

# THE EXECUTIVE

## Minutes of the virtual meeting held on 13 December, 2021

<b>PRESENT:</b>	Councillor Llinos Medi (Chair) Councillor Ieuan Williams (Vice-Chair)  Councillors Richard Dew, Carwyn Jones, R. Meirion Jones, Alun Mummery, R.G. Parry, OBE FRAGS, Dafydd Rhys Thomas, Robin Williams.
<b>IN ATTENDANCE:</b>	Chief Executive Deputy Chief Executive Director of Function (Resources) & Section 151 Officer Acting Director of Function (Council Business)/Monitoring Officer Director of Education, Skills and Young People Head of Service (Regulation and Economic Development) Head of Profession (HR) and Transformation IT Team Manager (MGH) Policy Officer (RWJ) Committee Officer (ATH)
<b>APOLOGIES:</b>	None
<b>ALSO PRESENT:</b>	Councillors Glyn Haynes, Kenneth Hughes, Trefor Lloyd Hughes, MBE, Aled Morris Jones, Dafydd Roberts, Mr Arwel Wyn Owen (Head of Adults' Services)

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The Chair in welcoming all those present to this meeting of the Executive took the opportunity to thank everyone who had gone the extra mile over the past year to ensure the continuation of the Council's business and the safety and well-being of the Island and its residents; on behalf of the Executive she wished them, the Council's elected members and its staff and their families the best over the coming Christmas and New Year period. Referring to the current Covid-19 situation both on Anglesey and beyond and the uncertainty it is creating, she urged everyone in receipt of an invitation for a booster vaccination to take up the offer, and also to continue observing the measures in place to manage the spread of the virus, namely by wearing a mask, ensuring indoor spaces are ventilated and by regular handwashing.

### 1. DECLARATION OF INTEREST

Councillors R. Meirion Jones and Ieuan Williams declared a personal and prejudicial interest with regard to items 6, 7 and 8 on the agenda and were not present when those matters were under consideration.

Mr Rhys H. Hughes, Director of Education, Skills and Young People declared a personal and prejudicial interest with regard to items 7 and 8 on the agenda and withdrew from the meeting when those matters were discussed.

The Chair in declaring an interest in items 6 and 8 on behalf of the following members of the Executive confirmed that those members had received dispensation to take part in the

discussion and voting on items 6 and 8 by a panel of the Standards Committee sitting on 12 November, 2021 – Councillors Richard Dew, Llinos Medi Huws, Carwyn Jones, Alun Mummery, R.G.Parry, OBE, FRAgS, Dafydd Rhys Thomas and Robin Williams.

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

None to report.

## **3. THE EXECUTIVE'S FORWARD WORK PROGRAMME**

The report of the Interim Head of Democratic Services incorporating the Executive's updated Forward Work Programme for the period from January to August, 2022 was presented for the Executive's consideration and the following changes were highlighted –

- Item 4 – Lowering the Age of Admission at Ysgol Llandegfan – a new item for the Executive's 24 January, 2022 meeting.
- Item 7 – Local Housing Strategy – rescheduled from the Executive's January meeting to its 14 February, 2022 meeting.
- Item 11 – School Transport: Public Services Vehicles Accessibility Regulations – a new item for the Executive's 14 February, 2022 meeting
- Housing Development over 10 units: Land near Penrhos Stanley Hospital - a new item for the Executive's 24 January, 2022 meeting not included on the published Forward Work Programme.

**It was resolved to confirm the Executive's updated forward work programme for the period January, to August, 2022 with the additional change outlined at the meeting.**

## **4. ESTABLISHING A NEW PORT HEALTH AUTHORITY**

Councillor Richard Dew, Portfolio Member for Planning and Public Protection presented the report by the Head of Regulation and Economic Development which set out the requirements on the Council consequent upon the establishment of a Border Control Post to develop and establish a new dedicated Port Health Authority (PHA).

The withdrawal of the United Kingdom from the European Union (EU) has created a need to establish new border control arrangements and checks on imports. These new requirements have been placed on the Welsh Government as a consequence of the European Union (Withdrawal) Act 2018. Two new facilities are currently being developed at Parc Cybi, Holyhead to carry out new customs and border control check on goods entering and leaving the UK through the international port of Holyhead. HM Revenue and Customs are developing an Inland Border Facility (BF) and the Welsh Government is currently establishing a Border Control Post (BCP).

Whilst responsibility for the BCP sits with the Welsh Government under devolved powers from the UK Government, its establishment will result in additional duties being placed on the County Council as the host authority in connection with the Public Health (Control of Diseases) Act 1984 and retained EU legislation on the inspection of imports. A new dedicated Port Health Authority (PHA) with responsibility for enforcing health controls at the UK border must be established by July 2022 when checks on products of animal origin are due to be introduced in order to discharge the Council's statutory duties which include a range of documentary, identity and physical checks.

Regulation and Economic Development officers have been engaging with the Welsh Government since August 2020 to better understand the anticipated changes to border checks. Despite the best endeavours of Officers, a lack of information and clarity has

impacted on the Council's ability to plan and prepare meaningfully for the changes to border controls. It should be noted also that the Council does not currently possess any port health expertise, capacity or capability. Whilst work on developing the PHA is being undertaken with one off grant funding from Welsh Government, there is no certainty as regards future funding beyond the potential generation of income from carrying out documentary checks. No additional financial support has been put in place for beyond March, 2022.

The Head of Regulation and Economic Development elaborated on what the Service believes are the two options available to the Council to discharge its new port health duties, namely - to establish a new arms-length PHA for Holyhead or to discharge the duties in-house within the Council without establishing a new PHA – and the pros and cons of each. He confirmed that further detailed work is required to review and assess the suitability, deliverability and affordability of the preferred option to ensure that that is the most appropriate way forward for the Council which will also cover issues such as corporate governance, risks, liabilities, costs and the requirements for support from other Council services. A PHA Operational Plan will also have to be prepared to ensure the Council is able to discharge its statutory responsibilities in a timely and compliant manner and recruitment arrangements will have to be made to ensure the availability of experienced and suitably competent officers to undertake the new duties.

In considering the report the Executive's members expressed concern about the implications of the Council's new statutory port health duties in terms of additional costs and resource requirements. Councillor Robin Williams, Portfolio Member for Finance highlighted the absence on the part of Welsh Government of any commitment to providing additional financial support for the development, establishment and initial operation of the new PHA, and with the only source of ongoing funding being the potential income for documentary checks undertaken, fulfilling the responsibilities of the Port health function (which does not fall to all councils in Wales) could result in a significant and unfair financial burden being placed on the Island's taxpayers. Acknowledging the Officer's recognition of the need to keep pressing Welsh Government on this issue, the Portfolio Member thought that this message should be reinforced in a letter directly to Welsh Government to further impress on it the need for a commitment to providing financial support in this regard.

Also highlighted as an issue was the lack of clarity and progress with regard to the development of a Border Control Post despite the Council engaging extensively with Welsh Government over a period of time to try to understand the changes to border checks. The Executive's members felt that the lack of information and directions from Welsh Government on this point despite the best efforts of the Council's Officers to obtain assurances in this respect, had significantly impacted on the Council's preparations and its ability to plan effectively in order to deliver on its port health duties within the stated timescale. They emphasised the urgent need to reinforce communications with Welsh Government to obtain assurance and clarity on the arrangements for the Border Control Post.

#### **It was resolved –**

- **To recognise the statutory requirement to establish a new Port Health Authority.**
- **To delegate responsibility to the Head of Regulation and Economic Development Service, in consultation with the Senior Leadership Team and Portfolio Holder, to identify and develop a preferred option for establishing new Port Health Authority.**
- **To recognise that further developmental work is carried out at risk to the County Council, and that resources will be provided to the Head of Service (Regulation and Economic Development) the value and scope of which are to be agreed with the Council's Section 151 Officer.**

- **To continue to press the Welsh Government to adequately and fairly finance the Council's new and additional responsibilities for the development, establishment and initial operation of a new PHA and to underwrite all additional costs incurred by the Council which are not recovered through the income generated by the PHA. A letter to this end to be sent directly to Welsh Government as a matter of urgency.**
- **To authorise the release of £100,000 from the Council's general balances to complete the above (which the Council will seek to recover from the Welsh Government). Any additional funding above this sum will require a further decision from the Executive or Full Council in accordance with limits set out in the Council's Constitution.**

## **5. ESTABLISHING THE NORTH WALES REGION'S CORPORATE JOINT COMMITTEE**

Councillor Llinos Medi, Leader and Portfolio Member for Social Services presented the report by the Director of Function (Council Business)/Monitoring Officer which sought the Executive's agreement in principle to the transfer of the North Wales Economic Ambition Board's functions to the newly established North Wales Corporate Joint Committee (CJC) with the aim of achieving a streamlined governance model, avoiding duplication.

Regulations were made by the Welsh Government on 17 March, 2021 creating four Corporate Joint Committees in Wales and the North Wales CJC was established on 1 April, 2021. The four CJsCs will exercise functions relating to strategic development, planning and regional transport planning. They will also be able to do things to promote economic well-being. Unlike other joint committee arrangements, the CJC is a separate corporate body which can employ staff and hold assets. There is a consensus among the North Wales local authorities that the CJC should continue in the direction established by the North Wales Economic Ambition Board. Further, the six Council Leaders and Chief Executives are agreed that the North Wales CJC should be built on the aims and principle set out in paragraph 8 of the report. There is also cross border agreement that the initial aim should be to establish a streamlined governance model avoiding duplication whilst having due regard to subsidiarity. The first priority therefore is to move the Economic Ambition Board to an empowered sub-committee of the CJC, noting that the region's local authority Leaders will be in control of this corporate body.

Pinsent Masons, LLP who are advising several Welsh regions have considered operational structures available to the Economic Ambition Board going forward in light of the establishment of the CJC, Welsh Government policy direction and the regionally agreed principles noted under paragraph 8 of the report. Doing nothing or co-existence is insufficient, contrary to Welsh Government policy and doesn't address how the Economic Ambition Board's functions are to be discharged by the CJC. The most efficient and viable operational structure which satisfies the requirement to transition to a CJC is to transfer the Economic Ambition Board functions to an empowered sub-committee of the CJC. Consequently, transferring the functions of a sub-committee will retain core elements of the EAB, but provide a more robust and efficient delivery model directly via the CJC corporate vehicle. Pinsent Masons have advised officers in detail on the advantages and some key issues before the conclusion was reached that transferring the EAB function to a sub-committee provides the optimal structure for the CJC. The report set out the merits of the proposed transfer and addresses considerations from the perspective of decision-making, the added value of this approach, transition for Growth Deal arrangements and governance and finance. Approving the decision sought by the report regarding the governance model would not add any financial implication for the Council. However there will be an unavoidable and as yet not fully identified ongoing cost for local authorities to be able to administer and

deliver the CJC. The direction set by the report is to make the CJC work effectively while minimising the financial burden on the Council.

The Executive's members highlighted that very little publicity has been given to the formation of the Corporate Joint Committees and that it is therefore important that the wider public be made aware that the CJCs are the product of Welsh Government and have been imposed by Welsh Government according to a prescribed model thereby creating what the Executive believes is an unnecessary and unwanted layer of bureaucracy; as they are unelected bodies they go against the grain of local democracy and local choice. Whilst the Executive's members emphasised that the Council is committed to regional working where the benefits of doing so are clear and is already operating in this way through GwE for example, they were of the view that the need for CJCs is not proven and that the costs of administering and servicing these separate bodies will put an additional financial, resource and time burden on councils who have no choice in the matter. This being so and given that the CJCs have been established through a mandate by Welsh Government the Executive believed it reasonable that Welsh Government should therefore be asked to fund them in full.

**It was resolved –**

- **To agree in principle that the functions of the North Wales Economic Ambition Board be transferred by way of delegation agreement to the North Wales Corporate Joint Committee on condition –**
  - **that the statutory framework that the Welsh Government is developing allows for the delegation of the relevant executive functions to a Corporate Joint-Committee;**
  - **that the North Wales Corporate Joint Committee agrees to the establishment of a sub-committee, with membership to be agreed with the Councils, to undertake the functions of the Economic Ambition Board.**
- **That the Welsh Government having instigated the creation and establishment of the Corporate Joint Committees, be requested by letter to fund those entities in full.**

## **6. ANGLESEY DIGITAL SCHOOLS STRATEGY**

Councillor Llinos Medi, Leader and Portfolio Member for Social Services presented the report by the Deputy Chief Executive incorporating the first Digital Schools Strategy for Anglesey that sets the Authority's vision underpinned by overarching principles and key priority areas for the provision of ICT services for schools.

*Having declared a personal and prejudicial interest in this matter and in items 7 and 8 below, Councillors R. Meirion Jones and Ieuan Williams were not present for this item nor for the remainder of the meeting.*

In light of the Curriculum for Wales, digital competence alongside literacy and numeracy will become a mandatory cross-curricular skill which must be embedded in any adopted curriculum. Digital competence focuses on ensuring that learners have the ability to learn, understand and use technology confidently, creatively and critically. As the cyber threat to educational establishments continues to evolve, it is imperative that a collaborative approach is in place to ensure the security of this critical data. Consequently, digital technology needs to be embedded securely in all areas of curriculum delivery.

The overall vision of the strategy is to support digitally enabled schools to ensure learners thrive and realise their long-term potential. The strategy also sets out the role of the local authority in delivering this vision and is intended for all school learners, teachers, support staff, governors and members of the whole Anglesey school community. As part of the process of developing the strategy there has been engagement with a member of the ICT Forum (a representative of the primary school head teachers) and with the Island's secondary head teachers and the Head teacher of Canolfan Addysg y Bont and a summary of the responses is provided. Robust governance arrangements will be established to ensure the realisation of the strategy and progress will be reviewed quarterly through a summary report on actions, outcomes, impact, successes and issues. An annual progress report and review of the strategy will be undertaken.

The Deputy Chief Executive advised that the importance of the digital world and its technology is becoming more apparent with every week and this applies to Anglesey as much as anywhere else. The past two years, especially the pandemic period has shown how the Authority, its personnel and capabilities have adapted to deal with the crisis by making the maximum use of technology to ensure that life carries on not least in education. Digital competence is now an essential skill and the greater pupils' digital attainment on leaving school then the greater their chances of meeting the needs of the future as those evolve and change. The strategy has been formulated to provide direction to everyone within the school and learning community and it will be delivered in partnership with all the key players within the education system. Whilst the successful delivery of the strategy is important for all the Authority's partners in education it is especially important for young people in enabling them to make progress in education and/or in the work environment and also as citizens, contributing effectively to society and to their communities. The Strategic Circle at page 5 of the strategy encapsulates the Authority's vision and the key elements in implementing it. Given the speed of change in the real world, the strategy is geared towards the here and now rather than the long-term and will need to be adapted accordingly. The staff of the Council's IT and Learning Services are to be congratulated on creating a clear, concise and easy to understand strategy which is the product of considered thought and which has been put together in the midst of maintaining day to day responsibilities.

The Executive's members welcomed the Digital Strategy for schools as providing valuable investment in schools' digital technology thereby putting education on a sound footing for the future. Reference was made to the speed of developments over the past 18 months and to the adaptability which the Council has shown in adjusting to the new digitally based ways of working; the importance of maintaining this momentum was emphasised.

**It was resolved –**

- **To approve the draft Digital Schools Strategy.**
- **To authorise the additional funding requirement of £135,439 in order to implement the strategy.**

## **7. EXCLUSION OF THE PRESS AND PUBLIC**

**It was considered and 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 [information relating to the financial or business affairs of any particular person (including the authority holding that information)] of Schedule 12A of the said Act and in the Public Interest Test presented.**

## **8. ANGLESEY DIGITAL SCHOOLS STRATEGY AND CWMNI CYNNAL CYF.**

Councillor Dafydd Rhys Thomas, Portfolio Member for Corporate Business presented the report by the Director of Function (Council Business)/Monitoring Officer which set out the issues arising with regard to the current provision consequent upon the adoption of a new Digital Strategy for Anglesey's schools. The report proposed a way forward to address those issues and sought approval and delegation to enable the proposal to be realised.

*Having declared a personal and prejudicial interest in this matter, Mr Rhys H. Hughes, Director of Education, Skills and Young People along with Councillors R. Meirion Jones and Ieuan Williams were not present when it was discussed.*

**It was resolved to approve the recommendations of the report as the way forward.**

**Councillor Llinos Medi  
Chair**

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