

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

### **Minutes of the meeting held on 24<sup>th</sup> January, 2013**

- PRESENT:** Councillor R.Ll.Jones – Chairman  
Councillor E.G.Davies - Vice-Chair
- Councillors W.J.Chorlton; Lewis Davies; R.Anthony Dew;  
Jim Evans; K.Evans; Ff.M.Hughes, K.P.Hughes;  
R.Ll.Hughes; W.I.Hughes; W.T.Hughes; Vaughan Hughes;  
A.Morris Jones; Eric Jones; G.O.Jones; H.Eifion Jones;  
O.Glyn Jones; Raymond Jones; R.Dylan Jones;  
C.McGregor; A. Mummery; Bryan Owen; J.V.Owen;  
G.O.Parry,MBE; R.G.Parry,OBE; E.Roberts; E.Schofield;  
Ieuan Williams; Selwyn Williams.
- IN ATTENDANCE:** Chief Executive  
Deputy Chief Executive  
Director of Sustainable Development  
Director of Education and Leisure  
Head of Function (Resources)  
Head of Function (Legal and Administration)  
Interim Head of Function (Resources)  
Head of Service (Finance)  
Head of Service (Planning and Public Protection)  
(Item 4 only)  
Chief Planning Officer (EGJ)  
Planning Manager (Policy) (NHD)  
Team Leader (Housing and Communities)(BT)  
Committee Services Manager.
- APOLOGIES:** Councillors D.R.Hughes, T.Lloyd Hughes, Tom Jones,  
Rhian Medi, R.L.Owen, P.S.Rogers.

#### **1. DECLARATION OF INTEREST**

Councillors R.A.Dew and Bryan Owen declared an interest in Item 4 of these minutes and they were not present at the meeting during any discussion or voting thereon.

Councillor R.Ll.Hughes declared an interest in Item 4 of these minutes, remained at the meeting to present the report as Portfolio Holder and then left the meeting during the subsequent discussion and voting thereon.

The Head of Function (Legal and Administration) and the Team Leader (Housing and Communities) declared an interest in Item 4 of these minutes and they were not present at the meeting during any discussion or voting thereon.

**2. TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRPERSON, LEADER OF THE COUNCIL, BOARD OF COMMISSIONERS OR THE HEAD OF PAID SERVICE.**

The Chair on behalf of the Council extended his deepest sympathy to Mrs. Myfanwy Williams, upon the recent death of former Councillor W.J. Williams, MBE. Those who attended his funeral were aware of the tributes made as to his character and to his sense of humour.

He represented the former Borough Council and the County Council as member for Llanddyfnan and as former Mayor, Chairman and Leader of the County Council. He represented the Council on outside bodies too numerous to mention and took particular interest in economic issues and in transport in his role as Chairman of TAITH. More recently he took great pride on being elected Member of the WLGA Committee of the Regions. W.J. was respected as a true ambassador for the Council and as someone who gave public service to the community for fifty years.

Sympathy was also extended to Mrs. Raj Parry Jones upon the death of her husband, Dr. Tom Parry Jones. Dr. Parry Jones had a worldwide reputation for inventing the electronic breathalyser which has been used to catch drink-drivers. He had also set up the Dr. Tom Parry Jones Fund to encourage young people into careers in science and technology and also established Lion Laboratories to manufacture and market the breathalyser worldwide. He had a worldwide reputation and genuine enthusiasm for developing Wales' future economy, through ensuring that young people are well supported in developing their scientific knowledge and entrepreneurial skills.

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

**3. ON-SHORE WIND ENERGY SUPPLEMENTARY PLANNING GUIDANCE (SPG)**

In accordance with Paragraph 4.1.27.1 of the Council Constitution it was RESOLVED to suspend Standing Orders for the duration of this particular item in order for there to be a full and open discussion on the matter.

(a) Reported – That the Executive at its meeting on 14<sup>th</sup> January, 2013, had resolved ‘to refer the matter to the County Council for discussion.’

(b) Reported – That this Council had prepared Supplementary Planning Guidance (SPG) regarding development that involved onshore wind energy development that was revised following the first public consultation period and which was then subject to a further public consultation period. This report sought approval to the recommended response to the representations received and the changes to the SPG. The SPG would be a material consideration in dealing with current and future applications until current plans were superseded by the adopted Joint LDP and/or any relevant SPG that may be formulated to support its policies.

Whilst objections covered a number of different topics, it was considered that there were 3 issues that were referred to by / common to a number of objectors:-

- Separation distances
- Noise impact
- Impact of turbines on the A.O.N.B.

The vast majority of objections to the second public consultation felt that the document should be more prescriptive in detail such as providing clearer guidance over separation distances and higher constraints in the A.O.N.B. The remaining objectors felt that the document was too prescriptive already and extended beyond the remit of an SPG, particularly height restrictions in an A.O.N.B.

An addendum to the report was tabled at the meeting which recommended further minor changes to the document.

The following observations were made by Members during discussion on the matter:-

- the fact that 8,000 residents had signed a petition calling for a 1.5km buffer zone between turbines and homes should not be ignored;
- one member considered that a bond should be used in order to ensure that sites used for wind generation should be properly cleared once a turbine reached the end of its working life (mentioned at being between 15-25 years). Unless a bond was created, the decommissioning cost of clearing a site might fall upon the Anglesey taxpayer;
- one Member considered that there was an expectation that the SPG document would protect our green and pleasant Island, but it did not succeed in that respect. Another consideration to be borne in mind was the cumulative effect of such developments on individual areas. The Council should have a map on the Council website and at the Council offices showing where all wind turbines applications were located. The document was also weighed in favour of the developer and not residents;
- one member strongly objected to the effect turbines would have on an A.O.N.B and the resultant effect upon tourism and the Anglesey Coastal Path. Also there was no mention within the document as regards any community benefit contributions;
- the impact such developments would have on landscape character and upon the standard of amenity enjoyed by the residents and the tourist population. That it was also contrary to the Council's 2012-15 Communication Strategy which aimed (inter-alia) to ensure that Anglesey residents needed to be healthy and safe and to safeguard the built and natural environment for future generations;
- such developments would destroy the heritage, language and the economy of the Island particularly as a tourist destination. Some English and Scottish local authorities had changed the separation distances

- one Member referred to the concerns raised by residents as regards separation distances from properties, businesses and A.O.N.B's. Para 18.1 of the original consultation document referred to the maximum permitted height for wind turbines within an A.O.N.B or within 1km, was 15metres. There was no mention of 1km in the revised document. The buffer zone had disappeared altogether and the 15m had become 20m. The SPG in its current form had been weakened rather than strengthened;
- another member expressed concern that turbines were unreliable and inconsistent sources of energy. Local Authorities were being forced to follow Government and European policies to the detriment of their communities;
- the danger posed to low flying aircraft, mountain rescue service and the air ambulance service;
- the document allowed too much flexibility to developers. Concerns as to possible health implications to families living in close proximity and also noise damage to the environment;
- some of the Members considered that there should be a presumption against every application received.

The Chief Planning Officer was given the opportunity of responding to the concerns/observations raised at the meeting and he informed Mmembers that many of the issues that had been raised were already covered and clarified within the draft SPG. He requested the Council to support the recommendations contained within the report.

An amendment was proposed by Councillor H.Eifion Jones to the effect:-

*"for wind turbines over 20 metres, the separation distances from residential or tourism properties will be the greater of 500m or 20 times tip height (in metres) and;*

*medium and large wind turbines within the A.O.N.B or within 2km will not be supported."*

An amendment to the substantive motion was proposed by Councillor A.Morris Jones namely, *"that the cumulative effect of wind turbines on individual areas should be taken into consideration when determining applications."*

A further amendment to the substantive motion was proposed by Councillor E.Schofield namely, *"that prior to the release of planning permission, wind turbine developers be required to submit a bond to the Local Planning Authority in order to ensure the clearance and restoration of a site to its former condition once a turbine(s) become redundant."*

The Chief Planning Officer in response to the amendments proposed, stated that officers had not had the opportunity to evaluate those amendments and he raised concerns that members were changing policy which undermined the current policies.

The Monitoring Officer advised against making any amendments to the draft SPG which could leave it, or decisions made under it, open to legal challenge, e.g. as a result of fettering discretion under the policies or applying arbitrary separation distances which the Council could not defend on appeal. The Monitoring Officer also reminded Members of the Commissioners' reserve power.

It was RESOLVED to reinstate Standing Orders at this juncture prior to taking a vote on the matter.

**RESOLVED that the recommended changes contained within the report be incorporated within the SPG and that it is adopted by the Council to be used as a material consideration in dealing with Onshore Wind Turbine applications, but subject to the following amendments agreed to at this meeting:-**

- **For wind turbines over 20 metres, the separation distances from residential or tourism properties will be the greater of 500m or 20 times tip height (in metres);**
- **Medium and large wind turbines within the A.O.N.B or within 2km will not be supported;**
- **That the cumulative effect of wind turbines on individual areas should be taken into consideration when determining applications;**
- **That prior to the release of any planning permission, wind turbine developers be required to submit a bond to the Local Planning Authority in order to ensure the clearance and restoration of a site to its former condition once a turbine(s) become redundant.**

#### **4. LOCAL DEVELOPMENT PLAN PREFERRED STRATEGY**

(a) Reported – That the Executive at its meeting on 14<sup>th</sup> January, 2013 had resolved ‘*to recommend to the County Council that it approves the draft Preferred Strategy document for the purposes of public consultation.*’

(b) Reported – That this document showed how key current environmental, economic and social issues and trends affecting the Plan area would be addressed. It also looked at how the development needs of the area would be met, including the proposed broad locations for new housing, employment and other strategic requirements. Following approval by both Anglesey and Gwynedd Councils, the document would be made available for public consultation for a period of six weeks. Views expressed would help inform the preparation of a more detailed plan called the Deposit Plan which would be considered by both Councils later on in 2013.

Councillor Eric Jones was requested to discuss his query with Planning officers at the end of the meeting as to why Penmynydd had not been identified within the settlement hierarchy under Policy PS3.

## RESOLVED

- **To approve the draft Preferred Strategy document for public consultation;**
- **To delegate the right to the Head of Service (Planning and Public Protection) to make minor corrections to the Preferred Strategy document before it is released for public consultation.**

## 5. ADOPTION OF A COUNCIL TAX SUPPORT SCHEME

(a) Reported – That the Executive at its meeting on 14<sup>th</sup> January, 2013, had resolved to recommend to the County Council as follows:-

*“That it notes the making of the Council Tax Reduction Scheme and Prescribed Requirements (Wales) Regulations (“the Prescribed Requirements Regulations”) by the Welsh Assembly on 19<sup>th</sup> December, 2012;*

*That it notes the outcome of the consultation exercise undertaken by the Council on the introduction of the Council Tax Reduction Scheme;*

*That it adopts the Scheme as set out in Appendix 1 of the report.”*

(b) Reported – That the current Council Tax Benefit Scheme was to be replaced from April 2013 with a Council Tax Support Scheme. In Wales, there was a statutory requirement to adopt the scheme by 31 January, 2013 and this Council was required to manage the cost of the scheme within its budget. The estimated cost of the proposed scheme had it been in place in the current year was £4.6m. Applying an increase to Council Tax of 5% took this to £4.8m. Therefore, the projected cost of the scheme in 2013-14 was between £4.80m - £4.95m, which was £150-300k more than the grant of £4.65m. This shortfall would be treated as a corporate risk on Council budgets and monitored in budget monitoring reports to the Executive.

It was reported that the Welsh Government had now tabled new 2013 Regulations that would amend the former Regulations approved on 19<sup>th</sup> December, 2012 which meant that not all claimants receiving support under the scheme would have to pay a proportion of their council tax bill. The amendments would increase the maximum level of support that eligible claimants could receive from 90% to 100% with the cost of this change being supported with an additional £22m by Welsh Government.

## RESOLVED

- **To note the making of the Council Tax Reduction Scheme and Prescribed Requirements (Wales) Regulations (“the Prescribed Requirements Regulations”) as amended by the Welsh Assembly 2013 regulations;**
- **To note the outcome of the consultation exercise undertaken by the Council on the introduction of the Council Tax Support Scheme outlined at Appendix B;**
- **To adopt the scheme as set out in Appendix A of the report;**

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- **That delegated authority be given to the Head of Service (Finance) to amend the local Council Tax Support Scheme 2013-14 should this be required to take account of the actual amendments passed by the Welsh Government.**

The meeting concluded at 11:50 a.m.

**COUNCILLOR R.LI.JONES  
CHAIRMAN**