

ISLE OF ANGLESEY COUNTY COUNCIL

Minutes of the meeting held on 14 May, 2015

PRESENT: Councillor Vaughan Hughes (Chair)
Councillor Jim Evans (Vice-Chair)

Councillors Lewis Davies, Richard Dew, Jeff Evans, Ann Griffith, John Griffith, Derlwyn R. Hughes, Kenneth P. Hughes, Trefor Ll. Hughes, W.T. Hughes, Llinos M. Huws, Aled M. Jones, Carwyn Jones, G. O. Jones, H. Eifion Jones, Raymond Jones, Richard O. Jones, R. Llewelyn Jones, R. Meirion Jones, Alun Mummery, R. G. Parry, OBE, Dylan Rees, J. Arwel Roberts, Peter Rogers, Alwyn Rowlands, Dafydd R. Thomas, Ieuan Williams.

IN ATTENDANCE: Chief Executive
Director of Lifelong Learning/Chief Executive Designate
Director of Community (*not present for item 16*)
Interim Head of Resources & Section 151 Officer
Head of Council Business & Monitoring Officer
Head of Democratic Services (*not present for item 18*)
Head of Profession (HR) (for item 18)
Interim Accountancy Services Manager (*not present for item 18*)
HR Operations Manager (for item 18)
Committee Officer (ATH) (*not present for item 18*)

APOLOGIES: Councillors Victor Hughes, Nicola Roberts

ALSO PRESENT: Mr Michael Wilson (Chair of the Standards Committee) (for item 11)

1 MINUTES

The minutes of the meetings of the Isle of Anglesey County Council held on the dates noted below were presented and confirmed as correct:

- 26th February 2015
- 30th March, 2015 (extraordinary)

2 DECLARATION OF INTEREST

Councillor R. G. Parry, OBE said with regard to item 18 on the agenda that he had been granted dispensation to speak on the matter and that he would therefore remain in the Chamber for the discussion thereon but would not vote on the issue. He sought clarification whether an interest therefore needed to be declared.

The Head of Council Business and Monitoring Officer advised that those Members who have an interest in relation to item 18 by virtue of a family member being in the employment of the Isle of Anglesey County Council but who have been granted dispensation to participate in the discussion on the matter still need to declare the interest. She confirmed that the dispensation is still effective.

The following Members subsequently declared an interest with regard to item 18 but confirmed that they would be taking part in the discussion thereon having been granted dispensation to do so but would not be voting –

Councillors Lewis Davies, Llinos Medi Huws, Trefor Lloyd Hughes, H. Eifion Jones, Alun Mummery, Richard Owain Jones, R. G. Parry, OBE, Dafydd Rhys Thomas, John Arwel Roberts, and Ieuan Williams.

3 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRPERSON, LEADER OF THE COUNCIL OR THE CHIEF EXECUTIVE

The Chair made the following announcements –

- Congratulations to Mr Albert Owen on his re-election as the Parliamentary Member for the Isle of Anglesey.
- Congratulations to all the Island's school children who competed over the weekend in the Urdd national sports competition.
- Best wishes to all those who will be competing in the Urdd National Eisteddfod in Caerphilly at the end of May.
- Congratulations to the Llangefni Young Farmers Club which came top in the Anglesey Young Farmers Rally over the weekend.
- Best wishes to all those who will be competing in the Anglesey Eisteddfod in Ysgol Syr Thomas Jones next weekend.
- Best wishes also to all those who will be competing in the Spring Show in Llanellwedd over the weekend.
- Condolences are extended to the family of Alderman Mrs M.A. Edwards MBE of Parc Glas, Bodorgan who died in March at the age of 103. Mrs Edwards gave a lifetime of public service to the Island and was still a governor of Ysgol Bodorgan at the time of her death. She fulfilled that role for 75 years.
- Condolences are similarly extended to the family of former Councillor R. L. Owen of Beaumaris. Mr Owen was Chair of the County Council from 2002 to 2003 and served on the Anglesey Borough Council as well as the County Council.
- Condolences are also extended to any Member of the Council or its staff who have suffered a bereavement.

The Members and Officers stood in silence as a mark of sympathy and respect.

4 QUESTIONS RECEIVED PURSUANT TO RULE 4.1.12.2 OF THE CONSTITUTION

The following question submitted on notice by Councillor R. Meirion Jones was put to the Chair:

“Earlier this year the Council in Ceredigion declared that it was encouraging the retention of Welsh names for houses. I feel that we in Anglesey should be doing something similar. I note that the Chief Executive supports the idea and that he raised the matter in the County Language Forum and I have contacted officers. We have now received internal information and from Ceredigion Council. We also know the Planning Bill is before the Assembly at the moment. I would like the Chief Executive to let us know the current situation with regard to this matter and how he sees the way forward to get this done.

The Plaid Cymru Group supports the principle and wants to safeguard our heritage and therefore wishes to see the Isle of Anglesey County Council developing a policy on the matter. I am asking the question on behalf of the Group.”

The Chief Executive said in reply that the Authority is not statutorily empowered with regard to enforcing house names on private residences. Whilst the Authority does have jurisdiction over street names, that does not extend to private houses even though there is a campaign by some Members of the Welsh Government for such a provision to be incorporated within the Planning (Wales) Bill 2014. Many house names on Anglesey are part of the Island's cultural heritage and many can be traced back centuries and carry meaning and purpose. The Authority may currently seek to persuade its citizens to respect, and to not change existing Welsh house names which is the line taken by the Council in Ceredigion. There have been discussions with the Chief Executive and Leader of Ceredigion County Council which has provided this Authority with examples of the pro forma it uses and its policy on the matter.

The Chief Executive recommended in order to progress the matter that firstly, it be referred to the Council's Language Task Group to formulate specific recommendations and policy for moving forwards on the matter to be presented to the relevant committee(s) via the usual democratic channels, and secondly, for the Council to consider subsequently whether it wishes to lend its support to the efforts within the Welsh Government to include within the Planning (Wales) Bill 2014 of a provision to this end, and to make representations to that effect to the Welsh Government.

The Council endorsed the recommendations as a way of progressing the matter.

It was resolved to proceed in accordance with the recommendations of the Chief Executive.

5 PRESENTATION OF PETITIONS

In accordance with Paragraph 4.11 of the Constitution, a petition was submitted by the Leader of the Council on behalf of the pupils of Ysgol Gyfun Llangefni and users of the Golf Course calling upon the Isle of Anglesey County Council to reconsider its decision to close Llangefni Golf Course in April, 2015 and to postpone the closure until at least the end of September, 2015 to allow either the formation of a social enterprise or to identify a purchaser to run the facility as a golf course. The Leader reported that the future of the Llangefni Golf Course is the subject of a report to be considered by the Executive at its forthcoming meeting on the 26th May, 2015.

It was resolved to note that the matter is to be discussed by the Executive at its May meeting.

6 ANNUAL DELIVERY DOCUMENT (IMPROVEMENT PLAN) 2015/16

- The report of the Programme and Business Planning Manager incorporating the Annual Delivery Document for 2015/16 was presented to the Council by the Portfolio Holder for Executive Business, Performance Transformation, Corporate Plan and Human Resources.
- The Portfolio Holder for Executive Business, Performance Transformation, Corporate Plan and Human Resources reported that the Executive at its meeting held on 20th April, 2015 upon consideration of the Annual Delivery Document 2015/16 had resolved –
 - *To authorise the Officers through the Portfolio Holder for Performance Transformation, Corporate Plan and Human Resources to undertake the task of completing the final draft and,*
 - *To recommend the adoption of the Annual Delivery Document for 2015/16 by the full Council at its meeting on 14th May, 2015.*

Councillor Peter Rogers sought clarification of the reference in the Delivery Document to the proposed transfer of the management of Llangefni Golf Course and Driving Range to an alternative management organisation until April 2017 given that a decision on the operation of the Golf Course and Driving Range until 2017 has been made but based on other considerations. The Portfolio Member for Economic Development, Leisure and Tourism responded that the report on the Llangefni Golf course to the Executive on 26th May considers a management model involving the community but which still adheres to the original decision.

It was resolved to adopt the Annual Delivery Document (Improvement Plan) for 2015/16.

7 CHANGES TO THE CONSTITUTION

- The report of the Head of Council Business/Monitoring Officer incorporating proposed new Contract Procedure Rules at Appendix 1 was presented to the Council by the Portfolio Holder for Executive Business, Performance Transformation, Corporate Plan and Human Resources.
- The Portfolio Holder for Executive Business, Performance Transformation, Corporate Plan and Human Resources reported that the Executive at its meeting held on 16th March, 2015 upon consideration of the above had resolved –

To recommend to the full County Council that Council approves the new Contract Procedure Rules and delegates authority to the Monitoring Officer to incorporate the new Contract Procedure Rules (CPRs) into the Constitution.

The Head of Council Business/Monitoring Officer advised that the Council in adopting the new Contract Procedure Rules does so on condition they are not implemented until September, 2015 on account of their being part of a larger programme of change.

Councillor R. Meirion Jones confirmed that questions which he had on the new Contract Procedure Rules had been dealt with in guidance provided by the Head of Council Business and her staff.

Councillor R. Llewelyn Jones sought clarification of para. 4.9.9.2.5. (d) in the new Contract Procedure Rules in terms of the availability of information about tenders under FOI requirements in the interests of openness and transparency.

The Head of Council Business explained that the said paragraph underlines the fact that the public sector is subject to FOI whilst the private sector is not. The provisions within the paragraph apply to those instances wherein the Council tenders with the private sector to deliver a service on its behalf in terms of making it clear to the private sector from the outset that in those circumstances it is subject to the same requirements under the Freedom of Information Act as is the public sector.

It was resolved to approve the new Contract Procedure Rules as at Appendix 1 to the report of the Head of Council Business / Monitoring Officer and to delegate authority to the Monitoring Officer to incorporate the new Contract Procedure Rules within the Constitution with effect from September, 2015.

8 CONSTITUTIONAL CHANGES – AUDIT COMMITTEE TERMS OF REFERENCE

- The report of the Head of Council Business/Monitoring Officer incorporating new terms of reference for the Audit Committee was presented to the Council by the Portfolio Holder for Executive Business, Performance Transformation, Corporate Plan and Human Resources.
- The Portfolio Holder for Executive Business, Performance Transformation, Corporate Plan and Human Resources reported that the Executive at its meeting held on 20th April, 2015 upon consideration of the above had resolved –

To recommend to the full Council that it approves the changes to the Council's Constitution being new terms of reference for the Audit Committee as contained in the Appendix to the report

It was resolved to approve the changes to the Council's Constitution being new terms of reference for the Audit Committee as contained in the appendix to the report of the Head of Council Business/Monitoring Officer.

9 CONSTITUTIONAL CHANGES – POWERS OF THE CHIEF EXECUTIVE

- The report of the Head of Council Business/Monitoring Officer seeking authority to change the Scheme of Delegation was presented to the Council by the Leader.
- The Leader reported that the Executive upon consideration of the above at its meeting held on 20th April, 2015 has resolved –

To recommend to the full Council that:

- *It amends the Constitution to enable the Chief Executive to make structural changes to the Scheme of Delegation to Officers without going through the Executive and full Council*
- *It authorises the Monitoring Officer to implement the change by adding a new paragraph to the Scheme of Delegation in line with Appendix 1, and thereafter to implement any relevant decisions of the Chief Executive.*

It was resolved that the Constitution be amended to enable the Chief Executive to make structural changes to the Scheme of Delegation to Officers without going through the Executive and full Council, and that the Monitoring Officer is authorised to implement the change by adding a new paragraph to the Scheme of Delegation in line with Appendix 1, and thereafter to implement any relevant decisions of the Chief Executive.

10 AUDIT COMMITTEE ANNUAL REPORT 2014/15

The Annual report of Internal Audit for 2014/15 was presented by the Chair of the Audit Committee.

It was resolved to note the report of Internal Audit for 2014/15.

11 STANDARDS COMMITTEE ANNUAL REPORT 2014/15

The Annual Report of the Standards Committee for 2014/15 was presented to the Council by Mr Michael Wilson as Chair of the Standards Committee during 2014/15. The report summarised how the Standards Committee had delivered on its 2014/5 Work Programme and set out its programme of activity for 2015/16.

In response to a request for clarification on actions being taken to bridge the gap between community councils and the County Council at a time when there are greater expectations of the former, the Head of Council Business/Monitoring Officer reported that the focus of the training and development area under the Code of Conduct was focussed in 2014/15 on Town and Community Council clerks. This training was well attended and well received and there is evidence that it has built relationships between the County Council and Community Councils. In 2015/16, a risk based approach will be taken with a view to providing further training to Town Councillors in particular.

The Leader of the Council referred to other provisions for strengthening the relationship and communication between the County Council and town and community councils in the form of a Charter/Memorandum of Understanding, a triannual Forum under the Chairmanship of the Leader of the Council and deriving therefrom, a Focus Group to discuss and consult on wider issues.

It was resolved to note the Programme delivered by the Standards Committee between April, 2014 and May, 2015 as at Enclosure A to the report and to endorse the Standards Committee's Work programme for 2015/16 as outlined at Enclosure B.

12 SCRUTINY ANNUAL REPORT 2014/15

The Annual Report of the Scrutiny Committees for 2014/15 was presented to the Council by Councillor R. Meirion Jones as Chair of the Corporate Scrutiny Committee during 2014/15. The report set out the contribution and challenge provided by Scrutiny through the work programmes of the Corporate Scrutiny Committee and the Partnership and Regeneration Scrutiny Committee during the year.

It was resolved –

- **To note and approve the Scrutiny Committees' Annual Report for 2014/15.**
- **That the Chair of the Corporate Scrutiny Committee be appointed as the Scrutiny Champion from May, 2015 to May 2016 and the Chair of the Partnership and Regeneration Scrutiny Committee from May, 20-16 to May, 2017. Thereafter the role of the Scrutiny Champion to alternate between the two Scrutiny Committee Chairs.**

13 DEMOCRATIC SERVICES ANNUAL REPORT 2014/15

The Annual Report of the Democratic Services Committee for 2014/15 was presented to the Council by Councillor Vaughan Hughes as the Chair of the Committee during 2014/15.

It was resolved to accept the report and to note the matters discussed as part of the Committee's Work programme for 2014/15.

14 THE LEADER OF THE COUNCIL'S ANNUAL REPORT

The Annual Report for 2014/15 by the Leader of the Council was presented to the Council. The report based on the Council's corporate self-assessment delineated the Council's achievements during the year along with areas for further improvement, and also chartered the progress made against the intentions of the Independent Manifesto.

The Leader in concluding his report paid tribute to the Chief Executive who would be retiring at the end of May, 2015 and referred to the high esteem in which he was held both within and without the Isle of Anglesey. Those sentiments were echoed by Members of the Council who spoke of the Chief Executive's integrity, courtesy, professionalism and exemplary record in post. Appreciation

was also expressed to Councillor R.G. Parry, OBE who was standing down as Leader of the Opposition Group for his contribution in that role.

Members were given the opportunity to ask questions arising from the contents of the report and comments seeking clarification of the status of certain aspects of the Council's work and projects were made to which the Leader responded.

It was resolved to accept the Annual Report of the Leader of the Council 2014/15 and to note its contents.

15 EXCLUSION OF THE PRESS AND PUBLIC

It was considered and resolved under the provisions of Section 100(A) (4) of the Local Government Act 1972 to exclude the press and public from the meeting for the discussion of the matter below as it involved the disclosure of exempt information as defined in Schedule 12A of the said Act and in the Public Interest Test presented.

16 RESTRUCTURING THE SENIOR LEADERSHIP TEAM

- The recommendations of the Appointments Committee from its meeting held on 1 May, 2015 with regard to the above were presented.
- The report of the Chief Executive was presented to the Council. The report incorporated revised recommendations for moving forwards with the restructuring of the Senior Leadership Team subsequent to responses received as part of the consultation on the original preferred Option 4, and based on the deliberations of, and recommendations made by the Appointments Committee above.

Following consideration of the report and a discussion thereon, an amendment to the recommendations was put forward to the effect that consideration be given to re-designating the job titles of the two new posts of Assistant Chief Executive proposed as part of the revised SLT structure. In the subsequent vote on the matter, the amendment lost by 16 votes to 10. In a second vote, the original proposals were carried.

It was resolved –

- **To approve the recommendations of the report of the Chief Executive as presented.**
- **That authority is given to the Monitoring Officer to amend the Council's Constitution upon completion of the appointments process / when the appointees take up the post (whichever is later) to reflect the new management structure.**
- **That the appointments to the two new Assistant Chief Executive posts be made by full Council following the receipt of the Appointments Committee's recommendations regarding preferred candidates.**

17 EXCLUSION OF THE PRESS AND PUBLIC

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 may involve the disclosure of exempt information as defined in Schedule 12A of the said Act and in the attached Public Interest Test."

It was RESOLVED to adopt the above.

18 JOB EVALUATION IMPLEMENTATION AND EQUAL PAY

- To submit the report of the Head of Profession Human Resources.

Advice note to re-affirm the risks associated with the implementation of Single Status, and a summary of the recommendations circulated to all. Both documents were collected at the end of the meeting.

The Council Leader proposed that the Council approve the recommendations contained within the summary circulated. Councillor Alwyn Rowlands seconded the proposal.

Cllr Hywel Eifion Jones suggested a recorded vote in line with the process adopted at full Council on the 7th April 2015.

The following voted in favour:

Kenneth P Hughes, Richard A Dew, Alwyn Rowlands, Vaughan Hughes, Jim Evans, Aled Morris Jones, William T Hughes, Derlwyn Hughes, Raymond Jones, Robert Llewelyn Jones, Peter Rogers, Gwilym O Jones, Meirion Jones, Dylan Rees, Ann Griffith, Carwyn Jones, John Griffith.

The following voted against:

No members voted against.

The following did not vote in view of dispensation:

Robert G Parry OBE, Alun Mummery, Lewis Davies, Llinos Medi Huws, Jeffrey M Evans, Dafydd Rhys Thomas, Richard O Jones, Trefor Lloyd Hughes, Hywel Eifion Jones, Ieuan Williams, J Arwel Roberts.

It was RESOLVED to approve the recommendations as outlined in the summary document.

At the beginning of the Council meeting, a request was made to postpone agreement of the minutes of the meeting convened on 7th April 2015. The Head of Function Council Business / Monitoring Officer made reference to the need for the draft minutes of the meeting to be considered by the external solicitors who are advising the Council in relation to the Single Status and had requested Members postpone their approval of the minutes in order to enable officers to consult with the Council's external legal advisers. It was proposed to delay agreement of the minutes until the next meeting.

It was RESOLVED to postpone a decision regarding the minutes of the 7th April 2015 until next full Council.

**Councillor Vaughan Hughes
Chair**