



**CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL**

GŴYS A RHAGLEN

SUMMONS AND AGENDA

ar gyfer

for a

**CYFARFOD O
GYNGOR SIR
YNYS MÔN**

**MEETING OF THE
ISLE OF ANGLESEY
COUNTY COUNCIL**

a gynhelir yn

to be held at the

**SIAMBR Y CYNGOR
SWYDDFA'R SIR
LLANGEFNI**

**COUNCIL CHAMBER
COUNCIL OFFICES
LLANGEFNI**

**DYDD MAWRTH
12 RHAGFYR, 2017**

**TUESDAY
12 DECEMBER 2017**

→ am 2.00 o'r gloch yp ←

→ at 2.00 pm ←

A G E N D A

1. MINUTES

To submit for confirmation, the draft minutes of the meetings of the County Council held on the following dates:-

- 26th September, 2017
- 30th October, 2017 (Extraordinary)

2. DECLARATION OF INTEREST

To receive any declaration of interest from any Member or Officer in respect of any item of business.

3. TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRPERSON, LEADER OF THE COUNCIL OR THE CHIEF EXECUTIVE.

4. QUESTIONS RECEIVED PURSUANT TO RULE 4.1.12.4 OF THE CONSTITUTION

- To submit the following question on notice by Councillor Peter S Rogers to the Leader of the Council :-

“Like all of us you will be fully aware of the resentment and concern that is being shown by Anglesey ratepayers following your decision to increase the Executive Membership of this Authority to 9 members.

In these exceptional austere times how on earth can you justify this extravagance?”

- To submit the following question on notice by Councillors A M Jones and Bryan Owen to the Leader of the Council :-

“Following the decision to stop the tendering process for home care, what and how much were the costs to the Council?”

5. NOTICE OF MOTION PURSUANT TO RULE 4.1.13.1 OF THE CONSTITUTION

To submit the following Notices of Motion by:-

- **Councillor Shaun J Redmond**

“Following the recent announcement to move to a policy of Welsh first language working environment with its associated financial burden and inbuilt discrimination, I move, as the Council has no mandate or sought the consensus of the electorate to change the policy from the Bilingual policy, members resolve to:

- (a) Retain the Bilingual working environment and policy until a mandate and consensus are realised by a referendum of the electorate.*
- (b) Accept the policy of employing the best qualified candidates for all positions within the Council irrespective of their chosen first or preferred language of Welsh or English.*
- (c) Accept the policy of employing young persons and other Anglesey residents*

whose chosen first or preferred language is Welsh or English.”

- **Councillor Aled Morris Jones**

“I request that the County Council fly the flag of the United Kingdom outside the County Council offices in Llangefni on a daily basis, not just on certain days alongside the Ddraig Goch and the Council flag.”

- **Councillor Bryan Owen**

“In view of the devastating impact on individuals following the recent floods on the Island, would the Council agree to establishing an emergency support fund to assist those affected and prioritising improvement to flood defences as part of the 2018/19 budget.”

6. PRESENTATION OF PETITIONS

To receive any petition in accordance with Paragraph 4.1.11 of the Constitution.

7. TO APPOINT A CO-OPTED INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE

To submit a report by the Chair of the Standards Committee Selection Panel.

8. TO APPOINT TWO COMMUNITY COUNCILLORS TO THE STANDARDS COMMITTEE

To submit a report by the Head of Function (Council Business)/Monitoring Officer.

9. 2018/19 COUNCIL TAX REDUCTION SCHEME

To submit a report by the Head of Function (Resources)/Section 151 Officer as presented to the Executive on the 27th November, 2017.

10. DELEGATIONS REQUIRED FOR THE COUNCIL'S PARTICIPATION IN THE EXAMINATION OF THE WYLFA NEWYDD AND NORTH WALES CONNECTION PROJECT APPLICATION UNDER THE PLANNING ACT 2008

To submit a joint report by the Assistant Chief Executive – Partnerships, Community and Service Improvement and the Head of Regulation and Economic Development as presented to the Executive on 27th November, 2017.

11. 2018 REVIEW OF PARLIAMENTARY CONSTITUENCIES

The Chief Executive to report on the above.

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ISLE OF ANGLESEY COUNTY COUNCIL

Minutes of the meeting held on 26 September 2017

PRESENT: Councillor Richard Owain Jones (Chair)
Councillor Dylan Rees (Vice-Chair)

Councillors Lewis Davies, R Dew, John Griffith, Richard Griffiths, Glyn Haynes, K P Hughes, T LI Hughes MBE, Vaughan Hughes, Llinos Medi Huws, A M Jones, Carwyn Jones, Eric Wyn Jones, G O Jones, R. Meirion Jones, Alun W Mummery, Bryan Owen, R G Parry OBE, Shaun James Redmond, Alun Roberts, Dafydd Roberts, J A Roberts, Nicola Roberts, P S Rogers, Dafydd Rhys Thomas and Robin Williams.

IN ATTENDANCE: Chief Executive,
Assistant Chief Executive (Partnerships, Community & Service Improvements),
Assistant Chief Executive (Governance and Business Process Transformation),
Head of Function (Resources)/Section 151 Officer,
Head of Democratic Services,
Head of Corporate Transformation,
Legal Services Manager (RJ),
Committee Officer (MEH).

ALSO PRESENT: None

APOLOGIES: Councillors R LI Jones, Margaret M. Roberts and Ieuan Williams.

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

1. MINUTES

The minutes of the following meetings of the Isle of Anglesey County Council were submitted and confirmed :-

- 23rd May, 2017 (Ordinary Meeting)(11.00 a.m.), subject to an amendment that the Leader of the Council said that there be one additional member on the Executive (already a place for 8 Members on the Executive);
- 23rd May, 2017 (First Annual Meeting), subject to an amendment that the Opposition Group had expressed that no elected member from the opposition group had been included within the membership of the Standards Committee;
- 31st May, 2017 (Adjourned Annual Meeting);

- 6th July, 2017 (Extraordinary Meeting), subject to the inclusion of the Deputy Leader of the Council's responsibilities (Major Developments and the Welsh Language) being recorded within the minutes;
- 31st July, 2017

2. DECLARATION OF INTEREST

None received.

3. TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRPERSON, LEADER OF THE COUNCIL OR THE CHIEF EXECUTIVE

The Chair made the following announcements :-

- He thanked the residents of the Island who had contributed to the successful arrangements at the National Eisteddfod held in Bodedern recently. He congratulated all those from the Anglesey who had been successful at the Eisteddfod. He further said that it was an honour as Chair of the Isle of Anglesey County to be able to officially open the County Council's pavilion on the Eisteddfod field;
- Congratulations to competitors from Anglesey who enjoyed success at the Royal Welsh Agricultural Show and the Anglesey Agricultural Show recently;
- Congratulations to those secondary school pupils who had succeeded in their GCSE's and A Levels.

Congratulations extended to Mr. Tom Jones, Maes Mawr, Llanfechell, on his appointment as President of the Anglesey Young Farmers Federation and to Councillor Aled Morris Jones on his appointment as Vice-President of the Anglesey Young Farmers Federation.

The Chair announced that the Chairman's Sunday will be held at St Eleth Church, Amlwch, on Sunday, 8 October, 2017 at 2.00 p.m., and to follow at Lastra Hotel.

* * * * *

The Chair extended his deepest sympathy to the former elected member Mr. Glyn Jones on the loss of his wife recently.

Condolences were extended to any Member of the Council or staff who had suffered bereavement. Members and Officer stood in silent tribute as a mark of their respect and sympathy.

4. QUESTIONS RECEIVED PURSUANT TO RULE 4.1.12.4 OF THE CONSTITUTION

No questions received pursuant to rule 4.1.12.4 of the Constitution.

5. PRESENTATION OF PETITIONS

The Chair reported that he had received 2 petition from the following :-

Petition with 93 names received by Councillor R.Ll. Jones from residents who wish to keep the playing field at Ysgol y Parc, Holyhead for the children of the area following closure of the school.

Petition with 272 names received by Councillor Lewis Davies from supporters who wish to safeguard Ysgol Gynradd Beaumaris from closing.

The Chair said that the petitions will be referred to the relevant departments of the Council.

It was RESOLVED that the petitions be referred to the relevant departments.

6. COUNCIL PLAN 2017-2022

Submitted – a report of the Head of Corporate Transformation as presented to the Executive on 18 September, 2017.

The Opposition Group referred to the heading of Education and Skills of the report which notes ‘..... possibility of 3-18 learning campuses in specific locations’; clarification was sought as to where the specific locations are to be located/ The Chief Executive responded that the modernisation of schools programme incorporated the future of secondary schools on the Island and specific sites locations will need to be considered in the future.

It was RESOLVED to adopt the Council Plan 2017-2022.

7. STATEMENT OF ACCOUNTS 2016/17 AND ISA 260 REPORT

Submitted – a report by the Head of Function (Resources)/Section 151 Officer as presented to the Audit and Governance Committee on 21st September, 2017.

It was RESOLVED :-

- **To accept the Statement of Accounts 2016/17;**
- **To note the acceptance of the Annual Governance Statement 2016/17 by the Audit and Governance Committee and refer the document to the Leader of the Council and the Chief Executive for signature.**

8. ANNUAL TREASURY MANAGEMENT REVIEW FOR 2016/17

Submitted – a report by the Head of Function (Resources)/Section 151 Officer as presented to the Executive on 18th September, 2017.

It was RESOLVED :-

- **To note that the outturn figures contained in the report ;**
- **To note the provisional 2016/17 prudential and treasury indicators in the report.**

9. AUDIT AND GOVERNANCE COMMITTEE ANNUAL REPORT 2016/17

The Annual Report of the Audit and Governance Committee for 2016/17 was presented by Councillor John Griffith, the former Vice-Chair of the Audit and Governance Committee in the absence of Councillor R.LI. Jones the former Chair of the Audit and Governance Committee.

It was RESOLVED to receive the report and to note its contents.

10. ANNUAL REPORT OF THE STATUTORY DIRECTOR OF SOCIAL SERVICES FOR 2016/17

Submitted – the report by the Assistant Chief Executive (Governance and Business Process Transformation) as Statutory Director of Social Services.

The Assistant Chief Executive (Governance and Business Process Transformation) and designed Director of Social Services reported that following the CSSIW inspection of Children’s Services in November 2016 priorities within the service for improvement has been agreed with the introduction of a Service Improvement Plan which focuses on strengthening the service, and the establishment of a Children’s Services Panel which monitors the service and reports back to the Corporate Scrutiny Committee on a regular basis. She noted that she was confident that the foundations for sustainable improvement are now in place within Children’s Services. She further reported that Adults’ Services have seen a period of stability which has enabled the service to focus on the future and to consolidate progress in relation to the development of Extra Care facilities Hafan Cefni and making improvements at Garreglwyd Residential Home, as well as preparing for the retendering of the Domiciliary Care arrangements.

The aim of Social Services is to work with individuals and listening to their needs, as incorporated within the Social Services and Wellbeing Act (Wales) 2014, (focusing on ‘What Matters’ conversations) and to allow people to live independently for as long as possible within their home environment.

Councillor A.M. Jones, the former Portfolio Holder for Social Services, wished to thank Dr. Turner for her work and vision for the improvement of the service.

It was RESOLVED to accept the Annual Report of the Statutory Director of Social Services for 2016/17.

11. NOTICE OF MOTION PURSUANT TO RULE 4.1.13.1 OF THE CONSTITUTION

Submitted – the following Notice of Motion by Councillors Aled M. Jones and Kenneth P. Hughes :-

“We, the undersigned urge the County Council to adopt a policy which confirms a long term commitment to the agricultural small holding estates.

This requires the Authority to cease the disposal of vacant holdings as they become available. No small holdings over 20 acres to be sold without being approved at a meeting of the full Council.”

Councillor Aled M. Jones spoke in support of the Motion and said that the Smallholding Estate must be secured for the future of young people who wish to be able to have a foothold in agriculture on these smallholdings. He noted that the current policy allows the Portfolio Holder (Highways, Property and Waste) and Officers to sell smallholdings up to 20 acres; recently two smallholdings have been sold. The Smallholdings Estate on Anglesey comprises of 98 units which is the second largest estate in Wales with 78 dwellings attached to it with annual rents totally £520k. The Council over recent years have carried out extensive refurbishment on the estate following transfer of the estate, which was in dire state, from Gwynedd County Council in 1996. He reiterated the need to secure the Smallholding Estate but decisions as regard to selling holdings up to 20 acres or dwellings needs to be a decision for the full Council.

Councillor K.P. Hughes wished to second the Motion and said that maybe there was justification in the past to sell a holding due to the dire state of the estate when transferred by Gwynedd Council. He noted that most of the estate has been refurbished and therefore the estate must be secured for the future of young people who wish to earn a living within the agriculture business.

Councillor Peter Rogers stated that he considered that the Smallholdings Estate had been left to deteriorate and the running of the estate is not fit for purpose by the Council.

The Portfolio Holder (Highways, Property and Waste) recommended an amendment to the Notice of Motion put forward and proposed that the Corporate Scrutiny Committee be requested to discuss the aim of the Smallholdings Letting Policy. The Letting Policy needs to be evaluated so as to allow the smallholdings estate to be the most effective and fruitful for young people to have the opportunity to be tenants of a smallholding on the Island and to make a living out of the smallholding and furthermore to have a vision to becoming Managers of Commercial Farming Units in the future to secure financial stability for the estate. The Leader of the Council seconded the amendment.

Councillor Aled M. Jones said that he was of the opinion that the smallholdings estate has been upgraded and did not agree that the matter should be referred to the Corporate Scrutiny Committee for further deliberations as the annual rents from the estate has been ring-fenced to allow for the maintenance required on the holdings. He was still of the opinion that the Notice of Motion put before the Council was the best for the future of the Smallholding Estate.

Following further deliberations, the full Council voted on the amendment to Notice of Motion put forward by the Portfolio Holder (Highways, Property and Waste) and the amendment was carried.

The amended motion was subsequently put to the vote and passed as the substantive motion.

It was RESOLVED that the Notice of Motion as duly amended be forwarded to the Corporate Scrutiny Committee for consideration.

The meeting concluded at 2.45 pm

**COUNCILLOR RICHARD O JONES
CHAIR**

ISLE OF ANGLESEY COUNTY COUNCIL

Minutes of the meeting held on 30 October 2017

PRESENT: Councillor Richard Owain Jones (Chair)
Councillor Dylan Rees (Vice-Chair)

Councillors John Griffith, Glyn Haynes, K P Hughes,
T Ll Hughes MBE, Vaughan Hughes, Llinos Medi Huws,
A M Jones, Carwyn Jones, Eric Wyn Jones, G O Jones,
R Ll Jones, R. Meirion Jones, Alun W Mummery, Alun Roberts,
Dafydd Roberts, J A Roberts, Margaret Murley Roberts,
Nicola Roberts, P S Rogers, Dafydd Rhys Thomas, Ieuan Williams,
Robin Williams.

IN ATTENDANCE: Chief Executive,
Assistant Chief Executive (Partnerships, Community and Service
Improvement),
Head of Function (Council Business)/Monitoring Officer,
Head of Function (Resources)/Section 151 Officer,
Head of Corporate Transformation,
Head of Democratic Services,
Committee Officer (MEH).

ALSO PRESENT: None

APOLOGIES: Councillors Lewis Davies, R Dew, Richard Griffiths, Bryan Owen,
R G Parry OBE and Shaun James Redmond.

1. DECLARATION OF INTEREST

None received.

2. ANNUAL PERFORMANCE REPORT (IMPROVEMENT PLAN) 2016/17

The report of the Head of Transformation incorporating the Annual Performance Report (Improvement Plan) for 2016/17 was presented for the Committee's consideration. The report looks back at the performance of the Council for 2016/17 and the progress made against the improvement objectives as outlined in the 7 key areas in the 2015/16 Annual Delivery Document. A key part of the finalised Performance Report is an assessment of the Council's performance against other local authorities in Wales. The report highlights the achievements and areas of weakness as identified by National Strategic Indicators (NSIs) and Public Accountability Measures (PAMs).

The Portfolio Holder (Corporate Services) said that the Council is required to prepare and publish its annual Performance Report by 31st October each year. The statutory document which analyses the performance over the previous financial

year against those improvements and priorities as outlined in the Annual Delivery Document 2016/17 and the Corporate Plan 2013/17. He said that it was encouraging to report the improvement in the Council's performance in 2016/17. He wished to thank the previous Administration of the Council (prior to the May 2017 local government elections) and the staff of the Council for their hard work in achieving, for the first time ever, that the Isle of Anglesey County Council is within the top four local authorities in Wales as regard to overall PI performance and seventh out of the 22 local authorities as regard to PIs in the top quartile performance. The Portfolio Holder (Corporate Services) further said that the staff absence rates have decreased to 9.8 days per full time equivalent (FTE) for 2016/17 compared with 12 days per FTE in 2015/16. This shows that constant monitoring and management actions has achieved improvement in staff absences. He further referred to the achievement with recycling on the Island with the County Council moving from the lower middle quartile of the 22 local authorities in Wales (13th position) in 2015/16 to the top quartile and 6th position in Wales in 2016/17. This improvement demonstrates the intention to progress further over the forthcoming years to that 70% of household waste is recycled on Anglesey.

The Portfolio Holder further said that the Corporate Scrutiny Committee at its meeting held on 2 October, 2017 referred to one of the Council's stated aims which is to 'drive community regeneration through developing holistic town and community plans for the Island's main settlements prioritising Holyhead, Llangefni and Amlwch'. The Committee had noted that there was no mention of the plans for Amlwch as one of the named priority settlements and neither was any reference to community regeneration plans for Beaumaris which was believed that it should be included in any renewal programme. He noted that the Senior Leadership Team are to give attention to this matter.

Councillor Peter Rogers in response to the above statement as regard to the towns of Amlwch and Beaumaris being left out of the regeneration plans; he said that the village of Newborough is in dire need of investment and transformation as the village attracts high volume of tourism to the area.

Councillor A.M. Jones said that on behalf of the Opposition Group he also wished to thank the staff for their hard work; it also reflects the performance achieved over the last four years. He referred to the work achieved by the former Councillor Alwyn Rowlands in regard to Transformation and also Councillor J. Arwel Roberts in regard to the increase in waste recycling on the Island. Councillor Jones further said that at the Corporate Scrutiny Committee held on the 2nd of October, 2017 raised that the Performance Report covers the period of the previous Administration at the Council prior to the local government election in May 2017 and asked that this be clarified within the report; he reiterated that this should be incorporated within the final version of the report which is to be published on the Council's website.

Councillor R.LI. Jones referred to the aspirations of the electorate of the Island as to the services afforded by the Council and especially to the services requirements of the older generation.

The Deputy Leader said that he also wished to thank the Elected Members, Senior Leadership Team, Chief Officers and staff of the County Council on the achievement of the performance of the Council. He requested that the staff be thanked for their work.

The Leader of the Council reiterated her appreciation to the staff of the Council for their work and especially during difficult austerity issues and cuts to services. She noted that further work is needed to address matters within the highlighted underperforming services that has seen a percentage decrease in performance.

The Chief Executive said that he appreciated the comments as to the improvements of the services within the Council and he also wished to thank the Senior Leadership Team and staff for their work. He said that Elected Members have worked successfully with the Officers of the Council to be able to achieve the improvement noted within the Annual Performance Report.

It was RESOLVED to accept and approve the Annual Performance Report 2016/17 for publication by the 31st October, 2017 statutory deadline.

The meeting concluded at 2.30 pm

**COUNCILLOR R.O. JONES
CHAIR**

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ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	County Council
DATE:	12 December 2017
TITLE OF REPORT :	To Appoint a Co-opted Independent Member to the Standards Committee
REPORT BY :	Dr Haydn Edwards – Chair of the Standards Committee Selection Panel
CONTACT OFFICER :	Lynn Ball Head of Function (Council Business) / Monitoring Officer lbxcs@anglesey.gov.uk 01248 752586
PURPOSE OF REPORT :	To Ratify the Recommendation of the Standards Committee Selection Panel

BACKGROUND

1. Under Part III of the Local Government Act 2000 (as amended by the Local Government Act 2006) the Council must have a Standards Committee consisting of no more than 9 members, the majority of whom must be independent members of the public.
2. The Standards Committee currently consists of 5 independent members (including one casual vacancy), 2 community councillors (both seats being vacant) and two county councillors (who are appointed annually by the Council).
3. Independent members must be appointed by Council on the recommendation of the Standards Committee Selection Panel. The Standards Committee currently has one casual vacancy.

CASUAL VACANCY FOR AN INDEPENDENT MEMBER OF THE STANDARDS COMMITTEE

4. Statutory Regulations require that the independent members of Standards Committee be appointed by Council, but only after compliance with a statutory selection process. To conduct this recruitment and selection process the County Council has delegated its authority to the Standards Committee Selection Panel; which consists of one independent member of the public, one community councillor and three county councillors. No member of the Selection Panel may also be a member of the Standards Committee.

5. In the meeting of the Standards Committee Selection Panel on the 20th September 2017, the Panel approved the recruitment process and the vacancy was advertised on the Council's website, Twitter, and Facebook (from 20/09/17 until 31/10/2017), North Wales Chronicle (on 28/9/17 and on 5/10/2017) and the Bangor and Anglesey Mail (on 27/9/2017 and on 4/10/2017).
6. The advertisement closed on the 31st October 2017 and the applications received were considered by the Standards Committee Selection Panel in a shortlisting process which took place on the 17th November 2017.
7. Shortlisted candidates were interviewed by the Standards Committee Selection Panel on the 27th November 2017, when the Panel agreed to nominate **Mr John Robert Jones** to be appointed to the role of independent member of the Standards Committee, subject to satisfactory references; which have since been received and assessed by the Chair of the Standards Committee Selection Panel.

RECOMMENDATIONS

To accept the recommendations of the Standards Committee Selection Panel as follows:-

1. to appoint **Mr John Robert Jones** as co-opted independent member of the Standards Committee with immediate effect;
2. in the event that a further casual vacancy for an independent member of the Standards Committee arises during the next twelve months, to automatically appoint **Ms Sarah Laing Gibbens** to this role without need for a further recruitment process, provided always that this candidate remains eligible for the role, and subject to satisfactory references being received prior to the appointment.

ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	County Council
DATE:	12 December 2017
TITLE OF REPORT :	To Appoint Two Community Councillors to the Standards Committee
REPORT BY :	Head of Function (Council Business) / Monitoring Officer
CONTACT OFFICER :	Lynn Ball Head of Function (Council Business) / Monitoring Officer lbxcs@anglesey.gov.uk 01248 752586
PURPOSE OF REPORT :	To Ratify the Nominations of the Community Councils' Representatives to the Standards Committee

BACKGROUND

1. Under Part III of the Local Government Act 2000 (as amended by the Local Government Act 2006) the Council must have a Standards Committee consisting of no more than 9 members, the majority of whom must be independent members of the public.
2. The Standards Committee currently consists of 5 independent members (including one casual vacancy), 2 community councillors (both seats being vacant) and two county councillors (who are appointed annually by the Council).
3. Community council members must be collectively nominated by the community councils and their appointment ratified by Council.

COMMUNITY COUNCILLOR VACANCIES

4. The Standards Committee includes two community councillors, who participate in the general business of the Committee, but deal with referrals from the Public Services Ombudsman for Wales, and applications for dispensations, only when those matters relate to community councillors.
5. There is a requirement for the community council members to be collectively nominated by all the community councils after every local government election (or if either should cease to be a community councillor). Community council members are eligible for reappointment to the Standards Committee, subject to receiving a further collective nomination from the community councils.

6. On the 31st May 2017 the Monitoring Officer wrote to all community council clerks requesting nominations to be received by no later than 31st July 2017. By the closing date, seven nominations had been received and, on the 4th August 2017, a postal ballot was issued to all community councils requesting that each select a maximum of two candidates, returning the ballot paper to the Monitoring Officer by no later than 31st October 2017. By the deadline, 24 community councils had responded and 45 votes received. One community council responded but did not cast a vote and another cast only a single vote. The process followed was verified by the Chairman of the Council and the Chairman of the Standards Committee in a meeting on the 13th November 2017 and on the 15th November 2017 the Monitoring Officer informed all the community council clerks of the outcome of the ballot, confirming the two successful candidates were:-
- **Councillor Iorwerth Roberts of Bryngwran Community Council and**
 - **Councillor Keith Roberts of Trearddur Community Council**
7. In the circumstances, the County Council is now required to approve the appointment of these councillors as co-opted members of the Standards Committee until the next local government elections, or for as long as they remain community councillors; whichever occurs first.

RECOMMENDATION

To ratify the collective nominations of the community councils by appointing the following community councillors as co-opted members of the Standards Committee with immediate effect:-

- **Councillor Iorwerth Roberts of Bryngwran Community Council and**
- **Councillor Keith Roberts of Trearddur Community Council**

until the next local government elections, or until such time as the appointees are no longer community council members; whichever shall occur first.

ISLE OF ANGLESEY COUNTY COUNCIL	
REPORT TO:	COUNTY COUNCIL
DATE:	12 DECEMBER 2017
SUBJECT:	COUNCIL TAX REDUCTION SCHEME
LEAD OFFICER(S)	MARC JONES HEAD OF FUNCTION (RESOURCES) (SECTION 151 OFFICER)
CONTACT OFFICER	GERAINT JONES - REVENUES AND BENEFITS SERVICES MANAGER (EXT. 2651)
ACTION :	TO ADOPT THE COUNCIL TAX REDUCTION SCHEME FOR 2018/19

1. PURPOSE OF THE REPORT

- 1.1** The report explains the requirement to adopt a scheme by 31 January 2018 with regard to 2018/19.
- 1.2** The Executive in its meeting on 27 November 2017, recommended that the full Council accepted the recommendations below as regards its proposed Council Tax Reduction Scheme for 2018/19:-
- “The Executive recommends to the Isle of Anglesey County Council (full Council) in its meeting on 12 December 2017 that its current local Council Tax Reduction Scheme should not be revised or replaced with another scheme, apart for the full Council using its discretion under section 13A of the Local Government Finance Act 1992 that the Council Tax Reduction Scheme for 2018/19 onwards disregards all payments made under the Wales Infected Blood Support Scheme (WIBSS) – see **Appendix A**.
 - The Executive recommends to the full Council in its meeting on 12 December 2017 to formally adopt the current Council Tax Reduction Scheme (with the change recommended above by the Executive) for the financial year 2018/19.
 - The Executive recommends to the full Council in its meeting on 12 December 2017 that it provides authority to the Head of Function (Resources) (Section 151 Officer) to make administrative arrangements so that all annual changes for uprating of financial figures or technical revisions in any amending regulation or regulations are reflected in the Council’s Council Tax Reduction Scheme and for each subsequent year as well as taking into account the necessary amendments to the council tax reduction scheme regulations when using the additional disregard of payments made under WIBSS.”
- 1.3** The draft regulations laid before the National Assembly on 27 November 2017, however, have put into secondary legislation that payments made under WIBSS (and for other schemes) from 1 April 2018 must be disregarded for the purposes of calculating income and capital under the Council Tax Reduction Scheme. There is no need, therefore, for the full Council to use its local discretion to disregard such payments with regard to its policy for 2018/19. The recommendations in paragraph 11 of this report have, therefore, been amended to reflect this.

2. BACKGROUND INFORMATION

- 2.1** The full Council on 15 December 2016 adopted its Council Tax Reduction Scheme for the financial year 2017/18. The full Council is required to consider under Part 2, Regulation 18 of “The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 No. 3029 (W.301) (the Regulations) for each financial year whether to revise its scheme or replace it with another Council Tax Reduction Scheme. The full Council must make any revision to its scheme, or any replacement scheme, no later than 31 January in the financial year preceding that for which the revision or replacement comes into effect.
- 2.2** The full Council under the current scheme formally adopted the Regulations as its scheme and using discretionary powers decided to use local discretion to adopt a Local War Disablement Pension and War Widows or Widowers Pension Discretionary Scheme in accordance with the Regulations. The elements disregarded as income are detailed in the current scheme for the purpose of this local discretion. This provides additional Council Tax support to that statutorily required to pay under the Regulations. This is the only local discretion currently awarded by the full Council under its Local Council Tax Reduction Scheme.
- 2.3** The full Council must also have regard to Regulation 17 of the Regulations when revising or replacing a scheme. If the full Council decides to revise or replace its scheme, it must publish a draft revised scheme in such a manner it think fits and must consult with any persons it considers likely to have an interest in the operation of its Council Tax Reduction Scheme. There is, however, no expressed requirement to consult annually, it is only if a scheme is revised or replaced when consultation has to take place.
- 2.4** As for 2017/18, the Welsh Government will be making amending regulations to uprate the financial figures used in the Regulations and to reflect any other technical or consequential amendments required as a result of changes to underlying welfare related benefits. Again, as for 2017/18, the timing of these amending regulations is dependent on the Chancellor of Exchequer’s Autumn Budget (22 November 2017) and the subsequent uprating schedule published by the Department for Work and Pensions a few days after the Autumn Budget. The earliest date the Welsh Government will be able to lay the new draft Regulations reflecting the uprate to financial figures or any other technical amendment before the National Assembly for Wales, is late November or early December 2017. The relevant draft regulations have been laid before the Assembly on 27 November 2017 – <http://senedd.assembly.wales/mglIssueHistoryHome.aspx?Ild=14829>.

These regulations must be laid in draft for 20 working days with recess dates not being counted and a plenary debate held before they come into effect. For 2017/18 these amending regulations did not come into effect until 18 January 2017 and it is expected a similar timetable will apply for 2018/19.

The following is a summary of the changes proposed by the Welsh Government –

- **Uprating figures** for 2018/19 in respect of personal allowances in relation to working age and carer and disabled premiums; and in relation to pensioners and non-dependant deductions
- **Consequential amendments** with regard to the Work-Related Activity Component of the Employment Support Allowance; new services provisions as regards care home Services, secure accommodation services, a residential family service and domiciliary support Service
- **Change of Circumstances** - correcting an anomaly in the 2017 Regulations on treatment of income reflecting an Upper Tribunal decision
- **Changes to income and capital disregards** - ensuring that these are kept up to date
- **Bereavement Support Payments** – reflecting the new support payments that came into force after April 2017 which are disregarded

- **Manchester attack and compensation disregard and London Emergencies Trust** – payments made under two charitable trusts are to be disregarded
 - **Approved blood scheme (England), Scottish Infected Blood Support Scheme (Scotland) and Wales Infected Blood Support Scheme (Wales)** - payments made under the schemes to be disregarded
 - **National Socialist Persecution payments** – the £10 disregard is applied to the current scheme to victims of persecution by the Governments of Germany and Austria, but similar payments by other governments are taken into account in full when calculating entitlement. Following an Upper Tribunal decision, victims of National Socialist persecution by the Netherland Government will be treated the same way
 - **Thalidomide Health Grant** – payments are made to meet health-related costs of people whose disabilities were caused by Thalidomide by the Thalidomide Trust. Such payments are to be disregarded in the calculation of capital for assessing entitlement of a person or in determining the income of a non-dependant.
- 2.5** As the full Council is meeting on 12 December 2017 to determine its local Council Tax Reduction Scheme for 2018/19, it is proposed that the Head of Function (Resources) (Section 151 Officer) is given the authority to make administrative arrangements so that all annual changes for uprating of financial figures or technical or consequential revisions are reflected in the Council’s Council Tax Reduction Scheme and for each subsequent year.

3. REVIEW OF CURRENT COUNCIL TAX REDUCTION SCHEME

3.1 In **Appendix B** the full Council is provided with information, statistics and values concerning the impact of its Council Tax Reduction Scheme for 2017/18. This information will be useful in future to the full Council in its consideration whether to revise or replace its current scheme, in that:–

- It can use this data to measure trends (currently accurate at 30 September 2017) against the effective baseline (accurate at December 2012) when the Equality Impact Assessment was undertaken of protected characteristics and incidence of vulnerability. These trends are measured annually in September (similar data was provided to the full Council when it considered its scheme for 2017/18);
- To begin to understand the impact of the scheme upon the inhabitants of the Island with reference to age, disabled people, gender and race;
- For the future, to potentially inform the full Council’s understanding of the potential costs of different potential schemes and of the potential costs of full or partial protection of particular client groups and vulnerable people. At present, up to 100% reduction must be provided under the Regulations (if eligible) and the Welsh Government in a ministerial statement on 9 October 2017 has confirmed that these arrangements will continue for 2018/19 but a review of these arrangements from April 2019 onwards will apply, as “part of wider considerations about how to make Council Tax fairer”.

3.2 Since the baseline data established in December 2012, the following trends can be identified for the Island with regard to its Council Tax Reduction Scheme:–

- **Caseload:** the reduction in the caseload continues and recently at a slightly slower rate than for the same period last year. From December 2012 to September 2014, there was an overall reduction in the caseload of 6.3% (6,960 down to 6,525). During the annual period from September 2014 up to September 2015, the caseload was reduced by 1.8% to 6,410 and from September 2015 to September 2016, the caseload fell by 2.5% down to 6,252. In the last 12 month period from September 2016 to September 2017, the caseload has fallen again by 2.1% down to 6,117;

- **Caseload:** the number of passported claimants i.e. passported claimants are claimants on Job Seekers Allowance (Income Based), Income Support, Employment Support Allowance (Income Related) and Pension Credit Guarantee where the Department for Work and Pensions have already verified income, has declined from 69.5% to 65.8% of the caseload during the 12 months prior to September 2017. Non-passported claimants i.e. standard claimants has increased from 30.5% to 34.2%. This is a significant change in the last 12 months. For standard claimants, the local authority has to verify income details. These claimants are usually in work but income is at a level where they are eligible for a full or partial Council Tax Reduction or are pensioners with savings and other income;
 - **Age:** the analysis at December 2012 suggested a slightly higher incidence of Working Age over Pensioner Age claims by number (51.5%/48.5%). By September 2014, this had increased very slightly (51.7%/48.3%) with the same pattern up to September 2015 (52.7%/47.3%). Up to September 2016, the pattern has stabilised showing a 51.9%/48.1% split and by September 2017, there has been a slight increase in Working Age (52.4%/47.6%);
 - **Age:** the analysis of households with children claiming a Council Tax Reduction in December 2012 was 21.9% of caseload. By September 2014, this had increased to 24.2% and, by September 2015, this remained relatively static at 24.1% but, by September 2016, this had fallen to 23.2%. By September 2017, this remains static at 23.3%;
 - **Disability:** the analysis of households who received a Council Tax Reduction where specified disability payments were received (these being – Care Component of a Disability Living Allowance (Low, Middle or High), Attendance Allowance, Support Component of Employment Support Allowance, Incapacity Benefit and Personal Independence Payments) in December 2012 was 39.3% of caseload. By September 2014, this had decreased to 34.8%. This trend was reversed by September 2015 with 37.0% of households receiving a reduction and this pattern, where specified disability payments were received, continued to increase up to 39.8% of the caseload by September 2016. By September 2017, there has been a significant increase to 45.7% of the caseload;
 - **Gender:** the incidence of female single parents as at December 2012 was 92.5% (13.3% of caseload). By September 2014, this was 92.3% (14.3% of caseload) and by September 2015 it was 92.1% (13.2% of the caseload). In September 2016, the figure stood at 91.1% (14.2% of the caseload). As at September 2017 the incidence of female single parents is 93.5% (14.4% of the caseload);
 - **Race:** the Office of National Statistics in December 2012 published its March 2011 Census relating to diversity for the Isle of Anglesey. All claimants completing a Council Tax Reduction application form are asked to complete a voluntary ethnic survey. (See Table 6 in Appendix B for a breakdown based on the voluntary survey which is compared to the March 2011 Census figures).
- 3.3** For the first 6 months of 2017/18, 657 new Council Tax Reduction Scheme claimants have been processed (compared with 693 for the same period last year) with 7,820 changes in circumstances processed (compared to 11,006 for the same period last year). The average time taken to process new claims and changes in circumstances is 6.9 days in this period (for the same period last year the average time was 6.2 days).

4. REVIEW OF THE CURRENT SCHEME – LOCAL DISCRETIONS

4.1 As mentioned in paragraph 2.4, the Welsh Government is proposing to amend the Regulations enabling authorities to disregard payments made under WIBSS. The regulations will also be amended to take into account the normal financial upratings and technical amendments that are used in the Regulations. For 2018/19 therefore, the only considerations available to the full Council to review and decide is in the area of local discretions allowed by the Regulations, including consideration of the additional discretion to disregard payments made under WIBSS. Under the Regulations (to remind the full Council), the Council has local discretion in these areas only:-

- The ability to increase the standard extended reduction period of 4 weeks given to persons after they return to work where they have previously been receiving a council tax reduction that is to end as a result of their return to work i.e. **“Extended Payment Period”**;
 - Estimated increased costs for 2018/19 associated with extending the statutory extended period ranges between £8,060 for two weeks up to £23,680 for 6 weeks beyond the standard 4 weeks. Under the previous Council Tax Benefits rules, no special provision existed to allow this and the full Council did not apply this when Council Tax Reduction Scheme was introduced. It is recommended, therefore, not to revise the scheme and extend the payment period for 2018/19;
 - Discretion to increase the amount of War Disablement Pensions and War Widows or Widowers Pensions which is to be disregarded when calculating income of the claimant i.e. **“War Widows/Widowers”**;
 - The full Council already has a local scheme allowing additional disregards in this area. It is recommended that this should continue. The cost to the Council is estimated to be £22,795 in 2017/18. It is recommended, therefore, that the additional disregards applied under the current local scheme will continue unrevised for 2018/19;
 - The ability to backdate the application of Council Tax Reduction with regard to late claims prior to the standard period of three months before the claim i.e. **“Backdating of Claims”**;
 - The full Council has always held the view that 3 months is an adequate time period to allow backdating of Council Tax Reduction for both pensioner and working age claims. The full Council is of the view that there are sufficient support networks available to advise claimants. There is a great deal of uncertainty about the likely cost if such a local scheme was applied and it is recommended, therefore, not to revise the scheme by extending the back-dating period beyond 3 months during 2018/19.
- 4.2 It should be noted that there is no additional money available from the Welsh Government to fund these discretionary elements – the cost falling on local taxpayers.
- 4.3 Under Appendix 1 of the proposed Council Tax Reduction Scheme for 2018/19 the full Council details the procedure by which a new claimant can apply for a reduction under the scheme. Below is provided an analysis of the method of application used by claimants for the Council Tax Reduction Scheme between 1 April 2017 and 30 September 2017:-

Method of Application	Number	Percentage (%)
A. Electronic based application		
i. By appointment over the telephone to Revenues & Benefits Office, Llangefni	60	9.1
ii. By appointment with approved and suitably trained partners – Connect Môn, J E O’Toole Centre, Housing Services etc.	68	10.4
iii. On-line application via web site – self help	443	67.4
iv. Department for Work and Pensions input documents	61	9.3
B. Paper based application	4	0.6
C. Method of application not known as not properly recorded	21	3.2
TOTAL	657	100

It is also recommended that these procedures remain the same and are not revised for 2018/19, apart for required procedural changes that must be made as full service Universal Credit is rolled out which will now commence from June 2018. (As a consequence of the Chancellor of the Exchequer’s Budget of 22 November 2017 and the changes to Universal Credit, the implementation of the full service has been delayed by 3 months).

From December 2016, acceptance of “electronic signatures” when claiming by electronic means was introduced and by January 2018, automatic calculation and integration of completed on-line application forms to the back office software will have been achieved.

5. FINANCIAL AND RISK IMPLICATIONS

5.1 The Welsh Government’s Local Government Revenue and Capital Settlement 2018/19 is not expected until week commencing 18 December 2017 and, therefore, the Council Tax Reduction Scheme Grant to be awarded to the Council to meet the cost of its local Council Tax Reduction Scheme for 2018/19 is not yet known (at the time of writing this report). The projections below are made based on the Draft Settlement for 2018/19 which was published on 10 October 2017. Current expenditure (end of Quarter 2, 2017/18 is £5,367,807, offset by a Welsh Government Council Tax Reduction Scheme Grant of £5,165,000 for 2017/18). This gives a projected shortfall of £203k to be borne by the Authority for 2017/18. The proposed Council Tax Reduction Grant under the Draft Settlement for 2018/19 is £5,187,000. In the Council’s Draft Budget for 2018/19, £337k has been allocated to meet the cost of the shortfall and also additional provision costs with regard to bad debt in respect of overpaid benefits.

5.2 Two factors for 2018/19 will affect the expenditure on the scheme:-

- Between April 2017 and September 2017 there has been a caseload reduction of 1%, compared with (from April to April) a 2.1% reduction during 2016/17, 2.5% reduction during 2015/16 and 1.8% reduction during 2014/15;
- Planned increase in Council Tax of 4.0% for 2018/19, in accordance with the Medium Term Financial Plan 2018/19 – 2020/21.

An uncertain factor, during 2018/19, affecting expenditure on the scheme is the impact of Chancellor of Exchequer’s Autumn Budget on 22 November 2017 and also, as a consequence of the Budget, whether the Welsh Government will upgrade or not financial figures with regard to their amending regulations with regard to the scheme for 2018/19.

5.3 Having regard to the above, at best the estimated expenditure on the scheme will be £5,470,870 (assuming a 4% increase in Council Tax and a 2% reduction in caseload) and at worst an estimated expenditure at £5,636,200 (assuming no caseload reduction with a 5.0% increase in Council Tax).

5.4 There is, therefore, an estimated expected shortfall of between £284k and £450k in grant funding which will have to be met by the Council. This is based on the full Council re-adopting the current scheme unchanged. However, the extent of the shortfall will become clearer during the budget setting process.

6. LEGAL IMPLICATIONS

6.1 The Council is obliged to make a Council Tax Reduction Scheme under the Prescribed Requirements Regulations. Although the legislation provides for a default scheme to apply in the absence of the Council making a scheme, the Council is, nevertheless, under a statutory duty to adopt its own scheme, even if it chooses not to apply any of the discretionary elements.

6.2 Decisions made under Section 13A of the Local Government Finance Act 1992 have not been delegated by the full Council to the Executive or to officers.

7. EQUALITIES IMPLICATIONS

7.1 The Welsh Government has compiled an equalities impact assessment following its consultation for the original 2012 Regulations. A local equalities impact assessment has been carried out on behalf of the Council in joint arrangements across Wales also with regard to the 2012 Regulations (December 2012, published March 2013) and this was updated as at September 2014, September 2015, September 2016 and is further updated as at September 2017 as detailed in **Appendix B**.

8. WELSH LANGUAGE IMPLICATIONS

8.1 The Welsh Assembly's main regulations and amending regulations are bilingual. The Council's own Scheme is bilingual and the claiming form, whether by electronic means or by using paper, is also bilingual. Our approved partners are encouraged to provide a bilingual service and our claimant self-service is fully bilingual. The over the telephone claiming service or by appointment with staff is also fully bilingual.

8.2 All Council Tax Award Notices are bilingual and the service can speak and communicate with customers in the language of their choice. Despite this, the software administering the Scheme is only in English (there is no other market choice). The correspondence and communication between the Council and the Department for Work and Pensions is, normally, in English only but application forms through the medium of Welsh are available from the Department for Work and Pensions.

9. WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

9.1 In the drafting of the Council Tax Reduction Scheme for 2018/19, the Well-being of Future Generations (Wales) Act 2015 was taken into consideration and how the Scheme supports the well-being goals. The purpose of the Council Tax Reduction Scheme is to give the ability for working age people and pensioners on low income to meet their Council Tax costs. Under the Scheme additional help is provided to pensioners and disabled people by disregarding a higher level of income and also, setting the level of income upon which pensioners and disabled people are to live on, before reduced amounts are paid in the form of reductions, at a higher level than for working age people. This aligns with one of the main aims of welfare reform, it is more advantageous to be in work than out of work.

9.2 The Scheme also gives an additional reduction with regard to customers who receive war disablement pension and war widows/er pension.

9.3 The Scheme contributes to the well-being goals of a prosperous Wales, a healthier Wales, a more equal Wales and a Wales of cohesive communities.

10. BACKGROUND DOCUMENTS

The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 No. 3029 (W.301)

The Council Tax Reduction Schemes (Prescribed Requirements and Default Schemes) (Wales) (Amendment) Regulations 2018 **No ???? (W???)**

Explanatory Memorandum to the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2018 – Mark Drakeford, Cabinet Secretary for Finance, 27 November 2017

The Wales Council Tax Reduction Scheme: Comparisons within Wales of Protected Characteristics and incidence of Vulnerability March 2013 – Simon Horsington and Associates Ltd, 2013 (and as updated September 2014, September 2015, September 2016 and September 2017)

Reforming Local Government Finance in Wales: an update – October 2017

Ministerial Written Statement: Arrangements of Council Tax Reduction Scheme in Wales 2018/19 – Mark Drakeford AM – 9 October 2017

Section 13A Local Government Finance Act 1992 as amended by Section 10 of the Local Government Finance Act 2012

11. RECOMMENDATIONS

- That the full Council does not revise or replace its current Council Tax Reduction Scheme with another scheme;
- That the full Council formally adopts the current Council Tax Reduction Scheme for the financial year 2018/19 **(see Appendix C)**;
- That the full Council in its meeting provides authority to the Head of Function (Resources) (Section 151 Officer) to make administrative arrangements so that all annual changes for updating of financial figures or technical or consequential revisions in any amending regulation or regulations are reflected in the Council's Council Tax Reduction Scheme and for each subsequent year;
- That the full Council informs the Head of Function (Resources) (Section 151 Officer) that should a request be received to disregard all payments made under the WIBSS or similar payments before the 1 April 2018, that a report be brought before the full Council to be considered under Section 13A of the Local Government Finance Act 1992.

12. APPENDICES

- Appendix A – Letter dated 27 October 2017 Welsh Government
- Appendix B – Impact of current scheme
- Appendix C – Proposed Council Tax Reduction Scheme for 2018/19

**Education and Public Services Group
Y Grŵp Addysg a Gwasanaethau Cyhoeddus**



Llywodraeth Cymru
Welsh Government

Ein Cyf / Our Ref:

A19640021 To:
Directors of Finance
County and County Borough Councils in Wales

Copied to:
Chief Executives, County and County Borough Councils in Wales
Chief Executive, Welsh Local Government Association
Director of Resources, Welsh Local Government Association

27 October 2017

Dear Colleague

Council Tax Reduction Schemes and the Wales Infected Blood Support Scheme

This letter provides guidance on the treatment of payments made under the Wales Infected Blood Support Scheme (WIBSS) for the purposes of local council tax reduction schemes. The scheme will be providing support from 1 November 2017 to people who were infected with hepatitis C and/or HIV through NHS supplied blood or blood products.

The new Wales scheme replaces the current UK-wide schemes administered by five individual bodies contracted by the Department of Health (Skipton Fund, Caxton Foundation, Macfarlane Trust, Eileen Trust and MFET Ltd). The help and support for recipients includes the provision of ex gratia payments. These payments are exempt from tax and are not included in HMRC or Department for Work and Pensions calculations for tax liability or benefits purposes. The Welsh Government has liaised with HMRC and DWP to make the necessary changes to statutory regulations to allow these arrangements to continue after 1 November 2017.

Under section 13A of the Local Government Finance Act 1992, local billing authorities have the flexibility to grant reductions or exemptions on an individual basis or for a class of council tax payers. The Welsh Government would not wish to see beneficiaries disadvantaged by the change to the new scheme. We will be making the necessary amendments to the following regulations to ensure that the same disregard is applied in respect of local council tax reduction schemes for 2018-19 onwards.

- The Council Tax Reduction Scheme and Prescribed Requirements (Wales) Regulations 2013; and

- The Council Tax Reduction Scheme (Default Scheme) (Wales) Regulations 2013.

We therefore encourage authorities to use these powers to disregard fully any payments awarded from WIBSS when reviewing existing cases or assessing eligibility for their local council tax reduction schemes.

If you have any questions about the above, please email:
lgsf.ministerialcorrespondence@gov.wales

Yours sincerely

DEBRA CARTER

Local Government Strategic Finance / Cyllid Strategol Llywodraeth Leol

Table 1: Caseload 30 September 2017

Description	Number	Percentage	Value	Percentage
Total Council Tax Reduction awarded	6,117	100%	£5,367,807	100%
Percentage Awarded				
Council Tax Reduction full awards i.e. 100%	4,758	77.8%	£4,478,194	83.4%
Council Tax Reduction partial awards i.e. less than 100%	1,359	22.2%	£889,613	16.6%
Claim Type				
Passported* claims	4,023	65.8%	£3,785,886	70.5%
Non passported claims i.e. Standard Claims	2,094	34.2%	£1,581,921	29.5%
Council Tax Bands				
Band A (Disabled reduction)	9	0.1%	£6,380	0.1%
Band A	1,985	32.5%	£1,446,749	27.0%
Band B	1,963	32.1%	£1,615,006	30.1%
Band C	1,086	17.8%	£1,021,252	19.0%
Band D	645	10.5%	£679,542	12.7%
Band E	315	5.2%	£410,635	7.6%
Band F	92	1.5%	£149,952	2.8%
Band G	20	0.3%	£33,949	0.6%
Band H	2	0.0%	£4,342	0.1%
Band I	0	0.0%	£0	0.0%
Local town and community areas				
Holyhead	1,709	28.0%	£1,382,177	25.7%
Llangefni	519	8.5%	£426,531	8.0%
Amlwch	458	7.5%	£400,456	7.5%
Menai Bridge	223	3.6%	£205,422	3.8%
Rhosyr	206	3.4%	£185,486	3.5%
Llanfair Mathafarn Eithaf	201	3.3%	£201,772	3.8%
Valley	173	2.8%	£143,945	2.7%
Beaumaris	168	2.7%	£157,370	2.9%
Llanfairpwll	142	2.3%	£130,901	2.4%
Llanfaelog	140	2.3%	£125,868	2.3%
Llanerchymedd	134	2.2%	£118,943	2.2%
Llanfair yn Neubwll	128	2.1%	£108,129	2.0%
Llanbadrig	119	1.9%	£109,020	2.0%
Llanfihangel Esceifiog	109	1.8%	£100,731	1.9%
Bodedern	99	1.7%	£86,812	1.7%
Llangoed	98	1.6%	£87,934	1.7%
Pentraeth	97	1.6%	£88,770	1.7%
Llanidan	94	1.5%	£80,798	1.5%
Mechell	92	1.5%	£84,944	1.7%
Trewalchmai	91	1.5%	£82,012	1.5%
Bodorgan	91	1.5%	£79,885	1.5%
Llaneilian	91	1.5%	£90,960	1.7%
Moelfre	84	1.3%	£70,794	1.3%
Rhosybol	80	1.3%	£75,922	1.4%
Bryngwran	74	1.2%	£62,544	1.2%
Bodffordd	70	1.1%	£59,522	1.1%
Cwm Cadnant	69	1.1%	£66,951	1.2%
Aberffraw	68	1.1%	£55,197	1.0%
Llangristiolus and Cerrigceinwen	61	1.0%	£68,778	1.3%
Llanddaniel	53	0.9%	£49,006	0.9%
Cylch y Garn	52	0.9%	£53,587	1.0%

Description	Number	Percentage	Value	Percentage
Local precepting areas (continued)				
Trearddur	51	0.8%	£55,328	1.0%
Llanddona	50	0.8%	£48,705	0.9%
Tref Alaw	48	0.8%	£51,241	1.0%
Llanfaethlu	47	0.8%	£44,414	0.8%
Llanfachraeth	44	0.7%	£39,735	0.5%
Llanddyfnan	37	0.6%	£40,531	0.8%
Rhoscolyn	17	0.3%	£18,917	0.4%
Penmynydd	16	0.3%	£15,510	0.3%
Llaneugrad	14	0.2%	£12,259	0.2%

- * Passported claims are Job Seekers Allowance (Income Based), Income Support, Employment Support Allowance (Income Related) and Pension Credit Guarantee where the Department for Work and Pensions have already verified income.

Table 2: Age - Working and Pension Claims 30 September 2017

Description	Number	Percentage	Value	Percentage
Total Council Tax Reduction awarded	6,117	100%	£5,367,807	100%
Age Group				
Working Age	3,206	52.4%	£2,689,142	50.1%
Pensioner Age	2,911	47.6%	£2,678,665	49.9%
Passported claims* by Age Group				
Working Age	2,186	35.7%	£1,965,691	36.6%
Pensioner Age	1,839	30.1%	£1,820,257	33.9%
Non Passported i.e. standard claims by Age Group				
Working Age	1,020	16.7%	£723,451	13.5%
Pensioner Age	1,072	17.5%	£858,408	16.0%
Household Composition by Age Group - Couple				
Working Age	743	12.1%	£767,695	14.3%
Pensioner Age	801	13.1%	£875,589	16.3%
Household Composition by Age Group - Single				
Working Age	2,463	40.3%	£1,921,447	35.8%
Pensioner Age	2,110	34.5%	£1,803,076	33.6%

- * Passported claims are Job Seekers Allowance (Income Based), Income Support, Employment support Allowance (Income Related) and Pension Credit Guarantee where the Department for Work and Pensions have already verified income.

Table 3: Age – Households with responsibility for Children 30 September 2017

Description	Number	Percentage	Value	Percentage
Total Council Tax Reduction awarded	6,117	100%	£5,367,807	100%
Household Composition - status				
Couple	1,543	25.2%	£1,642,917	30.6%
Single	4,574	74.8%	£3,724,890	69.4%
Household Composition - children				
No children	4,691	76.7%	£4,164,994	77.6%
1 child	610	10.0%	£491,005	9.1%
2 children	443	7.3%	£371,157	6.9%
3 children	234	3.8%	£205,613	3.8%
4 children	101	1.7%	£93,956	1.8%
5 children	21	0.3%	£21,798	0.4%
6 children	9	0.1%	£10,026	0.2%
7 children	4	0.1%	£4,967	0.1%
8 children	1	0.0%	£1,226	0.0%
9 children	3	0.0%	£3,065	0.1%
Couples with children				
Working Age	457	7.5%	£448,220	8.4%
Pensioner Age	17	0.3%	£19,523	0.4%
Single with children				
Working Age	942	15.4%	£700,072	13.0%
Pensioner Age	16	0.3%	£16,866	0.3%
Couples with children under 5 years old				
Working Age	231	3.8%	£215,742	4.0%
Pensioner Age	1	0.0%	£1,054	0.0%
Single with children under 5 years old				
Working Age	358	5.9%	£264,035	4.9%
Pensioner Age	1	0.0%	£1,097	0.0%

Table 4: Households in which specified disability payments* received 30 September 2017

Description	Number	Percentage	Value	Percentage
Total Council Tax Reduction awarded	6,117	100%	£5,367,807	100%
Household Composition by age group				
Working Age	1,384	22.6%	£1,249,482	23.3%
Pensioner Age	1,414	23.1%	£1,337,457	24.9%

* Care Component of a Disability Living Allowance (Low, Middle or High), Attendance Allowance, Support Component of Employment Support Allowance, Incapacity Benefit and Personal Independence Payments

Table 5: Analysis of protected characteristics: Gender, Single Parents 30 September 2017

Description	Number	Percentage	Value	Percentage
Total Council Tax Reduction awarded	6,117	100%	£5,367,807	100%
Single Parents Household - Female				
Working Age	873	14.3%	£645,120	12.0%
Pensioner Age	9	0.1%	£9,371	0.2%
Single Parents Household - Male				
Working Age	54	0.9%	£44,799	0.8%
Pensioner Age	7	0.1%	£7,495	0.1%

Table 6: Ethnic Background Isle of Anglesey 30 September 2017

Ethnic Origin	March 2011 Census	Council Tax Reduction Scheme September 2017
White British	96.6%	84.4%
White other	1.7%	15.3%
Mixed heritage	0.8%	0.0%
Asian (All)	0.7%	0.0%
Black (All)	0.1%	0.3%
Other (All)	0.3%	0.0%

Table 7: Additional Council Tax Reduction Awarded under local discretionary scheme 30 September 2017

Description	Number	Percentage	Value	Percentage
Total Council Tax Reduction awarded	6,117	100%	£5,367,807	100%
War Widows (Pre 1973)	3	0.1%	£2,535	0.1%
War Disablement Pension	23	0.4%	£20,260	0.4%



Isle of Anglesey County Council

Council Tax Reduction Scheme 2018/19

Prescribed Scheme for Pensioner and Non Pensioner Claimants

Introduction

Since 1 April 2013, Council Tax Benefit as a method of supporting low income households with their Council Tax, was abolished. It was replaced by a Council Tax Reduction Scheme.

On 19 December 2012, the Welsh Government made regulations to introduce a national scheme for Wales, “The Council Tax Reduction Scheme and Prescribed Requirements (Wales) Regulations 2012 No. 3144 (W.316)” (**Prescribed Regulations**) and “The Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2012 No. 3145 (W.317)” (**Default Regulations**). Further amending regulations were passed by the Welsh Government on 22 January 2013 “The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2013” (**Amending Regulations**).

The Prescribed Regulations contained a sunset clause. As a result of this clause, the above mentioned regulations only applied to the 2013/2014 financial year. This clause required the regulations to be reviewed and a new set brought forward by 1 January 2014 by Welsh Ministers. If new regulations were not brought forward by this date, there would be no provision for Council Tax Reduction Schemes to be implemented in Wales after 31 March 2014.

On 26 November 2013, the Welsh Assembly approved two new sets of regulations: “The Council Tax Reduction Schemes (Default Schemes) (Wales) Regulations 2013 (“**the Default Scheme Regulations**)” and “The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (**the Prescribed Requirements Regulations**)” – these can be accessed:

Default Scheme Regulations

<http://www.legislation.gov.uk/wsi/2013/3035/contents/made>

Prescribed Requirements Regulations

<http://www.legislation.gov.uk/wsi/2013/3029/contents/made>

Amending Regulations

On **?? January 2018** a further set of amending regulations to mainly uprate the financial figures in line with the cost of living increases and address a number of minor technical points were approved by the National Assembly for Wales – “The Council Tax Reduction Schemes (Prescribed Requirements and Default Schemes) (Wales) (Amendment) Regulations 2018” (**Amending Regulations**). These can be accessed:

<http://www.legislation.gov.uk/wsi/2018/??/contents/made>

These regulations, therefore, prescribe the main features of the scheme to be adopted by all Councils in Wales. An obligation, therefore, remains upon the Isle of Anglesey County Council to adopt a scheme. The Isle of Anglesey County Council is required to adopt a Council Tax Reduction Scheme by 31 January 2018 for 2018/19 onwards.

The Isle of Anglesey County Council’s Local Council Tax Reduction Scheme will be based on the Welsh Government’s Prescribed Requirements Regulations (as amended). These Prescribed Requirements Regulations also permit the Isle of Anglesey County Council to adopt a scheme which incorporates a limited range of discretionary elements to provide further support for Council Tax. Where the Isle of Anglesey County Council has adopted additional discretionary elements, these discretionary elements are set out within this document.

If the Isle of Anglesey County Council fails to make a scheme by 31 January 2018, then the default scheme shall apply under the provisions of the Default Scheme Regulations. The Isle of Anglesey County Council can, however, only apply discretion if it adopts its own scheme under the Prescribed Requirements Regulations.

Local Council Tax Reduction Scheme Requirements

The full Council of the Isle of Anglesey County Council approved its Local Council Tax Reduction Scheme on 12 December 2017 relating to the year beginning 1 April 2018. It specifies, in accordance with the Prescribed Requirements Regulations:–

- Classes of persons who are entitled or not entitled to a reduction;
- The reductions which persons in each class are to be entitled;
- Scheme procedural requirements:-
 1. The procedure by which a person may apply for a reduction under the scheme.
 2. The procedure by which a person may appeal against a decision of an authority with respect to a person's entitlement to a reduction under the scheme or the amount of any reduction to which the person is entitled.
 3. The procedure by which a person may apply to an authority for a reduction under section 13A(1)(c) of the Local Government Finance Act 1992.

The Isle of Anglesey County Council's Local Council Tax Reduction Scheme

The Isle of Anglesey County Council formally adopted its Local Council Tax Reduction Scheme based on requirements as detailed in the Welsh Government's "The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 No.3029 (W.301) (Prescribed Requirements Regulations)" and "The Council Tax Reduction Schemes (Prescribed Requirements and Default Schemes) (Wales) (Amendment) Regulations 2018 No.?? (W.??) (Amending Regulations)". The Prescribed Requirements Regulations and amending regulation can be accessed at:-

<http://www.legislation.gov.uk/wsi/2013/3029/contents/made>

<http://www.legislation.gov.uk/wsi/2018/??/contents/made>

In summary:-

Part 1 of the Prescribed Requirements Regulations:

Contain introductory provisions and definitions of key words and phrases used in this scheme.

Part 2 of the Prescribed Requirements Regulations: scheme requirements in relation to billing authorities in Wales (as amended by Amending Regulations)

What the scheme adopted by the Isle of Anglesey County Council must include – classes of persons, reductions and scheme procedural requirements.

Part 3 of the Prescribed Requirements Regulations: Classes of persons entitled to a reduction under this scheme (as amended by Amending Regulations)

Pensioners who fall within Classes A to B.

Non-pensioners who fall within Classes C to D.

Part 4 of the Prescribed Requirements Regulations: Classes of persons who must not be included under this scheme (as amended by Amending Regulations)

Classes of persons prescribed to be excluded from this scheme, including persons treated as not being in Great Britain and persons subject to immigration control.

Persons whose capital exceeds £16,000.

Persons who are absent for a period from a dwelling.

Persons who are students.

Part 5 and Schedules 1 to 5 of the Prescribed Requirements Regulations: matters that must be included in this scheme in relation to pensioners (as amended by Amending Regulations)

Schedules 1 to 5 set out the rules relevant to determine the eligibility of pensioners for a reduction and the amount of reduction under this scheme and the amount of maximum Council Tax Reduction under this scheme. They also set out how income and capital for pensioners is treated in calculating eligibility for a reduction under this scheme.

Part 5 and Schedules 6 to 10 of the Prescribed Requirements Regulations: matters that must be included in this scheme in relation to non-pensioners (as amended by Amending Regulations)

Schedules 6 to 10 set out the rules relevant to determine the eligibility of non-pensioners for a reduction and the amount of reduction under this scheme and the amount of maximum Council Tax Reduction under this scheme. They also set out how income and capital for non-pensioners is treated in calculating eligibility for a reduction under this scheme, including in cases where a non-pensioner or partner has been awarded universal credit.

Schedule 11 of the Prescribed Requirements Regulations (as amended by Amending Regulations)

This provides for the application of this scheme to students.

Part 5 and Schedules 12 to 14 of the Prescribed Requirements Regulations: matters that must be included in this scheme in respect of all applicants i.e. pensioner and non-pensioner (as amended by Amending Regulations)

Schedule 12 concerns procedural matters that must be included in this scheme. It describes the procedure by which a person can apply for a reduction in Council Tax under this scheme. Appendix 1 of this scheme provides details of how a person can apply to the Isle of Anglesey County Council for a reduction in Council Tax.

Schedule 12 also describes how a person may make an appeal against certain decisions of the Isle of Anglesey County Council under this scheme.

As the Isle of Anglesey County Council uses electronic communication in connection with making an application and award of a reduction, Schedule 12 details matters that must be included under this scheme.

Schedules 13 and 14 describes who may make an application under this scheme, the date on which an application is made, backdating of applications for pensioners and non-pensioners, amendment and withdrawal of applications and evidence and information required with the application. Schedules 13 and 14 also provide the requirements under this scheme for the information required to be provided by the Isle of Anglesey County Council when notifying the applicant of the decision and what must be included in the decision notice.

Part 6 of the Prescribed Requirements Regulations (as amended by Amending Regulations)

Set out the transitional provisions that will apply to persons who are in receipt of, or who have made an application for, a reduction under existing reduction schemes, when the new schemes come into operation.

Discretionary elements agreed by the Isle of Anglesey County Council to provide Council Tax support in addition to the statutory requirements detailed in the Prescribed Requirements Regulations adopted by the Council

The Isle of Anglesey County Council has decided to adopt a Local War Disablement Pension and War Widows or Widowers Pension Discretionary Scheme. This is detailed in Appendix 2 which provides the elements of such pensions that will be disregarded as income. This is additional Council Tax support to that statutorily required in the Prescribed Regulations.

This will be the only local discretion applied by the Isle of Anglesey under its Local Council Tax Reduction Scheme.

Details the following procedure by which a person can apply for a reduction under the scheme

All persons must apply for a Council Tax Reduction, unless further Welsh Government regulations state otherwise. This will be an electronic or a paper Council Tax Reduction Application Form delivered to the following designated offices:-

A. An electronic application can be made by the following methods:-

- i. By appointment to attend to complete the form at Connect Môn, Council Offices, Llangefni, LL77 7TW (Telephone 01248 755869/70/72/73/74/75/76/77/78/79) or for vulnerable clients to attend at their home to complete the application form (Telephone 01248 752658/752226);
- ii. By appointment to complete the form over the telephone to the Revenues and Benefits Section Offices, Resources Function, Council Offices, Llangefni, LL77 7TW (Telephone 01248 752658/752226);
- iii. By appointment to complete the form by approved and suitably trained “partner” organisations. These are currently –
 - J E O’Toole Centre, Trearddur Square, Holyhead, LL65 1NB (Telephone 01407 760208);
 - any Citizens Advice Bureaux office on the Island (Telephone 01248 722652);
 - Isle of Anglesey County Council Housing Support at Trearddur Square, Holyhead, LL65 1NB (Telephone 01407 765912) and Housing Customer Services, Llangefni (Telephone 01248 752200); and
 - Digartref Ynys Môn offices, Holyhead (Telephone 01407 765557).

The Authority during the year may add to its list of approved and suitably trained “partners”.

- iv. Electronically via the Isle of Anglesey County Council’s web site - <http://www.anglesey.gov.uk/advice-and-benefits/benefits-and-welfare-rights/housing-benefit-and-council-tax-reduction-online-application/> or at the self – service point within;
 - Connect Môn, Council Offices, Llangefni, (Telephone 01248 755869/70/72/73/74/75/76/77/ 78/79) ;
 - Stesion y Llan Café, Station House, Bridge Street, Llanerchymedd, LL71 8EU (Telephone 01248 470481);
 - Iorwerth Rowlands Centre, Steeple Lane, Beaumares, LL58 8AE (Telephone 01248 811508);
 - Amlwch Library, Lôn Parys, Amlwch, LL68 9EA (Telephone 01407 830145);
 - Newborough Library, Prichard Jones Hall, Newborough, Llanfaipwllgwyngyll LL61 6SY (Telephone 01248 440770);
 - J E O’Toole Centre, Trearddur Square, Holyhead, LL65 1NB (Telephone 01407 760208);
 - Gwelfor Community Centre, Ffordd Tudur, Morawelon, Holyhead, LL65 2DH (Telephone 01407 763518);
- v. Department of Work and Pension Local Authority Input Document (LAID) and Local Authority Customer Information (LACI) where they declare an intention to claim a Council Tax Reduction;
- vi. the following Universal Credit forms in electronic format from the Department for Work and Pensions where they declare an intention to claim a Council Tax Reduction:-
 - LCTR2 – Local Council Tax Reduction Proforma;
 - LCTR3 – Local Council Tax Reduction Proforma;

- vii. Electronically in some other format as the Isle of Anglesey County Council may decide in the future.

B. A paper application can be made by the following methods:-

- i.** By approved application form received by the Isle of Anglesey County Council, Resources Function, Revenues and Benefits Section at its designated offices at Council Offices, Llangefni, LL77 7TW or the Benefits Office, J E O'Toole Centre, Trearddur Square, Holyhead, LL65 1NB;
- ii.** The following Universal Credit forms from the Department for Work and Pensions where they declare an intention to claim a Council Tax Reduction:-
 - LCTR2 – Local Council Tax Reduction Proforma;
 - LCTR3 – Local Council Tax Reduction Proforma.

LOCAL SCHEME – WAR PENSION DISREGARDS
Schedule 4, Regulation 30 – Pensioners
Schedule 9, Regulation 31 – Non Pensioners

INDIVIDUAL ELEMENTS	INCOME DISREGARDED
War Disablement Pension	Yes (£10 statutory, 100% Local)
War Widows or War Widowers Pension	Yes (£10 statutory, 100% Local)
War Widow Pension (Pre 1973 – SPAL)	Yes (2018/19) 100% statutory, £???.?? subject to annual uprating*)
Unemployability Supplement	No
Additional Allowance for Wife (paid with Unemployability Supplement)	No
Constant Attendance Allowance	Yes (statutory)
Invalidity Allowance	No
Comforts Allowance	No
Age Allowance	No
Allowance for Lower Standard of Occupation	No
War Pensioners Mobility Supplement	Yes (statutory)
Exceptionally Severe Disablement Allowance	Yes (statutory)
Severe Disablement Occupational Allowance	Yes (statutory)
Child Allowance	No

* this is set by the Naval, Military and Air forces etc. "Disablement and Death" Service Pension Order 2006. Uprating for 2018/19 has not yet been received.

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Executive & Full Council
Date:	27 November, 2017 (executive) 12 December, 2017 (Full Council)
Subject:	Delegations required for the Council's participation in the examination of Nationally Significant Infrastructure Project (Wylfa Newydd and North Wales Connection project) applications under the Planning Act 2008
Portfolio Holder(s):	Cllr. Carwyn Elias Jones Cllr. Richard Dew
Head of Service:	Dylan J Williams Head of Service Regulation and Economic Development
Report Author: Tel: E-mail:	Annwen Morgan Assistant Chief Executive 01248 752 185 AnnwenMorgan2@anglesey.gov.uk Dylan J Williams Head of Service Regulation and Economic Development 01248 752 499 DylanWilliams@anglesey.gov.uk
Local Members:	

A –Recommendation/s and reason/s
<p>That the Executive and the full Council endorse and approve the following:-</p> <ol style="list-style-type: none"> 1. To delegate to the Assistant Chief Executive (Partnership, Community and Service Improvement) authority to carry out all non-statutory community benefit negotiations and, where (in her opinion) time is of the essence, to make any and all decisions relevant to such negotiations in connection with, or arising from, either or both of the National Grid North Wales Connection Project and the Wylfa Newydd Nuclear New Build Project; 2. To depart from the bilingual policy for documents, representations, and submissions made as part of the Development Consent Order process where it is important or impossible for Officers to comply with the Council’s Welsh Language Policy and where the Chief Executive approves such a departure.

3. To delegate to the Head of Regulation and Economic Development the carrying out all the statutory functions of the Council under the Planning Act 2008 as both Local Authority and Planning Authority in connection with or arising from either or both of the National Grid North Wales Connection Project and the Wylfa Newydd Nuclear New Build Project;

4. Both the delegations proposed at paragraphs 1 and 3 above and any action to be taken under them may be further delegated to any officer of the Council by the officers to whom the powers are delegated.

Over the next 10-15 years, the Isle of Anglesey is set to benefit from a potential investment in excess of £10bn, which has the potential to transform the economy and communities of Anglesey. This potential investment will in the main be as a result Horizon Nuclear Power (HNP) Wylfa Newydd New Nuclear Build and the National Grid North Wales Connection Project, both of which are Nationally Significant Infrastructure Projects (NSIP) which will require a Development Consent Order (DCO) from the Secretary of State for Business, Energy and Industrial Strategy on the recommendation of the Planning Inspectorate.

HNP's Wylfa Newydd Nuclear New Build proposed development can be split into two areas; the onsite development and the off-site associated developments. Horizon propose to construct two UK Advanced Boiling Water Reactors (supplied by Hitachi-GE) on the site supported by facilities including a Marine Off-loading Facility, buildings and plant structures. Whilst their proposed offsite associated developments include a temporary park and ride facility, highway improvements and alternative emergency control centre.

As a result of the proposed New Nuclear Build at Wylfa the National Grid are proposing a second connection to the grid. At present the National Grid are proposing an overhead line between Wylfa and Pentir with a section of undergrounding (tunnelling) across the Menai Straits.

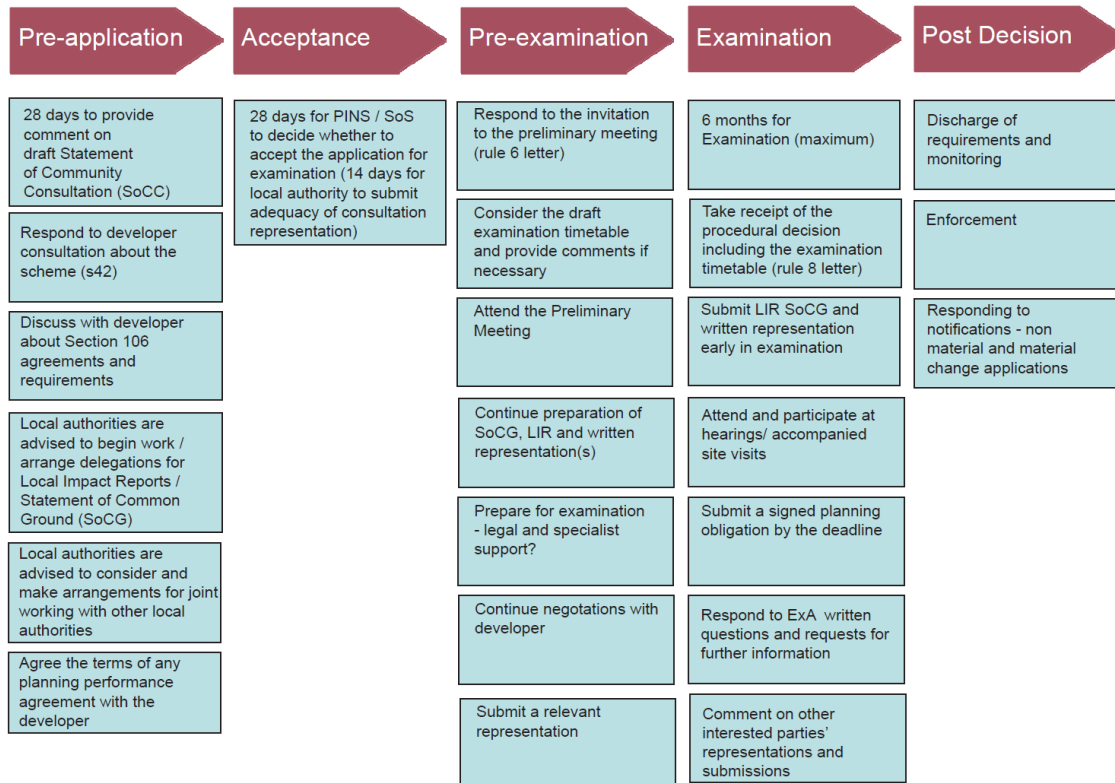
In order to ensure that the IACC is able to fully participate in the DCO process it is essential to agree an approach to authorising the documents and representations that are involved. This will include putting in place the delegations required to enable the IACC to respond to the challenging deadlines. Due to changes in the structure and personnel of the Council as well as increased clarity on the scope of the applications it is recommended that the existing delegations be amended to reflect current circumstances and ensure that the appropriate delegation are in place ahead of the start of the DCO processes. Both HNP and the National Grid have recently undertaken their final pre-application consultations prior to their DCO submissions. It is anticipated that both DCO's will be submitted to the Planning Inspectorate during 2018, HNP's Wylfa Newydd in August and the National Grid North Wales Connection project in October.

The Planning Act 2008 created a new consenting process for large scale developments which fall within the definition of Nationally Significant Infrastructure Projects. Such projects can apply for a Development Consent Order ("DCO") from the Secretary of State.

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A DCO replaces the need for planning permission and various other consents and can include matters normally considered under other regimes such as powers of compulsory purchase. The process is intended to provide a streamlined consenting regime allowing major projects to obtain multiple consents within a set timetable.

Fig. 1 below summarises the Role of the Local Authority in the DCO process:



Members were advised on 19 November 2012 of the need to separate the Council's statutory functions in the DCO process from discussions, negotiations and decisions on non-statutory community benefit contributions in connection with the proposed new nuclear power station at Wylfa. At that time measures were put in place to ensure Officer and Member responsibilities in relation to the Council's consenting functions were kept separate from discussions, negotiations and decisions on non-statutory community benefit contributions. The [Council] approved delegations to the Chief Executive to discuss and negotiate the non-statutory proposals with the developer of Wylfa and to the Director of Sustainable Development to carry out the statutory functions of the Council.

Both the Wylfa Newydd and National Grid North Wales Connection projects are now nearing the end of the pre-application period. Upon submission of the DCOs we will enter the acceptance period of 28 days. Following this period we will then enter the pre-examination, examination, decision and finally the post decision periods.

Given the progression of the projects towards submission of the DCOs the delegations in

place to deal with these have been reviewed. To date in responding to key pre-application consultations IACC has presented final drafts to the Full Council and subject to Elected Member endorsement has requested that delegated authority is given to the Chief Executive to carry out any minor amendments, variations or corrections which were identified and reasonably necessary prior to the formal issues of the response. This approach has been effective during the pre-application stages but the timetable leading up to and during formal examination for the development consent order process will not leave sufficient time for this approach to approvals to be taken. The majority of submissions during the examination have to be provided within days to meet the examination timetable.

Many of the deadlines in the DCO examination process are imposed on the Examining Authority (a panel of Inspectors appointed to examine the applications) and the Authority does not have the power to amend them, even if requested to do so by either the applicant of the IACC. Further, even deadlines set at the Examining Authority's discretion are rarely amended and for this reason PINS guidance states that a local authority must assume that the examination timetable cannot be structured to fit with its committee cycle (The Planning Inspectorate, Advice Note Two: The role of local authorities in the development consent process).

It is recommended that the Executive put in place a delegation to the Assistant Chief Executive [(..)] to carry out any non-statutory community benefits negotiations and a second delegation to the Head of Regulation and Economic Development to carry out all the statutory functions of the Council under the Planning Act 2008 as both Local Authority and Planning Authority. Both delegations will be exercised under the continuing strategic overview of the Chief Executive. This will allow Members' approval of the policies and principles to be adopted with the finalisation of the details in accordance with those policies and principles and submission of documents to be delegated to the appropriate senior officers. The proposed delegations retain the split between the statutory and non-statutory roles of the Council but allows for the changes in roles and personnel that have taken place since the previous report as well as addressing the need to put in place delegations for the National Grid DCO as well as Wylfa and to respond fully during the process.

The delegations proposed and any action to be taken under them may be further delegated to any officer of the Council by the appointed officer. The ability to further delegate is required to allow officers to effectively represent the Council at hearings and agree matters in such hearings.

The personnel to whom delegations are proposed in this report have previously been involved in the projects for which DCOs will be sought in different roles in relation to the statutory and non-statutory considerations Officers exercising these delegations, particularly on the statutory side should make clear in their decision what advice and information they have had regard to and how that has been given weight in making the decisions in order both to ensure transparency and to assist in ensuring that decisions are legally robust by setting out the relevant material considerations to which regard has been

had. This mirrors the normal requirements for making of many decisions under statutory powers and should not impose any unreasonable burden on officers. Provided that officers set out their reasoning and have not taken account of immaterial factors then the movement of any officer from the non-statutory side to the statutory side or vice-versa is not considered to present a risk of successful challenge to later decision making.

In addition to the delegations it is recommended that the Executive approve the flexibility, where necessary and as approved by the Chief Executive, to depart from the Council's bilingual policy for documents produced by the Council as part of the development consent order examination process as set out in Appendix A to this report.

B – What other options did you consider and why did you reject them and/or opt for this option?

At present not all functions of the Council under the Planning Act 2008 are delegated and are therefore reserved to Full Council; some form of delegation is required to allow the Council to effectively meet the timescales of the examination process. The delegations sought are considered to represent an appropriate balance between seeking Member approval on the key principles and policy decisions required throughout the process and then allowing Officers to approve final documents to ensure that responses can be submitted in accordance with the timetable. Further delegation from the named post holders to other Officers is also required in order to allow officers be able to represent the Council effectively in the process, for example at oral hearings.

C – Why is this a decision for the Executive?

CH – Is this decision consistent with policy approved by the full Council?

D – Is this decision within the budget approved by the Council?

DD – Who did you consult?

What did they say?

1	Chief Executive / Senior Leadership Team (SLT)	
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	(mandatory)	
2	Finance / Section 151 (mandatory)	
3	Legal / Monitoring Officer (mandatory)	
4	Human Resources (HR)	
5	Property	
6	Information Communication Technology (ICT)	
7	Procurement	
8	Scrutiny	
9	Local Members	
10	Any external bodies / other/s	

E – Risks and any mitigation (if relevant)		
1	Economic	
2	Anti-poverty	
3	Crime and Disorder	
4	Environmental	
5	Equalities	
6	Outcome Agreements	
7	Other	

F - Appendices:
A – Application of the bilingual policy

FF - Background papers (please contact the author of the Report for any further information):

Appendix A -

1 STATUTORY REQUIREMENTS

- 1.1 The Council as a Welsh public authority is required to comply with the Welsh Language measure and the standards issued to it by the Welsh Language Commissioner in the compliance notice dated 30 September 2015. There is no standard in the compliance notice which requires the Council to produce its responses to the DCO process in Welsh.
- 1.2 Translation facilities and bilingual publication of documents will be the responsibility of the Examining Authority through the Planning Inspectorate (PINs) and they will facilitate the participation of the public in the process through the medium of Welsh.
- 1.3 As PINs is the body running the process on behalf of the Secretary of State the obligations to ensure that any applicable Welsh language requirements are met lies with it not the Council. Translation facilities and bilingual publication of documents will be the responsibility of the Examining Authority (through PINS) and they will facilitate the participation of the public in the process through the medium of Welsh. PINS are currently compiling a list of hearing venues where suitable translation services can be provided for public meetings and will maintain a Welsh version of the examination website (although this version of the website will be quite limited and the document library will simply link to the English language documents).

2 PLANNING INSPECTORATE APPROACH AND ADVICE

- 2.1 PINS advice is that where bilingual documents are to be submitted they should be submitted together in order to prevent confusion, that means that providing Welsh versions following submission of the English version is not desirable. Translation of documents post submission, in addition to requiring a large amount of specialist resources (especially given the technical nature of much of this process), will, result in Welsh language documents being submitted following the response to that document having been produced, ie the Welsh version will end up being several steps behind the process and out of sync with the discussions and changes. This will not assist anyone to meaningfully participate.
- 2.2 The Council cannot compel the applicants to provide bilingual documents and it is probable that many submissions to which the Council is required to respond will not be available in Welsh. PINS are producing a list of the documents which the applicant will be expected to produce in Welsh, this list will assist the Council in anticipating practical difficulties in responding in Welsh (for example where there are documents which only exist in English then the standard use of tracked changes to suggest alternative drafting is unlikely to be practical).

3 LIKELY LEVEL OF DEMAND AND TIMESCALES

- 3.1 The DCO process includes pre-application, application, acceptance, pre-examination, examination and decision stages. All stages post application have target timescales

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attached which PINs will be under pressure to meet. The examination stage of the process should take a maximum of 6 months and various deadlines will be set within that period. It is common for deadlines to be set at two-week intervals which can compress to one week towards the end of the examination stage. The Examining Authority can extend the six month examination period but is likely to be under pressure (including potentially from Horizon) not to do so. The Examining Authority will not take into account any submissions made after the close of the examination period although these will be sent to the Secretary of State.

- 3.2 Many of the Council's main submissions such as the Local Impact Report and its representations can be front-loaded and drafting and translation of these can begin before the application is made. The more difficult period will be during the examination where responses are required within weeks or even days. In addition to responding to the previous deadline's submission at the next deadline as a matter of course, the Examining Authority will also issue formal sets of questions which have to be answered, usually within 2 weeks. The quantity and scope of these questions can vary incredibly and cannot be predicted in advance. Both wide high level questions which required substantial answers and sets of detailed questions numbering into the hundreds have been issued in DCO examinations. It is normal (and Horizon will have) staff resource designed to react to this high demand, that will include lots of staff working outside of office hours and over weekends to respond to such requests timeously. The Council will be expected to match that pace despite its different resources.
- 3.3 The volume of documentation produced for the Hinkley examination is referred to as a guide of potential demand. Of the 1,068 documents in the document library for that consent¹, the application accounts for 308 documents and a further 599 of the total are documents created during the 6 month examination phase². The various Councils submitted or are credited as authors or partial authors of 115 documents. Of those around 80 are from the District and County Councils and are therefore representative of the level of involvement by the Councils covering the functions which IACC has as a unitary authority. This number on its own does not give an indication of the varying size and complexity of those documents or that demand will not be evenly spread throughout the process but it does give an indication of the level of resourcing required overall.
- 3.4 Our experience of DCOs is that documents are amended right up to the submission deadline (which is commonly midnight or midday) and it is normal for changes to be finalised on the day of submission. This is partly because documents tend to be interlinked and responses from one have to be carried over to others, for example responses on technical topics may have to be reflected in responses on the DCO requirements and then incorporated into updates of the Statement of Common Ground.

¹ As at 08 August 2017, ongoing post consent processes will increase this figure.

² The figures break down by stage as Application 308; Pre-examination 38, Examination 599; Decision 50; Post decision 72. The Hinkley application was smaller than some others, for example Tidal Lagoon Swansea had 548 application documents, none of which are in Welsh. We expect a higher number of documents for Wylfa and potentially less for National Grid.

It is also partly due to the nature of the process and the need to take technical advice in order to be able to respond which can take some time to obtain. In the background changes also have to be carried through to documents such as any section 106 agreement which creates an ongoing background demand on the same resources as are preparing responses.

- 3.5 Given the tight timescales involved during the examination stage to have all of the documents and responses translated into Welsh prior to submission would require translation to be considerably quicker than at present; essentially documents would have to be being translated as they are progressed in English. Given how little time is allowed to produce the substance of responses it is not likely to be practical to close drafting of documents days in advance to facilitate the normal translation approach. This means that in practical terms a suitably qualified and briefed translation resource needs to be a core part of the document team and resourced to meet substantial peaks of demand at short notice. This will be particularly true of technical and legal input where specialist translation would be required in very short timeframes. It is accordingly anticipated that the Council will not be able to comply with its policy on the Welsh Language at every deadline simply due to pressure of time.

4 VALUE OF WELSH TRANSLATIONS IN AN ENGLISH LANGUAGE DOMINATED PROCESS

- 4.1 There is also a concern that translations of some submissions will lack value. For example there will be detailed and lengthy consideration of the DCO drafting and in particular the requirements but the source DCO drafts are unlikely to be produced and updated in Welsh. It is not clear how Welsh translations of discussions of the precise wording of the English language DCO will add value to those wishing to participate in the process as without a Welsh language DCO their ability to meaningfully contribute in Welsh will be limited. It is not known if a Welsh version of questions would be issued however it would be unusual; experience³ of Welsh DCOs to date has not included bilingual questions. It is normal practice where a large number of questions are issued by the ExA for these to be responded to in a question and answer format and not as standalone submissions, without questions in Welsh it is questioned what value translating the answers would have in that format.
- 4.2 Translation of legal submissions will be required by the bilingual policy. In addition to being highly specialised legal translation always runs the risk that two slightly different positions are created. For example the difference in meaning between ‘can’, ‘will’, ‘may’ and ‘shall’ has been the subject of various judicial decisions and there are multiple European court decisions where differing translations of the same directive has led to different requirements under what should have been the same legal position. Any translation of legal submission would therefore have to be subject to a caveat that the English version takes primacy in the event of any discrepancy.

³ There are 11 decided Welsh DCOs as at 08 August 2017, the first questions for all of these have been reviewed. While some Examining Authorities provided the covering letters in Welsh (for example Brechfa Forest Connection, North Wales Wind Farms connection, Glyn Rhonwy) the questions themselves were issued in English only.

It remains the Council's intention to comply with the bilingual policy in so far as is practical and the authorisation is only sought to allow departure where that is necessary in the circumstances.

Recommendation: That the Executive approve the departure from the bilingual policy for documents, representations, and submissions made as part of the Development Consent Order process where it is impractical or impossible for Officers to comply and where the Chief Executive approves such departure.

ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	COUNTY COUNCIL
DATE:	12 DECEMBER 2017
TITLE OF REPORT:	REVIEW BY THE BOUNDARY COMMISSION FOR WALES - REVIEW OF PARLIAMENTARY CONSTITUENCIES AND REVISED PROPOSALS 2018
REPORT BY:	HEAD OF DEMOCRATIC SERVICES
PURPOSE OF REPORT:	TO REPORT TO MEMBERS ON THIS ISSUE

1.0 2018 Review of Parliamentary Constituencies and Revised Proposals

In September 2016 the Boundary Commission for Wales published initial proposals to reduce the number of Parliamentary constituencies from 40 to 29. A report was submitted to this Council on 18th October, 2016.

Proposals announced for the new constituency of Isle of Anglesey and Arfon were not supported by the Council.

Revised proposals have recently been published by the Boundary Commission. Comments are requested by the 11 December, 2017.

The document can be accessed via the link below:

http://bcomm-wales.gov.uk/2018-review/2018_revised_proposals?lang=en

These include further changes to the Parliamentary constituency of Ynys Môn. The Commission proposes to create a county constituency from:-

- The whole of the Ynys Môn County Council.
- The electoral wards within the County of Gwynedd, Arllechwedd, Deiniol, Dewi, Marchog, Gerlan, Glyder, Hendre, Hirael, Garth, Menai, Ogwen, Pentir, Tregarth and Mynydd Llandegai, and Y Felinheli.
- The electoral wards within the County of Conway – wards of Bryn, Capelulo, Pandy and Pant-yr-Afon/Penmaenan.

3 existing Parliamentary constituencies are affected namely Ynys Môn, Arfon and Aberconwy.

The Commission proposes the name Ynys Môn a Fangor (Anglesey and Bangor) for the new constituency.

The Boundary Commission will not accept observations after the 11 December and in view of the fact that the County Council is meeting on the 12 December, a response has been prepared in consultation with Group Leaders reiterating this Councils opposition to the revised proposals. An update will be provided at the Council meeting.

2.0 Recommendation

To confirm this Councils opposition to proposals to change the Parliamentary constituency of Ynys Môn.

Huw Jones
Head of Democratic Services
4/12//2017

CYFARFOD O GYNGOR SIR YNYS MÔN/
ISLE OF ANGLESEY COUNTY COUNCIL MEETING

12 RHAGFYR/DECEMBER, 2017

2.00 pm

Eitem 11 - ADOLYGIAD 2018 O ETHOLAETHAU SENEDDOL

Cyflwyno er gwybodaeth – ymateb y Cyngor i'r ymgynghoriad uchod.

Item 11 - 2018 REVIEW OF PARLIAMENTARY CONSTITUENCIES

To submit for information – the Council's response to the above consultation.



**CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL**

Comisiwn Ffiniau i Gymru
Tŷ Hastings
Llys Fitzalan
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CF24 0BL

Dr. Gwynne Jones
Prif Weithredwr / Chief Executive

CYNGOR SIR YNYS MÔN
ISLE OF ANGLESEY COUNTY COUNCIL
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Ein Cyf - Our Ref. WGJ/JHJ/JJ
Eich Cyf - Your Ref

8 Rhagfyr, 2017 / 8 December, 2017

Annwyl Syr/Madam / Dear Sir/Madam,

**AROLWG 2018 O ETHOLAETHAU
SENEDDOL YNG NGHYMROU – CYNIGION
DIWYGIEDIG**

Diolch am y cyfle i gyflwyno sylwadau mewn perthynas â'r cynigion diwygiedig. Mae'r Cyngor eisoes wedi datgan ei wrthwynebiad i'r cynigion cychwynnol i newid etholaeth Ynys Môn ac o'r farn na ddylid newid ffiniau'r etholaeth i gynnwys rhan o etholaeth Arfon / Aberconwy yn y dyfodol.

Yn ei ymateb y llynedd i'r cynigion cychwynnol pwysleisiodd y Cyngor yn glir y dylid cadw ffiniau presennol etholaeth Ynys Môn. Hefyd pwysleiswyd y dylid diogelu hunaniaeth unigryw'r Ynys a'i ffiniau gweinyddol naturiol a chydabod yn ogystal y cyd-destun hanesyddol o safbwynt cynrychiolaeth seneddol. Mae'r Cyngor eto o'r farn y byddai ymestyn ffiniau'r etholaeth yn gwanhau atebolrwydd lleol a statws gweinyddol yr Ynys.

Yn wir, rhaid cwestiynu rhesymeg o greu etholaeth Ynys Môn a "Fangor" sy'n cynnwys ardal Bangor tuag at gyffiniau tref Conwy. Nid yw hon yn ardal weinyddol naturiol. Byddai

**2018 REVIEW OF PARLIAMENTARY
CONSTITUENCIES IN WALES – REVISED
PROPOSALS**

Thank you for the opportunity to present comments regarding the revised proposals. The Council has already stated its objection to the initial proposals to change the constituency of Ynys Môn and our view is that the constituency's boundaries should not be changed to include part of the Arfon / Aberconwy constituency in future.

In its response last year to the initial proposals, the Council clearly emphasised that the current boundaries of the Ynys Môn constituency should be retained. It also emphasised the importance of protecting the Island's unique identity and its natural administrative boundaries, and the importance of acknowledging the historical context with regard to parliamentary representation.

Indeed, we must question the logic of forming a constituency of Anglesey and "Bangor" which includes the area of Bangor towards the outskirts of the town of Conwy. This is not

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hyn yn sicr o greu dryswch i etholwyr a hefyd pan fo sawl etholiad yn cael eu cynnal ar yr un diwrnod gan awdurdodau Ynys Môn, Gwynedd a Chonwy.

Rhaid datgan unwaith yn rhagor nad yw cynigion y Comisiwn o safbwynt Ynys Môn yn gyson o safbwynt cynrychiolaeth seneddol mewn rhannau eraill penodol o'r Deyrnas Unedig sy'n etholaeth ar sail ynys. O dan y cynigion cychwynnol ar gyfer Lloegr, mae dwy o'r 501 etholaeth a ddyrennir i Loegr wedi'i neilltuo ar gyfer yr Ynys Wyth – mae Deddf 2011 yn nodi bod rhaid i Ynys Wyth gael dwy etholaeth (sydd ar hyn o bryd yn un etholaeth). Mae dwy etholaeth ynysydd yn yr Alban hefyd wedi'u diogelu o dan y Ddeddf – Orkney a Shetland, Na h-Eileanan. Mae'r anghysondeb hwn yn fater o bryder i'r Cyngor ac ni ddylid gwahaniaethu.

Yn olaf, mae enw arfaethedig yr etholaeth yn bryder i'r Cyngor sef Ynys Môn a Fangor. Mae hyn eto yn creu dryswch a dylid glynu wrth y trefniadau presennol sef etholaeth Ynys Môn, er mwyn diogelu hunaniaeth naturiol yr etholaeth sydd â ffiniau naturiol iddo. Gofynnir i chi ail ystyried y cynigion ac mae'r Cyngor yn pwysu arnoch i gadw etholaeth Ynys Môn sydd â ffiniau naturiol iddi, a diogelu enw Ynys Môn.

a natural administrative area. This would certainly create confusion for constituents and also when several elections are held on the same day by the Ynys Môn, Gwynedd and Conwy authorities.

We must state once again that the Commission's proposals in respect of Ynys Môn are not consistent in terms of parliamentary representation in other specific parts of the UK that are island-based constituencies. Under the initial proposals for England, two of the 501 constituencies allocated for England have been apportioned to the Isle of Wight – the 2011 Act notes that the Isle of Wight must have two constituencies (which are currently a single constituency). Two constituencies of the Scottish Isles are also protected under the Act – Orkney and Shetland, Na h-Eileanan. This inconsistency is a matter of concern for the Council, and we should not be treated differently.

Finally, the proposed name of the constituency is a cause of concern for the Council, namely Anglesey and Bangor. This again creates confusion and the current arrangements should be adhered to, namely the constituency of Ynys Môn, in order to protect the natural identity of the constituency and its natural boundaries. We ask you to reconsider the proposals and the Council would press on you to retain the Ynys Môn constituency that has natural boundaries, and retain the name Ynys Môn.

Yr eiddoch yn gywir / Yours faithfully,



Dr Gwynne Jones
Prif Weithredwr / Chief Executive

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