

THE EXECUTIVE

Minutes of the meeting held on 28 October 2019

PRESENT: (Chair)
(Vice-Chair)

Councillors Llinos Medi Huws, R.Meirion Jones,
R G Parry OBE FRAGS, Dafydd Rhys Thomas, Ieuan Williams,
Alun W Mummery and Robin Williams

IN ATTENDANCE:

ALSO PRESENT: Councillors

APOLOGIES: Councillor R Dew and Councillor Carwyn Jones

The Chair welcomed Mrs Annwen Morgan to her first meeting of the Executive in her capacity as Chief Executive of the Isle of Anglesey County Council.

1 DECLARATION OF INTEREST

No declaration of interest was received.

2 URGENT MATTERS CERTIFIED BY THE CHIEF EXECUTIVE OR HER APPOINTED OFFICERS

None to report.

3 MINUTES

The minutes of the previous meeting of the Executive held on 16 September, 2019 were presented for the Executive's approval.

It was resolved that the minutes of the previous meeting of the Executive held on 16 September, 2019 be confirmed as correct.

4 MINUTES - CORPORATE PARENTING PANEL

The draft minutes of the meeting of the Corporate Parenting Panel held on 9 September, 2019 were presented for the Executive's adoption.

It was resolved that the draft minutes of the meeting of the Corporate Parenting Panel held on 9 September, 2019 be adopted.

5 THE EXECUTIVE'S FORWARD WORK PROGRAMME

The report of the Head of Democratic Services incorporating the Executive's Forward Work Programme for the period from November, 2019 to June, 2020 was presented for consideration and the following changes were noted -

- **New Items**

- Item 7 – Changes to the Constitution to reflect internal restructuring (for the 25 November, 2019 meeting)
- Item 9 - Welsh Government Economic Stimulus (for the 25 November, 2019 meeting)
- Item 10 – Introducing Galw Gofal – Care Connect Charges for Council Housing Tenants (confirmation of proposals and approval to undertake engagement) (for the 25 November, 2019 meeting)
- Item 34 - Introducing Galw Gofal – Care Connect Charges for Council Housing Tenants (results of the engagement and approval of policy) (for the 27 April, 2020 meeting)

- **Items Deferred**

- Item 8 – North Wales Growth Bid – to be re-scheduled to a date to be confirmed
- Item 11 - 2020/21 Budget (initial draft proposals for consultation) – to be considered by an extraordinary meeting of the Executive to be held on 23 December, 2019.
- Item 32 – CIW Inspection of Children's' Services in Anglesey (Improvement Plan 6 month progress report) – to be re-scheduled to a date to be confirmed pending the 2 scrutiny committees' recommendations on the timetabling of the 3 scrutiny panels (including the Social Services Improvement Panel).

The Executive noted that the deferral of the initial 2020/21 Budget proposals to the 23 December was due to the slippage in the Welsh Government's timetable with the announcement of the initial draft settlement for local government to be made much later than usual.

It was resolved to confirm the updated Forward Work Programme for the period from November, 2019 to June, 2020 with the additional changes outlined at the meeting.

6 COUNCIL HOUSE LETTINGS POLICY (LOCAL CONNECTION)

The report of the Head of Housing Services seeking the Executive's approval for the amended Common Housing Allocation Policy was presented for consideration.

The Portfolio Member for Housing and Supporting Communities reported that the Common Housing Allocation Policy has been operational since 2016 and that the current review which sought to establish whether current policy contributes towards sustainable communities also afforded an opportunity to change some elements of the policy to ensure it is fit for purpose going forwards. Following Executive

approval, a comprehensive consultation on defining and including local connection within the banding system was carried out with the target audience as set out in the report; 114 responses were received with support for including the local connection as a consideration within the policy with connection with a specific area to be defined by looking at community and town councils' catchment areas. A good response was also received to the other questions posed relating to the implementation of the policy. The Portfolio Member said that the Corporate Scrutiny Committee at its meeting held on 11 September, 2019 scrutinised the outcome of the consultation, and both the committee as well as the Members' briefing session were supportive of the proposed amendments.

Councillor Dylan Rees, Vice-Chair of the Corporate Scrutiny Committee confirmed that the Committee having considered the consultation process and responses, was satisfied that the process had been sufficient and that the changes to the Common Housing Allocation Policy were acceptable based on the responses received. The Committee therefore resolved to recommend the revised Common Housing Allocation Policy for adoption by the Executive with the incorporation of the change with regard to local connection.

The Executive in supporting and welcoming the introduction of a local connection provision within the Common Housing Allocation Policy as helping to create sustainable communities by ensuring that family and community connections are maintained noted also that meeting urgent housing needs will remain a priority.

It was resolved to approve the amended Common Housing Allocation Policy as presented.

7 ANGLESEY FURTHER EDUCATION TRUST ANNUAL REPORT AND ACCOUNTS 2018/19

The report of the Director of Function (Resources)/Section 151 Officer incorporating the Annual Report and Accounts for the Anglesey Further Education Trust for 2018/19 was presented for the Executive's consideration.

The Portfolio Member for Finance reported that the report provides an overview of the background of the Anglesey Further Education Trust including the legal status of the Trust and the different elements within it i.e. the three funds that make up the Trust (The David Hughes Charitable Estate; the Anglesey Further Education Trust Funds 1/3 - Restricted Fund, and the Anglesey Further Education Trust Funds 2/3 - Restricted Fund). The Trust earns income from rents from the David Hughes Endowment Trust portfolio of properties, dividends from equity investments, other interests and sale of investments. Expenditure relates to maintenance of properties, utilities, charitable purposes, governance fees (audit) and property management fees. Detailed information in relation to the income, expenditure and assets of the Trust are provided in Appendix A to the report which include the financial accounts for the Trust for 2018/19. These show that there was a net gain of £113,016 for the year; investment income amounted to £131,010 (of which £125,970 was from the David Hughes Estate and £5,040 came from dividends and interest). Expenditure for the period was £126,589 of which £99,943 went on repairs and maintenance. As

at 31 March, 2019 the total funds of the Trust were £3,237,050 of which £372,681 was the cash balance of the Trust at this date.

The Director of Function (Resources)/Section 151 Officer recapped on the charitable purposes of the three funds into which the Anglesey Further Education Trust is divided, the principal funding sources and the distribution of funding between the three funds. (Paragraph 2.1 of the report refers). The Officer highlighted that there has been much expenditure on bringing the charity's ageing property portfolio up to standard and that this investment continued into 2018/19 with £99,943 being expended on repairs and maintenance of the David Hughes estate leaving a surplus of £5,621 to be distributed between the three funds. Most of the value of the Fund comes from the David Hughes estate - £2,545,800. The Fund is therefore financially healthy, and the report above brings the reporting of the Anglesey Further Education Trust accounts up to date.

The Executive was grateful for the work undertaken by the Finance Service in bringing greater clarity to the workings of the Anglesey Further Education Trust through this and the report later on in the agenda under item 13. The Executive queried whether the Council is provided with a report on the use of the funds received by the David Hughes Charity for the Poor which amounts to a quarter of any net surplus income from the David Hughes Charitable Estate (Endowment Fund). The Director of Function (Resources)/ Section 151 Officer clarified that the charity being unconnected to the Council reports directly to the Charities Commission and that the Council's only role in connection with the charity is to distribute the apportioned funds to it.

It was resolved to approve the Annual Report and Accounts for the Anglesey Further Education Trust for 2018/19 as presented under Appendix A to the report.

8 JOINT LOCAL DEVELOPMENT PLAN ANNUAL MONITORING REPORT

The report of the Director of Place and Community Well-being incorporating the Joint Local Development Annual Monitoring Report (AMR) covering the period from August 2017 to March 2019 was presented for the Executive's consideration.

In the absence of the Portfolio Member for Planning and Public Protection, the Portfolio Member for Finance reported that councils are required to submit an Annual Monitoring Report on the implementation of the strategy and policies of the Local Development Plan between 1 April and 31 March of the previous year to Welsh Government. Usually the first annual monitoring report needs to be published by 31 October in the year following adoption of the local development plan; however, this cannot take place when there are less 12 months between the date of adopting the plan and 31 March of the following year. In such cases, it should be submitted by 31 October of the following year. As the Gwynedd and Anglesey Joint Local Development Plan was adopted at the end of July, 2017 this is the first opportunity to present an annual monitoring report to Welsh Government which covers the implementation of the plan over a full financial year. The Portfolio Member added that the AMR provides a summary of the Plan's performance over the period against a series of indicators within the Monitoring Framework (set out in

Chapter 7 of the JLDP) that are used to monitor the effectiveness of the Plan and its policies. The findings of the first AMR show that on the whole these indicators are performing in accordance with expectations and that this being so he was happy to propose the report to the Executive with the recommendation that the Chief Planning Officer be authorised to make any final editorial changes, amendments and/or corrections to the report before it is submitted to Welsh Government.

The Chief Planning Officer confirmed that the key findings of this the first AMR are positive and the evidence gathered shows that the policies of the Joint Local Development Plan are succeeding in delivering on the strategic objectives of the Plan. The AMR will provide the baseline evidence on the indicators for comparison in future years which will enable the Council to identify any trends which is a key point this being a cyclical and iterative process over a period of many years which should identify challenges and opportunities as well as potential methods to review and adopt local policies. Given the evidence provided by the AMR therefore, it is not considered that the Joint Development Plan requires a full or partial review at this stage for the reasons set out. The Plan's policies are being implemented in line with expectations and the Plan is currently achieving its objectives.

Councillor G.O.Jones, Chair of the Partnerships and Regeneration Scrutiny Committee reported on the Committee's deliberations on this matter from its 24 October, 2019 meeting highlighting that the Committee had discussed the importance of the monitoring framework and the AMR in assessing the effectiveness of the JDLP; the arrangements for ensuring the robustness of the AMR and its compliance with statutory requirements, and the policy framework for developing housing in response to local need and for ensuring an adequate supply of affordable housing. The Committee was happy to recommend the AMR to the Executive as providing a foundation for future monitoring of the JLDP; as confirming that the JLDP is performing appropriately and as providing evidence that no individual planning policy is failing to meet its objectives; however, the Committee did resolve also to invite officers to consider ways of preparing a more visual and easy to read version of the AMR for the next monitoring year.

The Executive acknowledged the work that had gone into preparing the Annual Monitoring Report and welcomed its findings. The Executive noted the points made by Scrutiny and sought clarification of the Officer whether making the Annual Monitoring Report more readable including more detailed maps, was something the Officers could address. The Chief Planning Officer advised that the Annual Report has to comply with a prescribed format in terms of documenting all the required indicators but that officers would look at ways of providing a form of supplement and/or summary to the report that is easier to read.

It was resolved to accept the Joint Local Development Plan Monitoring Report August, 2017 to March, 2019 and the findings therein, and to authorise the Chief Planning Officer to make any final editorial changes/amendments and/or corrections to the document ahead of its submission to Welsh Government by 31 October, 2019.

9 LOWERING THE ADMISSION AGE TO YSGOL LLANDEGFAN

The report of the Director of Education, Skills and Young People following a request by the Governing Body of Ysgol Llandegfan to consult on lowering the school's admission age was presented for the Executive's consideration.

The Director of Education, Skills and Young People reported that the Governing Body of Ysgol Llandegfan had submitted a request to the Council asking it to proceed to consult on lowering the admission age of the school in order to admit pupils part-time from the September following their 3rd birthday (effective from September 2020) instead of the current arrangements whereby pupils are admitted full-time in the September following their 4th birthday. The Governing Body is of the view that this would be an important evolution in the school's development giving pupils access to an extensive and rich provision and would ensure consistency, progression and continuation in pupils' education in addition to providing formal nursery education for the catchment area's children. It would also enable the school to organise flexible and affordable childcare for parents wishing to return to work.

Councillor Alun Roberts spoke as a Local Member in support of the proposal pointing out that Ysgol Llandegfan is a successful school but could be disadvantaged by the current arrangements since it cannot offer a care/breakfast club to the nursery pupils and as a result, parents choose to take their children to neighbouring schools to receive this provision. Lowering the admission age would bring with it a number of educational benefits including but not confined to allowing the school to offer a robust provision a year earlier than at present thereby enabling it to also introduce the school's ethos and sound educational foundations sooner which will ultimately facilitate the educational progression of pupils. Additionally, changing the school's age range would improve consistency in pre-school provision especially in terms of language provision.

The Executive noted the comments made and was amenable to the request agreeing that consultation on lowering the admission age should take place.

It was resolved to approve proceeding to consult on lowering the admission age of Ysgol Llandegfan to admit pupils part-time from the September following their 3rd birthday to take effect from September, 2020.

10 DRAFT NATIONAL DEVELOPMENT FRAMEWORK

The report of the Director of Place and Community Well-being incorporating the Isle of Anglesey's draft response to the Welsh Government's draft National Development Framework Consultation was presented for the Executive's consideration.

In the absence of the Portfolio Member for Planning and Public Protection, the Chair reported that the Council's draft response to the consultation on proposals within the National Development Framework has been shared with all the Council's Members for their information and input. Additionally, comments have been received from town and community councils and have been forwarded to the Officers. The Leaders of the six North Wales councils are also formulating a response on behalf of the North Wales Economic Ambitions Board in order to

highlight areas where the Framework's proposals diverge from the Board's aspirations for the region. The Chair said that she understood that the 1st November, 2019 deadline to respond to the consultation had now been extended to the 15th November, 2019 and she added that she would like to take this opportunity to thank the Council's Officers for co-ordinating the response and bringing the information together.

The Chief Planning Officer said that responding to the draft NDF is critically important because it will set the direction for development in Wales from 2020 to 2040; it articulates a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, decarbonisation, developing resilient ecosystems and improving the health and well-being of communities. It is a spatial plan and is part of the highest tier of development plan focusing on issues and challenges at national scale. The Council therefore welcomes the opportunity to comment on the Framework and whilst it supports the principle of creating such a Framework, it does have serious concerns and reservations in relation to a number of themes and policies in the draft NDF specifically with reference to the following –

- Recognition of existing Nationally Significant Infrastructure Projects (NSIPs) – the Council is of the view that the draft NDF does not give sufficient recognition to projects such as Wylfa Newydd and National Grid nor to the ability of nuclear energy to meet emissions targets. The importance of these projects to the future economic growth of Anglesey and North West Wales cannot be underestimated and need to be reflected as such in the NDF.
- Approach to Low Carbon Energy – the draft NDF's approach to low carbon energy is too narrow focusing excessively on wind and solar developments. The designation of the majority of the Island as a priority area for wind and solar energy is of significant concern and is unacceptable. The Council objects to this designation for a number of reasons including issues around the infrastructure needed to sustain such developments.
- Regional Growth Areas – the Council is very surprised and is disappointed that Holyhead has not been recognised or defined as a regional growth area for Wales and believes that the NDF needs to be amended to reflect the potential strategic importance to Wales of Holyhead.
- Vision for Rural Areas – Supporting rural areas and promoting their development and prosperity is important to the Council in Anglesey as it is to many other councils in North Wales. The Council believes that the draft NDF does not provide enough vision or direction for rural areas being predominantly urban in outlook, and fails to recognise and understand the importance of tourism growth and development and the visitor economy to the area.
- Welsh Language Policy – not having a dedicated policy on the Welsh Language is felt to be a fundamental omission.
- Connectivity and Potential Third Crossing – the Council is disappointed that no reference is made in the draft NDF to the proposed new third crossing between the Island and the mainland and requests that this be recognised and included in the final NDF.
- Air Connectivity – the Council considers that the NDF should place more emphasis on the national role of Cardiff Airport and on the importance of connecting North and South Wales and the part which the service plays in the

economic development of North West Wales providing business connectivity, tourism opportunities and reduced journey times.

- Affordable housing – the Council notes that the NDF sets an ambitious target for the provision of affordable homes and refers to the need for 47% of additional homes to be affordable housing for the 5 year period from 2018/19 to 2022/23; whilst the Council does not object to this aspiration, it does raise questions regarding the viability of development in an area such as Anglesey with little clarity in the Framework on how this target will be delivered.

Councillor G.O. Jones, Chair of the Partnership and Regeneration Scrutiny Committee reported that the Committee in considering the National Development Framework at its 24 October meeting discussed the long-term implications of the NDF on the Island's strategic plans in future and its likely effects on the Council's strategic programme and on community well-being. The Committee noted the concerns expressed about many aspects of the NDF as referred to above and the robustness of the Council's draft response to the consultation which it recommended to the Executive. In addition the Scrutiny Committee supported inviting the Welsh Language Commissioner to address Members - either at a meeting of the Scrutiny Committee or at one of the monthly Members' briefing sessions - on the need for a dedicated Welsh Language Policy in the NDF.

The Executive's Members noted the points raised by Scrutiny and indicated that they were aware of significant interest in this matter with a number of comments having been received and concerns raised. In concurring with the substance of the draft response as presented, the Executive's Members highlighted in particular their dissatisfaction with the omission of Holyhead as a designated regional growth centre and the lack of reference to a third crossing as well as their disquiet regarding the proposed designation of a large part of the Island as a priority area for wind and solar energy which they found unacceptable on account of the potential landscape, environmental, economic and community impacts of such developments as well as the resulting impact on the Island's tourism industry. Whilst they recognised that planning applications for the same would need to be dealt with on a case by case basis, they were agreed with the Officers' response that the approach to this matter creates the expectation that such developments will be acceptable notwithstanding their effects, and were of the view that such an approach is a matter of concern. The Executive hoped that Welsh Government would find the Council's response to be constructive and emphasised that if the plan is to work for the residents, communities, economy and the environment of the Island the issues raised need to be considered and addressed in preparing for the final version of the NDF.

It was resolved –

- **To approve the attached letter including Appendix A as the Isle of Anglesey County Council's response to Welsh Government's National Development Framework (2020-2040) Consultation.**
- **That delegated authority be given to the Director of Place and Community Well-being to carry out any minor amendments, variations or corrections which are identified and reasonably necessary prior to formal issue of the response.**

11 LLANGEFNI GOLF COURSE

The report of the Director of Place and Community Well-being in respect of the future of Llangefni Golf Course was presented for the Executive's consideration.

In the absence of the Portfolio Member for Major Projects and Economic Development, the Chair reported that the report sets out the work that has been undertaken since the responsibility for the Golf Course was handed back to the Council in October, 2018 following the Llangefni Partnership's decision not to seek an extension to the lease of the facility nor to request a community asset transfer from the Council. Part of this work has included extensive public consultation on disposing of the asset (a synopsis of which is provided in the report) the Executive having in May 2018 supported in principle a recommendation to dispose of the Ffridd dwelling and accompanying 41 acres for sale on the open market with the capital receipts to be ring-fenced and reinvested in enhancing existing leisure centre facilities. Officers remain of the provisional opinion that that this decision remains the correct one and that it provides an opportunity to invest in local leisure facilities to realise wider well-being and health benefits.

The Service Business Manager (Regulation & Economic Development) highlighted that given the sensitivity around the processes to dispose of an asset, the County Council must ensure that all such processes are therefore robust, thorough and fully compliant with statutory requirements. The impact of the proposal must be adequately assessed in line with the relevant legislation and it is recommended that the next steps should involve officers considering and preparing the required impact assessments as well as undertaking a further public consultation exercise. These are statutory requirements to ensure full compliance with the legislation as set out. A full report will then be brought back to the Executive to enable it to come to a final decision on the matter.

It was resolved -

- **To note the report and the responses to the consultation processes undertaken to date.**
- **To fully support and endorse the Regulation and Economic Development Service's recommendation to undertake the preparation of further impact assessments in full accordance with the requirements of relevant legislation.**
- **To support and endorse a further public consultation period.**

12 EXCLUSION OF THE PRESS AND PUBLIC

It was considered, and it was resolved to exclude the press and public from the meeting for the discussion on the following item on the grounds that it involved the disclosure of exempt information as defined in Paragraph 16 of Schedule 12A to the said Act.

13 ANGLESEY FURTHER EDUCATION TRUST UPDATE

The report of the Director of Function (Resources) providing an update on progress in restructuring the Anglesey Further Education Trust was presented for the Executive's consideration.

Following the presentation of the 2017/18 Anglesey Further Education Trust accounts to the Executive at its 29 April, 2019 meeting, the Executive requested that the structure of the Trust be reviewed with the aim of ensuring that more of the funds are used to fulfil the charitable purposes of the Trust i.e. to assist current and former pupils of the Council's five secondary schools in maintaining their education or to undertake vocational or professional qualifications. Following on from the meeting of the Executive, discussions took place with the Head teachers of the 5 secondary schools to identify potential methods by which the Trust funds could be used to benefit current and former pupils and how the funding would be allocated to the 5 schools it being reasoned that that the schools themselves are in the best position to identify the pupils who could so benefit. The resulting proposals are set out in the report. An external solicitor was also contracted to advise on possible options with regard to revising and updating the schemes which govern the Further Education Trust and to improve the utilisation of the Fund. Whilst there is a need to update the governing documents which will require further work and agreement of the Charity Commission, there is scope to use the fund in a different way within the compass of the current schemes.

The 2018/19 Annual Report and accounts (as presented under item 7 on the agenda) show that the value of the overall Fund stands at £3.237m and is comprised of 2 specific funds – the Endowment Fund (£2.78m) made up mainly from the value of investment properties with the remainder being traded investments, debtors and creditors and cash in the bank making it unsuitable for distribution to meet the Trust's charitable objectives; and the Restricted Fund (£455k) made up of traded investments and cash held in the bank which can be distributed to meet the Trust's charitable objectives. The report sets out how the surplus generated by the Trust each year is distributed between the David Hughes Charity for the Poor (a separate charity not under the Council's control) and two sub-funds under the Restricted Fund which are for the benefit of current and former pupils of the Island's five secondary schools. As the Executive does not at present set a budget it is not possible to determine the potential surplus the Fund will make each year and how much will be available for each fund after expenditure on the repair and maintenance of the properties on the estate. The report proposes an annual allotted budget for repairs and maintenance to be inflated each year in line with the inflationary increase applied to the rents received.

The Executive was advised that there are significant funds available to provide support for current and former pupils and that the Trust is capable of generating sufficient surplus to enable a level of support to be maintained into the future. The wording of the Scheme needs to be updated to clarify the document but this can be done without the need to make major changes to the charitable purposes of the Trust. The five secondary schools are willing to administer the awarding of funding to pupils and former pupils on behalf of the Trust and the proposed grant schemes can be undertaken within the current wording of the Schemes.

It was resolved -

- To approve the following proposals to utilise the Anglesey Further Education Trust funding –
 - That £55,000 be allocated to each secondary school to fund the cost of Learning Coaches within each school. It will be for each school to determine over what period the funding is used.
 - That £8,000 be initially allocated to each secondary school to enable the schools to provide grants to assist financially disadvantaged students to obtain places at colleges and universities and/or to help with the purchase of books and equipment required to attend the courses in the first year. It will be for each school to assess each application and award grants based on their assessment criteria.
 - That the Education Service requests Coleg Cymraeg Cymru to administer scholarships to students from financially disadvantaged backgrounds to undertake university and college courses through the medium of Welsh.
 - That the Director of Function (Resources)/Section 151 Officer be delegated the authority to determine how much is allocated to the 3 schemes in future years. The sum allocated will be dependent on the surplus made by the Fund.
- That the budget for repairs and maintenance is set at £50,000 for 2020/21 and that the sum is inflated each year in line with the inflationary increase applied to the rents received. Any additional sum above this budget must be approved by the Executive.
- That the Director of Function (Resources)/Section 151 Officer and the Director of Function (Council Business)/Monitoring Officer be delegated the power to conclude the work required in order to update the wording of the Scheme. If the Charity Commission consider the proposed changes as a material change to the operation of the Fund, the matter will be referred back to the Executive for further discussion.

The meeting concluded at Time Not Specified

**COUNCILLOR <NAME>
CHAIR**