

<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to:</b>	<b>Executive and Council</b>
<b>Date:</b>	<b>Executive 8<sup>th</sup> September 2014 Council 9<sup>th</sup> October 2014</b>
<b>Subject:</b>	<b>Changes to the Policy Framework</b>
<b>Portfolio Holder(s):</b>	<b>Councillor Alwyn Rowlands</b>
<b>Head of Service:</b>	<b>Lynn Ball – Head of Function (Council Business)/Monitoring Officer</b>
<b>Report Author:</b> Tel: E-mail:	<b>Awena Walkden – Solicitor (Corporate Governance) Ext. 2563 apxce@anglesey.gov.uk</b>
<b>Local Members:</b>	<b>N/A</b>

<b>A –Recommendation/s and reason/s</b>
<p><b>RECOMMENDATIONS</b></p> <p>The Executive recommends to full Council that Council approves the changes to the Council’s Constitution as detailed in “Appendix 1” to this Report.</p> <p><b>REASONS</b></p> <p>1. The Policy Framework comprises a range of policies which are listed in Section 3.2.2.1.1 of the Constitution. The Policy Framework was adopted by Council on the 7<sup>th</sup> May 2002 as part of the Constitution.</p> <p>2. The Policy Framework is divided into 3 parts:-</p> <p>(i) 3.2.2.1.1 which sets out the policies which are required by law to be adopted by full Council;</p> <p>(ii) 3.2.2.1.2 which sets out the policies which the Assembly recommended be adopted by full Council;</p> <p>(iii) 3.2.2.1.3 other policies which the Council decided should be adopted by full Council.</p>

3. Over time, the Policy Framework has become dated and needs to be refreshed to reflect the current status, and often relocation, of the policies listed.
4. In order to ensure that the Constitution is up-to-date, we recommend that part 3.2.2.1 of the Constitution be replaced with the updated Policy Framework which is attached as “Appendix 1” to this Report.
5. “Appendix 2” sets out which parts of the current Policy Framework need to be removed, and which should be updated and why.
6. All Services have been consulted as part of the process of updating the Policy Framework and have provided their input on which policies have been updated and which no longer exist. Some substantive amendments to the Policy Framework were also suggested by some Officers during the consultation, but as these amendments are changes and not updates in our view they exceed the scope of this exercise and should be part of a different process.
7. The detailed reasons for the suggested amendments are more fully explained in Appendix 2 to this Report.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with the suggested updates.

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

The other option available to the Council would be to leave the Policy Framework as it is but we do not recommend this as an option given that it is now out of date and unreliable.

#### **C – Why is this a decision for the Executive?**

Because the implementation of the recommendations will result in constitutional changes which may only be approved by Council after consideration by the Executive.

#### **CH – Is this decision consistent with policy approved by the full Council?**

This is about the Policy Framework approved by full Council.

<b>D – Is this decision within the budget approved by the Council?</b>
Yes

<b>DD – Who did you consult?</b>		<b>What did they say?</b>
1	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	
2	<b>Finance / Section 151</b> (mandatory)	
3	<b>Legal / Monitoring Officer</b> (mandatory)	Joint author of Report and comments are included here
4	<b>Human Resources (HR)</b>	
5	<b>Property</b>	
6	<b>Information Communication Technology (ICT)</b>	
7	<b>Scrutiny</b>	
8	<b>Local Members</b>	
9	<b>Any external bodies / other/s</b>	

<b>E – Risks and any mitigation (if relevant)</b>	
1	<b>Economic</b>
2	<b>Anti-poverty</b>
3	<b>Crime and Disorder</b>
4	<b>Environmental</b>
5	<b>Equalities</b>
6	<b>Outcome Agreements</b>
7	<b>Other</b>

<b>F - Appendices:</b>
<p>1. Amended parts of Constitution.</p> <p>2. Document showing what has been changed since the last version of the Policy Framework and the reasons for the change.</p>

<b>FF - Background papers (please contact the author of the Report for any further information):</b>

## AMENDED PARTS OF CONSTITUTION

**3.2.1 The full Council will have the responsibility for approving or adopting the Policy Framework, the Budget and Housing Land Transfers.**

### 3.2.2 Meanings

#### 3.2.2.1 Policy Framework

3.2.2.1.1 Those required by law to be adopted by the Council, i.e.

- ~~Behaviour Support Plans~~
- **Single Integrated Plan**
- ~~The Improvement Plan~~
- **Corporate Plan**
- **Annual Delivery Document (Improvement Plan)**
- **Annual Performance Report (Improvement Plan)**
- ~~Children and Young Persons Plan~~
- ~~Children's Services Plan~~
- ~~Health, Social Care and Wellbeing Strategy~~
- ~~Community Strategy~~
- ~~Crime and Disorder Reduction Strategy~~
- ~~Childcare Sufficiency Plan~~ ~~Early Years Development Plan~~
- ~~Education Strategic Plan~~
- **Local / Regional Transport Plan**
- ~~School Organisation Plans~~
- **Plans and alterations which together comprise the Joint Local Development Plan** (except those functions which are delegated to the Joint Planning Policy Committee)
- **Welsh Language Scheme**
- ~~Youth Justice Plan~~
- ~~Powers to approve Young Peoples Partnership Plans and Children and Young Persons Framework Partnership~~
- **Gambling Policy**
- **Licensing Policy**
- **Pay Policy Statement**
- **Pay Scales of Chief Officers**
- **Annual Schedule of Member Remuneration following receipt of the Independent Remuneration Panel for Wales Annual Report**

3.2.2.1.2 Those other plans and strategies which the National Assembly for Wales recommended should be adopted by the full Council as part of the Policy Framework, i.e. –

- ~~Children First Plan~~
- ~~The Corporate Mission Statement, objectives and policies of the Council's Corporate Plan~~
- **Local Housing Strategy and Operational Plan**
- ~~Lifelong Learning Development Plan~~
- ~~Policy agreements~~

3.2.2.1.3 Those other plans and strategies which the Council decided should be adopted by the full Council as a matter of local choice, e.g

- The **Corporate** Asset Management Plan
- ~~The Public Transport Strategy~~
- ~~Policies re. securing bus services and travel concessions under Sections 63 & 93 of the Transport Act 1985~~
- ~~Local transport plans under Sections 108 – 109 of the Transport Act 2000~~
- The Road Safety Plan
- The Marine Port Safety Plan
- ~~The Public Rights of Way Strategy~~
- The Cycling Strategy
- The Rights of Way Improvement Plan
- Waste Management Strategy
- The Contaminated Land Strategy
- ~~Young Peoples Partnership Strategic Plan~~
- ~~Children and Young Peoples Framework Partnership~~
- **Indemnities Policy**

## 3.2 The Full Council

**3.2.1 The full Council will have the responsibility for approving or adopting the Policy Framework, the Budget and Housing Land Transfers.**

### 3.2.2 Meanings

#### 3.2.2.1 Policy Framework

3.2.2.1.1 Those required by law to be adopted by the Council, i.e.

- Single Integrated Plan
- Corporate Plan
- Annual Delivery Document (Improvement Plan)
- Annual Performance Report (Improvement Plan)
- Childcare Sufficiency Plan
- Local / Regional Transport Plan
- Plans and alterations which together comprise the Joint Local Development Plan (except those functions which are delegated to the Joint Planning Policy Committee)
- Welsh Language Scheme
- Gambling Policy
- Licensing Policy
- Pay Policy Statement
- Pay Scales of Chief Officers
- Annual Schedule of Member Remuneration following receipt of the Independent Remuneration Panel for Wales Annual Report

3.2.2.1.2 Those other plans and strategies which the National Assembly for Wales recommended should be adopted by the full Council as part of the Policy Framework, i.e. –

- Local Housing Strategy

3.2.2.1.3 Those other plans and strategies which the Council decided should be adopted by the full Council as a matter of local choice, e.g

- The Corporate Asset Management Plan
- The Road Safety Plan
- The Marine Port Safety Plan
- The Cycling Strategy
- The Rights of Way Improvement Plan
- Waste Management Strategy
- The Contaminated Land Strategy
- Indemnities Policy

## 1.0 Background

Part 3 of the Council's Constitution sets out the responsibilities for decision-making in relation to the various functions of the Council. The full Council has responsibility for approving or adopting the Policy Framework

## 2.0 Updating the Policy Framework

The plans and strategies listed in the current Policy Framework is dated and needs to be updated to reflect legislative changes etc. Enquiries with services have resulted in the view that:

<b>2.1</b> the strategies and plans listed below <b>should be approved by full Council</b> for the reasons outlined:		
1	Single Integrated Plan	Replaces at least four statutory plans and strategies (the Community Strategy, the Children and Young People's Plan, the Health, Social Care and Well-being Strategy and the Community Safety Partnership Plan (which incorporates the 3 crime and disorder strategies). [Shared Purpose – Shared Delivery, Guidance on integrating partnerships and plans; Welsh Government, December 2012]
2	Corporate Plan	These three plans replace the one 'Improvement Plan' listed in the current framework and reflect the requirements for continuous improvement in the 'Wales Programme for Improvement Guidance for Local Authorities 2005' and the Local Government (Wales) Measure.
3	Annual Delivery Document (Improvement Plan)	
4	Annual Performance Report (Improvement Plan)	
5	Childcare Sufficiency Plan	Replaces the Early Years Development Plan (see 29).
6	Local / Regional Transport Plan	Still relevant. (a number of plans have been integrated into this plan – see 39 and 41).
7	Plans and alterations which together comprise the Joint Local Development Plan (except those functions which are delegated to the Joint Planning Policy Committee)	Slight change to the wording for clarification (ie. Addition of ' <i>plans and alterations which together comprise ...</i> ' .
8	Welsh Language Scheme	This is currently still a Council function under the Welsh Language Act 1993. However, Welsh language schemes will be replaced by statutory standards under the Welsh Language (Wales) Measure 2011.
9	Gambling Policy	The Gambling Act 2005 requires this to be adopted by Full Council.
10	Licensing Policy	The Licensing Act 2003 requires this to be adopted by Full Council.

<b>2.1</b> the strategies and plans listed below <b>should be approved by full Council</b> for the reasons outlined:		
11	Pay Policy Statement	The Localism Act 2011 specifies that this is not to be the responsibility of an executive of an authority under executive arrangements.
12	Local Housing Strategy	New title (replaces no. 36 – Housing Strategy and Operational Plan).
13	Corporate Asset Management Plan	The Council decided that these plans and strategies should be adopted by full Council as a matter of local choice.
14	Road Safety Plan	
15	Marine Port Safety Plan	
16	Rights of Way Improvement Plan	
17	Waste Management Strategy	
18	Cycling Strategy	
19	Contaminated Land Strategy	
20	Indemnities Policy	This policy was first approved by Council in June 2011.
21	Pay Scales of Chief Officers	The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014 requires this to be adopted by Council.
22	Annual Schedule of Member Remuneration following receipt of the Independent Remuneration Panel for Wales Annual Report	The Local Government (Wales) Measure 2011 requires this to be adopted by the Council.

<b>2.2</b> the plans and strategies listed below <b>should be removed</b> from the policy framework for the reasons outlined:		
23	Behaviour Support Plans	Incorporated into the Single Education Plan which was replaced by the Children and Young People Plan which was subsequently replaced by the Single Integrated Plan.
24	Children and Young Persons Plan	Replaced by (1) - Single Integrated Plan.
25	Children's Services Plan	This Plan was integrated into the Health, Social Care and Wellbeing Strategy (See Note [B]) which in turn was replaced by the Single Integrated Plan.



<p><b>2.2</b> the plans and strategies listed below <b>should be removed</b> from the policy framework for the reasons outlined:</p>		
26	Health, Social Care and Wellbeing Strategy	Replaced by (1) - Single Integrated Plan.
27	Community Strategy	Replaced by (1) - Single Integrated Plan.
28	Crime and Disorder Reduction Strategy	Replaced by (1) - Single Integrated Plan.
29	Early Years Development Plan	Replaced by the statutory requirement to prepare a Childcare Sufficiency Plan (see 5).
30	Education Strategic Plan	Incorporated into the Single Education Plan which was replaced by the Children and Young People Plan which was subsequently replaced by the Single Integrated Plan.
31	Schools Organisation Plans	Incorporated into the Single Education Plan which was replaced by the Children and Young People Plan which was subsequently replaced by the Single Integrated Plan.
32	Youth Justice Plan	Formally approved by the Youth Offending Team Management Board for Gwynedd and Ynys Môn. No need to submit to Executive or Full Council for formal approval.
33	Powers to approve Young People's Partnership Plans and Children and Young People's Framework Partnership	Replaced by (1) - Single Integrated Plan.
34	Children First Plan	Integrated into the Children and Young People's Plan which, in turn, was replaced by the Single Integrated Plan.
35	The corporate mission statement, objectives and policies of the Council's Corporate Plan	Covered under no. 2 (Corporate Plan)
36	Housing Strategy and Operational Plan	Replaced by the Local Housing Strategy (see no. 12)
37	Lifelong Learning Development Plan	We recommend that this should be removed in its entirety as neither of the relevant services or legal services have been able to identify what this relates to, and how it came into existence. We further are unable to track any reports that have gone to full Council on this and have accordingly come to the conclusion that it must have become obsolete.

<p><b>2.2</b> the plans and strategies listed below <b>should be removed</b> from the policy framework for the reasons outlined:</p>		
38	Policy Agreements	<p>Policy Agreements were replaced by Improvement Agreements which, in turn were replaced in March 2010 with Outcome Agreements.</p> <p>(Prospectus for Improvement Agreements 2008 – extract from Q&amp;A):</p> <p><i>“Does the agreement need to be endorsed by a scrutiny committee/the full council? That is a matter for you, in line with your normal decision-making procedures. But given the importance of the agreement we would encourage you to engage members in its development and approval”.</i></p>
39	Public Transport Strategy	Now forms part of (6) - Local / Regional Transport Plan.
40	Policies re. securing bus services and travel concessions under Sections 63 & 93 of the Transport Act 1985	Now included in the Welsh Government’s Concessionary Fares policy.
41	Local transport plans under Sections 108-109 of the Transport Act 2000	Now forms part of (6)- Local / Regional Transport Plan.
42	Public Rights of Way Strategy	Now forms part of (16) - Rights of Way Improvement Plan.
43	Young People’s Partnership Strategic Plan	Replaced by (1) - Single Integrated Plan.
44	Children and Young People’s Framework Partnership	