



**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
LLANGFNI**

**COUNCIL CHAMBER
COUNCIL OFFICES
LLANGFNI**

**DYDD MAWRTH
11 RHAGFYR 2018**

TUESDAY, 11 DECEMBER 2018

➔ am 2.00 o'r gloch ←

➔ at 2.00 pm ←

A G E N D A

1. MINUTES

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

- 25th September, 2018
- 22nd October, 2018 (Extraordinary)

2. DECLARATION OF INTEREST

To receive any declaration of interest from a 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 Robert LI Jones to Councillor Carwyn Jones, the Portfolio Holder for Major Projects and Economic Development:-

“The destruction of the Holyhead Marina has hit the town badly. What action have you taken in order to complete the clean up as there remain a large number of pontoons with thick polystyrene floats near to the shoreline in and around Newry Beach. Is Stena Line or Conygar responsible for this work?”

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

To submit the following Notice of Motion by Councillors Bryan Owen and Peter Rogers:-

“We need to discuss the seriousness of a call-in, and that people are not referred to as ‘showboating’ in the National Press when they make a call-in”.

6. PRESENTATION OF PETITIONS

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

7. COUNCIL TAX REDUCTION SCHEME 2019/20

To submit a report by the Head of Function (Resources)/Section 151 Officer as presented to the Executive on 26 November 2018.

8. AUDIT AND GOVERNANCE COMMITTEE - UPDATED TERMS OF REFERENCE

To submit a joint report by the Head of Function (Resources)/Section 151 Officer and the Head of Function (Council Business)/Monitoring Officer, as presented to the Executive on 29 October 2018.

9. **CHANGES TO THE CONSTITUTION - AMENDMENT TO THE OFFICERS' CODE OF CONDUCT / LOCAL GUIDANCE TO THE OFFICERS' CODE OF CONDUCT**

To submit a report by the Head of Function (Council Business)/Monitoring Officer as presented to the Executive on 29 October 2018.

10. **GAMBLING POLICY**

To submit a report by the Head of Regulation and Economic Development as presented to the Executive on 26 November 2018.

11. **WEBCASTING OF SCRUTINY COMMITTEES**

- To submit a report by the Head of Democratic Services.
- To report that the Democratic Service Committee at its meeting on 27 November 2018 **RESOLVED to recommend that no changes be made to the current arrangements for webcasting.**

12. **PUBLIC PARTICIPATION IN MEETINGS**

- To submit a report by the Head of Democratic Services.
- To report that the Democratic Service Committee at its meeting on 27 November 2018 **RESOLVED to recommend no change to the Council's Constitution.**

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ISLE OF ANGLESEY COUNTY COUNCIL

Minutes of the meeting held on 25 September 2018

- PRESENT:** Councillor Dylan Rees (Chair)
Councillor Margaret M Roberts (Vice-Chair)
- Councillors Lewis Davies, John Griffith, 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 LI Jones, R.Meirion Jones, R O Jones, Alun W Mummery, Bryan Owen, Shaun James Redmond, Alun Roberts, Dafydd Roberts, Nicola Roberts, P S Rogers, Dafydd Rhys Thomas and Ieuan Williams.
- IN ATTENDANCE:** Chief Executive,
Assistant Chief Executive (Partnerships, Community & Service Improvements),
Assistant Chief Executive (Governance and Business Process Transformation),
Head of Function (Council Business)/Monitoring Officer,
Head of Function (Resources)/Section 151 Officer,
Head of Democratic Services,
Principal Valuation Officer (TDE),
Committee Officer (MEH).
- ALSO PRESENT:** None
- APOLOGIES:** Councillors Richard A Dew, Richard Griffiths, Bob Parry OBE FRAGS, J Arwel Roberts, Robin Williams.

1. MINUTES

The minutes of the following meetings of the Isle of Anglesey County Council were confirmed as correct :-

- 15 May, 2018
- 15 May, 2018 (Annual Meeting)
- 7 June, 2018 (Extraordinary)
- 16 July, 2018 (Extraordinary)

2. DECLARATION OF INTEREST

Councillor Llinos M Huws declared a personal interest in respect of Item 13 – Rights of Way Improvement Plan 2018 – 2028.

Councillor Eric W Jones declared a personal interest in respect of Item 4 – North Wales Fire and Rescue Authority : 2019-20 Financial Update and Consultation.

Councillor Dylan Rees declared a personal interest in respect of Item 4 – North Wales Fire and Rescue Authority : 2019-20 Financial Update and Consultation.

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

The Chair made the following announcements :-

- Congratulations to those who were successful at the National Eisteddfod, 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 to the pupils from Year 11 at Ysgol Gyfun Llangefni who have recently been competing in the 'Formula 1 for Schools' competition in Singapore. The Chair was pleased to report that Ysgol Gyfun Llangefni have won the 'Ferrari Best Team Identity' award;
- Congratulations to Mr Pete Roberts a Cai Roberts, the husband and son of Councillor Nicola Roberts, who have been representing Wales recently in a shooting competition;
- Congratulations to Councillor Robert LI Jones and his wife Mrs Gillian Jones who will be celebrating their Golden Wedding on the 30th September;
- Congratulations to Councillor Aled M Jones on his appointment as President of the Anglesey Young Farmers Federation.

The Chair announced that the Chairman's Sunday will be held at Moreia Chapel, Llangefni on 14 October, 2018.

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Condolences were extended to Councillor Robin Williams on the recent loss of his father.

Condolences were extended to Councillor Alun Mummery who has lost his brother-in-law recently.

Condolences were extended to Councillor Eric W Jones who has lost his sister-in-law recently.

Condolences were extended to the families of the former Councillors Mr Gwyn Jones, Dwyran, Mr John Meirion Davies, Menai Bridge, Mr J V Owen, Holyhead and Mr Barrie Durkin who was representing the Benllech area.

Condolences were extended to any Member of the Council or staff who had suffered bereavement.

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

4. NORTH WALES FIRE AND RESCUE AUTHORITY: 2019-20 FINANCIAL UPDATE AND CONSULTATION

The Chair welcomed Councillor Meurig LI Davies, Chairman of the North Wales Fire and Rescue Authority, Ms Helen McArthur, Assistant Chief Officer (Resources) and Ms Sian Morris, Assistant Chief Officer (Policy and Corporate Plan) to give a presentation as regards to the North Wales Fire and Rescue Authority 2019/20 Financial Update and Consultation.

The representatives of the North Wales Fire and Rescue Service gave a brief outline of the public consultation that is taking place which is encouraging people to have their say on ensuring affordable fire and rescue services, before the draft budget for 2019/20 is set in December 2018. Each County Council in North Wales contributes towards the cost of providing fire and rescue service and the gap between the Authority's estimated costs in 2019/20 and the level of financial contributions made by Councils in 2018/19 has reached almost £1.9m. Whilst all public services are facing difficult financial decisions the Fire and Rescue Authority has a duty to ensure it remains as efficient as possible and to make sure it provides the level and quality of fire and rescue services expected by the public without introducing an unacceptable level of risk. It was reported that efficiency savings have been undertaken to change the policy with regard to responding to automatic fire alarms and large animal rescue together with continued emphasis on reducing prevention of fire. The Officers noted that the contribution to the North Wales Fire and Rescue Authority by the Isle of Anglesey County Council in 2018/19 was £3,356,175 which is a percentage allocation of 10.02%. It is anticipated that an additional £190,272 contribution by this Authority is expected which would be an increase of £6.53 per average Band D dwelling Council Tax.

The Committee considered the information presented and made the following points :-

- Clarification was sought as to the work carried out by the North Wales Fire and Rescue Service as regards to the home visits in respect of the installation of fire alarms. The Assistant Chief Officer (Policy and Corporate Plan) responded that preventative work in respect of home visits is paramount and if the Fire Service was to attend incident on the level before the preventative home visit the Fire Service the financial costs will be on a much higher level. She emphasised that each household should have a fire alarm and North Wales Fire and Rescue Service is on the forefront in installing alarms in households. Reference was also made to the collaboration working with the Police Authority. The Assistant Chief Officer gave examples of collaboration working with the Police Authority i.e. helping with searching for vulnerable missing persons, prevention of arson. She noted that collaboration working with the Police Authority can result in bringing financial costs to a lower level for both services;
- Clarification was sought that a suggestion was made during previous consultation on the North Wales Fire and Rescue Service budget that one of the two fire engines in Wrexham be taken out of service. The Assistant Chief Officer (Policy and Corporate Plan) responded that there are 2 fire engines in Wrexham and 1 retained and an opportunity arose two years ago to reduce one of the fire engines. However, due to strong public opinions within the Wrexham area the reduction in the fire engines at Wrexham did not materialise;
- Reference was made that whilst the North Wales Fire and Rescue Authority has made efficiency savings over the years questions were raised whether the Authority was able to make further possible savings as local authorities are also having to find savings within their own budgets. The Assistant Chief Officer (Resources) responded that whilst it is accepted that the public sectors are having to make immense savings but all the service of the Fire and Rescue Authority is statutory and all possible savings have been looked upon. She gave examples of collaboration working with other public services. Questions were further raised whether buildings within the ownership of the Fire & Rescue Service could be sold or shared with other public services. The Assistant Chief Officer (Resources) responded that the Fire & Rescue Service share an Estate Management Officer with the North Wales Police and a facility in Prestatyn is used jointly by both services. She further gave an example of joint working with the Police Authority that a training centre in Dolgellau needs to be upgraded which can be utilised by both services;
- Clarification was sought whether lessons have been learnt as regard to the Grenfell Tower tragedy in London and whether financial restraints could have been a factor which now equates to a financial burden on Fire Authorities. The Assistant Chief Officer (Resources) responded that North Wales do not have high rise flats on the scale of London. North Wales Fire and Rescue Authority resources as regards to concerns of flats is minimal compared to other areas. However, she noted that regulatory changes in terms of fire inspections will result from the enquire as regard to the tragedy at Grenfell Tower but at present it is uncertain as to the source of financial resources as regards to these possible changes.

The Chair thanked representatives of the North Wales Fire and Rescue Authority for attending the meeting.

5. QUESTIONS RECEIVED PURSUANT TO RULE 4.1.12.4 OF THE CONSTITUTION

- Submitted – the following question on notice by Councillor Peter Rogers to Councillor Robin Williams, the Portfolio Holder for Finance :-

'The late Mr David Hughes who died in 1609 left a legacy of over 1,200 acres of land to support Education on the Island. In 1887 this endowment was contributing £1,400 per annum. How much did Education benefit on the Island last year?'

The Leader of the Council responded, in the absence of the Portfolio Holder for Finance, that most of the expenditure incurred in 2016/17 as regards to the David Hughes Smallholdings Estate has been used to improve the buildings of the estate. The David Hughes Smallholding Estate Trust Deed stipulates that the resource generated from the estate cannot be used to support education in general on the Island. In 2017/18 a contribution of £1,000 was afforded to pupils or former pupils as stipulated within the criteria of the David Hughes Estate.

Councillor Peter Rogers questioned whether the contribution of £1,000 in 2017/18 was a one-off payment or per year. The Leader responded that the contribution was paid in accordance with the terms of the David Hughes Trust.

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

- Submitted – the following Notices of Motion by Councillor Aled M Jones, Kenneth P Hughes and Robert Llewelyn Jones :-

- Councillor Aled M Jones submitted the following Notice of Motion :-

“The Constitution of Anglesey County Council should be amended to allow individuals of the public and interest parties i.e., Governors of a school to address The Executive Committee or Cabinet of the County Council.”

Councillor K P Hughes seconded the motion.

Councillor Dafydd R Thomas, the Portfolio Holder for Corporate said that the County Council does not have the authority as regard to this matter. The Head of Function (Council Business)/Monitoring Officer said that the Leader of Council has authority to allow members of the public to address the Executive and the full Council is unable to constrain the Leader of the Council in the exercise of that discretion.

The Leader said that she was satisfied that the voice of local people has been heard within recent meetings of the Corporate Scrutiny Committee. She noted that there is an opportunity for any Elected Member to ask to speak at the Executive on behalf of their local communities.

Clarification was sought by Councillor Shaun Redmond as to whether it is the Leader's discretion to allow public speaking at the Executive and Full Council. The Head of Function (Council Business)/Monitoring Officer responded that the Leader has discretion to allow public speaking at the Executive only but not the full Council. The full Council may adopt a public speaking scheme but the Executive cannot be compelled to adopt such a scheme.

In the ensuing vote it was RESOLVED that the motion shall not be carried.

(Councillors Glyn Haynes and Shaun Redmond abstained from voting).

- Councillor A M Jones submitted the following Notice of Motion :-

“The Constitution of Anglesey County Council should be amended to allow webcasting of both Scrutiny Committees.”

Councillor Shaun Redmond seconded the motion.

Councillor Dafydd R Thomas, the Portfolio Holder for Corporate said that he supported the motion but wished to make an amendment that the matter be referred to the Democratic Services Committee for consideration and report back to the full Council.

Councillor R LI Jones as Chair of the Democratic Services Committee seconded the amendment.

In the ensuing vote it was RESOLVED that the amended motion be carried.

- Councillor A M Jones submitted the following Notice

“The Constitution of Anglesey County Council should be amended to allow motions to be discussed at full Council meetings that have been proposed by members of the public and supported by the signatures of 50 individuals who live on the Isle of Anglesey.”

Councillor K P Hughes seconded the motion.

Councillor Dafydd R Thomas, the Portfolio Holder for Corporate said that he wished to make an amendment to the motion that the matter be referred to the Democratic Services Committee for consideration and report back to the full Council at its December meeting.

Councillor A M Jones said that he would withdraw his notice of motion if the matter is considered by the full Council in December.

In the ensuing vote it was RESOLVED that the amended motion be carried.

- Submitted – the following Notice of Motion by Councillors Robert Llewelyn Jones and Bryan Owen :-

“In view of the imminent changes that will come about as a result of Brexit, that a Panel be set up to obtain information on possible problems and to press home to the Welsh and British Governments the need for a sound approach to support these industries on Ynys Môn in all ways possible.

- (1) The farming industry which is a very important employer on Ynys Môn.*
- (2) The port of Holyhead, again a large employer that will be in the frontline of changes.*
- (3) Wylfa Newydd, the pylons, and what the withdrawal from the E.E.C., will mean to the funding and feasibility of the project.*

We represent the people of Ynys Môn and we need to show that we understand their concerns and support them in every way possible.

We are entering into uncharted waters and need to be seen to be working as an elected body doing all we can to assist these very important industries on Ynys Môn to survive and prosper after we leave the E.E.C. It is too important to leave it to other government departments to look after our Island economy in these uncertain times.

Councillor R LI Jones said that he firstly wished to thank the representation from this Council who visited Dublin in June, 2018 to meet officials from Dublin City Council in respect of possible problems to the ports as a result of Brexit. He noted that there are concerns that the traffic travelling to and from the Welsh Ports needs to be able to travel freely without the need for customs checks. Councillor Jones expressed that without a Brexit deal it could result into extreme tariffs for local business who export goods over the Irish Sea and shortages of basic goods may arise.

Councillor Jones proposed that a Panel be established with a cross party membership, Economic Development Department together with outside agencies to make sure that this Council has a contingency plan to deal with all eventualities that may result from a no Brexit deal.

Councillor Bryan Owen seconded the motion.

Councillor Carwyn Jones, the Portfolio Holder for Major Projects and Economic Development said that the meeting held in Dublin with representatives of Dublin City Council in June 2018 was very informative and both parties shared their concerns as to the possibility of a no Brexit deal and the consequences resulting from a no deal. He said that the relationship between Ireland and Anglesey is important especially with tourism links and agricultural businesses. Councillor Jones also referred that the Welsh Government have announced recently that many Civil Servants will need to be employed to address issues as regards to the possibility of a no Brexit deal and the problems that will result from such a no deal. He further noted that negotiations are taking place with the WLGA in respect of this matter. Whilst sharing the concerns of the Members who have submitted the notice of motion to the full Council he considered that establishing a Panel to discuss the issues of a no Brexit deal be rejected due to the lack of resources and that the Council does not have any influence over the UK Government nor Welsh Government. However, the Portfolio Holder proposed the following :-

- That at the appropriate time, an information link should be provided for members allowing access to documents from UK Government, Welsh Government, WLGA, EU internal file notes.
- When appropriate, internal briefing sessions should be held to share any information which comes to hand and should include updates from the portfolio holders on any meetings where any issues relating to Brexit have been discussed.
- Any official issue which arises as the process develops should, when appropriate, be referred to the regeneration scrutiny committee.
- That a letter be sent to Prime Minister, Mrs Theresa May noting the main concerns and Anglesey's position with regard to port of Holyhead, the agricultural sector, Objective 1 funding, euratom, energy island etc and request that all the government's departmental information and analyses with regard to the effect of the UK's withdrawal from the EU on our communities and businesses be shared with this authority.
- Leaving the European Union will have an impact on Anglesey. All planning associated with Brexit conforms with the Wellbeing of Future Generations Act which involves improving the social, economic, environmental and cultural wellbeing of Wales.
- That nothing should be agreed which would have an adverse effect on any one of the following principles:

A prosperous Wales

A resilient Wales

A healthier Wales

A more equal Wales

A Wales of cohesive communities

A Wales of vibrant Culture where the Welsh Language flourishes

A globally responsible Wales

Councillor Carwyn Jones further said that Mr Albert Owen MP and Mr Rhun ap Iorwerth AM will be attending a workshop arranged on the 25th October, 2018 with an invitation to all elected members to discuss the impacts of a possible no Brexit deal on this Island and to report on the meeting held with Dublin City Council.

Members of the Opposition Group reiterated that a Panel needs to be established within this Authority to discuss the impact of a possible no Brexit Deal. It was suggested that discussions need to take place with Pembrokeshire County Council who will also face similar problems if a no Brexit deal occurs.

In the ensuing vote it was RESOLVED that the motion be not carried.

(Councillors T LI Hughes, Dylan Rees and Nicola Roberts abstained from voting)

7. PRESENTATION OF PETITIONS

No petitions received.

8. STATEMENT OF ACCOUNTS AND ISA 260

Submitted – the following reports by the Head of Function (Resources)/Section 151 Officer as submitted to the Audit and Governance Committee on 19 September, 2018 :-

- Statement of Accounts for 2017/18;
- The External Auditor's report on the audit of the Financial Statements.

It was RESOLVED :-

- To accept the Statement of Accounts 2017/18;
- 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.

9. ANNUAL TREASURY MANAGEMENT REVIEW FOR 2017/18

Submitted – a report by the Head of Function (Resources)/Section 151 Officer as presented to the Executive on 17 September, 2018.

It was **RESOLVED** :-

- To note that the outturn figures contained in the report;
- To note the provisional 2017/18 prudential and treasury indicators in the report.

10. ADOPTION OF POWERS BY COUNCIL AND DELEGATION TO OFFICER

Submitted – a report by the Head of Function (Council Business)/Monitoring Officer and Head of Regulation and Economic Development as presented to the Executive on 21 May, 2018.

It was **RESOLVED** to :-

- Adopt the powers listed in Section A of Enclosure 1;
- Amend the Scheme of Delegation in the Constitution to delegate the exercise of the powers noted in Section A of Enclosure 1, to the Head of Service (Regulation and Economic Development);
- Remove the powers listed in Section B of Enclosure 1, from the Scheme of Delegation in the Constitution, which delegates these Powers to the Head of Service (Regulation and Economic Development);
- Authorise the Council's Head of Function (Council Business)/Monitoring Officer to make the necessary changes to the Scheme of Delegation, and any consequential amendments, to reflect the adoption, delegation and removal of the said powers;
- Authorise the Council's Head of Function (Council Business)/Monitoring Officer to make any future changes to the Constitution, without requiring Executive or full Council approval, where those changes are as a result of legislative changes where additional/revised delegation to Officers is required in order to execute additional powers or rights granted to the Council by amended or new legislation;
- Amend the Scheme of Delegation in the Constitution to delegate to the Head of Function (Council Business)/Monitoring Officer :-

'To review and update the Council's Constitution from time to time, to include any changes arising from amended, substituted or new legislation; any restructure of the organisation already authorised as required and to include new delegations to Officers, namely the Head of Service with responsibility for the relevant service, to have full delegated authority to discharge the function on the Council's behalf, unless it is a matter reserved to the Council, Executive or a Committee.'

11. ROLE AND ACCOUNTABILITIES OF THE STATUTORY DIRECTOR OF SOCIAL SERVICES

Submitted – a report by the Assistant Chief Executive (Governance and Business Process Transformation and Statutory Director of Social Services) as presented to the Executive on 17 September, 2018.

It was **RESOLVED** to :-

- Adopt the protocol included within Appendix 1 of the report;

- **Authorise the Council's Head of Function (Council Business)/Monitoring Officer to make the necessary changes to the Scheme of Delegation for the Assistant Chief Executive (Governance and Business Process Transformation) in the Constitution, and any consequential amendments, to reflect the adoption of the protocol in Appendix 1.**

12. ANNUAL REPORT OF THE STATUTORY DIRECTOR OF SOCIAL SERVICES 2017/18

Submitted – a report by the Assistant Chief Executive (Governance and Business Process Transformation and Statutory Director of Social Services) as presented to the Corporate Scrutiny Committee on 5 July, 2018 and the Executive on 16 July, 2018.

It was RESOLVED to accept the report.

13. RIGHTS OF WAY IMPROVEMENT PLAN 2018-2028

Submitted – a report by the Interim Head of Highways, Waste and Property in respect of the new Rights of Way Improvements Plan (2018 – 2028) and revised public rights of way policies.

It was RESOLVED to approve the new Rights of Way Improvement Plan 2018 – 2028 and the revised public rights of way policies.

**COUNCILLOR DYLAN REES
CHAIR**

ISLE OF ANGLESEY COUNTY COUNCIL

Minutes of the special meeting held on 22 October 2018

- PRESENT:** Councillor Dylan Rees (Chair)
Councillor Margaret M Roberts (Vice-Chair)
- Councillors R A Dew, John Griffith, Richard Griffiths, Glyn Haynes, K P 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 FRAgS, Shaun James Redmond, Alun Roberts, Dafydd Roberts, Nicola Roberts, P S Rogers, Dafydd Rhys Thomas and Ieuan Williams
- IN ATTENDANCE:** Chief Executive,
Assistant Chief Executive (Partnerships, Community & Service Improvements),
Head of Function (Council Business)/Monitoring Officer,
Head of Function (Resources)/Section 151 Officer,
Head of Democratic Services,
Principal Development Officer (Economic) (TJ),
Committee Officer (MEH).
- ALSO PRESENT:** None
- APOLOGIES:** Councillor Lewis Davies, T LI Hughes MBE, Vaughan Hughes, R LI Jones, Richard Owain Jones, J Arwel Roberts, Robin Williams.

CHAIRMAN'S ANNOUNCEMENTS

The Chair made the following announcements :-

- He wished to thank the staff of the Democratic Services for the arrangements for the successful Chairman's Sunday Service held at Moreia Chapel, Llangefni on 14th October. He thanked everyone for their support and generosity and noted that a collection of £609 was raised towards his chosen charity St. David's Hospice. The St. David's Hospice will be opening their first inpatient hospice on Anglesey at Penrhos Stanley Hospital, Holyhead early in the new year;
- Best wishes was extended to the fishermen from Holyhead who will be representing Wales in the World Beach Fishing Competition to be held in Conwy between 20 – 27 October, 2018;
- Congratulations was extended to Mr Richard Rogers, the son of Councillor Peter S Rogers, on winning the BGS Grassland Farmer of the Year 2018 recently;
- Congratulations to the Rhosybol Young Farmers who were successful in winning first place at the Isle of Anglesey Young Farmers Eisteddfod held last Saturday. The Chair congratulated all those who took part at the successful Isle of Anglesey Young Farmers Eisteddfod.

1. DECLARATION OF INTEREST

None received.

2. GROWTH DEAL BID FOR THE ECONOMY OF NORTH WALES

Submitted – a report by the Head of Regulation and Economic Development as presented to the Executive on 22 October, 2018.

The Leader of the Council said that the Growth Bid Vision for the Economy of North Wales sets out a collective and strategic ambition for North Wales for infrastructure development, skills and employment, and business growth. She noted that to capitalise on such opportunities the North Wales region has developed a single vision for economic and employment growth, with a commitment between all the partners to work together collaboratively for a common purpose. There is ambition for the region to position itself as one of the leading UK locations for energy generation and advanced manufacturing as well as becoming a hub of innovation and technology expertise, and a centre of excellence for high value tourism. This ambition builds on strengths and opportunities, and its delivery will create a more sustainable and balanced approach to economic development. The Leader highlighted that the Growth Vision is founded on three key aims :-

- **Smart North Wales** – with a focus on innovation in high value economic sectors to advance economic performance;
- **Resilient North Wales** – with a focus on retaining young people, increasing employment levels and skills to achieve inclusive growth;
- **Connected North Wales** – with focus on improving transport and digital infrastructure to enhance strategic connectivity to and within the region.

The Strategic Programmes and projects are key drivers to deliver the vision and to address the identified challenges and create the conditions for growth. The Programmes have been co-designed and developed by key stakeholders, particularly the private sector. The projects concentrate on developing the conditions to attract private sector investment. There will be robust engagement with local businesses to enable them to access supply chain opportunities resulting from Growth Deal funded projects, in order to maximise the potential regional benefits and impact of investment.

The Leader of the Council further referred to the Proposition Document attached to the report and highlighted as follows :-

- Section 1 – Introduction and Context
- Section 2 – Case for Investment
- Section 3 - Strategic Context and fit with Government Policy
- Section 4 – Option Appraisal and the Preferred Way Forward
- Section 5 – Growth Vision
- Section 6 – Project Schedule List

- Section 7 – Economic Case
- Section 8 – Finance and Funding
- Section 9 – Empowering the Region
- Section 10 – Governance and Delivery Structure

Clarification was sought by Councillor Shaun Redmond as regards to the potential increase in traffic entering the Port of Holyhead if the projects contained within the Growth Bid are to materialise. He noted that there is a potential for the traffic to increase from 400,000 to 750,000 a year through the Port. He sought clarity whether the matter has been contained within the Growth Bid as he can only view the infrastructure/transport of Holyhead within the documentation. Councillor Redmond said that the highways infrastructure towards the Port is already of a concern and needs to be addressed as soon as possible. The Leader of the Council responded that transport issues within and from the entrance of the Port of Holyhead is addressed through the Growth Bid and that other resources may be available through other schemes to address highways issues outside the Port entrance.

It was unanimously RESOLVED :-

- **That Council adopts the *Proposition Document* as (1) the basis of a longer-term regional strategy for economic growth and (2) the regional bid for the priority programmes and projects from which the content of a Growth Deal will be drawn at the Heads of Terms Agreement stage with Governments. Adoption does not commit the Council to any financial investment of its own at this stage and is subject to the financial risks and benefits of the final Growth Deal being set out in detail, for full consideration, when the final Deal is presented for approval at a later date;**
- **That Council notes that the Leader is authorised by the Executive to commit the Council to entering Heads of Terms with Governments alongside the political and professional leaders from the nine other statutory partners represented on the North Wales Economic Ambition Board, and the North Wales Mersey Dee Business Council, with the *Proposition Document* setting out the parameters for the Heads of Terms agreement.**

3. ANNUAL PERFORMANCE REPORT 2017/18

Submitted – a report by the Head of Profession (Human Resources) and Transformation as presented to the Executive on 15 October, 2018.

The Portfolio Holder for Corporate Business reported on the Annual Performance Report 2017/18 together with the Council's progress against the Authority's Wellbeing Objectives. The Portfolio Holder outlined the Council's achievements during 2017/18 as noted within the report. He further referred to the Performance Indicators for 2017/18 together with the National Indicators, known as Performance Accountability Measures (PAM) which compare each local authority against the same indicators. In 2017/18, 50% of the indicators for this Authority had improved, 36% declined and 14% of the indicators were new. The Portfolio Holder referred to the opening of the £20m Menai Science Park in Gaerwen which is a new

development by Bangor University and to the construction works by Grwp Llandrillo Menai on a new £14m Engineering Training Centre in Llangefni. He further stated that continued engagement is taking place with major energy developments with a view of creating jobs and increasing prosperity by capitalising on a number of transformational projects which include Minesto and Morlais to develop Anglesey's marine energy potential and the Horizon Nuclear Power. He further noted that 3 new 21st Century Schools have been built on the Island which have modern facilities for the children of the Island. He noted that Anglesey has the highest recycling rate out of all the 22 local authorities with 72.2% of its waste either reused, recycled or composted. The Council has also committed to be the first Council in Wales as regards to a Plastic Free status. The Portfolio Holder further said that Hafan Cefni, the Extra Care Housing Scheme in Llangefni has now opened. The Market Hall in Holyhead has seen remodelling and restoration and it will provide new office accommodation and relocation of the Library within the building.

Reference was made to the following as areas where further improvements could be made in future :-

- New schools needs to be completed within a specific timetable and penalty clause should be secured in the future as regards to any development of new schools;
- The Newborough area needs to be recognised and especially the Llanddwyn Beach. Funding is needed to enhance the road networks in the area;
- Pressure needs to be put on Welsh Government that residents are unable to sustained continued yearly increase in Council Tax (a suggestion was made by an elected member that Welsh Government should consider charging for prescriptions rather than the provision of 'free prescriptions' as at present).

It was RESOLVED :-

- **That the final version of the 2017/18 Performance Report should be published by the statutory date at the end of October;**
- **That Section 3.2 of the Constitution be amended to include approving decisions for the Council's Wellbeing Statement and Objectives in accordance with the 2016 Future Generations Act as a function that the Full Council must fulfil;**
- **That the Council authorises the Head of Function (Council Business)/Monitoring Officer to make the necessary changes to the matters that have been assigned as functions that must be approved by the full Council in the Constitution together with any changes which must be made as a result to reflect this.**

The meeting concluded at 2.35 pm

**COUNCILLOR DYLAN REES
CHAIR**

ISLE OF ANGLESEY COUNTY COUNCIL	
REPORT TO:	COUNTY COUNCIL
DATE:	11 DECEMBER 2018
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 2019/20

1. PURPOSE OF THE REPORT

- 1.1 The report explains the requirement to adopt a scheme by 31 January 2019 with regard to 2019/20.
- 1.2 The Executive, in its meeting on 26 November 2018, recommended that the full Council accepted the recommendations below as regards its proposed Council Tax Reduction Scheme for 2019/20:-
- “The Executive recommends to the Isle of Anglesey County Council (full Council) in its meeting on 11 December 2018 that its current local Council Tax Reduction Scheme should not be revised or replaced with another scheme.
 - The Executive recommends to the full Council in its meeting on 11 December 2018 to formally adopt the current Council Tax Reduction Scheme for the financial year 2019/20.
 - The Executive recommends to the full Council in its meeting on 11 December 2018 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 along with any required procedural changes as regards the scheme that may be required after the Full Digital Service for Universal Credit has been introduced in the Authority’s area from 4 December 2018.”

2. BACKGROUND INFORMATION

- 2.1 The full Council on 12 December 2017 adopted its Council Tax Reduction Scheme for the financial year 2018/19. 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 2018/19, 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 2018/19, the timing of these amending regulations is dependent on the Chancellor of Exchequer's Autumn Budget (29 October 2018) and the subsequent uprating schedule published by the Department for Work and Pensions usually a few days after the Autumn Budget. The Welsh Government laid the new draft Regulations reflecting the uprate to financial figures or any other technical amendment before the National Assembly for Wales, on 27 November 2018.

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 2018/19 these amending regulations did not come into effect until 9 January 2018 and it is expected a similar timetable will apply for 2019/20.

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

- **Uprating figures** for 2019/20 in respect of personal allowances in relation to working age and carer and disabled premiums; and in relation to pensioners and non-dependent deductions.
- **Bereavement Support Payments** – various payments are disregarded in the calculation of income.
- **Consequential Amendments** – reflecting change of central government department names and transfer of functions, reflecting income-based Employment Support Allowance (ESA) being replaced by Universal Credit, reflecting that some ESA cases will continue to Access the Work-Related Activity Component even though it was announced it would be abolished from 3 April 2017 along with its Universal Credit equivalent, clarification of qualifying conditions for disregards when calculating income and/or capital for a working age claimant who is a member of a couple and clarification for working age claimants that no non-dependent deductions will occur where the non-dependent is not in the work related activity group and is in receipt of income support, state pension credit, income-based JobSeekers Allowance or income related ESA.
- **Foster Parents** approved under the Fostering Services (Wales) Regulations 2003 will now be subject to the same treatment of childcare charges which will be deducted from earnings.

2.5 As the full Council is meeting on 11 December 2018 to determine its local Council Tax Reduction Scheme for 2019/20, 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 along with procedural changes that may be required to the scheme following the introduction of Full Digital Service for Universal Credit in the Authority's area from 4 December 2018.

3. REVIEW OF CURRENT COUNCIL TAX REDUCTION SCHEME

3.1 In **Appendix A** the full Council is provided with information, statistics and values concerning the impact of its Council Tax Reduction Scheme for 2018/19. 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 31 October 2018) 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 usually measured annually in September (similar data was provided to the full Council when it considered its scheme for 2018/19) but, for the purposes of this report, due to software upgrades by the software supplier, this could not be done as at 30 September 2018. At present, software problems following the upgrade do not allow reports to be produced for income types and gender and these have not been updated.
- 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).

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 has accelerated over the last 12 months. 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 12 month period from September 2016 to September 2017, the caseload fell by 2.1% down to 6,117. Between September 2017 to October 2018 the caseload fell to 5,807, a reduction of 5.1%;
- **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 increased from 65.8% to 68.6% of the caseload during the period from September 2017 to October 2018. Non-passported claimants i.e. standard claimants, has decreased from 34.2% to 31.4%. This reverses the trend identified last year. 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%). By October 2018, the incidence of Working Age to Pensioner Age claims was 52.0%/48.0%;
- **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, there was little change at 23.3%. As at October 2018, households with children were 22.8% of the caseload;
- **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 was a significant increase to 45.7% of the caseload. No figures can be produced for October 2018 at present;
- **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 was 93.5% (14.4% of the caseload). No figures can be produced for October 2018 at present.
- **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 A 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 2018/19, 802 new Council Tax Reduction Scheme claimants have been processed (compared with 657 for the same period last year) with 7,531 changes in circumstances processed (compared to 7,820 for the same period last year). The average time taken to process new claims and changes in circumstances is 9.9 days in this period (for the same period last year the average time was 6.9 days).

4. REVIEW OF THE CURRENT SCHEME – LOCAL DISCRETIONS

4.1 The regulations will also be amended to take into account the normal financial upratings and technical amendments that are used in the Regulations. For 2019/20, therefore, the only considerations available to the full Council to review and decide is in the area of local discretions allowed by the Regulations. 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 2019/20 associated with extending the statutory extended period ranges between £8,563 for two weeks up to £24,864 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 2019/20;

- 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 £4,907 in 2018/19. It is recommended, therefore, that the additional disregards applied under the current local scheme will continue unrevised for 2019/20;

- 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 2019/20.

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 2019/20, 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 2018 and 30 September 2018:-

Method of Application	Number	Percentage (%)
A. Electronic based application		
i. By appointment over the telephone to Revenues & Benefits Office, Llangefni	35	4.4
ii. By appointment with approved and suitably trained partners – Connect Môn, J E O’Toole Centre, Housing Services etc.	95	11.8
iii. On-line application via website – self help	574	71.6
iv. Department for Work and Pensions input documents	96	11.9
B. Paper based application	2	0.3
Total	802	100

BUT, with Full Digital Service for Universal Credit being introduced within the Authority’s area from 4 December 2018 for WORKING AGE claimants, how will this affect new Universal Credit claimants applying for a Council Tax Reduction and how will this affect billing and recovery of Council Tax for such claimants?

It is, therefore, an opportune moment to review these application methods, especially as the number of dual applications i.e. Housing Benefit and Council Tax Reduction will reduce as Full Digital Service Universal Credit is rolled out but also recognising that two different systems will be running alongside each other for those of working age (pensioner age will remain on housing benefit for the foreseeable future until 2023 at the earliest). Members should note that there are currently 90 working age claimants in receipt of a Council Tax Reduction and are also in receipt of Universal Credit. This is before Full Digital Service for Universal Credit applies to the Authority area from 4 December 2018.

The following statistics also show the number of working age claimants who currently have dual applications i.e. Housing Benefits and Council Tax Reduction and those working age claimants who claim a Council Tax Reduction only e.g. home owners.

Housing Benefit and Council Tax Reduction (Dual) Working Age Claimants – 2,460
Council Tax Reduction only Working Age Claimants – 507

During the last 12 months it should also be noted that the percentage of Council Tax Reduction claimants not in receipt of the full 100% reduction has increased from 22.2% (1,359) (as at 30 September 2017) to 31.4% (1,825) (as 31 October 2018) of the caseload i.e. more claimants in receipt of a reduction will have a balance to pay in Council Tax.

The UK Government expects the national roll-out of the Full Digital Service for new claimants to be completed by December 2018 and the UK Government is planning to start transferring claimants on existing benefits or tax credits to Universal Credit from July 2019 with the process completed by March 2023 - **for working age claimants**. There will be exceptions to this – pensioner age claimants, anyone with 3 or more children (will start Universal Credit Claims from 1 February 2019 onwards) and claimants in designated supported accommodation, who will remain on housing benefit and not have their housing costs met from Universal Credit. Therefore, for the next 3 to 4 years the picture will be complex with different application methods to apply for a Council Tax Reduction dependant on whether you are on housing benefit or Universal Credit. Appendix 1 of the proposed Council Tax Reduction Scheme for 2019/20 reflects these different methods but in summary – Universal Credits claimants will have to complete this Authority's Council Tax Reduction application form to obtain a reduction. Department for Work and Pension input documents will not apply for Universal Credit.

It should also be noted that, following the Department for Work and Pension's announcement on 1 October 2018, the Citizen's Advice Bureau will be funded to deliver Universal Support for the Universal Credit nationally but little information is currently available on how the Citizen's Advice Bureau intend to operate this support service at a local level.

It is, therefore, recommended that these procedures for claiming the Council Tax Reduction remain the same and are not revised for 2019/20, apart for required procedural changes that must be made after the Full Digital Service for Universal Credit has commenced on 4 December 2018 – these are detailed in Appendix 1 of the proposed policy. Under new arrangements it may be that a greater number of claim forms will be completed with assistance from approved partners – Citizen's Advice Bureau and Housing Services (O'Toole Centre) as lead service on Universal Credit in the Authority. However, the main aim of the Revenue and Benefit service is that most of the Council Tax Reduction application forms will be completed on-line by the claimant as at present.

How will the Full Digital Service for Universal Credit affect the billing and collection of the Council Tax?

As Universal Credit is a single monthly payment, for the calculation of the Council Tax Reduction it is treated as income. Any changes to Universal Credit entitlement for a claimant, under the scheme to be adopted by this Authority (the all Wales scheme) can lead to revisions in Council Tax Reduction entitlement. Revised Council Tax bills with amended payment schedules will be produced, if the amendment means that the full cost of the Council Tax is not met. This could happen several times during the year as Universal Credit entitlement may vary from month to month. (In England many local authority schemes avoid this as income levels have been banded and a change of income does not necessarily mean a change in entitlement to a Council Tax reduction and the need for a new bill).

The delays in the processing of the Universal Credit may lead to the production of full bills, reminders, final notices and summonses for non payment. The Authority will consider making provisional reductions to the Council Tax whilst the claim is being processed by Job CentrePlus but only if the claimant has requested an advance payment of Universal Credit by Job CentrePlus and provided to the Job CentrePlus the required details allowing such a payment. The Authority can access this information using the DWP gateway allowing it to make a provisional Council Tax reduction.

5. FINANCIAL AND RISK IMPLICATIONS

5.1 The Welsh Government's Local Government Revenue and Capital Settlement 2019/20 is not expected until week commencing 17 December 2018 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 2019/20 is not yet known (at the time of writing this report). The projections below are made based on the Draft Settlement for 2019/20 which was published on 9 October 2018. Current expenditure (end of October 2018 is £5,289,851 offset by a Welsh Government Council Tax Reduction Scheme Grant of £5,187,000 for 2018/19). This gives a projected shortfall of £102k to be borne by the Authority for 2018/19. The proposed Council Tax Reduction Grant under the Draft Settlement for 2019/20 is £5,131,000. In the Council's Draft Budget for 2019/20, £33k 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 A number of factors for 2019/20 will affect the expenditure on the scheme:-

- Between April 2018 and September 2018 there has been a caseload reduction of 2.9% and it is assumed that this trend will continue for the remainder of the current financial year i.e. a 4% reduction by March 2019. This compares with (from April to April) a 3.8% reduction during 2017/18, 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 5.0% for 2019/20, in accordance with the Medium Term Financial Plan 2019/20 – 2021/22.
- The Authority is also, yet to be advised what the precise impact of the Chancellor of Exchequer's Autumn Budget on 29 October 2018 will be as to whether the Welsh Government will update or not the financial figures in respect of the amending regulations in respect of the scheme for 2019/20.
- In its review of local government Finance in Wales (update October 2018), the Welsh Government has not only given an indicative timetable (from 2019) to improve the Council Tax Reduction Scheme taking account of UK welfare reforms but it also confirmed that in 2019/20 it would maintain full entitlements to the scheme.

- It should be noted that the take up of the Council Tax Reduction Scheme within Wales for all local authority areas since its introduction in 2013 has fallen. The Welsh Government will be commissioning a detailed assessment of the impact of Universal Credit on the Council Tax Reduction Scheme which will inform their development of the scheme from 2020/21 onwards to ensure parity of treatment between Universal Credit and non Universal Credit households.
- With full digital migration to Universal Credit commencing on 4 December 2018 in the Authority's area, dual applications i.e. for Housing Benefit and Council Tax Reduction are expected to diminish further which will impact on take up.

5.3 Having regard to the above, at best the estimated expenditure on the scheme will be £5,341,098 (assuming a 5% increase in Council Tax and a further 5% reduction in caseload) and at worst an estimated expenditure at £5,802,967 (assuming no caseload reduction with a 9.7% increase in Council Tax).

5.4 There is, therefore, an estimated expected shortfall of between £210k and £672k 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 The proposed Council Tax Reduction Scheme is to be approved under Section 13A (1) (b) of the Local Government Finance Act 1992.

6.3 On the 28 February 2018 the Full Council approved a Council Tax Discretionary Relief Policy under Section 13A (1) (c) of the Local Government Finance Act 1992 and it delegated to the Executive the power to revoke, re-enact and/or amend this policy. The Head of Function (Resources)/Section 151 Officer was given delegated powers to determine applications made under Section 13A (1) (c) taking account of any relevant policy guidelines.

6.4 The Council Tax Reduction Scheme 2019/20 that is being proposed for approval is separate and independent of the Council's Council Tax Discretionary Relief Policy. Applicants who qualify for support under the Council Tax Reduction Scheme can apply for additional relief under the Council's Council Tax Discretionary Relief Policy.

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, for this Authority, it has been updated as at September 2014, September 2015, September 2016, September 2017 and is further updated (where currently possible) as at October 2018 as detailed in **Appendix A**.

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 2019/20, 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 2019

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 locally September 2014, September 2015, September 2016, September 2017 and October 2018)

Reforming Local Government Finance in Wales: an update – October 2017 & October 2018

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 2019/20 (**see Appendix B**);

- 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 uprating of financial figures or technical or consequential revisions in any amending regulation or regulations are reflected in the Council's Council Tax Reduction Scheme along with any required procedural changes as regards the scheme that may be required after the Full Digital Service for Universal Credit has been introduced in the Authority's area from 4 December 2018.

12. APPENDICES

- Appendix A – Impact of current scheme
- Appendix B – Proposed Council Tax Reduction Scheme for 2019/20

GERAINT JONES
REVENUES AND BENEFITS SERVICES MANAGER

28 NOVEMBER 2018

Table 1: Caseload 31 October 2018

Description	Number	Percentage	Value	Percentage
Total Council Tax Reduction awarded	5,807	100%	£5,289,851	100%
Percentage Awarded				
Council Tax Reduction full awards i.e. 100%	3,966	68.3%	£3,543,547	67.0%
Council Tax Reduction partial awards i.e. less than 100%	1,841	31.7%	£1,746,302	33.0%
Claim Type				
Passported* claims	3,982	68.6%	£3,847,283	72.7%
Non passported claims i.e. Standard Claims	1,825	31.4%	£1,442,568	27.3%
Council Tax Bands				
Band A (Disabled reduction)	8	0.1%	£5,976	0.1%
Band A	1,900	32.7%	£1,445,781	27.3%
Band B	1,850	31.9%	£1,586,931	30.1%
Band C	1,033	17.8%	£1,005,570	19.0%
Band D	604	10.4%	£650,832	12.3%
Band E	301	5.2%	£407,788	7.7%
Band F	91	1.6%	£149,367	2.8%
Band G	18	0.3%	£33,120	0.6%
Band H	2	0.0%	£4,486	0.1%
Band I	0	0.0%	£0	0.0%
Local Town and Community Areas				
Holyhead	1,625	28.0%	£1,367,632	25.9%
Llangefni	501	8.6%	£424,538	8.0%
Amlwch	442	7.6%	£399,806	7.6%
Menai Bridge	203	3.5%	£193,909	3.7%
Rhosyr	194	3.3%	£181,167	3.4%
Llanfair Mathafarn Eithaf	193	3.3%	£197,302	3.7%
Valley	156	2.7%	£134,019	2.5%
Beaumaris	167	2.9%	£163,699	3.1%
Llanfairpwll	141	2.4%	£137,810	2.6%
Llanfaelog	128	2.2%	£115,391	2.2%
Llanerchymedd	130	2.2%	£118,943	2.2%
Llanfair yn Neubwll	113	2.0%	£101,222	1.9%
Llanbadrig	121	2.1%	£112,439	2.1%
Llanfihangel Esceifiog	109	1.9%	£104,125	2.0%
Bodedern	93	1.6%	£87,832	1.7%
Llangoed	92	1.6%	£87,347	1.7%
Pentraeth	83	1.4%	£79,936	1.5%
Llanidan	89	1.5%	£76,096	1.4%
Mechell	91	1.6%	£86,763	1.6%
Trewalchmai	83	1.4%	£77,776	1.5%
Bodorgan	91	1.6%	£83,023	1.6%
Llaneilian	84	1.4%	£86,464	1.6%
Moelfre	73	1.3%	£63,370	1.2%
Rhosybol	68	1.2%	£66,191	1.3%
Bryngwran	68	1.2%	£60,529	1.1%
Bodffordd	70	1.2%	£59,522	1.1%
Cwm Cadnant	71	1.2%	£74,441	1.4%
Aberffraw	64	1.1%	£54,259	1.0%
Llangristiolus and Cerrigceinwen	60	1.0%	£67,974	1.3%
Llanddaniel	49	0.8%	£48,921	0.9%
Cylch y Garn	46	0.8%	£48,739	0.9%

Description	Number	Percentage	Value	Percentage
Local Town and Community Areas				
Trearddur	51	0.9%	£58,995	1.1%
Llanddona	46	0.8%	£46,025	0.9%
Tref Alaw	44	0.8%	£51,167	1.0%
Llanfaethlu	48	0.8%	£48,784	0.9%
Llanfachraeth	44	0.8%	£41,774	0.8%
Llanddyfnan	34	0.6%	£36,110	0.7%
Rhoscolyn	19	0.3%	£20,294	0.4%
Penmynydd	15	0.3%	£14,236	0.3%
Llaneugrad	10	0.2%	£10,718	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 31 October 2018

Description	Number	Percentage	Value	Percentage
Total Council Tax Reduction awarded	5,807	100%	£5,289,851	100%
Age Group				
Working Age	2,967	51.1%	£2,610,229	49.3%
Pensioner Age	2,840	48.9%	£2,679,622	50.7%
Passported claims* by Age Group				
Working Age	2,094	36.1%	£1,934,622	36.6%
Pensioner Age	1,888	32.5%	£1,912,661	36.2%
Non Passported i.e. standard claims by Age Group				
Working Age	873	15.0%	£675,607	12.7%
Pensioner Age	952	16.4%	£766,961	14.5%
Household Composition by Age Group - Couple				
Working Age	658	11.3%	£719,635	13.6%
Pensioner Age	763	13.1%	£860,804	16.3%
Household Composition by Age Group - Single				
Working Age	2,309	39.8%	£1,890,594	35.7%
Pensioner Age	2,077	35.8%	£1,818,818	34.4%

* 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 31 October 2018

Description	Number	Percentage	Value	Percentage
Total Council Tax Reduction awarded	5,807	100%	£5,289,851	100%
Household Composition - status				
Couple	1,421	24.5%	£1,580,441	29.9%
Single	4,386	75.5%	£3,709,410	70.1%
Household Composition - children				
No children	4,484	77.1%	£4,092,261	77.4%
1 child	566	9.7%	£494,035	9.3%
2 children	421	7.3%	£374,120	7.0%
3 children	208	3.6%	£196,722	3.7%
4 children	92	1.6%	£92,758	1.8%
5 children	19	0.3%	£18,819	0.4%
6 children	10	0.2%	£12,492	0.2%
7 children	3	0.1%	£3,578	0.1%
8 children	1	0.0%	£1,744	0.0%
9 children	3	0.1%	£3,322	0.1%

Description	Number	Percentage	Value	Percentage
Couples with children				
Working Age	391	6.7%	£422,224	8.0%
Pensioner Age	19	0.4%	£23,304	0.4%
Single with children				
Working Age	181	15.4%	£183,310	13.8%
Pensioner Age	2	0.4%	£1,949	0.4%
Couples with children under 5 years old				
Working Age	181	3.1%	£183,310	3.5%
Pensioner Age	2	0.0%	£1,949	0.0%
Single with children under 5 years old				
Working Age	346	6.0%	£276,582	5.2%
Pensioner Age	0	0.0%	£0	0.0%

Table 4: Households in which specified disability payments* cannot be produced at present for 2018

Description	Number	Percentage	Value	Percentage
Total Council Tax Reduction awarded				
Household Composition by age group				
Working Age				
Pensioner Age				

* 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 cannot be produced at present for 2018

Description	Number	Percentage	Value	Percentage
Total Council Tax Reduction awarded				
Single Parents Household - Female				
Working Age				
Pensioner Age				
Single Parents Household - Male				
Working Age				
Pensioner Age				

Table 6: Ethnic Background Isle of Anglesey 31 October 2018

Ethnic Origin	March 2011 Census	Council Tax Reduction Scheme October 2018
White British	96.6%	81.0%
White other	1.7%	18.4%
Mixed heritage	0.8%	0.3%
Asian (All)	0.7%	0.3%
Black (All)	0.1%	0.0%
Other (All)	0.3%	0.0%

Table 7: Additional Council Tax Reduction Awarded under local discretionary scheme 31 October 2018. Cannot provide split at present for 31 October 2018.

Description	Number	Percentage	Value	Percentage
Total Council Tax Reduction awarded				
War Widows (Pre 1973)				
War Disablement Pension				



Isle of Anglesey County Council

Council Tax Reduction Scheme 2019/20

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 2013/14 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 2019, 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/2019/??/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 2019 for 2019/20 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 2019, 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 11 December 2018 relating to the year beginning 1 April 2019. 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. See Council Tax Discretionary Relief Policy, the link is given below –

<http://www.anglesey.gov.uk/advice-and-benefits/council-tax/reduce-your-council-tax/council-tax-discretionary-relief-policy/>

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 2019 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/2019/??/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, LL77 7TW (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) (**for Housing Benefit claimants only. DOES NOT APPLY TO UNIVERSAL CREDIT WORKING AGE CLAIMANTS**);
- vi. 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.

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 (2019/20) 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 2019/20 has not yet been received.

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ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Executive Council
Date:	29 October 2018 11 December 2018
Subject:	Audit and Governance Committee – Updated Terms of Reference
Portfolio Holder(s):	Cllr Robin Williams (Portfolio Member for Finance)
Head of Service – Joint Report:	Marc Jones, Head of Function (Resources) and Section 151 Officer MarcJones@ynysmon.gov.uk Lynn Ball, Head of Function (Council Business) and Monitoring Officer LynnBall@ynysmon.gov.uk
Report Author: Tel: E-mail:	Marion Pryor, Head of Audit and Risk 01248 752611 MarionPryor@ynysmon.gov.uk
Local Members:	Not applicable

A –Recommendation/s and reason/s
<p>The Executive recommends to Council that the Council approves the changes to the Council’s Constitution, being updated terms of reference for the Audit and Governance Committee as contained in the Appendix to this report.</p> <p>Reasons</p> <p>Good practice suggests that audit committees should periodically review their terms of reference for appropriateness. The Audit and Governance Committee last reviewed and approved its terms of reference in February 2015, with approval granted by the Executive in April and the County Council in May 2015.</p> <p>In May 2018, the Chartered Institute of Public Finance and Accountancy (CIPFA) fully revised and updated its guidance to take into account the legislative changes and professional developments that have affected the public sector.</p> <p>Members of the Audit and Governance Committee were keen to be part of the review of the terms of reference and attended a workshop to discuss the updated guidance on 13 June 2018.</p>

The revised guidance updates the core functions of the audit committee in relation to governance, risk management, internal control and audit. This includes updates to regulations and statutory guidance, including the updates to the Public Sector Internal Audit Standards, and Delivering Good Governance in Local Government: Framework and associated guidance.

The audit committee role in relation to counter-fraud has also been updated to reflect the Code of Practice on Managing the Risk of Fraud and Corruption.

The guidance continues to include a strong focus on the factors that support improvement. These include the knowledge and skills that audit committee members require and a focus on where the audit committee adds value. It also provides practical support for evaluating committee effectiveness and planning improvements.

This report proposes fully revised terms of reference for approval.

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

There is an option to do nothing and leave the current terms of reference unchanged. However, it is recognised that the current terms of reference need to be updated to comply with the revised Chartered Institute of Public Finance and Accountancy (CIPFA) guidance, to support the Committee in fulfilling its responsibilities. CIPFA's guidance represents best practice for audit committees in local authorities throughout the UK.

C – Why is this a decision for the Executive?

This is a constitutional change, which requires the Executive's view prior to the report being presented to full Council for approval.

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

Yes

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

Yes

DD – Who did you consult?		What did they say?
1	Chief Executive / Senior Leadership Team (SLT) (mandatory)	Approved with no further comments (28/08/18)
2	Finance / Section 151 (mandatory)	To ensure there is no delay in the process for approving the Council's financial statements, the Head of Function (Resources) / Section 151 Officer requested that the approval of the appointment of lay members remains with the Audit and Governance Committee, rather than to transfer to Full Council as advocated by the CIPFA guidelines.
3	Legal / Monitoring Officer (mandatory)	Approved, with minor observations taken account of.
4	Human Resources (HR)	Not applicable
5	Property	Not applicable
6	Information Communication Technology (ICT)	Not applicable
7	Procurement	Not applicable
8	Scrutiny	Not applicable
9	Local Members	Not applicable
10	Any external bodies / other/s	Members of the Audit and Governance Committee discussed the requirements of the revised CIPFA guidance during a workshop held in June 2018. Their observations have been included within the revised terms of reference. The Committee approved the revised Terms of Reference at its meeting on 19 September 2018.

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:
Audit and Governance Committee – Draft Terms of Reference (September 2018)

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

- Report to Audit and Governance Committee, Agenda Item no. 9, 19 September 2018
- Audit and Governance Committee Workshop presentation, 13 June 2018
- *Audit Committees: Practical Guidance for Local Authorities and Police*, CIPFA, 2018, available from www.cipfa.org.uk/publications
- *Position Statement: Audit Committees in Local Authorities and Police*, CIPFA, 2018, available from www.cipfa.org.uk/publications
- *Public Sector Internal Audit Standards (PSIAS) and the supporting Local Government Application Note for the United Kingdom Public Sector Internal Audit Standards (LGAN)*
- Internal Audit Charter (September 2017)
- Local Government (Wales) Measure 2011, in particular, Section 85
- Statutory Guidance from the Local Government (Wales) Measure 2011, Welsh Government, 2012
- Accounts and Audit Regulations (Wales) 2014
- Accounts and Audit (Wales) (Amendment) Regulations 2018
- *Statement on the Role of the Head of Internal Audit in Public Service Organisations*, CIPFA, 2010
- *Statement on the Role of the Chief Financial Officer in Local Government*, CIPFA, 2016
- Treasury Management Strategy 2018/19
- *Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes*, CIPFA, 2017 Edition
- *Code of Practice on Managing the Risk of Fraud and Corruption*, CIPFA, 2014
- Isle of Anglesey County Council's Constitution

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Audit and Governance Committee Executive (29 October 2018) County Council (30 October 2018)
Date:	19 September 2018
Subject:	Audit and Governance Committee – Updated Terms of Reference
Head of Service:	Marc Jones, Head of Function (Resources) / S151 Officer 01248 752601 MarcJones@ynysmon.gov.uk
Report Author:	Marion Pryor, Head of Audit and Risk 01248 752611 MarionPryor@ynysmon.gov.uk
Nature and Reason for Reporting: Good practice suggests that committees should periodically review their terms of reference for appropriateness. The Audit and Governance Committee last reviewed its terms of reference in February 2015, with approval granted by the Executive in April and the County Council in May 2015. In May 2018, the Chartered Institute of Public Finance and Accountancy (CIPFA) fully revised and updated its guidance to take into account the legislative changes and professional developments that have affected the public sector. This report proposes fully revised terms of reference for the Committee to consider before being submitted to the Executive and Council for approval.	

1. Introduction and Background

- 1.1. Audit committees are a key component of corporate governance and play an important role supporting local authorities. They are an important source of assurance about an organisation's arrangements for managing risk, maintaining an effective control environment and reporting on financial and other performance.
- 1.2. To be truly effective, the chief financial officer requires an effective audit committee to provide support and challenge. In addition, an essential role for the audit committee is to oversee internal audit, helping to ensure that it is adequate and effective. Both these elements are now enshrined in the Public Sector Internal Audit Standards (PSIAS) and the supporting Local Government Application Note for the United Kingdom (LGAN).
- 1.3. There have been a number of other significant developments in governance and audit practice since 2015, which have emphasised the importance of the audit committee, including the new Delivering Good Governance in Local Government: Framework (CIPFA/Solace, 2016).
- 1.4. The Audit and Governance Committee's Forward Work Programme provides for the regular review of its terms of reference. The last revision acknowledged changes to the regulatory framework and guidance relating to audit committees, in particular, the

greater role for the audit committee in all aspects of assurance. This followed the Committee's recommendation to Council to change its name to 'Audit and Governance Committee' to make more transparent the enhanced role of the Committee in terms of overall governance and assurance.

- 1.5. The Committee was due to review its terms of reference in its September 2017 meeting. However, at this and subsequent meetings, the Committee approved the postponement of the review until the publication of anticipated new Chartered Institute of Public Finance and Accountancy (CIPFA) guidance.

2. Revised Guidance

- 2.1. CIPFA's guidance represents best practice for audit committees in local authorities throughout the UK. It published its new guidance in May 2018, which was circulated to members of the Committee on 25 May 2018. Members were keen to be part of the review of the terms of reference and attended a workshop to discuss the updated guidance on 13 June 2018.
- 2.2. The revised guidance updates the core functions of the audit committee in relation to governance, risk management, internal control and audit. CIPFA has also updated the audit committee role in relation to counter-fraud to reflect the Code of Practice on Managing the Risk of Fraud and Corruption.
- 2.3. The guidance continues to include a strong focus on the factors that support improvement. These include the knowledge and skills that audit committee members require and a focus on where the audit committee adds value. It also provides practical support for evaluating committee effectiveness and planning improvements.
- 2.4. The guidance has mostly been incorporated into the terms of reference, with the exception of the requirement for full council to approve the appointment of the lay members. The Head of Function (Resources) and Section 151 Officer was concerned that a delay in the approval of the lay members would mean that the Audit and Governance Committee would also be delayed, which may cause problems in terms of approving the draft statement of accounts in accordance with deadlines. Therefore, the previous requirement for the Audit and Governance Committee members' approval remains.

3. Consultation

- 3.1. In developing the terms of reference, account has been taken of specific regulations and guidance appropriate for the Council (listed at [Appendix A](#)). Consultation has been undertaken with the Head of Function (Resources) and Section 151 Officer, the Head of Function (Council Business) and Monitoring Officer and the remainder of the Senior Leadership Team. The two lay members, Mr Dilwyn Evans and Mr Jonathan Mendoza, were also consulted. All consultees provided useful observations.

4. Recommendation

- 4.1. That the Audit and Governance Committee considers the draft terms of reference and makes any comments prior to the revised terms being recommended by the Executive on 29 October 2018 for adoption by the Council at its meeting to be held on 30 October 2018.



Audit & Governance Committee

Draft Terms of Reference
September 2018

Statement of purpose

1. The Audit and Governance Committee is a key component of the Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.
2. The purpose of the audit committee is to provide to members of full Council (*'those charged with governance'*) independent assurance of the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and governance processes. It oversees internal and external audit and other regulators, helping to ensure effective assurance arrangements are in place.
3. There is clear separation between the role of the audit committee and that of scrutiny committees. The audit committee role seeks assurance that internal control systems of the council are working and risks effectively managed, rather than the actual scrutiny of activities.

Composition and arrangements

4. The Audit and Governance Committee is a non-executive body established under the requirements of the Local Government (Wales) Measure 2011 and is a fully constituted committee of the Council operating at a strategic level. The committee will conduct its business non-politically and must abide by the rules concerning political balance, in accordance with the Local Government and Housing Act 1989.
5. The committee will consist of eight elected members and two lay members. Elected members will be politically balanced and will not be members of the executive, but the Finance Portfolio Holder is required, as far as possible, to attend all meetings of the Committee. The Chair and Vice-Chair will recommend the appointment of the two lay members to the audit committee. The lay members will serve for a fixed term to coincide with the length of the Council, i.e. five years, and will serve a maximum of two terms. All members, including the lay members, are subject to the Council's Code of Conduct and will declare any interests. The lay members will have equal status to that of the elected members in terms of access to staff and information, for the purposes of the audit committee.
6. The chair of the audit committee can be a councillor or a lay member, but must not be a member of a group that forms part of the council's executive, except where all groups are represented on the executive (in which case the chair must not be a member of the executive). The committee members will decide upon

the chair and vice-chair of the committee. All committee members, including lay members, shall have a vote.

7. Any officer or member called to attend an audit committee meeting must do so. They must answer any questions asked of them except ones that they could refuse to answer if they were in court. The committee can invite other persons to attend before it, but anyone else so invited to attend is under no compulsion to do so.
8. The committee will meet at least four times a year and must meet if the full council so decides, or if at least a third of the committee's members requisition in writing to the Chair that a meeting be held. The council will publish the committee dates annually but additional meetings can be arranged at the discretion of the Chair if the required number of days' notice is provided and that the agenda is published prior to the meeting, in accordance with regulations.
9. The Head of Function (Resources) and Section 151 Officer, as the officer with responsibility for financial administration, will advise the committee. The Committee will provide effective support to the Head of Function (Resources) and Section 151 Officer, who consequently, will have direct and unfettered access to the committee.
10. The committee may commission work from the external and internal auditors and both will advise the Committee. The Committee may additionally, seek independent advice from outside the Council, within an approved budget.
11. The external and internal auditors of the Council have the right to request the chair of the committee to consider any matter that the auditors believe should be brought to the attention of the Council.
12. All new members will receive a full induction to the committee. Members will have role descriptions and will review their knowledge and skills through a self-assessment process. They will receive appropriate ongoing training in their role in accordance with an annual training programme and will receive regular briefings on new legislation, professional guidance and research.

Accountability arrangements

13. The committee will report to full council (*those charged with governance*) on an annual basis the audit committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of the Council's governance, risk management and internal control frameworks; financial reporting arrangements, and internal and external audit functions.
14. The committee will report to full council (*those charged with governance*) on an annual basis the effectiveness of the committee in meeting its purpose and its agreed terms of reference. A regular self-assessment will be used to support the

planning of the audit committee work programme and training plans and will inform the committee's annual report.

15. The committee is subject to normal arrangements of openness. Meetings will be held in public, agendas and reports are published and available for inspection. The exception to this is where 'exempt items' are being considered, which are chiefly matters which involve discussions concerning named individuals or refer to the business affairs of the Council which could prejudice the interests of the Council commercially, financially and legally.

Governance

16. The committee will review and assess the Council's corporate governance arrangements against the good governance framework¹, including the ethical framework, and will consider the local code of governance.
17. The committee will review the Annual Governance Statement (AGS) prior to full council approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control.
18. The committee will help the council to implement the values of ethical governance. It will promote measures to improve transparency and accountability and effective public reporting to the authority's stakeholders and the local community. As part of its review of governance arrangements, it will ensure there are adequate arrangements in place to enforce a strong commitment to ethical values and legal compliance at all levels.
19. The committee will review the governance and assurance arrangements available for significant partnerships or collaborations.

Treasury management

20. Full council has nominated the audit committee to be responsible for ensuring effective scrutiny of the treasury management strategy and policies.
21. The committee will undertake a scrutiny role in accordance with the CIPFA Treasury Management Code of Practice, prior to approval by full council. Where it is undertaking this scrutiny role, it will endeavour to develop greater awareness and understanding of treasury matters among the members.

¹ Delivering Good Governance in Local Government: Framework, CIPFA/SOLACE, 2016

22. The committee will review the treasury management policy and procedures to be satisfied that controls are satisfactory. It will receive six-monthly reports on activities, issues and trends to support the committee's understanding of treasury management activities.
23. The committee will review the treasury risk profile and processes, and will review assurances on treasury management.

Value for money

24. The committee will support the development of robust arrangements to ensure that the council makes best use of its resources and taxpayers and service users receive excellent value for money.
25. The committee will review the council's overall approach to value for money and assess whether it is in line with governance objectives and the assurances on this to underpin the Annual Governance Statement.
26. The committee will consider assurances and assessments on the effectiveness of these arrangements, in particular, the Wales Audit Office's annual improvement reports.

Assurance framework

27. The committee will consider the council's assurance framework and ensure that it adequately addresses the risks and priorities of the council. This will support the committee's approval of the internal audit risk-based plan by identifying the extent to which it will rely on internal audit for its assurance requirements.
28. The committee will ensure there is clarity of what assurance is provided, that there is a clear allocation of responsibility for providing assurance and duplication is avoided.

Risk management

29. Assurance over risk management will be a key element underpinning the Annual Governance Statement. To this end, the committee will review and assess the effective development and operation of risk management in the council. In particular, it will:
 - Oversee the authority's risk management policy and strategy, and their implementation in practice
 - Oversee the integration of risk management into the governance and decision-making processes of the organisation

- Review the arrangements to co-ordinate and lead risk management, including the process and reporting lines
- Review the risk profile, keep up to date with significant areas of strategic risks and major operational and project risks
- Review the assurance available for managing partnership risks, including the risk profile of the Council as part of the partnership
- Review the corporate risk register and seek assurance that management appropriately own and manage risks effectively
- Seek assurance that adequate risk assessments support strategies and policies and risks are actively being managed and monitored.
- Follow up and monitor risks identified by auditors and inspectors to ensure that they are integrated into the risk management process
- Support the development and embedding of good practice in the field of risk management practice.

Countering fraud and corruption

30. The committee will review the effectiveness of the council's whistleblowing arrangements, including the policy.
31. The committee will monitor the counter-fraud and corruption strategy, actions and resources, to ensure that it meets with recommended practice, governance standards and legislation.
32. The committee will review the assessment of fraud risks and potential harm to the council from fraud and corruption. It will review the fraud risk profile to understand the level of fraud risk to which the authority is exposed and the implications for the wider control environment.
33. It will oversee any major areas of fraud, identified in an annual report from the Head of Function (Resources) and Section 151 Officer, and monitor action plans to address control weaknesses.

Internal audit

34. The Local Government (Wales) Measure 2011 has an explicit requirement for the audit committee to oversee the council's internal audit arrangements.
35. The role of the audit committee in relation to internal audit will be to:
 - oversee its independence, objectivity, performance and professionalism

- support the effectiveness of the internal audit process
 - promote the effective use of internal audit within the assurance framework.
36. The committee will review and approve the internal audit charter, which defines the internal audit's activity purpose, authority and responsibility.
 37. If applicable, it will review proposals and make recommendations in relation to the appointment of external providers of internal audit services.
 38. The committee will approve (but not direct) the risk-based internal audit strategy, including internal audit's resource requirements and the use of other sources of assurance. It will have a good understanding of the level of assurance risk management provides when it reviews the risk-based internal audit strategy. The committee will approve significant interim changes to the strategy.
 39. The committee will make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
 40. The committee will consider an annual report from the head of internal audit on internal audit's performance, including the performance of external providers of internal audit services.
 41. The committee will consider the head of internal audit's annual report and the opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control together with the summary of the work supporting the opinion. These will assist the committee in reviewing the Annual Governance Statement.
 42. The committee will consider the statement contained in the annual report of the level of conformance with the Public Sector Internal Audit Standards and the results of the Quality Assurance and Improvement Programme that support the statement – these will indicate the reliability of the conclusions of internal audit.
 43. The committee will consider updates on the work of internal audit including key findings, issues of concern, management responses and action in hand as a result of internal audit work. It will consider summaries of specific internal audit reports as requested, including the effectiveness of internal controls and will monitor the implementation of agreed actions.
 44. The committee will receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.
 45. The committee will consider reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards and

Local Government Application Note, considering whether the non-conformance is significant enough that it must be included in the Annual Governance Statement.

46. The committee will consider, approve and periodically review any safeguards put in place to limit impairments to independence and objectivity arising from additional roles or responsibilities outside of internal auditing of the head of internal audit.
47. The committee will contribute to the Quality Assurance and Improvement Programme and in particular, to the external quality assessment of internal audit that takes place at least once every five years. It will oversee the qualifications and independence of the assessor.
48. The committee will consider a report on the effectiveness of internal audit to support the Annual Governance Statement, where required to do so by the Accounts and Audit (Wales) Regulations 2014.
49. The committee will support the development of effective communication with the head of internal audit. The engagement between the head of internal audit and the audit committee is a crucial component of delivering an effective internal audit service.
50. The committee will provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

External audit

51. The committee will support the independence and objectivity of external audit through consideration of the external auditor's annual assessment of its independence.
52. The committee will consider the external auditor's annual letter and the report to '*those charged with governance*'. It will contribute to the council's response to the annual audit letter.
53. The committee will oversee external audit arrangements, comment on the scope and depth of external audit work and ensure it gives value for money. It will consider external audit reports and will monitor their recommendations.
54. The committee will advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.

55. There will be an opportunity for the audit committee to meet privately and separately with the external auditor, independent of those officers with whom the auditor must retain a working relationship.

Financial reporting

56. The committee will review and scrutinise the council's financial affairs, making reports and recommendations in relation to them.
57. The committee will review, prior to approval by full council, the authority's annual financial statements, including the explanatory foreword, key messages, trends, consistency with financial performance, suitability of and compliance with accounting policies and treatments and major judgemental areas.
58. The committee will consider the external auditor's report to 'those charged with governance' on issues arising from the audit of the accounts and whether they need to be brought to the attention of the council.

Other regulators and inspectors

59. The committee will receive and consider reports from any other regulators or inspectors, which will be a useful source of assurance. In respect of these, the authority will ensure there is no unnecessary duplication between the audit committee and any overview and scrutiny committee in considering such reports.

Appendix A – Reports, Regulations and Policies Considered

- Audit and Governance Committee Workshop presentation, 13 June 2018
- *Audit Committees: Practical Guidance for Local Authorities and Police*, CIPFA, 2018, available from www.cipfa.org.uk/publications
- *Position Statement: Audit Committees in Local Authorities and Police*, CIPFA, 2018, available from www.cipfa.org.uk/publications
- *Public Sector Internal Audit Standards (PSIAS) and the supporting Local Government Application Note for the United Kingdom Public Sector Internal Audit Standards (LGAN)*
- Internal Audit Charter (September 2017)
- Local Government (Wales) Measure 2011, in particular, Section 85
- Statutory Guidance from the Local Government (Wales) Measure 2011, Welsh Government, 2012
- Accounts and Audit Regulations (Wales) 2014
- Accounts and Audit (Wales) (Amendment) Regulations 2018
- *Statement on the Role of the Head of Internal Audit in Public Service Organisations*, CIPFA, 2010
- *Statement on the Role of the Chief Financial Officer in Local Government*, CIPFA, 2016
- Treasury Management Strategy 2018/19
- *Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes*, CIPFA, 2017 Edition
- *Code of Practice on Managing the Risk of Fraud and Corruption*, CIPFA, 2014
- Isle of Anglesey County Council's Constitution

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	THE EXECUTIVE AND FULL COUNCIL
Date:	29.10.2018 / 11.12.2018
Subject:	CHANGES TO THE CONSTITUTION – AMENDMENT TO THE OFFICERS’ CODE OF CONDUCT AND THE LOCAL GUIDANCE TO THE OFFICERS’ CODE OF CONDUCT
Portfolio Holder(s):	COUNCILLOR DAFYDD RHYS THOMAS
Head of Service:	LYNN BALL – HEAD OF SERVICE (COUNCIL BUSINESS) / MONITORING OFFICER
Report Author: Tel: E-mail:	MARED WYN YAXLEY – SOLICITOR (CORPORATE GOVERNANCE) Ext 2566 mwycs@ynysmon.gov.uk
Local Members:	N/A – AFFECTS ALL MEMBERS

A –Recommendation/s and reason/s
<p>1. That Council:</p> <p>1.1 Adopt the Officers’ Code of Conduct included in Enclosure 2;</p> <p>1.2 Adopt the Local Guidance to the Officers’ Code of Conduct included in Enclosure 3;</p> <p>1.3 Authorise the Council’s Head of Function (Council Business) / Monitoring Officer to make the necessary changes to the Constitution, including any consequential amendments, to reflect the adoption of Enclosures 2 and 3.</p>

B – What other options did you consider and why did you reject them and/or opt for this option?
<p>As part of the Internal Audit Report on Ethical Culture, recommendations were made in relation to the Officers’ Code of Conduct. The relevant extract from the said Report is included in Enclosure 1. In light of those comments, the current Code of Conduct and Guidance have been amended.</p> <p>The Code of Conduct itself has been updated in accordance with legislation. The changes are minor and are reflected in Enclosure 2.</p> <p>The Guidance, has been updated so that it is more user-friendly, as well as incorporating the new legislative requirements. The Guidance has used the Public Services Staff Commission National Model Framework Employee Code of Conduct as its basis. The new Guidance is included as Enclosure 3. The amendments made to</p>

the original document have not been highlighted as the Guidance has been significantly revised.

Both Code and Guidance have been circulated to the Senior Leadership Team, the Heads of Service and the Head of Audit & Risk by way of a consultation process. The original Guidance has been amended to incorporate the comments made during that consultation. The general feedback from the consultation process was positive and the officers welcomed the new Guidance.

The Council has the option of refusing to adopt the amended documentations at **Enclosures 2 and 3** but adopting the amended documents answers some of the concerns raised in the Audit Report on Ethical Culture at **Enclosure 1**.

The intention, if the Code and Guidance are both approved by Council, is for them to be published on IOACC's Policy Portal. Both the Code and the Guidance will be the subject of the "Acceptance of Corporate Policies" exercise whereby officers are required to 'click to accept' and correctly answer questions in relation to the amended documents. The "test" questions are currently subject to consultation with the Senior Leadership Team and Heads of Service.

C – Why is this a decision for the Executive?

As the report proposes to amend the Constitution (The Officers' Code of Conduct is included in section 5.2), then this report must be considered by the Executive before a final decision is made by Council.

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

It is not contrary to Council Policy.

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

There are no budgetary implications.

DD – Who did you consult?		What did they say?
1	Chief Executive / Senior Leadership Team (SLT) (mandatory)	No comment.
2	Finance / Section 151 (mandatory)	No comment.
3	Legal / Monitoring Officer (mandatory)	Report by the Legal Section/Monitoring Officer – proposal supported
4	Human Resources (HR)	Several comments made in relation to the

		consultation and the suggestions have been incorporated into the final document.
5	Property	Supportive.
6	Information Communication Technology (ICT)	No comment.
7	Procurement	N/A
8	Scrutiny	N/A
9	Local Members	This is not a ward issue.
10	Any external bodies / other/s	N/A

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:
Enclosure 1 – extract from the Internal Audit Report on Ethical Culture
Enclosure 2 - draft Officers' Code of Conduct
Enclosure 3 – draft Guidance to Officers' Code of Conduct

FF - Background papers (please contact the author of the Report for any further information):
None



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

OFFICIAL

Ethical Culture
Final Internal Audit Report
September 2017

Debrief meeting	Various dates -	Auditors	Marion Pryor – Head of Audit and Risk Eurwen Williams – Principal Internal Auditor
Draft report issued	24/05/17		
Responses received	06/09/17		
Final report issued	06/09/17	Addressee	Dr Gwynne Jones – Chief Executive
		Copies to	Dr Caroline Turner – Assistant Chief Executive (Governance & Business Process Transformation) Annwen Morgan – Assistant Chief Executive (Partnerships, Communities and Service Improvement) Lynn Ball – Head of Function (Council Business) & Monitoring Officer Marc Jones – Head of Function (Resources) & Section 151 Officer

ACTION PLAN

Ref	Issue / Risk	Priority	Management Action	Implementation Date	Manager Responsible
	<p>desired ethical culture embedded within the organisation</p> <ul style="list-style-type: none"> the Council's commitment to use communications as a strategic tool to achieve greater trust, confidence and engagement amongst the public, council staff and key partners will be limited. 		<p>the whole organisation which will be key in achieving the ambition of the Corporate Plan.</p> <p>The Council has recently reviewed its internal communication framework which has introduced several new communication tools to ensure that key and consistent messages are communicated in a timely manner to its workforce i.e. Smart Suggestion Scheme, Staff Sessions and Video Blogs.</p>		
1.1.4 (b)	<p>The Council does not have a corporate process for ensuring the regular review of the content of the intranet and external website, which has resulted in out of date content, for example, the Ethos Môn change programme.</p> <p>There is a risk that corporate messages will be inconsistent and unclear.</p>	C5	<p>Arrangements and expectations regarding the review and revision of the content of the website will be addressed as part of the revision of the Corporate Communications Policy and this has been identified by staff as piece of work required. The Self-Assessment acknowledges that perhaps the way forward will be to establish a co-hort of staff to take responsibility for keeping the website up-to-date.</p>	March 2018	Head of Corporate Transformation / Communications Officer
1.1.4 (c)	<p>The Corporate Procurement Unit does not publish the forward contract programme and contract register.</p> <p>There is a risk that competition and transparency will be limited.</p>	C4	<p>The contract register will be revised to ensure that it contains all of the relevant information. This revision will also address information that is commercially sensitive.</p>	December 2017	Head of Function (Resources) / Section 151 Officer
1.1.5 (a)	<p>The Council does not currently require its officers and agency staff to attest their understanding of and compliance with the Code of Conduct. Also, the Service Induction Checklist does not detail the requirement to raise its awareness.</p>	C4	<p>This to be discussed by SLT in conjunction with Head of Function [HR] and appropriate arrangements to be implemented to address the issues noted.</p>	September 2018	Head of Function (Council Business) / Monitoring Officer and Head of

Isle of Anglesey County Council

Officers' Code of Conduct

Version **23.0** (July ~~2001~~2018)

About this Code of Conduct

- Please note that the numbering in the Code reflects the fact that it is also available in the Council's Constitution. The document as it appears here is complete and may be relied upon
- The ~~is~~ Code is ~~statutory and compulsory~~ and includes requirements which are statutory
- This Code automatically applies to all employees of the Isle of Anglesey County Council and forms part of our terms and conditions of employment
- This Code also applies to all contractors, ~~and~~ agency workers, staff secondees, temporary workers and volunteers
- The purpose of the Code is to set out the minimum conduct level expected
- The focus of the Code is on general principles, like integrity and objectivity
- The lack of detail in the Code has been supplemented by [local guidance](#) which provides more detailed information on issues like declarations of interest and gifts and hospitality
- Advice should be obtained, from the Monitoring Officer, on any specific issues or concerns which are not covered in the Code or local guidance

CC-018150/~~329264447464~~

Revision history

Version	Date	Summary of changes
2.0	July 2001	Statutory code replaced local voluntary code. General principles and expectations did not change.
<u>3.0</u>	<u>July 2018</u>	<u>Addition of reference to Bribery Act 2010 and Wellbeing of Future Generations (Wales) Act 2015</u>

Date of next review	
This policy will be reviewed in:	In the event of a statutory change
The review will be undertaken by:	Monitoring Officer

Contact Details:

Lynn Ball, Head of Function (Council Business)/Monitoring Officer
lynnball@ynysmon.gov.uk / tel: 01248 752586

We are happy to provide this policy in alternative formats on request. Please use the above contact details.

Mae'r ddogfen yma ar gael yn y
Gymraeg.

This document is available in Welsh.

Officers' Code of Conduct

5.2 Code of Conduct for Qualifying Employees of Relevant Authorities in Wales

The Code (as per the Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001)

General Principles

5.2.1 The public is entitled to expect the highest standards of conduct from all qualifying employees of relevant authorities. The role of such employees is to serve their employing authority in providing advice, implementing its policies, and delivering services to the local community. In performing their duties, they must act with integrity, honesty, impartiality and objectivity.

Accountability

5.2.2 Qualifying employees of relevant authorities work for their employing authority and serve the whole of that authority. They are accountable to, and owe a duty to that authority. They must act in accordance with the principles set out in this Code, recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.

Political Neutrality

5.2.3 Qualifying employees of relevant authorities, whether or not politically restricted, must follow every lawfully expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work. Where qualifying employees are politically restricted (by reason of the post they hold, the nature of the work they do, or the salary they are paid), they must comply with any statutory restrictions on their political activities.

Relations with members, the public and other employees

5.2.4 Mutual respect between qualifying employees and members is essential to good local government, and working relationships should be kept on a professional basis.

5.2.5 Qualifying employees of relevant authorities should deal with the public, members and other employees sympathetically, efficiently, and without bias.

Equality

5.2.6 Qualifying employees of relevant authorities must comply with policies relating to equality issues, as agreed by the authority, in addition to the requirements of the law.

Stewardship

5.2.7 Qualifying employees of relevant authorities must ensure that they use public funds entrusted to them in a responsible and lawful manner, and must not utilise property, vehicles or other facilities of the authority for personal use unless authorised to do so.

Personal Interests

5.2.8 Whilst qualifying employees' private lives are their own concern, they must not allow

their private interests to conflict with their public duty. They must not misuse their official position or information acquired in the course of their employment to further their private interests, or the interests of others. In particular, they must comply with:

5.2.8.1 any rules of their relevant authority on the registration and declaration by employees of financial and non - financial interests,

5.2.8.2 any rules of their relevant authority on the declaration by employees of hospitality or gifts offered to or received by them, from any person or organisation doing or seeking to do business, or otherwise benefiting or seeking to benefit from a relationship with the authority. Qualifying employees must not accept benefits from a third party unless authorised to do so by their relevant authority.

Whistleblowing

5.2.9 In the event that a qualifying employee becomes aware of activities which that employee believes to be illegal, improper, unethical or otherwise inconsistent with this Code, the employee should report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998, and with the relevant authority's confidential reporting procedure, or any other procedure designed for this purpose.

Treatment of Information

5.2.10 Openness in the dissemination of information and decision making should be the norm in relevant authorities. However, certain information may be confidential or sensitive and therefore not appropriate for a wide audience. Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone other than a member, relevant authority employee or other person who is entitled to receive it, or needs to have access to it for the proper discharge of their functions. Nothing in this Code can be taken as overriding existing statutory or common law obligations to keep certain information confidential, or to divulge certain information.

Appointment of Staff

5.2.11 Qualifying employees of relevant authorities involved in the recruitment and appointment of staff must ensure that appointments are made on the basis of merit. In order to avoid any possible accusation of bias, such employees must not be involved in any appointment, or any other decisions relating to discipline, promotion or pay and conditions for any other employee, or prospective employee, to whom they are related, or with whom they have a close personal relationship outside work.

Investigations by Monitoring Officers

5.2.12 Where a monitoring officer is undertaking an investigation in accordance with regulations made under section 73(1) of the Local Government Act 2000 a qualifying employee must comply with any requirement made by that monitoring officer in connection with such an investigation.

Bribery Act 2010

It is a criminal offence under the Bribery Act 2010 to corruptly receive any gift, fee, rewards or advantage in your role as an officer of the Council. It is also an offence to offer, promise, or give a bribe.

Wellbeing of Future Generations (Wales) Act 2015

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Employees are to keep to the Wellbeing of Future Generations (Wales) Act 2015. This details five ways of working needed in order to achieve the seven wellbeing goals.

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Public service values – the beliefs we hold

Working for the long term: To protect the ability of future generations to meet their own needs involves real long-term integration and collaboration which looks at the wellbeing of people and communities, economic prosperity and the health of the natural environment.

Always growing and improving: We will be positive and at our best for the people of Wales and each other by choosing positive attitudes and behaviours, embracing learning and development and sharing ideas on ways to improve and deliver public services.

Working together: Where everyone is involved in delivering public services and they value others' contributions, share common principles and collaborate for the benefit of the people of Wales, within and across organisational boundaries and sectors.

Treating everyone with respect: Recognising, valuing and respecting the diversity of the people of Wales is central to seeing people as individuals and doing the right thing, at the right time and in the right place for each other.

Putting people first: Our organisation needs to be focused on the needs of the people of Wales. This means we need to genuinely involve people in decision-making which affects them and their communities.

Wellbeing delivery principles – how we will work

Long term: The importance of balancing short-term needs with the need to protect our ability to meet long-term needs.

Prevention: How acting to prevent problems happening or getting worse may help public organisations meet their aims.

Integration: Considering how the public organisation's wellbeing aims may affect each of the wellbeing goals, or their other aims, or on the aims of other public organisations.

Collaboration: Acting in collaboration with any other person (or different parts of the organisation) that could help them meet their wellbeing aims.

Involvement: The importance of involving people with an interest in achieving the wellbeing goals, and making sure that those people reflect the diversity of the area which the organisation serves.

Further Guidance:

All officers are required to carry out duties with due regard to this Code and to the Local Guidance on the Officers' Code of Conduct as published by the Council from time to time.

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Isle of Anglesey County Council

Local Guidance on the Officers' Code of Conduct

Version 2.0 (July 2018)

About this guidance

- Council employees are required to follow a statutory [Code of Conduct](#) which forms part of our terms and conditions of employment
- The statutory code is sparse on detail and therefore this guidance has been produced in an effort to address those questions which most often arise, such as:-
 - What are the expected standards;
 - How and when to declare an interest;
 - How to deal with gifts and hospitality;
 - Relationships with contractors;
 - The forms required for registration of interests are attached at Enclosures 1 and 2 to the guidance

Revision history

Version	Date	Summary of changes
1.0	14 March 2016	No changes to date
2.0	July 2018	To coincide with changes to the Code itself in particular in relation to the Wellbeing of Future Generations (Wales) Act 2015

Date of next review	
This policy will be reviewed in:	July 2019
The review will be undertaken by:	Monitoring Officer

Contact Details:

Lynn Ball – Head of Function (Council Business)/Monitoring Officer
lynnball@ynysmon.gov.uk / tel: 01248 752586

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Mae'r ddogfen yma ar gael yn y
Gymraeg.

This document is available in Welsh.

Local Guidance on the Officers' Code of Conduct

Section 5.2 of our Constitution includes the Officers' Code of Conduct <http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/constitution/constitution-part-5-codes-and-protocols/constitution-52-officers-code-of-conduct/>.

This Guidance seeks to provide advice on key elements of the Code. No Code can set out the appropriate conduct or behaviour for every situation. The Council relies on you making a reasoned judgment as to what is right and proper in any given situation.

1. GENERAL PRINCIPLES

The County Council subscribes to the statutory principles of conduct in public life, and commends them as the underlying principles that should guide the conduct of all Members and Officers.

The statutory principles require that you carry out our duties with due regard to:-

Selflessness	Honesty	Integrity and propriety
Legality	Stewardship	Objectivity
Equality and Respect	Openness	Accountability
Leadership		

2. WHEN IS THIS CODE RELEVANT?

- 2.1 The Code forms part of your terms and conditions of employment and part of the legal contract between you and our organisation.
- 2.2 Breaches of the Officers' Code may be dealt with under the Council's Disciplinary Procedure <http://monitor.anglesey.gov.uk/at-work/conduct-at-work/disciplinary-procedure/>.
- 2.3 Agency workers, secondees and temporary workers also have to keep to the standards set out in the Code.
- 2.4 Volunteers are also expected to keep to the standards set out in the Code and this will be set out in your 'terms of engagement' as an approved volunteer.
- 2.5 The Code applies **in addition to** any separate professional codes of practice and codes of conduct that specialist roles and trade union representatives must keep to.
- 2.6 You also need to refer to the Code in procurement information. Although it is not possible to enforce the Code against other contractors or partnership organisations directly, it is expected that they will also keep to it.

2.7 The Code does not deal with the conduct of an elected member, who have their own code of conduct.

3. **THE EXPECTED STANDARDS**

A. Your public service responsibilities

- You have a duty to uphold the law and to act on all occasions in accordance with the public trust placed in you, and in such a way as to preserve public confidence in the Council.
- You have a general duty to act in the interests of the Council as a whole and the local community.
- As well as avoiding actual impropriety, you should avoid the appearance of improper behaviour.
- When carrying out your role you have a responsibility to make sure that your decisions and actions are free from bias, corruption, discrimination and personal interests. Where you have private interests which conflict with your public duty, you must resolve this conflict in favour of the public interest.
- You must
 - declare all private interests which conflict, or could be seen to conflict, with your role, official duties and responsibilities; including those you may already hold when you start working for the Council (**further information included under paragraph 4**);
 - refuse gifts or hospitality that are offered to you in your work role or, if this would embarrass the person giving them, declare these gifts and donate them to a good cause (**further information included under paragraph 5**);
 - make sure that your personal or political opinions don't interfere with your work or your policies;
 - make sure you declare any other employment or role that may conflict with your current role before taking it up;
 - declare any extra paid or unpaid employment, volunteering activities or public appointments so that this is transparent;
 - make sure that you do not take part in any recruitment if you are in a close relationship with, or closely related to, a candidate for a role;
 - declare any relationships or interests in another organisation which features in a procurement exercise; and
 - declare any business interests (including being a director or holding shares) which you or members of our immediate family hold, which would improve your business interests (or that of your family) as a result of your role.
- You must not gain personally from your access to the resources made available to you to do your job. As a result, you must keep to all Council

acceptable use policies when you use resources to carry out your role and official duties. This includes all ICT equipment (computers, laptops, email), social-media channels, vehicles, phones (landlines and mobiles), and office equipment including printers and photocopiers.

- You should respect the role of the elected Members and treat them with courtesy. The Council has adopted a Protocol to govern the relationship between Members and Officers and you should abide by its provisions; which are to be found at: (<http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/constitution/constitution-part-5-codes-and-protocols/constituion-531-relationship-protocol-for-members-and-officers/>)
- When making appointments, awarding contracts or transacting other business, you should ensure that your decisions are made solely on merit, by fair competition, in accordance with the Council's Contract Procedure Rules; and ensure that you maintain a proportionate, documented audit trail.

<http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/constitution/constitution-part-4-rules-of-procedure/constitution-49-contract-procedure-rules/>

<http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/constitution/constitution-part-4-rules-of-procedure/constitution-48-financial-procedure-rules/> .

B. Committed to the needs of customers, service users and partners

- Customers, service users, and partners have a right to be treated fairly and equally. You should not do anything which could be considered discrimination against the Council's customers, service users and partners, or that could be considered to be bullying or harassment, such as making offensive or derogatory comments relating to age, sex, race, religion or belief, sexual orientation, disability, marriage or civil partnership, pregnancy or maternity, gender reassignment or any other legally protected characteristic.
- Customers and service users should be able to use the language of their choice and the Council is committed to making it easier for people to use the Welsh language in their day-to-day lives. You will assist the Council with this commitment.

C. Responsible with information

- You have a responsibility to handle and manage information appropriately and make sure it is only used for the purpose for which it is held.
- You should ensure that confidential material, including material about individuals, is handled in accordance with the expected standards set out by the Council's Data Protection Policy (<http://monitor.anglesey.gov.uk/corporate-resource/information-governance->

[data-protection/data-protection/data-protection-policy-information-on-security-policies-and-related-documents/](#)

D. Duty of care for safeguarding, wellbeing, health and safety

- You must have due regard to the obligations under Appendix Ch of the Council's Safeguarding Policy
http://monitor.anglesey.gov.uk/Journals/r/s/i/YM-Corporate-Safeguarding-Policy_v4_2016_Final.pdf

E. Raising concerns

- You are responsible for carrying out your role and official duty in a legal and clear way, in line with the requirements of the Code.
- However, if you are aware of actions by others that may fall below these standards or break our legal responsibilities or risk the health and safety of others, you have an additional responsibility under the Code. You are referred to the [Whistleblowing Procedure](#).

F. Communication and using social media

- When using social and digital media for personal or official use, you need to remember your responsibilities as an employee which include –
 - Not revealing official information without authority
 - Not taking part in any political or other public activity or making comments which could affect your impartiality or cause embarrassment to your employer; and
 - Avoid making any kind of comment which could be considered by others as bullying, offensive or harassment.

G. Trusted with Money

- You have a responsibility to ensure the money you use to carry out your job is used wisely to deliver value for money and for the purposes intended. You are trusted to make sure appropriate and proportionate spending takes place in relation to the Council's activities.

4. DECLARING AN INTEREST – ALL OFFICERS

PLEASE NOTE:

You only need to disclose personal interests which conflict, or may conflict, with your duties to the Council.

If you are at all unsure, you should disclose your interest using the relevant form and discuss this with your line manager.

A. The requirement

There is no requirement for Officers to have a standing register of interests as per the elected Members i.e. detailing property interests, membership of outside

bodies etc. The duty to disclose an interest for Officers is on an “as and when” basis, should a matter come to your attention.

In the conduct of your responsibilities as a Council Officer you should immediately declare any relevant financial or personal interests to your line manager whenever a failure to do so would undermine public confidence in the Council’s activities (e.g. in meetings / other communications when the interest is relevant). In these circumstances, line managers should make alternative arrangements i.e. you should not participate in or influence matters in which you (or your family/friends)) might benefit or lose out. **This applies to all Officers at every level.**

The alternative arrangements which the Line Manager will need to decide upon will depend on all the circumstances. It may be as little as ensuring that another officer deals with the issue and that file access is denied to the individual declaring the personal interest or as substantial as transferring an officer to another team/service if the interest is significant and the process is likely to be protracted e.g. a proposed management buyout.

It may also be necessary to complete one of the forms at **ENCLOSURES 1 and 2** and line managers can advise which may be appropriate.

B. What could be an interest or involvement?

Interests or involvement which could conflict with the interests of the Council could be either financial and / or non-financial, for example:

- Partnership in a business
- Work done for any person or organisation other than as an employee of the Council
- Serving as a member of a group, committee or board which may work in conflict with the Council
- Applications submitted by relatives or friends for consideration by the Council, e.g. tendering for work
- School governor, or council clerk within the Council’s jurisdiction.

This is not an exhaustive list. You need to question whether you have a personal interest in a reasonable and objective way, and consider whether your failure to disclose would adversely affect public confidence in our activities.

C. What should I do if I have a personal interest to declare?

- Generally:
You should make declarations of financial or non-financial interests whenever your personal interest may conflict with the public interest. Such declarations should be made to your line manager / supervisor on the “Notification of Personal Interest” form attached at **ENCLOSURE 1**. It will be the responsibility of all line managers to retain any notifications received, for as long as such notifications remain valid.

→ In meetings:

If you have a personal interest in any matter which arises at any meeting where you are reporting or advising (or might be called upon to advise, or otherwise be able to influence) any Councillor(s) of the Council, or any third party, you must declare the interest, and take no part in the consideration or determination of the matter.

Any such declaration made at an official meeting will be recorded in the minutes.

If appropriate, arrangements should be made for another employee to attend and report and / or advise on the matter.

An example would be involvement in a meeting regarding a school, which your son/daughter/grandchild attends.

If you have a personal interest which could conflict with the interest of the Council, then you may only remain in the meeting and participate in the proceedings, if the person presiding at the meeting (having taken advice from the Monitoring Officer) is satisfied that to do so would be in the interests of the Council or local people.

All personal interests you have in relation to items discussed in meetings should be declared on the "Form to Declare and Register a Personal Interest – Employee" attached at **ENCLOSURE 2**.

5. GIFTS & HOSPITALITY

A. The requirement

- You must consider the position carefully before accepting any personal gift or offers of hospitality. The principle is that you must avoid placing yourself in a position where acceptance of such gift or hospitality might be perceived to influence your decisions or judgment in respect of awarding contracts, making appointments, deciding on planning applications etc.
- **Before deciding to accept or tactfully decline a personal gift or offer of hospitality, you should ask the following questions -**
 - Is the donor, or event, significant in the community or area? If so, is the refusal likely to cause offence?
 - Are you expected to attend because of your position in the community or area?
 - Will the event be attended by others of a similar standing in the community or in other communities?
 - What do you think is the motivation behind the invitation?
 - Would acceptance of the invitation be, in the way, inappropriate or place you under pressure in relation to any current or future issue involving the Council?
 - Could you justify the decision to the Council, press and public?

- Is the extent of the hospitality, or the nature of the gift, reasonable and appropriate?
 - Are you likely to be expected to respond to the hospitality, and if so, how?
 - Are you comfortable about your decision?
- **You should refuse all personal gifts and offers of hospitality if you think that may damage public confidence in you or in the Council.**

B. Accepting gifts / hospitality

- Acceptance of hospitality must be authorised in advance by line managers.
- The Council has a Register for recording the receipt of gifts or hospitality with a value of **£10 or more** and you are required to register gifts, and invitations which are accepted, in that Register with the Head of Democratic Services (Committee Services, tel: 01248 752514).
- Where the gifts or hospitality has a value of **£10 or less**, the gift/hospitality should be recorded with your line manager.
- Any offers of gifts and hospitality which could be deemed to influence decision making powers or judgment should also be registered, even if refused.
- You may receive tokens of goodwill when attending conferences or when on civic visits. You may from time to time receive diaries, pens, calendars and so on. **These do not require registration.**

However, where the value, or reasonably estimated value, of the goodwill offered exceeds the sum of £10, then it should be registered.

C. “Hospitality” – what does that mean and what do I need to consider?

- Hospitality may be defined as anything beyond the offer of non-alcoholic drinks and light refreshment.
- You should only accept hospitality if there is a genuine need for the Council to be represented at a function or event. The more “lavish” the hospitality the more important that you exercise caution.
- Hospitality received through attendance at relevant conferences and courses is acceptable where it is clear that hospitality is corporate rather than personal, and where such hospitality does not compromise purchasing decisions.

- When receiving hospitality, you should be particularly sensitive as to its timing in relation to decisions which the Council may be taking and which may have a beneficial or adverse impact on those providing hospitality.
- Where visits to inspect equipment, or related to the award of any contract are required, you should ensure that the Council meets the cost of any such visits so as to avoid prejudicing the integrity of subsequent purchasing decisions.
- You should not avail yourself of the services of contractors employed by the Council for acquiring materials, labour or plant at cost, trade or discounted prices.

EXAMPLES:

→ I am attending a conference as part of my role with IOACC with the professional body regulating my profession. Due to my level of subscription with the professional body (for which IOACC pays) there is no fee for my attendance at the training conference. Do I need to declare this?

Hospitality received through attendance at relevant conferences and courses is acceptable where it is clear that hospitality is corporate rather than personal, and where such hospitality does not compromise purchasing decisions. Attendance at the conference, even if for free, does not therefore require to be registered in these circumstances.

→ One evening whilst attending the conference, I will be attending a dinner which has been arranged by one of IOACC's clients. I have been invited as IOACC is on the client's customer database. Do I need to register this hospitality?

As this includes dinner, one assumes the value of the same would be more than £10. It is therefore registrable in the Councils Register, which is maintained by the Head of Democratic Services.

However, before accepting, you should consider whether or not you should accept this hospitality.

Consider the timing – will the customer's contract be renewed soon? Will you be part of that decision process?

Avoid placing yourself in a position where acceptance of such hospitality might be perceived to influence your decisions or judgment in respect of awarding a contract in the future.

A new Hotel and Restaurant has opened on IOACC. They are holding a grand opening and all Heads of Service, the Chief Executive and Senior Leadership Team have been invited. Is it acceptable for all to attend?

It would be acceptable for the Chief Executive and the Head of the Economic department to attend this event as it is a networking event where the IOACC is able to show its support to a new business venture in the area (if this is done for other comparative projects too). The hospitality is corporate rather than personal. The hospitality will need to be registered with the Head of Democratic Services.

However, it would not be appropriate for others to attend on mass. For example,

The Head of Planning should not attend – it may be perceived that he/she was prejudiced in making the planning decision.

The Head of Environmental Health should not attend – he/she (his/her officers) will be involved in monitoring food safety etc. at the premises and cannot be seen to have been influenced at an earlier date.

The Head of Licensing should not attend - he/she (his/her officers) may have to consider matters relating to the Hotel/Restaurant's licence at a future date etc.

You always need to consider the circumstances now and what, within reason, could potentially arise in the future.

6. CORRUPTION

- You must be aware that it is a serious criminal offence under the Bribery Act 2010 to receive or give any gift, loan or reward or advantage in your official capacity “for doing, or not doing, something”, or “showing favour, or disfavour” to any person. If an allegation is made against you, it will be for you to demonstrate that any such reward had not been corruptly obtained.
- For your own protection, if anyone approaches you in a way which seems to you, or might seem to a third party, to be aimed at obtaining some form of preferential treatment, or in any suspicious circumstances in connection with a contract, you must report the matter to your line manager.

7. AWARDING ORDERS AND CONTRACTS

- Orders and contracts must be awarded on merit, by fair competition, in accordance with the Council's Contract Procedure Rules

<http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/constitution/constitution-part-4-rules-of-procedure/constitution-49-contract-procedure-rules/>

<http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/constitution/constitution-part-4-rules-of-procedure/constitution-48-financial-procedure-rules/>

- Officers involved in the tendering process and/or in dealing with contractors should be clear on the separation of client and contractor roles within the Council. Officers who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- Officers in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, contractors and sub-contractors.
- Officers who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.
- Officers contemplating a management buy-out or submitting a tender for any contract (be it goods, services and/or works) and/or the purchase of any Council asset (in whole or part) must, as soon as they have formed a definite intent :-
 1. Immediately notify their line manager and the Council's Procurement Service of their intention;
 2. Immediately comply with any reasonable management instruction requiring them to redeploy to a different Team or Service (including at a different location), to work in accordance with any operational protocol designed to ensure they have no contact with, or access to, the transaction in the course of their employment. These requirements are to ensure no perceived, actual or potential conflict of interest between their personal and professional capacities;
 3. From the date when the intent is formed, until the final contract has been signed/the exercise has been completed, shall not :-
 - a. Discuss anything directly or indirectly relating to the transaction, or proposed transaction, their expression of interest or any tender submission, or related matter, with anyone in the Council other than as described in paragraph 1 above and thereafter only with the Council's Procurement Service or any bid team appointed to handle the transaction;
 - b. Access, or ask, or suggest that any other Officer of the Council access, provide information, or documentation, directly or indirectly, to them other than by making a formal request through the Council's Procurement Service or any bid team;
 - c. Obtain or endeavour to obtain, directly or indirectly, by any means whatsoever, any benefit, favour or advantage over any other actual or potential bidder.
 4. Immediately report to the Council's Procurement Service / bid team any approach made to them, any discussion, access to information, assistance

or advice offered to them by any Council Officer who has not formed part of the formal tender process through the Procurement Service / bid team.

- Officers pursuing a management buy-out, or submitting a tender for any contract (be it goods, services and/or works) and/or the purchase of any Council asset (in whole or part) may have their application/bid excluded from consideration if they have been involved in the pre-tender process in a capacity, or to an extent, that creates an advantage for them over other applicants/bidders to such an extent that the Council cannot redress that balance and ensure a fair and level playing field. This decision shall be at the absolute discretion of the Council.
- Officers should ensure that no special favour is shown to current or recent former Officers or their partners, close relatives or associates, in awarding contracts to businesses run by them or employing them in a senior or managerial capacity.
- Section 117 of the Local Government Act 1972 requires you to make a formal declaration about contracts or personal contracts with the Council in which you have a pecuniary interest. Such declarations should be registered on the "Notification of Personal Interest" form (**ENCLOSURE 1**) and passed to your line manager.

8. THE WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015

All public organisations in Wales are expected to keep to the Wellbeing of Future Generations (Wales) Act 2015. To achieve this, the Council is required to think more about the long term, work better with people, communities and each other, look to prevent problems and take a more joined-up approach. When making decisions the Council is required to take into account the effect those decisions could have on people living in Wales in the future.

The five ways of working are included in the Officers' Code of Conduct and must be considered in order to assist the Council in achieving the seven wellbeing goals.

9. CONFLICT BETWEEN ROLE AS OFFICER AND A CITIZEN

1. It is accepted that several officers are also citizens of the area and it is inevitable that officers will need to exercise their rights as private individuals in certain situations. This could be for a number of reasons, such as (a) the officer's refuse collection has not been collected (b) acting in the capacity of secretary of a voluntary organisation applying for grants, (c) arranging care provision for a relative; or (d) objecting a planning application next door to his/her home.
2. In the first instance, officers should ask themselves – could anyone else act instead of me?
For example, if the officer is representing another body or organisation, the officer should consider asking someone else to take the role; or if the personal interest is representing a family member, the officer should consider if another

relative could take the lead instead of him/her.

3. If it is unavoidable that officers come into contact with the Council in their personal capacity, officers are advised to consider the following guidance:
 - a. When writing to the Council (or anyone else), officers should not use the Council's official paper or internal e-mail address as this would be inappropriate and it could cause confusion as to which role the officer was representing, i.e. capacity as an officer or as a private individual.
 - b. When writing to the Council, or in other contact, at the first contact, to formally declare that he/she is acting in a private capacity and not as an officer.
 - c. If matters are discussed orally, officers should confirm the details of that discussion in writing. The written confirmation should declare that he/she is acting in a private capacity and not as an officer.
 - d. If the Council has contacted the officer in his/her role as a citizen of the area (e.g. consultation on a planning matter), the officer should clearly declare his/her status as an officer of the Council.
 - e. Officers should not abuse their position in order to gain access to other officers or information which would not be available to members of the public.

4. Officers are reminded of the requirements in relation to declaring personal interests included in paragraph 4 of this Guidance.



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

**Ffurflen Hysbysiad o Fuddiant Personol /
Notification of Personal Interest Form**

Nodwch- Rydych angen datgelu unrhyw fuddiannau personol sydd yn gwrthdaro, neu yn gallu gwrthdaro, efo'ch dyletswyddau yn y Cyngor yn unig.

Os ydych yn ansicr, dylech ddatgelu eich buddiant ar y ffurflen hon neu eu trafod efo'ch rheolwr.

Please note- You only need to disclose personal interests which conflict, or may conflict, with your duties in the Council.

If you are at all unsure, you should disclose your interest using this form or discuss this with your manager.

CHI – Y GWEITHIWR: / YOU – THE WORKER:	
Enw: / Name:	
Swydd: / Job Title:	
Gwasanaeth: / Service:	

EICH DATGANIAD: / YOUR DECLARATION:	
Math o Ddatganiad: / Type of Declaration:	Manylion: / Details:
Perthynas: / Relationship: Cyngorydd/ <input type="radio"/> Councillor Contractwr/ <input type="radio"/> Contractor Gweithiwr/ <input type="radio"/> Employee Arall/ <input type="radio"/> Other	Enw: / Name: Swyddogaeth: / Post Title: Natur fy mherthynas gyda'r unigolyn:/ Nature of my relationship to the named person: Manyldeb o unrhyw gysylltiad neu gwrthdaro rhwng buddiannau: / Details of any potential contact/conflict of interest:

<p>Buddiant personol neu aelodaeth o gorff allanol, busnes, partneriaeth, corff proffesiynol neu gymdeithas gyfrinachol e.e. Corff Llywodraethol Ysgol, rôl mewn grŵp gwirfoddol, cysylltiad â busnes teuluol: /</p> <p>Personal interest or membership of an organisation, business, partnership, professional body or secret society e.g. school governing body, voluntary organisation role, involvement in a family business:</p>	<p>Disgrifiad o fy muddiant: / Description of my interest:</p> <p>Enw a lleoliad y grŵp / mudiad o dan sylw (os yn gymwysiadol): / Name and location of organisation concerned (if applicable):</p> <p>Dyddiad Cychwyn: / Effective date:</p> <p>Budd / goblygiad ariannol: / Financial benefit / implication:</p> <p>Manylion y camau a ellir eu cymryd i warchod buddiant y Cyngor: / Details of steps that could be taken to protect the Council's interest:</p>
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Buddiant mewn tir o fewn y Sir

Cyfeiriad neu ddisgrifiad o dir neu eiddo yr ydych gyda buddiant ynddo, natur y buddiant a'r defnydd a wneir o'r tir.

[Mae buddiant o dan yr adran hon yn cynnwys:

- (a) buddiant fel rhydd-ddeiliad neu lesddeiliad am brydles o 12 mis neu fwy;
- (b) buddiant fel deiliad opsiwn neu ddarpar brynwr; neu
- (c) os ydych yn ceisio cadarnhau caniatâd cynllunio neu unrhyw ganiatâd neu benderfyniad ar y tir gan y Cyngor.]

Interest in Land within the County

Address or description of land or property in which you have an interest, the nature of the interest and the use to which the land is put.

[Interest under this section includes:

- (a) Interests as a freeholder or leaseholder for a lease of 12 months or more
- (b) Interest as an option holder or prospective purchaser; or
- (c) Interests by which you are directly concerned in seeking planning permission or some other consent or decision of the Council.]

<p>Gwybodaeth ychwanegol/ Unrhyw ddatganiad arall: Rhowch unrhyw wybodaeth arall y dylech ei ddatgelu am eich buddiannau busnes, cyllid neu bersonol.</p> <p>Further information/ Any other declaration: Please give any further information you may wish to record about your business, financial or personal interests.</p>			
<p>Hysbysu newidiadau</p> <p>Notification of Changes</p>		<p>Rwyf yn ymgymryd i hysbysu'r Cyngor yn ysgrifenedig o fewn 28 diwrnod o unrhyw newid i fy sefyllfa fel a nodir yn y datganiad yma.</p> <p>I undertake to notify the Council in writing within 28 days of any change to my circumstances as detailed in this declaration.</p>	
<p>Dyddiad: / Date:</p>		<p>Llofnod: / Signature:</p>	



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

Hysbysiad o Fuddiant Personol mewn cyfarfod /
Notification of Personal Interest in a meeting

Enw'r Gweithiwr: / Employee Name:	
Swydd: / Job Title:	
Gwasanaeth: / Service:	

Rwy'n eich hysbysu yn ysgrifenedig o fuddiant personol a ddatgelais yn y cyfarfod canlynol: /
I give you written notification of a personal interest disclosed by me at the following
meeting:

.....(enw'r cyfarfod /name of meeting)

a gynhaliwyd ar / held on.....(dyddiad y cyfarfod / date of meeting)

Manylion y buddiant personol: / Detail of Personal Interest:

.....

.....

.....

.....

Llofnod: / Signature:		Dyddiad: / Date:	
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ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Executive and Full Council
Date:	26/11/2018 / and 11/12/2018
Subject:	Statement of Gambling Policy 2019 – 2022
Portfolio Holder(s):	Councillor Richard Dew
Head of Service:	Dylan Williams Head of Regulation and Economic Development
Report Author: Tel: E-mail:	Sion Hughes 752843 slhpp@anglesey.gov.uk
Local Members:	

A –Recommendation/s and reason/s
<p>The Executive is requested to recommend to the Full Council the adoption of the Statement of Gambling Policy 2019-2022.</p> <p>Every three years the Gambling Act 2005 requires that the Council adopts a Statement of Gambling Policy. This Policy sets out how the Council will discharge its functions with regard to the regulation of gambling premises. The draft policy has been produced in accordance with the Gambling Commission’s guidance on form and content of the Policy. It is a revised and updated version of the Council’s previous policy.</p>

B – What other options did you consider and why did you reject them and/or opt for this option?
<p>It is a legal requirement that the Statement of Gambling Policy is adopted by the Council. No other options are available.</p>

C – Why is this a decision for the Executive?
<p>The Executive is required to make recommendations to the Council as the policy forms part of the Council’s Policy Framework.</p>

CH – Is this decision consistent with policy approved by the full Council?
<p>Yes. It forms part of the Council’s Policy Framework.</p>

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

DD – Who did you consult?		What did they say?
1	Chief Executive / Senior Leadership Team (SLT) (mandatory)	Support content.
2	Finance / Section 151 (mandatory)	No comments.
3	Legal / Monitoring Officer (mandatory)	No observations.
4	Human Resources (HR)	
5	Property	
6	Information Communication Technology (ICT)	
7	Procurement	
8	Scrutiny	
9	Local Members	
10	Any external bodies / other/s	A list of consultees is provided in Appendix 2 of the attached draft policy. North Wales Police and Cyngor Cymuned Llanidan had no comments. Gamble Aware had no specific feedback, but referred to the Local Government Associations guidance documents relating to gambling, which had been considered in preparing the draft policy. The Gambling Commission suggested that a copy of a premises local risk assessments is available at the premises, which has been adopted in the draft policy. No other responses were received.

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:
Gambling Policy Statement of Licensing Policy, Gambling Act 2005 2019 - 2022

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

The Isle of Anglesey County Council



Gambling Policy

Statement of Licensing Policy, Gambling Act 2005

2019 - 2022

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1. Introduction.

The Isle of Anglesey is located in the North West of Wales. The Island is predominantly lowland and it has a coastal Area of Outstanding Natural Beauty (AONB). Large numbers of visitors are attracted, who make an important contribution to the local economy. Agriculture remains an important activity and is integral to the island's identity and culture. The 2011 Census records a population of 69,769 with 30,600 households. Holyhead is the largest town on Anglesey, and the majority of the largest settlements are located around the coast. The largest settlement away from the coast is Llangefni, which is the County town. Anglesey has strong international transport links to Ireland through the Port of Holyhead. The A55, which is part of the Trans-European Road Network (TERN), and the North Wales coastal railway, connects the area to the rest of North Wales and the United Kingdom. A map of the County is provided at Appendix 1.

The Gambling Act 2005 (the "**Act**") governs the provision of all gambling in Great Britain, other than the National Lottery and spread betting. It received Royal Assent on 7th April 2005.

The Act established the Gambling Commission (the "**Commission**") with a national remit, as well as a number of local regulators, the Licensing Authorities. The Commission regulates commercial gambling in Great Britain in partnership with Licensing Authorities. Isle of Anglesey County Council (the "**Council**") has responsibilities as a Licensing Authority and so has various obligations under the Act.

The focus of the Commission is generally on operators and issues of national or regional significance. Licensing Authorities will generally take the lead on regulating gambling locally. The Commission and the Licensing Authorities may also work directly together on particular issues.

The Act provides for three categories of licence:

- (i) Operating licences
- (ii) Personal licences
- (iii) Premises licences

The Act also provides for a permitting regime, for certain establishments that do not require a premises licence, and a number of other specific provisions, including the entitlement for premises licenced to sell alcohol to site limited numbers of specified gaming machines.

The Commission is responsible for issuing Operating and Personal Licences.

The Council is responsible for granting premises licences within the Isle of Anglesey in respect of:

- Bingo halls;
- Betting premises (including tracks);
- Adult gaming centres; and
- Family entertainment centres;

issuing permits in respect of:

- Unlicensed family entertainment centres;
- Clubs;
- Premises licenced to sell alcohol; and
- Prize gaming;

and

administering the siting of Gaming Machines within premises licensed to sell alcohol (where such machines fall outside of the licensing or permitting regimes)

The above sets out some of the Council's key responsibilities under the Act but is not a prescriptive list.

Statement of Principles

The Act requires that the Council prepare a statement of principles that the Council proposes to apply in exercising its functions under the Act. This Statement of Gambling Policy (the "**Gambling Policy**") is produced pursuant to this requirement.

The Gambling Policy has been prepared having regard to the provisions of the Act, subordinate regulations, guidance issued by the Commission to licensing authorities and responses received during the consultation process. A full list of persons consulted during preparation of the Gambling Policy is provided in Appendix 2.

The Gambling Policy will come into effect on the date of adoption by the Council and will be reviewed as necessary but at least every three years from the date of adoption.

The Gambling Policy is subject to changes to statute. If there is any conflict between this Gambling Policy and relevant primary or secondary legislation or statutory guidance, the relevant provisions of that legislation or guidance shall take precedence.

2. Fundamental Principles

The Act establishes three key licensing objectives: (the "**Licensing Objectives**"):

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
- ensuring that gambling is conducted in a fair and open way; and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

The policy will promote these three licensing objectives and aim to regulate gambling in the public interest.

When exercising its functions under the Act, it is a requirement that the Council, shall aim to permit the use of premises for gambling in so far as the Council thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the Licensing Objectives; and
- in accordance with this Gambling Policy.

3. Licensing Authority Functions

The Council as a licensing Authority is responsible for a number of functions required under the Act:

- The licensing of premises where gambling activities are taking place by issuing premises licences
- Issuing permits for Club gaming and Club machines
- Receive notifications for up to two gaming machines in alcohol licensed premises
- Issue licenced premises gaming machine permits where alcohol licensed premises require more than two machines.
- Permit lower stake gaming machines at unlicensed family entertainment centres
- Issuing Provisional Statements
- Registering Small Society Lotteries
- Issue permits for prize gaming
- Receive Temporary Use notices
- Receive Occasional Use Notices

4. Competent Authority For the Protection of Children

The Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006 (the "**Policy Regulations**") require that the Council states the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- The need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

Accordingly the Council designates the Gwynedd and Anglesey Local Safeguarding Children Board for this purpose.

The Council recognises that it may be prudent for other organisations to perform this role if the Council believes it is right to do so for the prevention of physical, moral or psychological harm to children.

5. Determination of Interested Parties

The Policy Regulations require that the Council states the principles it will apply in exercising its powers under Section 158 of the Act to determine whether a person is an interested party in relation to a premises licence, or an application to or in respect of a premises licence.

The Act defines a person as an interested party in relation to a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person:

- lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- has business interests that might be affected by the authorised activities; this could also include, for example, trade associations, charities, faith groups and medical practices; or
- represents persons who satisfy either of the above; (for example Residents' and Tenants' Associations).

Where a person, whether or not directly affected by an application for a Premises Licence or living in the vicinity of premises where such an application has been made, puts themselves forward as representing the interests of residents in the vicinity, the Licensing Authority may ask them to provide appropriate evidence that they are acting as representatives of others.

When considering whether a person is an interested party, each case will be judged on its merits taking into consideration the relevant circumstances, including those contained in the Commission's Guidance to Licensing Authorities.

The Council will not seek to establish any fixed rule as to which persons qualify under the above but considers that each case must be considered on its own particular facts and judged on its merits.

References in this Gambling Policy to an "**Interested Party**" will be to those persons who are regarded as interested parties in relation to the relevant circumstances pursuant to the above policy.

6. Exchange of Information

The Policy Regulations require that the Council states the principles it will apply in exercising its functions under sections 29 and 30 of the Act with respect to the exchange of information between the Council and the Commission, and the functions under section 350 of the Act with respect to the exchange of information between the Council and other persons listed in Schedule 6 to the Act.

The Council will act in accordance with the provisions of the Act in any exchange of information, and recognises that nothing in the Act authorises a disclosure which contravenes the Data Protection Act 2018 or the General Data Protection Regulation 2018. The Council shall also act in accordance with relevant guidance issued by the Commission, as well as related regulations made under the Act. It will adopt the principles of better regulation that regulatory activities should be carried out in a way which is transparent, accountable, proportionate, and consistent and should be targeted only at cases in which action is needed. The purpose is to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on business.

The Council intends for its decision making process to be transparent. To that end all representations made to the Council in the course of an application in respect of a Premises Licence will be shared with all parties to that application (being the applicant, the Responsible Authorities and any Interested Parties).

The Council shall comply with freedom of information legislation (including without limitation the Freedom of Information Act 2000) to the extent that such legislation applies to the Council and to the information in question.

It is not the Council's intention at this time to establish additional protocols in respect of exchange of information however this will be kept under review. Should any such protocols be established with other bodies in respect of information exchange then such policies will be made publicly available.

The Council may from time to time exercise its powers under section 115 of the Crime and Disorder Act 1998 to exchange data and information with the police and other parties (for example an enforcement officer, a licensing authority, HMRC, the First Tier Tribunal and/or the Secretary of State) to fulfil its' statutory objective of reducing crime in the area.

7. Inspection and Criminal Proceedings

The Policy Regulations require that the Council states the principles it will apply in exercising its functions under Art 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified in that section.

The Council will be guided by the Commission's Guidance to Licensing Authorities, the Regulators Code and the Council's Enforcement Policy and will take account of the Commission's guidance on test purchasing when considering making test purchases at gambling premises. The Council will also follow its own policies and procedures regarding the use of underage test purchasers.

The Council will monitor and take into account the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

In exercising its functions and powers under the Act in respect of enforcement, the Council will endeavour to:

- **Act proportionately:** regulators will only intervene when necessary; remedies will be appropriate to the risk posed and costs identified and minimized.
- **Be accountable:** regulators will be able to justify decisions and be subject to public scrutiny.
- **Be consistent:** rules and standards will be joined up and implemented fairly.
- **Be transparent:** regulators will be open and endeavour to keep regulations simple and user friendly;
- **Apply enforcement in a targeted way:** regulation will be focused on the problem and minimize unnecessary burdens on business.

Premises will be subject to a scheme of routine inspection, the frequency of which will be determined by the risks posed by the premises i.e. those premises considered to pose a greater risk will be subject to more frequent inspections than those posing a lower risk.

When determining risk, consideration will be given to:

- the nature of the gambling activities carried out on the premises;
- the location of the premises in relation to schools etc.; and
- the procedures put in place by the management to meet the licensing objectives.

Additional monitoring visits may be made, at the discretion of the Council's licensing team, where it is considered necessary to meet the needs of the licensing objective or following receipt of a complaint. The District will be monitored for unlicensed premises.

The Council will seek to work actively with the police in enforcing licensing legislation. It encourages the police to share information about licensees and licensed premises under the Crime and Disorder Act 1998. The Council has a general enforcement policy which is in accordance with the codes of practice developed by the Crown Prosecution Service and will apply where appropriate in relation to the management of criminal cases.

The Commission is the enforcement body for Operating and Personal licences. Concerns about manufacture, supply or repair of gaming machines are not dealt with by the Council but should be notified to the Commission.

8. Relevant factors when considering applications and reviews

8.1 Applications

An application for a Premises Licence can only be made by a person who either:

- holds an Operating Licence authorising him to carry out the activity in respect of which a Premises Licence is sought; or
- has made an application for an Operating Licence which has not been determined.

Applications for the grant, transfer or variation of a Premises Licence must be accompanied by an assessment that demonstrates how the applicant will promote the Licensing Objectives in the form of a written Operating Schedule. The Applicant may ask the Council for advice as to the scope of information to be provided.

When applying for a new Premises Licence (or variation of an existing Premises Licence) the applicant must also carry out a Local Risk Assessment.

The level of detail to be provided will be proportionate to the scale and nature of the application being made.

Each application will be considered on its individual merits and in accordance with the Act, relevant guidance and this Gambling Policy.

8.2 Objections and Representations and Review

An Interested Party or Responsible Authority has a right to make relevant representations in writing on an application or to seek a review of a licence.

Only representations that relate to the Licensing Objectives, or that raise issues under this Gambling Policy, are likely to be relevant.

Due consideration will be given to all relevant representations unless such representation is frivolous or vexatious. Whether a given representation is frivolous or vexatious is a question of fact and is to be determined on a case-by-case basis

When determining an application to grant a Premises Licence or to review a premises licence, regard will be had to the proximity of the premises to schools, vulnerable adult centres, or residential areas with a high concentration of families with children.

Whether such premises are regarded as being in close proximity to the prospective gambling premises will vary depending upon the size and nature of the gambling premises concerned.

The Commission's Guidance to Licensing Authorities and the Licence Conditions and Codes of Practice (LCCP), set out additional matters that the Council shall take into account when considering applications for Premises Licences.

Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises (e.g. roadside service areas and shopping centres) the Council will expect the gambling area to be clearly defined and adequately supervised at all times.

The Council will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

Each case will be determined on its merits and will depend to a large extent on the type of gambling that is proposed for the premises. Therefore, if an applicant can effectively demonstrate how concerns regarding the Licensing Objectives might be resolved, this will be taken into account.

8.3 Irrelevant Considerations

Moral objections to gambling are not a valid reason to reject applications for Premises Licences. It should also be noted that the prevention of public nuisance and anti-social behaviour are not specific licensing objectives (unlike under the Licensing Act 2003).

Pursuant to the Act, when deciding whether or not to grant a Premises Licence, the Council will not have regard to the expected demand for gambling premises that are the subject of the application.

8.4 Conditions

There are certain conditions which are applied to Premises Licences by virtue of the Act (and regulations made under the Act). In addition, under the Act the Council has the power to attach conditions when issuing a Premises Licence.

In exercising this power the Council shall have regard to its responsibilities under the Act and to the policy set out in this paragraph. In considering the imposition of conditions the Council will draw upon relevant advice and guidance issued by the Commission and shall consider the circumstances of each individual case on its merits.

The Council will not attach conditions to a Premises Licence unless the Council considers such conditions necessary, reasonable and proportionate to the use of premises for gambling consistent with the Licensing Objectives, guidance issued by the Commission, the Commission's codes of practice, and this Gambling Policy.

When considering any application, the Licensing Authority will seek to avoid duplication with other regulatory regimes so far as possible and conditions will generally be considered unnecessary if the Council considers that the matters that they are intended to address are already adequately dealt with by other legislation

Conditions will only be imposed to meet the requirements of the Licensing Objectives. Conditions will be proportionate and appropriate to:

- the business, organisation or individual concerned;
- the scale of the gambling operation set out in the application; and
- the risks perceived by the Council.

Conditions attached to Premises Licences will, so far as possible, reflect local crime prevention strategies. For example, the provision of closed circuit television cameras may be appropriate in certain premises.

When considering conditions to be attached to licences, the Council will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

In this respect, the Council recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises, including:

- planning controls;
- ongoing measures to create a safe and clean environment in these are in partnership with local businesses, transport operators and other
- Council departments;
- regular liaison with the police on law enforcement issues regarding disorder and anti-social behaviour; and
- the power of the police, other Responsible Authorities or an Interested Party to apply for a review of the Premises Licence.

8.5 Access

Regulations made under the Act set out the access provisions for each type of premises in England and Wales.

When reviewing an application the Council will have particular regard to any issues in respect of sub-divisions of a single building or plot and will ensure that mandatory conditions relating to access are observed.

The Council in this context will consider the following factors in respect of premises that are subject to an application for a Premises Licence:

- whether the premises have a separate registration for business rates;
- ownership of neighbouring premises;
- whether neighbouring premises can be accessed from the street or public passageway; and
- whether the premises can only be accessed from other licensed gambling premises

The Gambling Commission's relevant access provisions for each premises type are reproduced below:

Casinos:

The principal access entrance to the premises must be from a street. In this context, "street" includes any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls), whether a thoroughfare or not.

No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons

No customer must be able to enter a casino directly from any other premises which are subject to a gambling Premises Licence.

Adult Gaming Centre:

No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops:

Access must be from a street (see definition above) or from another set of premises which are subject to a betting Premises Licence.

There must be no direct access from a betting shop to other premises used for the retail sale of merchandise or services.-

Tracks:

No customer should be able to access the premises directly from:

- a casino; or
- an adult gaming centre

Bingo Premises:

No customer should be able to access the premise directly from:

- a casino;
- an adult gaming centre; or
- a betting premises, other than a track

Family Entertainment Centre:

No customer should be able to access the premises directly from:

- a casino;
- an adult gaming centre; or
- a betting premises, other than a track.

Part 7 of the Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision making.

8.6 Unlicensed Family Entertainment Centres

Where a person intends to operate an establishment wholly or mainly to make gaming machines available, and there is no relevant Premises Licence in place, that person may apply to the Council for a permit to operate an unlicensed Family Entertainment Center (subject to compliance with the relevant provisions set out in the Act, related regulations and related guidance).

An application for such a permit may be granted only where the Council is satisfied that the premises will be used as an unlicensed Family Entertainment Centre, and if the chief officer of police has been consulted on the application.

Relevant considerations for the Council when considering whether to grant such a permit shall include (without limitation) the applicant's suitability, including any convictions that might make the applicant unsuitable to operate a family entertainment center, and the suitability of the premises with respect to location and issues about disorder.

The Council expects any applicant for such a permit to have policies and procedures in place to protect children from harm. Harm in this context not be limited to harm from gambling but includes wider child protection considerations such as training of staff

regarding suspected truancy, and treatment of unsupervised children, very young children, or children causing disorder in and around the premises.

Prospective applicants should have regard to relevant provisions in the Act, associated regulations and associated guidance as to those categories of gaming machine that are permitted for use in an Unlicensed Family Entertainment Centre (or any other establishment licensed or otherwise permitted by the Council)

8.7 Small Society Lotteries

The Council is responsible for registering societies to run Small Society Lotteries. Applicants and operators should have regard to the relevant provisions in the Act and to relevant sections of the Commission's Guidance to Licensing Authorities

The Authority will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not prescriptive, could affect the risk status of the operator:

- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)-;
- submission of incomplete or incorrect returns-; and
- breaches of the limits for small society lotteries-

9. Decision Making

9.1 Delegation of Functions

The Act provides that certain powers and duties of the Licensing Authority may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.

It is considered that many of the functions will be largely administrative in nature with no perceived areas of contention. In the interests of efficiency and cost effectiveness these will, for the most part, be carried out by officers.

The schedule of delegation of licensing functions permitted under the Act is attached at Appendix 3.

9.2 Appeals Procedure

The Act provides that, in certain cases, applicants, licensees and those making relevant representations in respect of applications to the Licensing Authority have a right of appeal against decisions made by the Council: this is set out in more detail in section 206 of the Act.

In order to make an appeal, notice should be given by the appellant to Caernarfon Magistrates Court, within a period of 21 days, beginning with the day on which the appellant was notified by the Council of the decision to be appealed against.

On determining an appeal, the Court may:

- dismiss the appeal;
- substitute the decision appealed against with any other decision that could have been made by the Council;
- remit the case to the Council to dispose of the appeal in accordance with the direction of the Court.
- make an order about costs.

9.3 Complaints Against Licensed Premises and Conciliation Meetings

The Council will investigate complaints against licensed premises regarding matters that relate to the Licensing Objectives. In the first instance, complainants are encouraged to raise the complaint directly with the licensee or business concerned to seek a local resolution.

Where an Interested Party has made valid representations about licensed premises or a valid application for a Premises Licence to be reviewed, the Council may initially recommend a conciliation meeting to address and clarify the issues of concern.

Such recommendation is not binding on any party and will not prejudice the right of any Interested Party to require the Council to consider their valid representations or application or for any licence holder to decline to participate in a conciliation meeting.

9.4 Licensing Reviews

The Council will carry out a review of a Premises Licence where it receives a formal application for such review from an Interested Party or Responsible Authority in accordance with the Act.

Such application may (but need not) include representations that one or more of the following activities have been or are carried out at the premises:

- use of licensed premises for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crimes;
- use of licensed premises for the sale and distribution of illegal firearms;
- use of licensed premises for prostitution or the sale of unlawful pornography;
- use of licensed premises as a base for organised criminal activity;
- use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;
- use of licensed premises for the sale of smuggled tobacco or goods;
- use of licensed premises for the sale of stolen goods and/or
- activities that may put children and/or vulnerable persons at risk.

An application for review may (but need not) be rejected if the Council is of the view that one or more of the following applies:

- the grounds are frivolous;
- the grounds are vexatious;
- the grounds are irrelevant;

- the grounds would be certain not to cause the Council to revoke or suspend a licence or to remove or attach conditions on the Premises Licence;
- the grounds are substantially the same as the grounds cited in a previous application relating to the same premises; or
- the grounds are substantially the same as representations made at the time the application for a Premises Licence was considered.

The Council may also elect to review a Premises Licence at its own discretion.

Once a review has been completed the Council must, as soon as possible, notify its decision to:

- the licence holder;
- the applicant for review (if any);
- the commission
- any person who made representations;
- the Chief of Police; and
- HM Revenue & Customs

9.5 Renewals

Holders of 10 year club gaming, club machine and unlicensed family entertainment centre (uFEC) permits are reminded that these permits start to come up for renewal from 2017. It is the responsibility of permit holders to ensure that timely applications are made.

9.6 Club gaming permits and club machine permits

The authority may only refuse an application on one or more of the following grounds:

- (a) (i) for a **club gaming permit**: the applicant is not a members' club or miners' welfare institute
 (ii) for a **club machine permit**: the applicant is not a members' club, miners' welfare institute or commercial club
- (b) the premises are mainly used by children or young persons
- (c) an offence or a breach of a condition of the permit has been committed by an applicant
- (d) a permit held by an applicant has been cancelled during the last ten years
- (e) an objection has been made by the Commission or local chief officer of police.

The authority may only cancel a permit on one of the following grounds:

- (a) the premises are used wholly or mainly by children or young persons
- (b) an offence or breach of condition of the permit has been committed in the course of gaming activities.

An application for renewal of a permit must be made during the period beginning three months before the licence expires and ending six weeks before it expires. The procedure for renewal is the same as for an application. Permits granted can cease to have effect in certain circumstances, can be cancelled and can be varied.

The duration of the permit will not be curtailed while a renewal application is pending, including an appeal against a decision not to renew.

If, at the time a permit is renewed, the applicant holds a club premises certificate, the fast track procedure will apply as it does when application is first made for the permit.

9.7 Unlicensed Family Entertainment Centres

An application for renewal of a permit must be made during the period beginning six months before the permit expires and ending two months before it expires. The procedure for renewal is the same as for an application. The authority may only refuse to renew a permit on the grounds that:

- an authorised local authority officer has been refused access to the premises without reasonable excuse
- renewal would not be reasonably consistent with the licensing objectives. In this respect, the Council will have the benefit of having consulted the chief officer of police and will be aware of any concerns that have arisen about the use of the premises during the life of the permit.

The duration of the permit will not be curtailed while a renewal application is pending, including an appeal against a decision not to renew.

9.8 Prize gaming permits

An application for renewal of a permit must be made during the period beginning six months before the permit expires and ending two months before it expires. The procedure for renewal is the same as for an application.

A permit will not cease to have effect while a renewal application is pending, including an appeal against a decision not to renew.

10 Statement regarding Casino resolutions

Currently there are no casinos operating within the County.

Licensing of new casinos is regulated by the Act and related regulations. The Council is not one of the Licensing Authorities that is empowered to issue casino Premises Licences.

In addition the Act gives discretion to each Licensing Authority to issue a resolution not to issue casino premises licences.

The Council has made no such resolution to prohibit casinos at present.

The Council shall keep the matter of casino Premises Licences under review and may alter its policy in this regard as it sees fit. In such event the Council shall abide by relevant law and shall have regard to relevant official guidance.

11 Other Regulatory regimes

When considering matters in relation to this policy, the Licensing Authority will seek to avoid duplication with other regulatory regimes so far as possible. Where other regulatory regimes exist, this policy will not seek to impose any condition that would duplicate other legislative requirements. Similarly when determining applications or appeals, consideration will be given to the Act and relevant factors as detailed in this policy.

12 Demand for gaming premises

Each application for gaming premises licence will be considered on its merits. Consideration of the expected demand for a gaming premises will not be a relevant factor in determining the application, in accordance with section 153 of the Act.

13 Other Information

In relation to any objections to the grant of a new premises licence, or requests for the review of an existing licence any objections should be based on the three key licensing objectives of the Act:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
- ensuring that gambling is conducted in a fair and open way; and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

Objections that are not related to the above objectives will not be considered as relevant objections.

14 Local Risk Assessments

The LCCP require gambling operators (i.e. operators of adult gaming centres, bingo premises, family entertainment centres, betting shops, and remote betting intermediaries) to assess the local risks to the Licensing Objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures in place to mitigate those risks.

These risk assessments should be reviewed and updated:

- to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks; and
- when applying for a variation of a premises licence.

An operator must undertake a local risk assessment when applying for a new premises licence.

Operators are required to make the risk assessment available to licensing authorities when an application is submitted either for a new Premises Licence or variation of a Premises Licence, or otherwise on request. The risk assessment will form part of the Council's inspection regime and may be requested when officers are investigating complaints. A copy of the local risk assessment should be available at the premises.

The Council expects operators to take account of the following when preparing their risk assessment.

- information held by the licensee regarding self-exclusions and incidences of underage gambling;
- Gaming trends that may reflect the spending of benefit payments;
- arrangement for localised exchange of information regarding self-exclusions and gaming trends;
- urban setting such as proximity to schools, the local commercial environment, and particular factors affecting footfall;
- the range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities;
- known problems in the area such as problems arising from street drinkers, youths, participation in anti-social behaviour, drug dealing activities, etc.;

matters relating to children and young persons, including:

- any institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas etc.;

- any premises where children congregate including bus stops, café's, shops, and any other place where children are attracted-;
- any areas that are prone to issues from youths participating in anti -social behaviour, including such activities as graffiti, underage drinking, etc.; and
- any recorded incidents of, or information held by the licensee in respect of, attempted underage gambling;

matters relating to vulnerable adults, including:

- information held by the licensee regarding self-exclusions
- gaming trends that may coincide with days for financial payments such as pay days or benefit payments;
- any arrangement for localised exchange of information regarding self-exclusions and gaming trends-; and
- proximity of any premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.;

and

- other potentially relevant factors, including (but not limited to) matters of faith relating to any religious or faith denomination, including proximity to churches, mosques, temples or any other place of worship.

This list is not exhaustive and other relevant factors not in this list that are identified should be taken into consideration.

14.1 Risk Assessments - Control Measures

Control measures to mitigate perceived risk may involve a combination of systems, design, and physical measures. Appropriate control measures will be assessed on a case-by-case basis, on the particular merits of the proposed measures in context of the circumstances in question.

For example to address the risk factors to children gaining access to an over 18 restricted gambling premises, the operator may identify the following measures:

- **Systems:** PASS card or age verification policies, challenge 25 scheme, and staff training
- **Design:** Exterior design which will not attract children into the premises, the entrance layout will enable staff to monitor those entering the premises and when appropriate, challenge them on the ground of age.
- **Physical:** CCTV and electronic sensors.

15 Declaration

This statement of Licensing policy (Gambling Policy) has been produced with due regard to the licensing objectives in the Act, guidance issued by the Gambling Commission and responses from those consulted on the policy.

16 Appendices

Appendix 1 Map of the Isle of Anglesey County Council Area



Appendix 2 Consultees

- Anglesey and Gwynedd Community Safety Partnership
- Anglesey Town and Community Councils
- Association of British Bookmakers
- Bingo Association
- British Amusement Catering Trade Association BACTA
- British Beer and Pub Association
- British Holiday & Home Parks Association
- Citizens Advice
- Done Brothers
- Gamble Aware
- Gambling Commission
- GamCare
- Gwynedd and Anglesey Local Safeguarding Children Board
- HM Revenue and Customs
- Isle of Anglesey County Council Environmental Health
- Isle of Anglesey County Council Planning North Wales Police
- North Wales Fire & Rescue Service
- North Wales Police
- Public Health Wales
- William Hill

Appendix 3 Scheme of delegation

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE OR PANEL	OFFICERS
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting - when appropriate		Executive	
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	
Determination as to whether a person is an Interested Party			X
Determination as to whether representations are relevant			X
Determination as whether a representation if frivolous, vexatious or repetitive			X

ISLE OF ANGLESEY COUNTY COUNCIL	
Committee:	Democratic Services Committee
Date of Meeting:	27 November, 2018
Title:	Webcasting
Purpose of the Report:	To consider options for extending webcasting to include scrutiny committees and make recommendations to Council
Author:	Head of Democratic Services

1.0 Background

This report has been prepared in response to a decision by the Council on 28 September 2018 to refer the undermentioned Notice of Motion to the Democratic Services Committee and provide an opportunity for the Committee to make recommendations to the Council:

“The Constitution of Anglesey County Council should be amended to allow webcasting of both Scrutiny Committees”

Since June 2014, meetings of the Council, Planning and Orders Committee and the Executive have been webcast and progress reports submitted to this Committee.

Webcasting of meetings is not currently a legislative requirement but is strongly supported by Welsh Government and is linked to the provisions within the Local Government (Wales) Measure 2011 to strengthen local democracy and community engagement in ensuring that local authorities reach out to and engage with all sectors of the community they serve.

At present, the Council’s webcasting equipment is located in the Council Chamber and the current contract allows for up to 40 hours of broadcasting per year to cover the meetings referred to above. This also provides for the lease of all hardware and software, upgrades and maintenance. The current contract ends in March 2021 and costs per year are in the region of £12,000.

Current practice on webcasting meetings vary – most Councils webcast a combination of Council, Planning, Cabinet and some or all Scrutiny Committees where there is most public interest. The situation across North Wales is summarised in Appendix 1

Matters for consideration

Although the extension of webcasting to include Scrutiny committees would potentially put the Council in a better position to meet any statutory obligations to broadcast meetings which may be introduced in the future, it is necessary to highlight some specific issues and practical considerations:

Use of Council Chamber and Committee Rooms for the purpose of webcasting

On a practical level webcasting equipment has only been installed in the Council Chamber. It would be necessary to hold Scrutiny Committee meetings in the Chamber for the purpose of webcasting as there is no scope to change the layout and seating plan. Such practical considerations can be accommodated in Committee Rooms 1 and 2 which is a preferred layout setting for conducting meetings of Scrutiny Committees and reflects current practice.

There is, however, a potential option to use mobile webcasting equipment in Committee Rooms 1 and 2 but there would be additional associated costs per annum of hiring equipment alone in the region of £10,000, depending on usage; such costs are being incurred on an hourly basis and additional time in relation to staff; both of these issues are addressed in the paragraphs below. There is no provision in the budget for this expenditure and technical aspects would need further consideration.

Number of Meetings

Another consideration is the number of Scrutiny Committees per year in the Council calendar and any extraordinary meetings held. There are already 15 meetings of the Corporate Scrutiny Committee and 8 meetings of the Partnership and Regeneration Scrutiny Committee in the diary for 2018/19 – this includes a number of extraordinary meetings.

Therefore, for the purpose of cost estimates, based on 23 Scrutiny Committees this municipal year, assuming that meetings last up to 3 hours on average, it is envisaged that there would be a need to webcast an additional 69 hours on top of the annual contracted 40 hours. Indicative costs, based on a per hour rate, are likely to be an additional cost in the region of £3,000 per annum, on top of current costs. There is no provision in the budget for these additional costs.

Demands on staff time

Members also need to acknowledge that there would be more demands on staff time to manage webcasting equipment should a decision be made to extend current arrangements. Democratic Services staff are responsible for ensuring the proper working of the webcasting equipment when meetings take place. This includes setting up in advance of meetings and testing of equipment and also publishing and archiving after meetings. This is a demand on staff time over and above actual live webcasting. This would be at a time of other competing service delivery demands and targets for budgetary savings within the service. Having regard to the number of Scrutiny Committee meetings in the calendar in this municipal year it is estimated that this would equate to a cost element of up to £3,500 when factoring in staff time required to manage equipment.

In summary, there are practical and financial considerations associated with extending webcasting and there is no current provision in the budget to meet the additional costs noted above including mobile equipment for the purpose of holding meetings in

Committee Room 1. This needs to be considered in the context of demands on the Council's budget and required savings.

Based on the information in this report the following options are presented to enable the Committee to make recommendations to the Council on the 11 December, 2018:

2.0 Recommendations

- i) To consider whether to recommend no change to the current arrangements for webcasting or support the webcasting of Scrutiny Committees taking account of funding issues, use of Committee rooms and demands on Democratic Services staff time.
- ii) If the merits of extending webcasting is supported, consider piloting a set number (maximum of 4) of Scrutiny Committee meetings during 2019/20 - meetings of most public interest e.g. annual budget proposals. Arrangements to be agreed by the Chairs and Vice-chairs Scrutiny forum in consultation with the Leader and Chief Executive.

Huw Jones
Head of Democratic Services
7 November, 2018

Appendix 1

Number and Type of Meetings Webcast December 2017 – May 2018

Council	Meetings Webcast
Conwy	Council Cabinet Planning Scrutiny
Denbighshire	Council Cabinet Planning Scrutiny
Flintshire	Council Planning
Gwynedd	Council Cabinet Planning Scrutiny
Wrexham	Council Executive Planning Scrutiny

ISLE OF ANGLESEY COUNTY COUNCIL	
Committee:	Democratic Services Committee
Date of Meeting:	27 November, 2018
Title:	Public participation in meetings
Purpose of the Report:	To make recommendations to Council
Author:	Head of Democratic Services

1.0 Background

The County Council resolved on 25 September to refer the following Notice of Motion to the Democratic Services Committee for consultation:

“The Constitution of Anglesey County Council should be amended to allow motions to be discussed at full Council meetings that have been proposed by members of the public and supported by the signatures of 50 individuals who live on the Isle of Anglesey”.

This motion deals with a motion being raised by the public where it is supported by 50 other individuals and this Committee is requested to consider the following observations:

The Council Procedure Rules (paragraph 4.1. of the Constitution) do not include provision for motions to be submitted by members of the public.

The Constitution does include provisions for Members to submit questions (4.1.12) and motions (4.1.13 and 4.1.14)

There is also provision for the receipt of petitions by full Council, from elected Members on behalf of the public (4.1.11) and any received in this way will be referred to the relevant Committee or Executive for consideration, in circumstances where the content of the petition does not relate to a matter which is already on the agenda of that ordinary Council meeting.

Elected members are able to raise questions, submit motions and submit petitions to the Council meetings which are presented to them by members of the public.

Enquires have been made with other Authorities in Wales to ascertain whether provision exists in their Constitutions for allowing motions to be submitted by the general public. Of the responses received all have confirmed that there are no arrangements for the public to submit motions. None of the North Wales authorities allow a motion to be raised by members of the public, apart from elected members.

It is the view of the Monitoring Officer that no such provisions exist because members of the public have no legal standing to directly submit notices of motion for debate in full Council, expecting elected members to represent their views and to submit motions/questions and petitions on their behalf; including at their specific request.

However, it is noted that some North Wales Authorities do have provision for members of the public to raise questions at Council meetings, subject to certain criteria being satisfied, for example this applies to Flintshire County Council (see Enc.1) and Denbighshire County Council (see Enc. 2)

Some of the North Wales Authorities that have provision for members of the public to raise questions at Council meetings explained that this right had never been used. On this basis, it is fair to consider that the presence of such provision in the Constitution may have limited results; if the intention is to increase public participation in Council meetings.

Based on the information in this report the following options are presented to enable the Committee to make recommendations to the Council on the 11 December, 2018.

2.0 Recommendations:

1. To either maintain the status quo or
2. Instruct officers to devise a scheme that enables members of the public to submit written questions in advance of meetings of the full Council; such a detailed scheme to be considered first by the Democratic Services Committee and then by the Executive before final constitutional changes are approved (or not) by the full Council.

Huw Jones
Head of Democratic Services
14 November, 2018

Enc. 1

Flintshire Council - Public Speaking arrangements in Full Council

Questions are restricted to matters relating to Flintshire and/or the services provided by the Council.

A person may only submit one question for consideration at any Public Question Time, but one supplementary question will be allowed in each case.

Questions will not be accepted which relate to:-

- Judicial or quasi-judicial matters;
- Matters under investigation
- Individual planning, license or grant applications or appeals;
- Named officer or member of the Council;
- Confidential or exempt information as described in the Access to information Procedure Rules or requires its disclosure
- Party political matters;
- Defamatory material
- Substantially the same issue as a question put within the past 6 months. Questions will not be accepted from Member and Employees of the Council

Questions must be submitted in writing and received no later than 12 noon on the seventh day before Question Time.

Enc. 2.

Denbighshire County Council - *Attached is an extract from the standing orders on this issue.*

4.18 Questions by the Public

4.18.1 General

- (a) Members of the public may ask questions of Members of the Cabinet at ordinary meetings of the Council.
- (b) The total time allocated for questions by the public should be limited to 30 minutes.

4.18.2 Order of Questions

Questions will be asked in the order notice of them was received, except that the Chair may group together similar questions.

4.18.3 Notice of Questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Head of Legal HR and Democratic Services no later than midday 2 working days before the day of the meeting. Each question must give the name and address of the questioner.

4.18.4 Number of Questions

At any one meeting no person may submit more than one question and no more than one such question may be asked on behalf of one organisation.

4.18.5 Scope of Questions

The Head of Legal, HR and Democratic Services may reject a question if it:

- (a) is not about a matter for which the Council has a responsibility or which affects the County;
- (b) is defamatory, frivolous or offensive;
- (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months;
- (d) requires the disclosure of confidential or exempt information.

4.18.6 Record of Questions

- (a) The Head of Legal, HR and Democratic Services will maintain a record open to public inspection and will immediately send a copy of the question to the Councillor to whom it is to be put. Rejected questions will include reasons for rejection.
- (b) Copies of all questions will be circulated to all Councillors and will be made available to the public attending the meeting.

4.18.7 Asking the Question at the Meeting

The Chair will invite the questioner to put the question to the Councillor named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Chair to put the question on their behalf. The Chair may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

4.18.8 Supplementary Question

A questioner who has put a question in person may also put one supplementary question without notice to the Councillor who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Chair may reject a supplementary question on any of the grounds set out in Rule 4.18.5 above.

4.18.9 Written Answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Councillor to whom it was to be put, will be dealt with by a written answer.

4.18.10 Reference of Question to the Cabinet or a Committee

Unless the Chair decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a question be referred to Cabinet or the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion

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