



**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
10 RHAGFYR 2019**

**TUESDAY,
10 DECEMBER 2019**

→ am 2.00 o'r gloch yp ←

→ at 2.00 pm ←

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A G E N D A

1. MINUTES

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

- 10 September 2019
- 7 October 2019 (Extraordinary)
- 22 October 2019 (Extraordinary)

2. DECLARATION OF INTEREST

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

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

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

To submit the following Notice of Motion by Councillor Robert Llewelyn Jones:-

YNYS Môn used to be covered with Oak trees in the past and now we are one of the least wooded areas in Wales. Our Penrhos Woods in Holyhead has been allowed to be given over to a Holiday Chalet Play Park.

We as a Council need to reverse the decline in our woodland and to actively encourage more tree planting on Ynys Mon.

I am asking to have an Island wide effort by all our schools and their pupils becoming involved in planting and for them to be sponsored by our Council and our local companies.

5. PRESENTATION OF PETITIONS

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

6. COUNCIL CONSTITUTION - BUDGET SETTING PROCESS

To consider recommendations in respect of an Executive decision taken by the Leader.

ISLE OF ANGLESEY COUNTY COUNCIL

Minutes of the meeting held on 10 September 2019

- PRESENT:** Councillor Margaret Murley Roberts (Chair)
Councillor Glyn Haynes (Vice-Chair)
- Councillors Lewis Davies, R Dew, John Griffith, K P Hughes, Vaughan Hughes, Llinos Medi Huws, A M Jones, Carwyn Jones, G O Jones, R LI Jones, R.Meirion Jones, Alun W Mummery, R G Parry OBE FRAGS, Dylan Rees, Alun Roberts, Dafydd Roberts, J A Roberts, Nicola Roberts, P S Rogers, Ieuan Williams and Robin Williams.
- IN ATTENDANCE:** Chief Executive,
Deputy Chief Executive,
Director of Function (Resources)/Section 151 Officer,
Director of Education, Skills and Young People,
Director of Social Services,
Head of Function (Council Business)/Monitoring Officer,
Head of Children & Families,
Head of Democratic Services,
Head of Human Resources & Transformation,
Committee Officer (MEH).
- ALSO PRESENT:** None
- APOLOGIES:** Councillor Richard Griffiths, T LI Hughes MBE, Eric Wyn Jones, Richard Owain Jones, Bryan Owen, Shaun James Redmond and Dafydd Rhys Thomas.

Island Games Presentation

A presentation was afforded to individuals whom had been successful at the Island Games in Gibraltar - Anglesey Women's Football Team and Anglesey's Men's Football Team together with individuals who were successful at the Island Games Gymnastics Competition held in the Isle of Man.

The Chair said that the Island Games Football Tournament was held on Anglesey in June and she thanked everyone across the Island in welcoming the teams from other countries and for all the hard work over many months to prepare for the tournament.

1. MINUTES

The minutes of the following meetings were confirmed as correct:-

- 14 May, 2019 (Ordinary Meeting)

- 14 May, 2019 (Annual Meeting)
- 15 July, 2019 (Extraordinary)
- 22 August, 2019 (Extraordinary)

2. DECLARATION OF INTEREST

None received.

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

The Chair made the following announcements:-

- Congratulations to those from Anglesey who were successful at the Anglesey Show, the Royal Welsh Show and the National Eisteddfod;
- Congratulations to Sian Morgan, a Support Worker with the Council who has received the 'Caring in Welsh' award which was presented at the National Eisteddfod in Llanrwst;
- Congratulations to the pupils of the Island's Secondary Schools on their success in the GCSE's and A level exams. Best wishes was extended to the pupils who will be starting their college courses in due course;
- Congratulations was extended to Samantha Goad, the Sport Wales and Anglesey Young Ambassador on receiving the Diana Memorial Award which is awarded for outstanding achievements of young people;
- Congratulation to Councillor Robert LI Jones who has celebrated a special birthday recently.

Members requested that a letter be sent to Mr Albert Owen MP thanking him for his services as a Member of Parliament for Ynys Môn, Mr Owen will be not seeking re-election at the next Parliamentary Election.

The Chair announced that the Chair's Sunday Service will be held on 13th October, 2019 at Carmel Chapel, Moelfre.

Best wishes was extended to the newly appointed Director of Education, Skills and Young People, Mr Rhys H Hughes.

* * * *

The Chair referred that this will be the last meeting of the County Council for Dr Gwynne Jones as Chief Executive and wished him well on his retirement. She said that Dr Gwynne Jones is highly respected within Local Government across Wales and further afield and by Elected Members and Officers of the Council.

The Leader of the Council wished to thank Dr Gwynne Jones for the service he has given to the County Council and his commitment to the Authority over the last 4 years as Chief Executive.

Members of the Council also wished to thank Dr Gwynne Jones for his service to the Council and wished him well on his retirement.

Best wishes was extended to Mrs Annwen Morgan on her appointment as Chief Executive following the retirement of Dr Gwynne Jones.

4. PRESENTATION OF PETITIONS

The Chair said that there was one petition with 250 signatures from the residents of the village of Llanfechell opposing the loss of a School Patrol Officer – petition forwarded to the Head of Highways, Property and Waste.

5. STATEMENT OF ACCOUNTS AND ISA 260

Submitted – the following reports by the Director of Function (Resources)/Section 151 Officer as submitted to the Audit and Governance Committee on 3 September, 2019 :-

- Statement of Accounts for 2018/19;
- External Auditor's report on the audit of the financial statements.

The Chair of the Audit Committee sought clarification as to whether the total of receipts received by the Council from the sale of surplus buildings are identified separately within the Accounts.

The Director of Function (Resources)/Section 151 Officer responded by noting that the capital receipts are detailed in a specific note within the Statement of Accounts (note 10). The balance of unused capital receipts as at 31 March 2019 was £1.18m and he reminded the Member that capital receipts can only be utilised to fund the creation of a fixed asset i.e. one which has an useful life of more than 12 months, or to reduce the Council's borrowing. Capital receipts cannot be used to fund revenue expenditure.

It was RESOLVED :-

- **To accept the Statement of Accounts 2018/19 and authorise the Director of Function (Resources)/Section 151 Officer to sign the accounts;**
- **To note the acceptance of the Annual Governance Statement 2018/19 by the Audit and Governance and refer the document to the Leader of the Council and the Chief Executive for signature.**

6. TO APPOINT FOUR CO-OPTED MEMBERS OF THE PUBLIC AND ONE COUNTY COUNCILLOR TO THE STANDARDS COMMITTEE

Submitted – a report by the Chair of the Standards Committee Selection Panel.

It was RESOLVED :-

- **To appoint Mr Thomas Rhys Davies, Mrs Celyn Menai Edwards, Mrs Gill Murgatroyd and Mrs Sharon Warnes as co-opted independent members of the Standards Committee from 20th December, 2019, for up to two terms as permitted by the statute and the Constitution;**

- In the event that a further casual vacancy for an independent member of the Standards Committee arises during the next twelve months, to automatically appoint Mrs Pauline Vella to this role without need for a further recruitment process, provided always that Mrs Vella remain eligible for the role;
- To confirm that Councillor Dafydd Rhys Thomas remains as County Councillor representative until the next election in 2022;
- To appoint Councillor John Arwel Roberts as County Councillor representative on the Standards Committee, initially until the next election in 2022, with the potential to sit for a further term;
- To thank Councillor T LI Hughes MBE for his work as County Councillor representative on the Standards Committee;
- To confirm that the Head of Function (Council Business)/Monitoring Officer be given authority to include the Standards Committee Selection Panel in the Council's Constitution to avoid the ongoing need for 'saving provisions' in the committee structure report which is affirmed by the Council at its annual meetings.

7. ANNUAL REPORT OF THE STATUTORY DIRECTOR OF SOCIAL SERVICES

Submitted – a report by the Director of Social Services as presented to the Executive on 15 July, 2019.

It was RESOLVED to accept the report.

The meeting concluded at 2.40 pm

**COUNCILLOR MARGARET M ROBERTS
CHAIR**

ISLE OF ANGLESEY COUNTY COUNCIL

Minutes of the special meeting held on 7 October 2019

PRESENT: Councillor Margaret Murley Roberts (Chair)
Councillor Glyn Haynes

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

IN ATTENDANCE: Chief Executive,
Director of Function (Resources)/Section 151 Officer,
Director of Place and Community Well-being,
Director of Education, Skills and Young People,
Head of Human Resources and Transformation,
Head of Democratic Services,
Legal Services Manager (RJ),
Committee Officer (MEH).

ALSO PRESENT: None

APOLOGIES: Councillor R LI Jones

The Chair wished to sympathise with the family of Mr George Alun Williams who passed away recently. Mr Williams represented the Trearddur and Rhoscolyn Wards as an elected member on the former Anglesey County Council, thereafter on the Gwynedd County Council and on the Isle of Anglesey Borough Council. Members and Officers stood in silent tribute as a mark of their respect and sympathy.

The Chair wished to welcome Mrs Annwen Morgan to her first meeting of the County Council as the Chief Executive.

1. DECLARATION OF INTEREST

None received.

2. ANNUAL PERFORMANCE REPORT (IMPROVEMENT PLAN) 2018/19

Submitted – a report by the Head of Profession (Human Resources) and Transformation as presented to the Executive on 16 September, 2019.

The Portfolio Holder for Corporate Business reported on the Annual Performance Report 2018/19 is a statutory document that analyses performance over the previous financial year against the improvements and priorities outlined by the Council in the Annual Delivery Document and Council Plan; the Council is required to produce and publish its Annual Performance Report by 31 October each year.

The Portfolio Member further said that he was pleased to report that based on its performance against national indicators, known as Performance Accountability Measures (PAM), the Council's national standing has once again improved in 2018/19. Whilst there have been some disappointments in 2018/19 with the suspension of the Wylfa Newydd development and the slippage on the Llangefni and Seiriol areas Schools' Modernisation Programme, there has also been a number of notable successes which includes completion of the Llangefni Link Road, regeneration of the Market Hall in Holyhead which now houses the local library, the completion and opening of the new Ysgol Santes Dwynwen in Newborough as well as the completion and lease of 7 new business units in Llangefni with 6 further units in Holyhead gaining planning permission with building to take place in 2019/20 and a 3G pitch opened in Llangefni. The Housing Service succeeded in bringing 70 empty houses back into use across the Island. Cartrefi Clyd will be opening soon to afford young people a secure home environment without having to be placed out of county. The facility at Hafan Cefni is an outstanding success with all the units full. He further said that the recycling figures are continuing to improve with this Council percentage of over 70%. The Portfolio Member wished thanked the Council's staff their hard work.

Some Members raised a number of issues contained within the performance report of the Council.

It was RESOLVED that the final version of the 2018/19 Performance Report should be published by the statutory date at the end of October.

3. REVIEW OF THE ELECTORAL ARRANGEMENTS FOR THE ISLE OF ANGLESEY COUNTY COUNCIL BY THE LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES

Submitted – a report by the Head of Democratic Services, as presented to the Democratic Services Committee on 25 September, 2019.

It was RESOLVED that the proposed recommendation by the Democratic Services Committee be accepted as the Council's initial response.

4. DELEGATION SCHEME - MAJOR DEVELOPMENTS

Submitted – an Executive Decision taken by the Leader of the Council in respect of the above.

The Portfolio Holder for Major Projects and Economic Development said a number of consenting regimes are in place which allow Welsh Minister to determine applications which will consent development located within or impact Anglesey's administrative area. These include processes such as decisions on Developments of National Significance which grant planning permission and Transport and Works Act Orders which include a deemed planning permission. He further said that Morlais Marine Energy has submitted its application for consent since the 17th September, 2019. There is a requirement to have the Delegation Scheme for Major Development in place to allow the Authority to respond effectively and within the timeframe.

It was RESOLVED:-

- **To delegate to the Director of Place & Community Well-being the carrying out of all the statutory functions of the Council as both Local Authority and Planning Authority in connection to consenting applications which include planning permission or deemed planning permission or the equivalent to be determined by the Welsh Government, including the negotiation and completion of planning obligation agreements.**
- **The delegation proposed above and any action to be taken under them may be further delegated to any officer of the Council by the officers to whom the powers are delegated.**

The meeting concluded at 2.40 pm

**COUNCILLOR MARGARET M ROBERTS
CHAIR**

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ISLE OF ANGLESEY COUNTY COUNCIL

Minutes of the special meeting held on 22 October 2019

- PRESENT:** Councillor Margaret Murley Roberts (Chair)
Councillor Glyn Haynes (Vice-Chair)
- Councillors R Dew, John Griffith, Richard Griffiths, K P Hughes, Vaughan Hughes, Llinos Medi Huws, Carwyn Jones, Eric Wyn Jones, Richard Owain Jones, G O Jones, R Meirion Jones, Alun W Mummery, Bob Parry OBE FRAgS, Dylan Rees, Dafydd Roberts, J A Roberts, P S Rogers, Dafydd Rhys Thomas, Ieuan Williams and Robin Williams.
- IN ATTENDANCE:** Chief Executive,
Head of Profession (Human Resources) and Transformation,
Head of Democratic Services,
Legal Services Manager (RJ),
Committee Officer (MEH).
- ALSO PRESENT:** None
- APOLOGIES:** Councillor Lewis Davies, T LI Hughes MBE, A M Jones, R LI Jones, Bryan Owen, Alun Roberts and Nicola Roberts.

1. DECLARATION OF INTEREST

None received.

2. EXCLUSION OF THE PRESS AND PUBLIC

It was **RESOLVED** to adopt the following:-

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

3. STAFF APPOINTMENTS - APPOINTMENT OF DEPUTY CHIEF EXECUTIVE

Consideration was given to the recommendation of the Appointments Committee at its meeting held on 22 October, 2019 with regard to the appointment of the Deputy Chief Executive of the Isle of Anglesey County Council.

It was RESOLVED to ratify the recommendation of the Appointments Committee at its meeting held on 22 October, 2019 that Mr Dylan Williams be appointed Deputy Chief Executive of the Isle of Anglesey County Council.

The meeting concluded at 5.40 pm

**COUNCILLOR MARGARET MURLEY ROBERTS
CHAIR**

ISLE OF ANGLESEY COUNTY COUNCIL	
REPORT TO:	EXECUTIVE AND COUNTY COUNCIL
DATE:	29 NOVEMBER 2019 and 10 DECEMBER 2019
SUBJECT:	COUNCIL CONSTITUTION – BUDGET SETTING PROCESS
PORTFOLIO HOLDER(S):	COUNCILLOR LLINOS MEDI HUWS
HEAD OF SERVICE:	MARC JONES, DIRECTOR OF FUNCTION (RESOURCES)
REPORT AUTHOR:	MARC JONES
TEL:	01248 752601
E-MAIL:	rmjfi@ynysmon.gov.uk
LOCAL MEMBERS:	n/a

A - Recommendation/s and reason/s

Due to a number of reasons, most notably the general election on 12 December 2019, the provisional and final Local Government settlement for 2020/21 will be announced much later this year than the normal timetable. The provisional settlement will not be announced until 16 December 2019 with the final settlement not being announced until 25 February 2020.

The delay in announcing the settlement has required Officers to revise the budget setting timetable, whilst trying to comply with the requirements of the Council's Constitution.

The following table outlines the proposed timetable and whether it complies with the Council's Constitution or not.

Budget Process Stage	Proposed Date	Constitution Requirement	Does the Proposal Comply with the Constitution
Pre Budget Statement announced by Executive	Completed 16 September 2019	Para 4.3.2.2.1 – Pre Budget Statement announced by Executive before 30 September.	Yes
Scrutiny Committee to consider Initial Budget Proposals	13 January 2020 (a.m.)	Para 4.3.2.2.4 – Executive shall take account of representations from the Corporate Scrutiny Committee before framing its Initial Budget Proposals.	Yes
Executive to publish Initial Budget Proposals	13 January 2020 (p.m.)	Para 4.3.2.2.5 – Initial Budget Proposals to be published before 15 January.	Yes
Initial Budget proposals to be considered by the Corporate Scrutiny Committee	26 or 27 February 2020 (date to be confirmed)	Para 4.3.2.2.8 – At least 2 weeks before the date on which the annual budget is to be adopted by the Council, the Corporate Scrutiny Committee shall consider the Initial Budget Proposals.	No
Final Budget Proposals to be announced by the Executive	2 March 2020	Para 4.3.2.2.9 – At least one week before the date on which the annual budget is to be adopted by the Council, the Executive, having considered the responses of the Corporate Scrutiny Committee and the outcomes of the consultation undertaken, will publish its Final Budget Proposals.	Yes

Budget Process Stage	Proposed Date	Constitution Requirement	Does the Proposal Comply with the Constitution
Final Budget adopted by Council	10 March 2020	The Local Government Finance Act 1992 states that the amount of Council Tax must be set before 11 March in the financial year preceding that for which it is set.	Yes – complies with the statutory requirement.

The Council will set the annual budget and Council Tax for 2020/21 at its meeting on the 10 March 2020. The date for setting the annual budget and Council Tax is not specified in the Council's Constitution but the Local Government Finance Act 1992 (paragraph 30 (6)) states that the amount of Council Tax must be set before 11 March in the financial year preceding that for which it is set.

From the table above, it can be seen that the proposed timetable complies with the Council's Constitution apart from one item, i.e. that the proposed date for the Corporate Scrutiny Committee to consider the Executive's Initial Budget Proposal is not at least two weeks before the date when the annual budget is set.

To comply with the Council's Constitution, the meeting of the Corporate Scrutiny Committee could take place on or before 24 February 2020, but this is at least one day before the Welsh Government publish the final Local Government settlement and, as a result, the Corporate Scrutiny Committee would be considering the budget without knowing the final financial settlement for the Council. This piece of information will be key to setting the annual budget and it would be difficult for the Scrutiny Committee to undertake meaningful scrutiny of the budget proposals without this information.

Recommendation

The Council is requested to suspend paragraph 4.3.2.2.8 of the Council's Constitution for the 2020/21 budget setting process and to allow the Corporate Scrutiny Committee to consider the Executive's Initial Budget Proposals, less than 2 weeks before the date the annual budget is adopted by the Council on 10 March 2020.

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

To comply with the Constitution as drafted and holding the meeting of the Corporate Scrutiny Committee at least 2 weeks before the date on which the annual budget is set. This option is rejected because the Scrutiny Committee meeting would have to take place before the final local government settlement is announced by the Welsh Government on 25 February 2020. This would undermine the valuable contribution of Scrutiny to the budget setting process.

Holding a meeting within the two weeks prior to the budget being set. This would not be in accordance with the Constitution and thus could lead to a challenge in relation to the annual budget and/or council tax.

C - Why is this a decision for the Executive?

Paragraph 2.15.2.1 of the Constitution details: "Changes to the Constitution will only be approved by the full Council after consideration of the proposal by the Executive." Due to the urgency of this matter, the Leader is asked to exercise her delegated authority to make this recommendation to full Council.

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

Yes

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

Not applicable

DD - Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	The matter has been discussed fully with the Chief Executive and the SLT and the proposal has been agreed by them.
2	Finance / Section 151 (mandatory)	Author of the report.
3	Legal / Monitoring Officer (mandatory)	The report has been prepared following the receipt of advice from the Monitoring Officer and the report has been agreed with the Monitoring Officer.
4	Human Resources (HR)	N/A
5	Property	N/A
6	Information Communication Technology (ICT)	N/A
7	Scrutiny	N/A
8	Local Members	N/A
9	Any external bodies / other/s	The full Executive has been consulted with particular involvement by the Finance Portfolio Holder and the Corporate Business Portfolio Holder.
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	Setting the Council Tax contrary to the requirements of the Council's own constitution may lead to a challenge that the annual budget and council tax have not been legally set. By approving the recommendation, the risk is nullified.
F - Appendices:		
FF - Background papers (please contact the author of the Report for any further information):		

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