Benefits Services Manager (GJ) (for item 7),
Head of Adults Services (for item 17),
Strategic Transformation Manager (JD) (for item 17),
Solicitor (TR) (for item 17),
Committee Officer (MEH).
- ALSO PRESENT:** Councillors Ann Griffith, John Griffith, T.V. Hughes, Llinos M. Huws, R.LI. Jones, R. Meirion Jones, Bob Parry OBE.
- Canon Robert Townsend (for item 11).
- APOLOGIES:** Councillor J A Roberts

1 DECLARATION OF INTEREST

Declarations of interest were made as follows:

Councillor K.P. Hughes declared a personal and prejudicial interest in respect of item 12 on the agenda and withdrew from the meeting during the discussion and voting thereon.

Councillor H.E. Jones declared that he is a Governor of both Brynsiencyn and Llanddaniel Primary School but having sought the advice of the Monitoring Officer he was able to take part and vote as his interest was not prejudicial on account that he has no family at either school.

2 URGENT MATTERS CERTIFIED BY THE CHIEF EXECUTIVE OR HIS APPOINTED OFFICER

None to report.

3 MINUTES

The minutes of meetings held on 9 February, 2015 and 16 February, 2015 were submitted and confirmed.

RESOLVED that the minutes of the following meetings of the Executive be confirmed as correct :-

- 9 February, 2015
- 16 February, 2015

4 MINUTES FOR INFORMATION

The draft minutes of the Voluntary Sector Liaison Committee held on 16th January, 2015 were submitted for information.

RESOLVED to accept, for information, the draft minutes of the Voluntary Sector Liaison Committee held on 16th January, 2015.

5 THE EXECUTIVE'S FORWARD WORK PROGRAMME

The report of the Interim Head of Democratic Services incorporating the Executive's Forward Work Programme for the period April – November 2015 was submitted for consideration.

The Interim Head of Democratic Services reported that Items 1 and 2 on the Work Programme have been delegated for decisions by the relevant Portfolio Holders and will be published in March 2015.

He further noted that additional items have been included in the Work Programme as follows :-

26 May, 2015 meeting – Items 17,18,19 and 20
15 June, 2015 meeting – Item 22
19 October, 2015 meeting – Item 35

It was RESOLVED to confirm the updated Forward Work Programme for the period April – November, 2015, subject to the additional changes outlined at the meeting.

6 ANNUAL EQUALITY REPORT

Submitted – a report by the Interim Head of Democratic Services in relation to the above.

The Policy and Strategy Manager reported that the Public Sector Equality Duty (PSED) requires that all public authorities covered under the Equality Act 2010 Statutory Duties (Wales) Regulations 2011 must publish an annual equality report by 31 March in the year following each reporting period.

It was RESOLVED to approve the Council's Annual Equality Report 2013/14 for publication by 31 March, 2015.

7 NEW BUSINESS RATES RELIEF FOR CHARITIES AND NON PROFIT-MAKING ORGANISATIONS

Submitted – a report by the Interim Head of Function (Resources)/Section 151 Officer in relation to the above.

It was **RESOLVED** :-

- **To adopt the current Discretionary Business Rates Relief Policy-Charities and Non-Profit Making Organisations for the financial year 2015/16 only and to instruct the Acting Head of Function (Resources)/Section 151 Officer to ensure that administrative procedures before 31 March, 2015 advise relevant charities and non-profit making organisations that the policy will apply for 2015/16 and will cease on 31 March, 2016.**
- **To authorise the Portfolio Holder (Finance) and the Acting Head of Function (Resources)/Section 151 Officer to review the current policy during 2015/16 and, if applicable, undertake a public consultation process. If, as a consequence of the review and any consultation undertaken, changes are recommended to the policy, it is the Executive's view that adequate lead time is given for Charities and non-profit making organisations to take into account the effect of any such changes on their organisations.**

(Councillor A.M. Jones declared an interest in respect of this item)

8 CHANGES TO THE CONSTITUTION - CONTRACT PROCEDURE RULES

Submitted – a report by the Head of Function (Council Business)/Monitoring Officer in relation to the above.

The Head of Function (Council Business)/Monitoring Officer reported that the Council's Contract Procedure Rules (CPR) set out the framework under which all procurement activity is undertaken. The current CPR requires updating and the reasons were set out within the report.

Councillor R. Meirion Jones stated that whilst he welcomed the amended version of the Contract Procedure Rules however he would have likely to have seen a reference that the Council gives priority to local businesses. He further referred to the heading 'Exceptions' at 4.9.3 of Appendix 1 – he considered that the Executive should reserve authority if Officers disagree on a particular matter. The Head of Function (Council Business)/Monitoring Officer responded that a guide on public procurement has been published for Members on the Council's website which explains in the introduction the Council's legal obligation as a best value authority which means that there are limitations on favouring local businesses in the procurement arena. She stated that she would discuss with Councillor Jones the changes to the public regulations 2015 in due course.

It was RESOLVED to recommend to the full County Council that Council approves the new Contract Procedure Rules and delegate authority to the Monitoring Officer to incorporate the new Contract Procedure Rules ('CPRs') into the Constitution.

9 INDEPENDENT SECTOR RESIDENTIAL AND NURSING HOME FEES 2015/16

Submitted – a report by the Head of Adult's Services in relation to the above.

The Head of Adult's Services reported that the Local Authority is required to review Independent Sector Care Home fees annually to coincide with Central Government's changes to benefit and pension levels which come into effect on 7 April, 2015. Throughout the work of developing the methodology, considerable emphasis is placed on enhancing quality of care provided for care home residents and the numbers residing therein. This has included a review of the number of care, domestic and management hours required to

support residents based on staff rota statistics from a number of care homes across the region. The North Wales Methodology has recommended an increase of between 1.69% and 1.88% across the 4 categories of care.

It was RESOLVED :

- **To adopt the North Wales Fee Methodology as implemented hitherto by the Authorities in North Wales as a basis for setting fees in Anglesey during 2015/16;**
- **To increase fee levels as noted in the table contained within the report;**
- **To increase fee levels for high cost/low volume placements (i.e. Learning Disability/Mental Health/Substance Abuse and Physical Disability) arranged through the North Wales Commissioning Centre, namely an increase of 1.7% in core fees (up to £549) and 0% above that threshold for every resident in high cost placements as agreed with the other North Wales Authorities and as approved by NWSSIC;**
- **Approve an increase of 0% (as approved by NWSSIC on 27/02/15) in high cost placements for children and young people arranged through the North Wales Regional Commissioning Centre;**
- **In line with other Authorities, authorize the Social Services and Finance Departments to respond to any requests from homes to explore their specific accounts and to utilize the exercise as a basis to consider any exceptions to the agreed fees;**
- **To enable the Department to agree exceptions which can be met within their budgets in consultation with the Portfolio Holder.**

10 CHILDCARE SUFFICIENCY ASSESSMENT

Submitted – a report by the Corporate Director (Lifelong Learning) in relation to the above.

It was reported that in April 2008, formal guidance was issued to Local Authorities specifying their statutory obligations under the Childcare Act 2006. A comprehensive assessment is prepared every 3 years with an annual refresh noting any changes.

It was RESOLVED to accept the report as a refresh of the Childcare Sufficiency Assessment 2014 and to agree to the actions proposed.

11 SCHOOL MODERNISATION - RHOSYR AREA

Submitted – a report by the Corporate Director (Lifelong Learning) in relation to options on the way forward for the primary education provision in the Bro Rhosyr and Bro Aberffraw areas.

Councillor Ann Griffith as a Local Member thanked the Officers for conducting a thorough consultation process in the Rhosyr and Aberffraw areas. She stated that she has attended all the meetings locally with teaching staff, parents and community council representatives. It is inevitable that local communities do not wish to see their local school closing. The community of Bodorgan believes that closing the school would cause that part of the island with no local school as Aberffraw Primary School was closed in 2011. Councillor Griffith

believed that the decision could impact on the Welsh language. The Bodorgan community has stated that they naturally turn to the direction of Llangefni and therefore Ysgol Henblas would make more sense as an alternative if Bodorgan Primary School was to close. The response of Newborough and Dwyran areas was that Dwyran Primary School is a Community School with activities taking place with the school. Concerns were also expressed regarding the possibility of children having to travel a distance to a new school if the schools in the area were to close.

The response of the Diocese of Bangor is that they do not wish to see any reduction to any school which is under the voluntary management of the Church in Wales. The parents at Parc y Bont have chosen to send their children to a Church in Wales school and have further expressed that the children attend after school clubs, youth clubs and the Urdd.

The Chair invited Canon Robert Townsend to address the meeting as a representative of the Diocese of Bangor. Canon Townsend welcomed the options put forward by the Education Authority and would encourage the parents and the local communities of Rhosyr and Aberffraw to respond to the consultation exercise in respect of the school modernisation agenda within the Rhosyr area.

Councillor H.Eifion Jones also thanked the Education Authority for conducting the consultation with parents, governors and staff at the six primary schools in the area. The two options put forward by the Education Authority will allow the communities to contribute to the statutory consultation process.

It was RESOLVED to authorise the Officers to proceed to the formal or statutory consultation process wherein they will consult on Options A and B noted within the report.

(Councillor H.E. Jones declared that he is a Governor of both Brynsiencyn and Llanddaniel Primary School but having sought the advice of the Monitoring Officer he was able to take part and vote as his interest was not prejudicial on account that he has no family at either school).

12 SCHOOL MODERNISATION - LLANNAU AREA

Submitted – a report by the Corporate Director (Lifelong Learning) in respect of an Outline Business Case for a new primary school in North West Anglesey.

It was reported that the Outline Business Case five main sections i.e. Strategic, Economic, Commercial, Financial and managerial. The Outline Business Case will be submitted to Welsh Government following approval by the Executive and considered by its Business Case Scrutiny Group and Capital Investment Panel in April 2015.

It was RESOLVED :-

- **To approve the Outline Business Case (OBC) for the new Primary School in North West Anglesey;**
- **To approve the submission of the Outline Business Case to Welsh Government.**

13 GWE JOINT COMMITTEE GOVERNANCE ARRANGEMENTS

Submitted – a report by the Corporate Director (Lifelong Learning) in respect of the amended governance arrangements for GwE and the changes to the membership of the GwE Joint Committee in response to the adoption of the National Model for Regional Joint Working.

It was RESOLVED to approve the amended governance arrangements for GwE as noted within the report.

14 COLLABORATION WITH HORIZON ON HIGHWAY IMPROVEMENTS

Submitted – a report by the Head of Environment and Technical in respect of the partnership working proposals in relation to securing improvements to the A5025 and other highways to facilitate the development proposals of Horizon Nuclear Power.

The Portfolio Holder (Economic Development, Tourism and Leisure) reported that he welcomed the proposals to improve the highways infrastructure in respect of the proposals for the new nuclear power station at Wylfa. However, he expressed his concerns that the highway from Cemaes to Amlwch has not been included for improvements. He requested that the Officers should further negotiate with Horizon Nuclear Power and to report back to the Executive within a period of 3 months.

The Head of Environment and Technical reported that the Partnership and Regeneration Scrutiny Committee held on 11 March, 2015 raised that the Cemaes to Amlwch highways had not been included for improvements. He further stated that the Scrutiny Committee stressed the importance that North Wales based contractors should be utilised for highway improvement works.

It was RESOLVED :-

- **To authorise the entering into by the Council as Highway Authority of a Collaboration Agreement with Horizon Nuclear Power in accordance with the Heads of Terms set out within the report;**
- **The entering into such further agreements or exercising such powers as are considered by the Head of Service (Environment & Technical) as necessary to give effect to the terms of the Collaboration Agreement and to allow any highways works covered by the terms of the Collaboration Agreement to be delivered.**
- **That a report be submitted to the Executive within 3 months following negotiations in respect of the need to improve the highway from Cemaes to Amlwch and stressed the importance to Horizon of utilising contractors based in North Wales for the highway improvement works.**

15 THE COUNCIL'S ENERGY POLICY

Submitted – a report by the Head of Environment and Technical in relation to the Council's Building Energy Policy.

Councillor A.M. Jones stated that the Authority needs to be an exemplar in the field on energy efficient within the services of the Council. He considered that energy efficiency measures in respect of Leisure Centres should be dealt with as a matter of urgency. Councillor Jones considered that the energy efficiency team should be placed under the Energy Island section of the Council. He requested that an update report be submitted to the Executive within 3 months to monitor the proposed schemes to provide energy savings to the authority.

It was **RESOLVED** to adopt the Energy Policy and Action Plan and implement energy efficient schemes in order to demonstrate the authority's commitment to saving energy and reduce carbon emissions.

16 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED to adopt the following :-

“Under Section 100(A)(4) of the Local Government Act 1972, to exclude the press and public from the meeting during discussion on the following item on the grounds that it may involve the disclosure of exempt information as defined in Schedule 12A of the said Act and in the attached Public Interest Test.”

17 SALE OF GARREGLWYD RESIDENTIAL CARE HOME

Submitted – a report by the Strategic Transformation Manger in relation to the sale of Garreglwyd Residential Care Home.

It was reported that Garreglwyd was openly marketed for disposal by way of informal tender with a guide price as noted within the report. The sale of Garreglwyd will realise anticipated annual revenue savings of £141,000 together with a capital receipt for the property. Residents will be able to stay in the home and the care and wellbeing of current elderly residents is assured. The terms of the sale also include an assurance that the current cohort staff will be transferred into the new undertaking in accordance with TUPE conventions.

It was further noted that the prospective purchaser is an employee of the Authority. The Head of Service has given assurance that as soon as the person registered an interest in purchasing the business any involvement they had with Garreglwyd was ceased. The prospective purchaser intends to leave the employment of the Council once the purchase has been completed.

RESOLVED :-

- **To sell Garreglwyd as a freehold for the price noted within the report;**
- **That Officers undertake the actions necessary to effect this as soon as possible and in accordance with the Asset Management Policy and Procedures;**
- **In conducting the sale, Adult Services will continue to assure the care and wellbeing of residents.**

(In making the recommendation the Executive were advised that the prospective purchaser was currently a member of staff within Adult Services, but that the Head of Service gave complete assurance that arrangements had been made to ensure that the individual had not been involved in any aspect of either the transaction or the running of Garreglwyd, nor had they had access to any information that was not also available to other interested parties. In addition the individual has confirmed that as soon as a contract for sale has been agreed they will be leaving the employment of the Authority.)

The meeting concluded at 11.10 am

**COUNCILLOR IEUAN WILLIAMS
CHAIR**