

THE EXECUTIVE

Minutes of the hybrid meeting held on 26 September 2023

- PRESENT:** Councillor Robin Williams (Deputy Leader) (Chair)
- Councillors Neville Evans (for items 1 to 7 and 12) Carwyn Jones, Gary Pritchard, Dafydd Roberts, Nicola Roberts, Dafydd Rhys Thomas.
- IN ATTENDANCE:** Chief Executive (present for items 1 to 7 and 11 to 15)
Deputy Chief Executive
Director of Function (Resources)/Section 151 Officer
Director of Function (Council Business)/Monitoring Officer
Director of Social Services
Director of Education, Skills, and Young People
Head of Regulation and Economic Development
Head of Housing Services
Head of Adults' Services
Head of Democracy
Economic Development Manager (THJ) (for item 15)
Regeneration Manager (DLI) (for item 13)
Executive Manager (Leadership Team) (SOJ) (for item 12)
Committee Officer (ATH)
Webcasting Officer (FT)
- APOLOGIES:** Councillors Llinos Medi (Leader), Alun Roberts (Portfolio Member for Adults' Services and Community Safety), Mr Gethin Morgan (Programme, Business Planning and Performance Manager)
Councillor Llinos Medi and Councillor Alun Roberts
- ALSO PRESENT:** Scrutiny Manager (AGD), Councillors Douglas Fowlie, Glyn Haynes, Gwilym O. Jones, John Ifan Jones, Robert Ll. Jones, Pip O'Neill, Dylan Rees.

Prior to commencing the business of the meeting the Chair said that at the request of the Chief Executive and with the Executive's agreement he would be varying the order of business to bring forward for consideration item 12 on the agenda as the Chief Executive had to leave mid-morning to attend a meeting with a Welsh Government Minister which had been called at short notice. The Executive agreed to the change in the order of business.

1 DECLARATION OF INTEREST

No declaration of interest was received.

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

None to report.

3 MINUTES

The minutes of the previous meeting of the Executive held on 18 July, 2023 were presented for confirmation.

It was resolved that the minutes of the previous meeting of the Executive held on 18 July 2023 be confirmed as correct.

4 THE EXECUTIVE'S FORWARD WORK PROGRAMME

The report of the Head of Democracy incorporating the Executive's Forward Work Programme for the period from October, 2023 to May, 2024 was presented for confirmation.

The Head of Democracy updated the Executive regarding changes to the Forward Work Programme and the following were noted –

- Item 1 (Highways Asset Management Plan) and Item 2 (Fleet Vehicles Transformation Plan) which are delegated decisions the publication date of which has been re-scheduled from September to October 2023.
- Item 4 (Treasury Management Annual Report 2022/23) as a new item for the 24 October 2023 meeting of the Executive.
- Item 5 (Public Participation Strategy 2023-28) re-scheduled from the Executive's 26 September 2023 meeting to its 24 October 2023 meeting.
- Item 6 (International dark sky application for the southwest section of Anglesey's Area of Outstanding Natural Beauty (AONB) as a new item for the Executive's 24 October meeting.
- Item 12 (Council Tax Base 2024/25) as a new item for the Executive's 28 November 2023 meeting.
- Item 14 (Modernising Day Opportunities: Learning Disabilities – Holyhead Area) as a new item for the Executive's 28 November 2023 meeting.
- Item 26 (Modernising Day Opportunities: Disabilities) as a new item for the Executive's 20 February 2024 meeting (*Confirmed by the Director of Social Services as an Island wide endeavour as opposed to item 14 which is specific to Holyhead*)
- Item 29 (Housing Revenue Account Business Plan 2024-2054) as a new item for the Executive's 19 March 2024 meeting.

It was resolved to confirm the Executive's updated Forward Work Programme for the period October 2023 to May 2024 with the changes outlined at the meeting.

5 SCORECARD MONITORING - QUARTER 1, 2023/24

The report of the Head of Profession (HR) and Transformation incorporating the Corporate Scorecard for Quarter 1 2023/24 was presented for the Executive's consideration.

Councillor Carwyn Jones, Portfolio Member for Corporate Business and Customer Experience presented the report which portrayed the position of the Council against its wellbeing objectives at the end of Quarter 1 2023/24. It was encouraging to note that 89% of the performance indicators are performing above or within 5% tolerance of their targets for the quarter. The report highlights a number of positive stories in relation to the NERS indicators, the number of empty homes brought back into use, Adults' Services, waste management, homelessness, disabled facilities grant installations and planning specifically indicators 35 and 37 (the percentage of planning applications determined within time and

the percentage of enforcement cases investigated within 84 days respectively). The Corporate Health Performance indicators and Customer service indicators are also performing well, and at the end of the first quarter the Council is Green and on target with regard to attendance management with 2.1 days having been lost to absence per FTE in the period. A few indicators are underachieving including Indicator 09 (the percentage of FOI requests responded to within timescale) where the performance against target is 84%. Although this is an improvement on the performance for the same quarter last year the target has been upscaled from 80% to 90% and so is ragged Amber for the first quarter of 2023/24. The performance for this and indicators 29 and 30 in relation to Housing Services (turnaround of lettable units and rent lost to properties being empty) and indicator 36 in relation to the Planning Service (the number of planning appeals dismissed) which are below target will continue to be monitored by the Leadership Team to secure improvements into the future. The financial management section of the scorecard forecasts a budget overspend for the year as some budgets come under increasing pressure due to the impacts of the cost-of-living crisis. The financial position will be kept under close review. It is hoped the data presented provides the Executive with assurance about the maturity of the discussions around performance in terms of acknowledging areas of good performance while identifying and mitigating areas that have performed less well. The focus remains on maintaining performance going forwards and ensuring that progress and improvements in the areas identified are made.

Councillor Douglas Fowlie, Chair of the Corporate Scrutiny Committee provided feedback from the Committee's 19 September, 2023 meeting where the Quarter 1 2023/24 scorecard report had been scrutinised. The Committee's members in welcoming the positive performance overall had sought assurance that the underperforming indicators would improve. Noting that a budget overspend is projected for the 2023/24 financial year, the Committee had asked how budget pressures are being mitigated and monitored. Members also asked questions about the changes to be made to the scorecard to ensure its alignment with the new Council Plan and the timeframe for implementing them. Where performance had improved, the Committee sought further information about what had contributed to the positive performance and whether there were any lessons to be learnt and shared with other services. Councillor Fowlie confirmed that following its discussions the Committee had been agreed in recommending the Quarter 1 2023/24 scorecard report and the mitigating measures therein to the Executive.

Where indicators had not performed to target, the relevant Portfolio/Executive Members provided clarification of the measures being implemented to address issues and to ensure improvements are made for the following quarter. Assurances were provided about regular engagement and dialogue with Heads of Service regarding underperforming areas and remedial actions. A point was made about maintaining perspective with regard to areas ragged Red and the importance of considering the context was emphasised with the performance of indicator 36 – the percentage of planning appeals dismissed cited as an example. Although the performance for indicator 36 is shown as 0% against a target of 65%, the indicator deals with a very small number of cases; the two appeals for this quarter neither of which were dismissed should be considered in the context of the approximately 300 planning applications dealt with in the same period.

It was resolved to accept the Corporate Scorecard report for Q1 2023/24 and to note the areas which the Leadership Team are exploring and investigating to manage and secure further improvements into the future as outlined in the written report.

6 ANNUAL PERFORMANCE / WELLBEING REPORT 2022/23

The report of the Head of Profession (HR) and Transformation incorporating the Annual Performance/Wellbeing Report for 2022/23 was presented for the Executive's consideration.

Councillor Carwyn Jones, Portfolio Member for Corporate Business and Customer Experience presented the report which analyses performance over the previous financial year against the improvements and priorities outlined by the Council. The report shows that 54% of the priorities set out in the Transitional Plan which was the detailed work plan for 2022/23 have been completed, 29% are ongoing into 2023/24, 13% are behind schedule but with mitigating measures are likely to be brought back on track and 4% have been cancelled. The report also outlines the actions supported by the Council during the year as part of its cost-of-living response. Overall, the Council has demonstrated good progress and commitment in various domains over the past year as reflected by the report and a number of notable achievements are highlighted. The Scorecard results for the year also demonstrated good performance with 71% of the indicators showing green against targets and an additional 20% showing within 5% of their targets. Further work will be undertaken to address those few indicators showing as Amber or Red as well as those exhibiting a year-on-year decline in performance. The Annual Delivery Document details the work that the Council will be undertaking during 2023/24 to achieve the aspirations of the Council Plan 2023-2028. The Council's staff must be congratulated not only for their hard work throughout the year but also for their commitment to delivering projects and work streams that are in addition to their day-to-day duties.

Councillor Douglas Fowlie outlined the points of discussion from the Corporate Scrutiny Committee when it considered the Annual Performance Report at its meeting on 19 September 2023. Those had included the arrangements for raising awareness of the Council's achievements; the measures that were put in place that had this positive impact on performance and whether any lessons could be learnt from that process for sharing across the organisation; the impact of the cost-of-living crisis on the Council's ability to serve the people of Anglesey, and the performance areas that need to be prioritised based on risk during 2023/24. Having considered these matters and the assurances provided by Officers and Portfolio Members, the Committee had resolved to recommend the Annual Performance and Wellbeing Report for 2022/23 to the Executive as a fair and complete reflection of the Authority's work over the period.

The Chief Executive said that there were many reasons to be proud of the Annual Performance Report for 2022/23 and that the report also demonstrates the Council's strong commitment to acting in accordance with the principles of the Wellbeing of Future Generation Act in having regard to the present and future wellbeing of the Island's residents when making decisions or taking a course of action. The Council's successes as documented in the report are all the more notable for having been achieved in a year full of challenges that was not reflective of business as usual and which saw the developing cost of living crisis and uncertainty around rising interest rates impacting on people and businesses. The context in which achievements occur is often as significant and illuminative as the achievements themselves. The aim will be to continue with the good work in 2023/24 with the support of the Council's staff, elected members, partners, and the community.

The Executive's members were agreed that 2022/23 was far from business as usual and that that had been the case over the past few years with the pandemic, financial pressures and ongoing cost of living crisis all posing significant challenges for the Council over and above its day-to-day operational activities. In referring to one specific achievement which had involved bringing 80 empty properties back into use against a target of 50, Councillor

Gary Pritchard, Portfolio Member for Children, Youth and Housing Services highlighted that this success is all the more meaningful because those properties have become homes for local people and their families.

It was resolved to agree the content of the 2022/23 Performance Report as a fair and complete reflection of the Authority's work over that period and to recommend to the Full Council at its meeting on 26 October 2023 that it be adopted.

7 REVENUE BUDGET MONITORING - QUARTER 1, 2023/23

The report of the Director of Function (Resources)/Section 151 Officer setting out the financial performance of the Council's services at the end of Quarter 1, 2023/24 was presented for the Executive's consideration.

Councillor Robin Williams, Deputy Leader and Portfolio Member for Finance presented the report saying that on 9 March 2023, the Council set a net budget for 2023/24 with net service expenditure of £174.569m to be funded from Council Tax income, NDR and general grants as well as £3.780m from general reserves. This includes a total for general and other contingencies amounting to £3.109m. The budget for the Council Tax Premium was increased by £0.943m, to £2.893m. A balanced budget was set with an agreed Council Tax increase of 5%. As for the previous year, the budget for 2023/24 does not include any requirements on services to make savings. Based on the end of Quarter 1 data, the overall projected financial position for 2023/24 including Corporate Finance and the Council Tax fund is a projected overspend of £0.744m which represents 0.43% of the Council's net budget for 2023/24. The Portfolio Member for Finance referred to a number of challenges facing the Council at present which are not immediately apparent from the headline figure, these include budget pressures in Children's Services and Adults' Social Care, uncertainty regarding the pay offer for 2023/24 which has yet to be settled and the ongoing cost of living crisis which is likely to result in increased demand for Council services. However, it is difficult to accurately project the end of year outturn based on one quarter's figures alone, and as the remainder of the financial year unfolds, the impact of the above will be factored into future monitoring reports as things become clearer.

The Director of Function (Resources)/Section 151 Officer confirmed that much can happen in the nine months to the end of the financial year which will affect the budget. He advised that it is important that the Council reduce the overspend and try to remain within budget at year end in order to safeguard the current level of earmarked reserves and general balances. This will give the Council more options when it comes to setting the 2024/25 budget. Having had discussions at a high level about whether any corrective actions are required to reduce expenditure and whether any direction should be given to services to that effect, the conclusion is that that is not necessary at this point in time. However discussions are ongoing with the Director of Social Services and the Head of Adults' Services with regard to managing expenditure in those services as the services most under pressure which are driving the overall overspend. The options for reducing costs are limited because most of the Council's costs are linked to contracts and obligations which the Council is expected to honour and which would be difficult to change during the year. Management will continue to review the financial position closely during the remainder of the financial year and the Finance Service will be reporting monthly to Service Managers from now onwards.

The Executive's members acknowledged that the financial position is challenging at present and that further, more testing challenges are expected in setting the 2024/25 budget.

It was resolved to note the following –

- The position set out in Appendices A and B in respect of the Authority's financial performance to date and expected outturn for 2023/24.
- The summary of contingency budgets for 2023/24 as detailed in Appendix C to the report.
- The monitoring of agency and consultancy costs for 2023/24 in Appendices CH and D.

8 CAPITAL BUDGET MONITORING - QUARTER 1, 2023/24

The report of the Director of Function (Resources)/Section 151 Officer setting out the financial performance of the Council's capital budget at the end of Quarter 1, 2023/24 was presented for the Executive's consideration.

Councillor Robin Williams, Deputy Leader and Portfolio Member for Finance presented the report confirming that the total capital budget for 2023/24 was £58.141m which includes the HRA, slippage from 2022/23, grant funded additional schemes added onto the programme and some amending of funding. Whilst the profiled spend to the 30 June 2023 was £7.177m the actual expenditure is £6.255m or £7.016m when committed expenditure to the value of £761k is taken into account the reasons being that a number of capital schemes are weighted towards the latter part of the financial year. In cases where slippage occurs the funding will also slip into the next financial year and no funding will be lost.

The Director of Function (Resources)/Section 151 Officer highlighted the number of capital schemes which are now grant funded as set out in Appendix C to the report. As core capital funding had reduced in real terms making investment in the Council's current assets ever more challenging, the Council has become increasingly dependent on grants to fund its capital activities.

The Executive's members while they acknowledged the value of grants to support the Council's capital projects, recognised that grants can also create their own challenges in terms of timing, in having conditions attached to them which tie expenditure to areas which may not be priorities for the Council and in often being allocated competitively. Councillor Dafydd Roberts, Portfolio Member for Education and the Welsh Language referred to recent issues with Raac concrete in schools which is a concern as regards capital expenditure and he asked whether any additional funding would be made available to help with the remedial work.

The Deputy Chief Executive advised that no official confirmation of additional funding has been received but that discussions with Welsh Government are ongoing.

The Director of Function (Resources)/Section 151 Officer advised that the work to deal with the Raac concrete issue has arisen unexpectedly and as such was not programmed for meaning it is diverting staff resources from the Council's programmed schemes. The availability of internal capacity to deliver the capital programme is a factor in slippage especially when unforeseen issues arise and must be dealt with leading to delay on progressing approved capital projects.

Councillor Robin Williams took the opportunity to thank everyone who had been involved in responding to the emerging Raac concrete issue in two of the Island's schools and for adapting to ensure the continuation of education provision in difficult circumstances.

It was resolved –

- To note the progress of expenditure and receipts against the capital budget 2023/24 at Quarter 1.
- To approve the additional schemes amounting to £5.442m to the capital programme and amendments to funding as per Appendix C of the report which will result in a revised capital budget of £58.141m for 2023/24.

9 HOUSING REVENUE ACCOUNT BUDGET MONITORING - QUARTER 1, 2023/24

The report of the Director of Function (Resources)/Section 151 Officer setting out the financial performance of the Housing Revenue account for Quarter 1 2023/24 was presented for the Executive's consideration.

Councillor Robin Williams, Deputy Leader and Portfolio Member for Finance presented the report which outlines both the revenue and capital budget performance of the Housing Revenue Account for the period and the forecast outturn for the year ending 31 March 2024. The report shows the revenue budget with a budgeted surplus of £8,044k. The gross capital budget for 2023/24 is £19,988k. Grant and other funding of £6,898k reduced the net budget to £13,090k. The combination of both the revenue budget and the adjusted capital budget gave a planned budget deficit of £5,046k to be funded from the HRA reserve. The HRA revenue budget shows an overspend of £8k compared to the profiled budget as detailed in Appendix A to the report. Capital expenditure is £25k below the profiled budget. The forecast expenditure is £100k below budget as detailed in Appendix B to the report. This underspend means that the amount funded from the HRA revenue account is reduced by the same amount. The balance is then available to fund projects that have been deferred into next year. The forecast deficit combining both revenue and capital is now £4,278k, £768 less than the budget.

The opening balance of the HR reserve stood at £12,107k. The revised budget allowed for the use of £5,046k of this balance. However the revised forecast will only use £4,278k. This will give a reserve balance of £7,829k by the end of the financial year. This balance is ringfenced and is only available to fund future HRA expenditure.

The Director of Function (Resources)/Section 151 Officer advised that the surplus on the HRA revenue budget is reinvested in maintaining the existing housing stock to Welsh Housing Quality Standards and in developing new housing stock. Appendix C to the report provides an overview of the new development budget for 2023/24 and the new housing schemes across the Island which it is intended to fund.

14 EXCLUSION OF THE PRESS AND PUBLIC

It was resolved 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 Paragraph 14, Schedule 12A of the said Act and in the attached Public Interest Test.

15 COMPULSORY LAND PURCHASE - EMPLOYMENT LAND IN LLANGFNÍ

The report of the Head of Regulation and Economic Development which sought the Executive's approval for Officers to commence preparations to undertake the compulsory purchase of land under section 226 of the Town and Country Planning Act 1990 was presented for consideration.

The report set out the circumstances and current position in relation to the proposed compulsory land purchase and requested that delegated authority be granted to Officers in consultation with the Council Leader and relevant Executive member to commence preparatory works which would later enable the Council to undertake the Compulsory Purchase Order (CPO) process if the land in question cannot be obtained by agreement. Supporting information relating to the Council's CPO powers was provided in Annex B to the report.

The Executive was advised of the CPO process, timescales, and the proposed funding arrangements and financial considerations in this case. The reasons why the Council was considering utilising its CPO powers in the circumstances described were outlined and justification provided. In response to questions raised by the Executive's members about potential risks to the Council, Officers provided assurances regarding the measures being taken to protect and secure the Council's position in this matter.

It was resolved to authorise Officers to commence preparations to undertake the compulsory land purchase under Section 226 of the Town and Country Planning Act 1990 as detailed within the report (to include the carrying out of formal land referencing under the Acquisition of Land Act 1981 and/or any relevant or associated statutes across the area required to deliver the proposed development) and to proceed in accordance with the recommendations set out therein.

**Councillor Robin Williams
Chair**