
THE COUNCIL 22/10/09

Present: Councillor Anne Lloyd Jones (Chair)
Councillor W Tudor Owen (Vice-chair)

Councillors: Stephen Churchman, Anwen Davies, E T Dogan, Dyfed Edwards, Dylan Edwards, Elwyn Edwards, Trefor Edwards, T G Ellis, Alan Jones Evans, Alun Wyn Evans, Jean Forsyth, Simon Glyn, Keith Greenly-Jones, Gwen Griffith, Margaret Griffith, Selwyn Griffiths, Alwyn Gruffydd, Siân Gwennllian, Dafydd Ll Hughes, Huw Hughes, Louise Hughes, O P Huws, Aeron M Jones, Brian Jones, Charles Wyn Jones, Dai Rees Jones, Eric Merfyn Jones, John Gwilym Jones, John Wynn Jones, R L Jones, W Penri Jones, Eryl Jones-Williams, P.G.Larsen, Dewi Llewelyn, Dewi Lewis, Dilwyn Lloyd, Keith Marshall, J Wynn Meredith, Llinos Merks, Linda Morgan, Dewi Owen, W Roy Owen, Arwel Pierce, Peter Read, Dafydd Roberts, Caerwyn Roberts, Glyn Roberts, Gwilym Euros Roberts, Ieuan Roberts, John Pughe Roberts, Liz Saville Roberts, Sion Roberts, Trevor Roberts, W Gareth Roberts, Dyfrig Siencyn, Ioan Thomas, Guto Rhys Tomos, Ann Williams, Gethin Glyn Williams, Gwilym Williams, J.W.Williams, Owain Williams, R H Wyn Williams and Robert J Wright.

Also present: Harry Thomas (Chief Executive), Dilwyn Williams, Iwan Trefor Jones and Dafydd Lewis (Corporate Directors), Dafydd Edwards (Head of Finance Department), Dilys Phillips (Monitoring Officer / Head of Democracy and Legal Department), Arwel Ellis Jones (Senior Performance and Scrutiny Manager), Iwan Evans (Legal Services Manager), Rhun ap Gareth (Solicitor), Geraint George (Head of Strategic and Improvement Department), Aled Davies (Head of Regulatory Department), Gruffydd Wyn Morris (Planning Service Manager), Gareth Jones (Senior Officer – Planning, Minerals and Waste), Gwyn Morris Jones (Head of Highways and Municipal Department), Dewi Jones (Head of Education Department), Stephen Barnard (Human Resources Policy Manager) and Eleri Parry (Senior Committee Officer).

Apologies: Councillors Bob Anderson, Huw Edwards, Christopher Hughes, Sylvia Humphreys, Dyfrig Wynn Jones, Evie Morgan Jones, J.R. Jones, Linda Wyn Jones and June Marshall.

1 PRAYER

The meeting was opened with a prayer from Councillor Dafydd W Roberts.

2 MINUTES

The Chair signed the minutes of the previous Council meeting held on 16 July 2009 as a true record.

3. DECLARATION OF PERSONAL INTEREST

- (i) The following members declared a personal interest in the following items for the reasons noted:-
- Councillor Aeron Maldwyn Jones in the item relating to Appointing an Independent Member to the Standards Committee, as Mr Gwyn Williams, the person recommended to be appointed, was his cousin;
 - Councillor Dilwyn Lloyd in the item relating to Members' Allowances, as he was the Chairman of the Complaints Committee;
 - Councillor Glyn Roberts in the item relating to Members' Allowances, as he was the Vice-chairman of the Complaints Committee;

- Councillor Dafydd Lloyd Hughes in the item relating to the Corporate Asset Strategy 2009/10 – 2018/19 – Day Centres Learning Disability and Residential Homes Learning Disability as he was a community nurse and worked with people with learning disabilities;
- Councillor Dewi Lewis in the item relating to planning application number C09D/0108/44/R4 – Unit 2, Penamser Industrial Estate, Porthmadog, as a speaker on behalf of the objectors was a prominent member of his staff;
- Councillor Dylan Edwards in the item relating to planning application number C09D/0108/44/R4 – Unit 2, Penamser Industrial Estate, Porthmadog, as his wife's cousin lived near the site.

The members were of the opinion that they were prejudicial interests, and they withdrew from the meeting during the discussions on those items.

(ii) The following members declared a personal interest in the following items for the reasons noted:-

- Councillor Eryl Jones-Williams in all matters relating to Home Care and Council housing as his wife received care and as he was a Council tenant;
- Councillor Dai Rees Jones in the item relating to the Corporate Asset Strategy 2009/10 – 2018/19, as he represented the Council on the Board of the Abbey Road Centre, Bangor.

The members were of the opinion that they were not prejudicial interests, and they did not withdraw from the meeting during the discussions on those items.

(iii) The Monitoring Officer / Head of Democracy and Legal Department declared a personal interest for herself, and on behalf of the Corporate Directors and Heads of Department, in the item relating to the Savings Strategy – Restructuring, as the pay policy for senior managers affected them. They withdrew from the meeting during the discussions on this item.

4 CHAIR'S ANNOUNCEMENTS

(a) Regards and best wishes were relayed to those who were absent due to ill-health and they were wished a speedy recovery.

(b) Condolences were expressed to the following members:-

- Councillor Glyn Roberts and his family on the loss of his young grandson in very sad circumstances;
- Councillor Trevor Roberts on the loss of his mother and Councillor Stephen Churchman on the loss of his mother.

Also, condolences were expressed to everyone else who had lost loved ones recently and the Council stood in silence as a mark of respect and sympathy.

(c) The following were congratulated:-

- The Executive Committee of Eisteddfod Meirion a'r Cyffiniau on the success of the National Eisteddfod;
- Everyone from Gwynedd who had been successful in the National Eisteddfod;
- Gwynedd school pupils on their recent success in their examinations – along with the teachers who had been guiding them.

- (ch) As part of the process of adopting the Savings Strategy for the Council for 2010-13, it was noted that a series of workshops would be held for all Council members on 2 and 5 November so as to ensure consultation with all Council members regarding the options submitted by heads of department to meet their quantum.

It was emphasised that it was very important for all members to attend one of the sessions so as to ensure input from the majority of the members into this step, and members were asked to respond to the letter that invited them to attend the workshops.

The Chair was very warmly congratulated by the Vice-chair on becoming a grandmother of twins recently – two little girls called Emily Haf and Chloe Angharad.

5 QUESTIONS

(i) Question by Councillor John Wyn Meredith

"Having considered all of the collection costs, what is the profit being made by the Council from the garden waste being collected weekly in the brown bins throughout the County."

Response from Councillor Gareth Roberts, Senior Leader – Environment

"Thank you for the question.

Firstly, and as a matter of correctness, it should be noted that the Council does not collect garden waste on a weekly basis but at fortnightly intervals or on alternate weeks to the residual waste (green bins) in the Dwyfor and Meirionnydd Areas (Arfon Area in January).

Approximately 15% of household waste is garden waste. This waste is biodegradable and therefore subject to statutory restrictions when disposed of by landfill. This restriction, i.e. the 'Biodegradable Municipal Waste Allowance' reduces significantly every year. If the Council failed to keep within its set allowance then substantial infraction fines, of at least £200 per tonne over its allowance, would have to be met by the Council.

As a consequence, it is necessary for the Council to collect and treat garden waste, in addition to food waste, for the purpose of ensuring that it is not disposed of by landfill.

In Gwynedd, garden and food waste (brown bin) is made into compost either at our In-Vessel Composting facility at Ffridd Rasus, Harlech or at a similar facility at Penhesgyn, Anglesey (a partnership enterprise with Isle of Anglesey County Council and Conwy Council).

Gwynedd's composting facility at Harlech has very recently received full (DEFRA) accreditation to produce compost of the highest standard (PAS100) from garden and food waste. The Highways and Municipal Department is currently establishing markets for the produce (in order to generate income) and has already received several expressions of interest for the compost. It is anticipated that the facility at Penhesgyn, once full accreditation has been attained, will be able to market its compost next year.

The Council, therefore, does not currently make a profit from the collection of garden waste but does so in order to avoid escalating landfill costs; landfill tax costs and, more

importantly, in order to avoid substantial financial penalties on the Council which would accrue if it were not collected.

It should be noted that a comprehensive report on 'Achieving the Waste Strategy' is to be presented to the Environment Scrutiny Committee on 3 December 2009 which will then receive the attention of the Council at its meeting of 25 February, 2010."

6 APPOINTMENT OF INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE

Submitted – the report of the Monitoring Officer on the appointment of an additional independent member to serve on Gwynedd Council's Standards Committee.

It was reported that the Council, in May 2009, had decided to increase the number of independent members on the committee from 4 to 5, that a Consultative Panel had considered the applications received and had submitted a recommendation to the full Council.

RESOLVED to appoint Mr Gwyn Williams as an independent member on Gwynedd Council's Standards Committee, to serve for six years.

7 MEMBERS' ALLOWANCES

Submitted – the report of the Head of Democracy and Legal Department on restoring the allowance for the Chairman of the Complaints Committee.

It was reported that the Council, in May 2009, had adopted a new allowance scheme and that the Complaints Committee had been inadvertently omitted from the list of committees that were eligible to attract an allowance for the Chairman. As a result, the allowance had been withheld and the Council was asked to rectify the situation and restore the allowance for the Chairman of the Complaints Committee.

RESOLVED to amend clause 4.1.5 of the Allowance Scheme by including the Complaints Committee as one of the committees which attracts an allowance for the Chairman, to be backdated to the beginning of the financial year.

8 SCRUTINY OF CRIME AND DISORDER FUNCTIONS

Submitted – the report of the Head of Democracy and Legal Department, on extending the remit of the Care Scrutiny Committee to include statutory crime and disorder functions.

As a result of new legislation, it was reported that the Council needed to have a scrutiny committee to address crime and disorder matters. As part of the changes, the Council would scrutinise the work of the Community Safety Partnership and the matters arising at that Partnership.

It was explained that the duties were closely related to the remit of the Care Scrutiny Committee, that the committee had considered adding the duties to its remit, and had recommended that the Council extended its remit to include the scrutiny of crime and disorder functions and to extend the membership of the committee.

RESOLVED

- (a) (i) To extend the remit of the Care Scrutiny Committee to include the statutory function of scrutinising crime and disorder matters, and to convene for this purpose at least once a year;
- (ii) To invite a Councillor who represents Gwynedd on the Police Authority to meetings of the committee as an observer;
- (iii) To co-opt two additional members (without a vote) on to the committee, one to represent North Wales Police and the other to represent the local health board.
- (b) To authorise the Monitoring Officer to make resulting amendments to the Council's Constitution.

9 AMENDING THE DELEGATION SCHEME FOR OFFICERS

Submitted – the report of the Head of Democracy and Legal Department on adding delegated powers to the North Wales Trunk Road Agency Manager.

It was reported that Gwynedd Council was responsible for administering the North Wales Trunk Road Agency on behalf of the Assembly, in partnership with other Councils in the north.

The functions relating to the operation of the agency had been delegated to the Strategic Director – Environment in the former delegation scheme, however, when the Council's structure was changed, the functions had not been delegated forward to an officer under the new structure.

It was now necessary to nominate individual officers to serve as Traffic Officers under the Traffic Management Act 2004 on the trunk road network across north Wales. It was believed that the Agency Manager was the most appropriate officer to undertake the functions.

RESOLVED to amend the Delegation Scheme for Officers by adding the following clauses:

“4.7 North Wales Trunk Road Agency Manager

4.7.1 To act on a day to day basis, within the scheme, and under the direction of the Agency Board, to carry out the functions of North Wales Trunk Road Agency

4.7.2 To appoint traffic officers under section 2 of the Traffic Management Act 2004.”

10 CO-OPTED MEMBERS ON THE CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

Submitted – the report of the Head of Democracy and Legal Department regarding appointing an extra co-opted member onto the Children and Young People Scrutiny Committee.

It was reported that the number of representatives that the county's Teachers' Unions Forum had on the Children and Young People Scrutiny Committee had reduced in recent years. An application from the Forum to increase its number of representatives on the scrutiny committee was considered and it was recommended for the Council to increase representation from one to two.

RESOLVED to co-opt one extra member (without voting rights) to represent the county's Teachers' Forum on the Children and Young People Scrutiny Committee thereby increasing the unions' representation from one to two.

11 WALES ILLEGAL MONEY LENDING UNIT

Submitted – the report of the Head of Democracy and Legal Department and the Head of Regulatory Department on arrangements to allow the Illegal Money Lending Unit to act in Gwynedd.

It was reported that the primary legislation relating to the credit industry had been delegated to the Head of Regulatory Department in Gwynedd, and the enforcement of the Act had been authorised by him to officers in the Trading Standards Unit.

Following successful pilot projects to investigate illegal money lending activity and prosecute offenders, Wales had managed to obtain money for funding the project.

Cardiff City Council had been selected to lead on the project and the Unit was eager to extend its activities across the whole of Wales. In order to extend the activities to Gwynedd, the officers would need to be authorised appropriately and arrange to transfer the processes to Cardiff City Council as the lead authority.

RESOLVED to establish an agreement with Cardiff City Council, in accordance with Section 101 of the Local Government Act 1972, sections 19 and 32 of the Local Government Act 2000 and Regulation 15 of the Local Authorities (Alternative Arrangements) (Wales) Regulations 2007 for the discharge of the function of enforcement of Part III of the Consumer Credit Act 1974 within Gwynedd by Cardiff City Council.

12 NORTH WALES REGIONAL TRANSPORT PLAN AND THE MID WALES REGIONAL TRANSPORT PLAN

Submitted – the report of the Head of Regulatory Department on the North Wales Transport Plan and the Mid Wales Regional Transport Plan for adoption by the Council.

It was reported that local authorities were duty bound to produce local transport plans. The six north Wales authorities, which were part of the TAITH transport consortium, had collaborated to produce a north Wales plan, and the three mid Wales authorities, which were part of the TraCC consortium had collaborated on a plan in mid Wales.

It was noted that the Council Board had addressed the plans and had recommended that the Council should adopt them.

A member noted disappointment because the upgrading of the Conwy Valley Railway was not included in the plans.

RESOLVED

- (i) to adopt the North Wales Regional Transport Plan and the Mid Wales Regional Transport Plan;**
- (ii) to inform TraCC of the Council's disappointment as the upgrading of the Conwy Valley Railway is not included in the plans, and to ask them to prioritise the development of the railway and to integrate it with the north Wales coastal railway.**

13 CORPORATE ASSET STRATEGY 2009/10 – 2018/19

Submitted – the report of Dilwyn Williams, Corporate Director, on the Council's Corporate Asset Strategy, for adoption by the Council.

The Scheme would prioritise all capital requirements that were likely to fall on the Council against the resources that were likely to be available.

It was based on the current financial allocation received from the Assembly and the Scheme would need to be revisited in the future as a result of the likely reduction in the capital allocation of local authorities in following years.

The District Auditor was of the opinion that the Council, by means of the document, could respond to the shortcoming in the asset management strategy, and was likely to be able to satisfy the demands of users should the procedure receive sufficient funding and should political support be given to the process.

It was further noted:–

- that the Council's approval of the scheme would authorise officers to proceed to deal with the property included in the programme without having to refer the individual matters to the area committees for a decision;
- that assets relating to schools was a separate issue that was being addressed under the Council's Schools Strategy, and that disposing of schools or school sites was being reported to appropriate area committees with members receiving input into the process by means of the area committees;
- that individual members would also participate in full in the process as it disposed of assets in their wards. It was noted that local members had a lot to contribute to the process as they possessed valuable local knowledge.

It was noted that the Principal Scrutiny Committee and the Board had recommended for the Council to adopt the Strategy. Also, approval had been given to using the £118,674 from capital receipts in order to employ a temporary surveyor on a three year contract in order to speed-up the process of selling the Council's assets.

The Corporate Director expanded upon individual headings in response to members' enquiries.

In response to an enquiry regarding the selling price of Ysbyty Bron y Garth, Dilwyn Williams, Corporate Director, explained that he did not have the details at hand and he vowed to send the information to all Council members following the meeting.

RESOLVED to adopt the Corporate Asset Strategy.

14 THE COUNCIL'S THREE YEAR PLAN (PART 2)

Submitted – the report of the Head of Strategic and Improvement Department on the Three Year Plan (Part 2) to be adopted by the Council.

In addition to the information included within the full Three Year Plan, there was a need to report on an annual basis on the Council's performance on the main improvements and indicators.

Details were presented in relation to the Council's performance on all improvements and indicators of the Three Year Plan at the end of 2008-09.

The individual scrutiny committees had considered the performance against the improvements and indicators already and the Principal Scrutiny Committee had considered and challenged the content of the report in order to ensure that there was a true picture of the Council's performance on the Three Year Plan matters.

Also, the Board had addressed the Plan and had approved the document as a true and fair reflection of the Council's performance against its main improvements and indicators during 2008/09 and had recommended to the full Council to adopt the Plan.

The Leader emphasised that there was room to take pride in the Council's performance during a difficult period and he thanked staff and members for their contribution to the work.

In response to an enquiry, the Chief Executive explained that there were threats to the Council because of the latest financial position and that it was likely that there would be a need to revisit the ambition, indicators and targets in the Three Year Plan.

RESOLVED

- (a) to approve and adopt the document as a true and fair reflection of the Council's performance against its main improvements and indicators during 2008/09.**
- (b) to authorise the Head of Strategic and Improvement Department to make any corrections, additions and editorial changes required to the document before publication.**

15 REVISION OF THE COUNCIL'S VALUES

Submitted – the report of the Chief Executive on adopting the Council's values.

It was reported that reviewing the Council's values was one element of the programme to change the Council's culture, that was included in the Three Year Plan.

Research showed that the current values were not known or live and that there was agreement that firm and live values should be obtained for the Council.

Suggestions had been gathered by elected members, staff and citizens and they had been used as basis for the proposals of the Values Working Group that were included in the report.

The proposals established the aim of achieving the best for the people of Gwynedd now and in the future, and were based on placing emphasis on serving; being positive; showing respect; working as a team and value for money.

It was noted that the Board had addressed the matter and had recommended the values to the Council.

The Chief Executive thanked everyone who had been associated with the work. It was emphasised that it was important that the values were live and that it was intended to put arrangements in place to ensure that the Council lived the values.

RESOLVED to adopt the proposals and their aim as the Council's values.

16 GWYNEDD LOCAL HOUSING STRATEGY 2009-2012

Submitted – the report of Dafydd Lewis, Corporate Director, on the Gwynedd Local Housing Strategy and the Action Plan 2009-2012 for adoption by the Council.

It was reported that the Council needed to produce a Local Housing Strategy that assessed current housing needs and the area's specific needs, planned for addressing those needs, and present the strategy to the Assembly Government.

The strategic direction of the housing situation across Gwynedd for the next three years and beyond was summarised in the document. It was noted that there were many strategies within the document that had already been approved by members.

After transferring the housing stock to Gwynedd Community Homes, the Council would continue to undertake its statutory duties, and there would be a need to ensure that robust arrangements were in place in order to undertake the housing functions that would be retained.

Gwynedd Housing Partnership had been established to act on a number of strategic themes within the Strategy's Action Plan.

It was noted that the Board had recommended to the Council to adopt the Strategy and the Action Plan prior to their submission to the Assembly.

The Corporate Director expanded upon specific issues in response to members' enquiries.

RESOLVED to adopt the Gwynedd Local Housing Strategy and the 2009-2012 Action Plan, for submission to the Assembly Government.

17 SAVINGS STRATEGY – RESTRUCTURING

- (a) Submitted:-
 - (i) The report of the Chief Executive on introducing a pay policy for senior managers;
 - (ii) An independent report from the Hay Group on the Chief Officer Job Evaluation Review;
- (b) The Leader of the Council set out the background and context of the report;
- (c) The Chief Executive gave a PowerPoint presentation in order to ensure clarity regarding aspects of the report.
- (ch) The recommendations in the report were proposed and seconded.
- (d) An amendment to defer a decision, and to review the situation in three years when more information and clarity would be available regarding the Council's financial position, was proposed and seconded.

The proposer explained that he was eager for the Council to defer the matter because of the Council's critical position, which was facing three years of substantial savings that would result in disposing of assets, staff redundancies and cutting services. Furthermore, he noted that the Council's position in three years was unclear and uncertain.

The observations of members who wished to defer making a decision on the matter, were noted as follows:-

- that Council staff were losing their jobs because of cuts, and increasing the salaries of senior managers would have a serious impact on the morale and goodwill of staff;
 - that a number of ratepayers were merely scraping by and were concerned about losing their jobs, and increasing the salaries of senior managers by up to 11% would infuriate the public and show a lack of sensitivity to the situation of many of the county's residents;
 - that services were under threat, and increasing the salaries of senior managers would be disastrous in terms of the perception and goodwill of the ratepayers;
 - that there had been a substantial change in the Council's financial position since the beginning of the process and that the future was very uncertain;
 - that prominent politicians in Westminster had called for the salaries of senior managers in local authorities to be frozen, and that we should not act contrary to that opinion.
- (e) The Portfolio Leader – Human Resources reported that he had changed his mind regarding the pay policy and he was unwilling to propose the recommendations before the Council.

Following the reorganisation of the Council's senior management in December 2008, so as to realise savings, the member explained that he had agreed to commission an independent review of the terms and conditions of the Council's senior managers – on the understanding that there would be no exigency to act following the review.

After the Hay report had been published in September, he had received legal advice that he should support the pay policy, and he had agreed to that.

Nevertheless, following announcements at the beginning of October regarding the closure of five schools in Bro Dysynni, increasing the price of school dinners, charging a travelling fee to sixth form pupils and increasing the fees for non-residential care, he explained that he had decided that it was not possible for him to support the policy any more and that the proposals should not be submitted to the Council.

He pressed on the Council to defer a decision on the matter until the situation would be clearer.

In accordance with procedural rule 19(6), the following vote was recorded to defer a decision, and to review the situation in three years when more information and clarity would be available regarding the Council's financial position.

For: (31) Councillors Anwen Davies, Trefor Edwards, T G Ellis, Alan Jones Evans, Simon Glyn, Keith Greenly-Jones, Gwen Griffith, Alwyn Gruffydd, Dafydd Ll Hughes, Louise Hughes, Aeron M Jones, Brian Jones, Eric Merfyn Jones, Eryl Jones-Williams, Dilwyn Lloyd, Keith Marshall, Llinos Merks, Dewi Owen, W Roy Owen, Arwel Pierce, Peter Read, Dafydd

Roberts, Gwilym Euros Roberts, John Pughe Roberts, Sion Roberts, Trevor Roberts, Guto Rhys Tomos, Gethin Glyn Williams, Gwilym Williams, Owain Williams and Robert J Wright.

Against: (35) Councillors Stephen Churchman, E T Dogan, Dyfed Edwards, Dylan Edwards, Elwyn Edwards, Alun Wyn Evans, Jean Forsyth, Margaret Griffith, Selwyn Griffiths, Siân Gwenllïan, Huw Hughes, O P Huws, Anne Lloyd Jones, Charles Wyn Jones, Dai Rees Jones, John Gwilym Jones, John Wynn Jones, R L Jones, W Penri Jones, P.G. Larsen, Dewi Llewelyn, Dewi Lewis, J Wynn Meredith, Linda Morgan, W Tudor Owen, Caerwyn Roberts, Glyn Roberts, Ieuan Roberts, Liz Saville Roberts, W Gareth Roberts, Dyfrig Siencyn, Ioan Thomas, Ann Williams, J.W.Williams and R H Wyn Williams.

Abstentions (0)

The Chair reported that the amendment had failed.

- (g) With the agreement of the proposer and seconder of the original recommendation, an amendment was received that the recommendations in clauses 5.1-5.4 of the Chief Executive's report would take place over a two year period, as from 1 April 2009.

The proposer noted that he was certain that the Council had legal commitments and duties in terms of paying officers who received additional responsibilities as a result of restructuring and that there were other risks by not taking action.

The following observations were noted to support the recommendations and implement them over a period of two years:-

- that the corporate restructuring would make it easier to create opportunities for further savings, and that the only other way of achieving the savings would be to cut frontline services;
- that the proposed policy was an example of investing to save and represented value for money with an investment of £40,000 leading to savings of £1m.
- that the Hay Group report that had been commissioned to identify additional responsibilities within the existing pay structure had noted a shortcoming in terms of not having appropriate salaries for senior managers;
- that there was a risk in terms of failing to retain and attract senior managers, if the proposed changes were not implemented;
- that there were numerous risks associated with not taking action, namely contractual problems as senior managers had received additional responsibilities, difficulties relating to equality and equal opportunities should the current pay arrangements be adhered to;
- that the senior managers had accepted the additional responsibilities on the understanding that they would be treated fairly;
- that the Council had addressed equal pay for other Council staff and that the entire workforce needed to be treated consistently;
- should the recommendations be approved, the Council would continue to provide senior management for the lowest cost in north Wales and it would be below the average for all Welsh Councils.

In accordance with procedural rule 19 (6), the following vote was recorded to approve the recommendations outlined in clauses 5.1-5.4 of the Chief Executive's report, and that the recommendations took place over two years from 1 April 2009.

For: (37) Councillors Stephen Churchman, E T Dogan, Dyfed Edwards, Dylan Edwards, Elwyn Edwards, Alan Jones Evans, Alun Wyn Evans, Jean Forsyth, Margaret Griffith, Selwyn Griffiths, Siân Gwenllïan, Huw Hughes, O P Huws, Anne Lloyd Jones, Charles Wyn Jones, Dai Rees Jones, John Gwilym Jones, John Wynn Jones, R L Jones, W Penri Jones, P.G. Larsen, Dewi Llewelyn, Dewi Lewis, J Wynn Meredith, Linda Morgan, W Tudor Owen, Caerwyn Roberts, Glyn Roberts, Ieuan Roberts, Liz Saville Roberts, W Gareth Roberts, Dyfrig Siencyn, Ioan Thomas, Guto Rhys Tomos, Ann Williams, J.W.Williams and R H Wyn Williams.

Against: (29) Councillors Anwen Davies, Trefor Edwards, T G Ellis, Simon Glyn, Keith Greenly-Jones, Gwen Griffith, Alwyn Gruffydd, Dafydd Ll Hughes, Louise Hughes, Aeron M Jones, Brian Jones, Eric Merfyn Jones, Eryl Jones-Williams, Dilwyn Lloyd, Keith Marshall, Llinos Merks, Dewi Owen, W Roy Owen, Arwel Pierce, Peter Read, Dafydd Roberts, Gwilym Euros Roberts, John Pughe Roberts, Sion Roberts, Trevor Roberts, Gethin Glyn Williams, Gwilym Williams, Owain Williams and Robert J Wright.

Abstentions (0)

RESOLVED

- (i) to approve recommendations 5.1 to 5.4 of the Chief Executive's report to take place over two years as from 1 April 2009, in accordance with the details in the table below:-

Job Level	Role	Current Salary	Proposed Salary	Salary Cost to Maximum
2	Corporate Director	83,121	83,121	0
3	Head of Social Services Department	68,598	72,200	3,602
	Head of Education Department	65,169	72,200	7,031
4	Head of Highways and Municipal Department	65,169	65,169	0
	Head of Finance Department	65,169	65,169	0
	Head of Customer Care Department	58,311	65,169	6,858
	Head of Regulatory Department	58,311	65,169	6,858
	Head of Economy and Community Department	58,311	65,169	6,858
	Head of Provider and Leisure Department	61,740	65,169	3,429
	Head of Human Resources Department	61,740	65,169	3,429
	Head of Strategic and Improvement Department	61,740	65,169	3,429
	Head of Democracy and Legal Department	65,169	65,169	0

5	Head of Gwynedd Consultancy Department	58,311	58,311	0
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- (ii) that those post holders receiving an increase are assimilated at the maximum of the new scale;
- (iii) that the total cost of the salary increases at £41,494 plus the associated salary oncosts be financed from the authority's contingency budget;
- (iv) that the Council conducts periodic pay reviews to ensure the currency of its pay policy for senior managers.

18 REFERENCE UP IN ACCORDANCE WITH PROCEDURAL RULE 21

- (A) Submitted, for information
 - (i) that the appropriate number of members had given written warning that they wished to refer Application C09D/0108/44/R4, namely, the application of Penamser Industrial Estate, Porthmadog from the Central Planning Committee held on 8 September 2009 to the full Council;
 - (ii) that the Dwyfor Planning Committee had refused the application on the grounds of noise and pollution, that the matter had been called to the centre, and that the Central Planning Committee had resolved as follows:-

RESOLVED

- a) To approve the development with the following conditions to ensure appropriate planning control in the following areas -
 - i) Compliance with the details and plans of the application but need to submit by means of a planning condition, the full details of the loading and unloading equipment including the location, design and type of structure to enclose the loading/unloading site and any machinery used for this purpose.
 - ii) Control noise emissions -
 - It is estimated that the number of lorries will be approximately six loads per day, with only one load per day for transporting glass (approximately six loads of glass per week).
 - As a result, one lorry per week will be required to transport the glass collections off the site, and this activity is to be carried out at the rear of the building.
 - Need to agree on operational measures to ensure that any loading/unloading of materials takes place over the briefest period of time possible.
 - Bay 4 and 5 only for stockpiling cans and glass
 - Need a condition to control, measure and monitor the maximum level of noise when loading and unloading glass and cans takes place. Take steps to monitor noise levels when loading / unloading for a trial period of one year.
 - iii) Working hours to be between 7:00 and 18:00 – Monday to Saturday and no working on Sundays, however, the hours for loading / unloading glass and cans to be restricted as follows -
 - No loading / unloading between 7:00am and 9:00am Monday to Friday
 - No loading / unloading between 5:00pm and 7:00pm Monday to Friday
 - Loading / unloading only between 9:00am and 1:00pm on Saturdays
 - iv) Only dry recycling goods are permitted, namely, paper, glass, plastics, cans and cardboard. Transporting food waste to the site is not permitted.
 - v) No storage or sorting of waste materials or skips outside the building.
 - vi) Ensure no water contamination.

- vii) **Restrict loading / unloading to the rear of the site and no loading or unloading materials through the door at the side of the building which faces the A497 highway and the nearby housing estate.**
- vii) **No changes to the building's external elevations without consent.**
- ix) **Disposal of surface and foul water separately from the site.**
- x) **Erection of a canopy over the area where the lorries are loaded / unloaded.**
- xi) **That the doors of the building are to be closed when the lorries are loaded / unloaded.**
- xii) **No cleaning or processing on the site.**
- xii) **That mature trees are to be planted at the side of the site facing the A497.**
- xiv) **That consideration is to be given to installing reversing alarms on the lorries (white noise alarms)**
- b) **To submit a monitoring report to the Dwyfor Area Committee in six months and then within a year.**

- (B) Submitted – the report of the Head of Regulatory Department that included all relevant information that had been received since the application had been submitted, including a list of the most recent relevant planning policies following the adoption of the UDP, along with full planning conditions.
- (C) A visual presentation of the site and surrounding area and a summary of the application and the use of the building were provided by the Planning Service Manager.
 - (i) It was reported that the application was to use the existing building to allow the storage, sorting and transfer of recycled materials together with existing storage and office use. It was emphasised that there was no intention to transport, sort or transfer perishable waste on the site. The loading and unloading site had been located on the estate side of the building so that it would not face the Awel y Grug housing estate or the A497 highway.
 - (ii) It was explained that the application had been submitted by the Council, with the intention of reaching recycling and promoting the relevant policies of the Unitary Development Plan to reduce landfill waste and that the application conformed to a number of other policies in the UDP. In addition, it was in accordance with national policies in terms of using industrial estates for initiatives such as this.
 - (iii) It was noted that the observations received as part of the consultation process had been replied to. Nearby residents and businesses had expressed concerns regarding pollution and noise, and that the Central Planning Committee had imposed conditions to manage noise, prevent water contamination, manage the use of the site, etc. – in order to mitigate concerns and alleviate the impact on the residential amenities of the nearby residents and businesses.

The Manager emphasised that a planning application should not be refused if it was possible to make it acceptable with conditions.

- (CH) The Monitoring Officer explained that members of the Central Planning Committee and the Dwyfor Area Committee were entitled to participate in the discussion and vote regarding the matter.
- (D) The decision of the Central Planning Committee was proposed and seconded. The proposer emphasised that the application had been addressed thoroughly and that it was included within the planning and recycling frameworks. Furthermore, the Central Planning Committee had imposed very strict conditions to manage the situation and the

Dwyfor Area Committee had requested regular monitoring reports in order to ensure compliance with the conditions.

- (DD) The local member reported that he objected to the application and that he was eager to protect the interests of the local community. He noted that the members for the Porthmadog area, and Porthmadog Town Council, objected to the application and that the vast majority of the Dwyfor Planning Committee had refused the application. He emphasised that local businesses, along with nearby residents, were very concerned regarding the proposal, and he expressed discontent regarding the insufficient consultation.

He explained that he was of the opinion that the application did not conform to a number of the policies, namely, policies relating to waste management facilities, a development that could cause pollution, employment, noise and amenities. Also, it was contrary to national noise and waste policies.

The member accepted that there was a need for such a development, however, he had been given to understand that the site was too small and that it would only have a very limited lifespan. He was not convinced that sufficient research had been undertaken so as to identify a more suitable site that would be useful to the Council for many years to come.

Other members noted that they were also dubious regarding the validity of the application in relation to many local and national policies.

- (E) The officers replied to the members' observations.

Members were reminded of the officers' professional opinion, namely that the decision was in accordance with the relevant planning policies of the Unitary Development Plan, in addition to regional and national planning guidance, and that there was no justification for refusing the application. Overturning the decision of the Central Planning Committee would be contrary to local planning policies that had been adopted by the Full Council very recently. Also, refusing the application would deviate from national and regional planning policies and it could undermine the Council in terms of its planning processes.

RESOLVED

- (i) To refuse the decision of the Central Planning Committee as it does not comply in full with the policies of the UDP, namely, B23 (amenities), C22 (waste management facilities), D2 (industrial sites), CH33 (safety on roads and streets), Strategic Policy 16 (Employment), TAN11 (Noise) and TAN 21 (Waste) as insufficient work had been undertaken to try to ensure a site that can be developed for the future;**
- (ii) To ask officers to search for a site that can be used for years to come.**

19 NOTICE OF MOTION

- (i) Submitted – the following notice of motion received from Councillor Gwilym Euros Roberts under Procedural Rule 13, along with a procedural motion under Procedural Rule 13 (12) asking for the proposal to be discussed at the Council, before referring it to a committee first:-

RESOLVED to discuss the proposal at this meeting.

The following proposal was proposed and seconded:-

“That this Council ring-fences the County’s primary school budgets for three years in order to give the Council, in conjunction with other organisations (The Welsh Language Society, Federation of School Governors, etc.), an opportunity to put pressure on the Assembly Government, through discussions and lobbying, in order to put Welsh schools on a par with the status, conditions and budgets afforded to primary schools in Scotland, Northern Ireland and England.

In the meantime, that this Council refrains from reorganising the County’s primary schools in order for this process to proceed fairly.”

The member expanded upon his proposal. He explained that the proposal to close five primary schools in Bro Dysynni had motivated him to research how primary schools were funded. He had come to the conclusion that the funding arrangements of the Assembly and Gwynedd Council were flawed. He noted that much less money was being spent on the education of children in the primary sector in Gwynedd, in comparison with England, Scotland and Northern Ireland, and that the situation needed to be rectified.

- (ii) The Portfolio Leader – Education, reported that the Savings Strategy had been adopted by the Council and that the democratic process of establishing the Council's priorities was in progress at the moment, and that this process should not be prejudiced.

The Gwynedd's Schools Organisation Strategy had been adopted without objection by the Council in April 2009, and there was a need for the processes to proceed without delay.

She noted that an increasing number of messages were being received from the schools asking for the process to be sped up, and that the uncertainty was harmful in itself – not to mention the long-term impact of the historical lack of planning and strategic investment. She emphasised that further delay would be harmful to head teachers and teachers, and also to the quality of education. She emphasised that the Council had contacted and consulted the communities thoroughly, and that there was a need to proceed to a decision by now.

Reference was made to the Council's recent success of obtaining money from the Assembly's capital investment fund for building a new school for the Hendre area of Caernarfon. It was emphasised that the application would not have been successful unless the Council would have been able to show that a clear strategy was in place for the reorganisation of the county's primary schools. It was noted that the Council had failed to claim capital money from the Assembly in the past because of a lack of strategy.

In terms of the status of rural schools, a member noted that she had undertaken thorough research into the status of rural schools in England, Scotland and Northern Ireland and that there was no presumption against closure in those countries. Schools in Gwynedd did not have a lower status, and she emphasised that the Council's vision for reorganising primary schools, which was adopted without objection by the Council, had been based on clear and robust logic.

Another member was of the opinion that there was no local aspirations to close schools in the Tywyn catchment area, and that the views of the community, following consultation, should be listened to.

Also, a member noted that the savings quantum of the education service did not include identifying savings through the closure of schools, and consequently, delaying the process did not affect the savings strategy.

The Head of Education Department reported that the Savings Working Group had addressed the devolved budget for schools. It was explained that any cuts would lead to an increase in class sizes and that the head teachers who had been present at the working group favoured recycling money in the system by reorganising schools. He emphasised that there was much more awareness amongst primary school head teachers by now regarding the impact of any financial strategy on the situation. Medium and large schools wished to reorganise schools – so that it was possible to obtain the money available in order to circulate it in the sector. The members were reminded that there was a pledge in the schools reorganisation strategy that any savings would be protected and recycled within the education system.

In relation to the Tywyn catchment area, he suggested that he was concerned regarding the working situation and conditions of head teachers in the catchment area. He explained that they were under stress because of the uncertainty regarding the future and deferring a decision would add to the uncertainty that had existed for many years. The schools' workforces were also asking the Council to make a decision on the matter soon. He emphasised that further delay would increase the uncertainty and would be likely to affect the quality of the education offered to the children. Members were reminded that the quality of education was one of the objectives of the Strategy that had been approved by the Council and that there was a need to focus on this also.

In accordance with Procedural Rule 19 (6), the following vote was recorded:

For: (18) Councillors: Stephen Churchman, Anwen Davies, T G Ellis, Simon Glyn, Alwyn Gruffydd, Dafydd Ll Hughes, Louise Hughes, Aeron M Jones, Eric Merfyn Jones, Eryl Jones-Williams, Llinos Merks, Peter Read, Gwilym Euros Roberts, Guto Rhys Tomos, Gethin Glyn Williams, Gwilym Williams, Owain Williams and Robert J Wright

Against (32) Councillors: Dyfed Edwards, Dylan Edwards, Elwyn Edwards, Alan Jones Evans, Alun Wyn Evans, Margaret Griffith, Siân Gwenllïan, O P Huws, Ann Lloyd Jones, Dai Rees Jones, John Gwilym Jones, John Wynn Jones, W Penri Jones, P.G.Larsen, Dewi Llewelyn, Dewi Lewis, Keith Marshall, J Wynn Meredith, Linda Morgan, Dewi Owen, W Roy Owen, Arwel Pierce, Caerwyn Roberts, Glyn Roberts, Ieuan Roberts, John Pughe Roberts, Liz Saville Roberts, W Gareth Roberts, Dyfrig Siencyn, Ioan Thomas, J.W.Williams a R H Wyn Williams

RESOLVED not to adopt the proposal.

- (ii) Councillor Alwyn Gruffydd asked for the following notice of motion to be deferred as many members had left the meeting.

“That this Council restricts the responsibility of the Central Planning Committee to discuss planning matters which are relevant to Gwynedd as a whole such as quarrying, mining, flood defences, the energy industry etc. leaving the Area Planning Committees to deal with planning applications relevant to their areas and accountable to the full Council.”

RESOLVED to defer discussing the matter until the next Council meeting on 10 December 2009.

The meeting commenced at 2:00pm and concluded at 6:20pm.