
THE COUNCIL 06/12/12

Present: Councillor Selwyn Griffiths (Chairman)

Councillors: Stephen Churchman, Anwen Davies, Lesley Day, Eddie Dogan, David G. Edwards, Dyfed Edwards, Trevor Edwards, T.G. Ellis, Aled Ll. Evans, Jean Forsyth, Gweno Glyn, Alwyn Gruffydd, Sian Gwenllian, Annwen Hughes, Chris Hughes, John B. Hughes, Louise Hughes, Jason Humphreys, Peredur Jenkins, Aeron Jones, Anne Ll. Jones, Brian Jones, Charles W. Jones, Dyfrig Jones, Elin Walker Jones, Eric M. Jones, John W. Jones, Linda W. Jones, Sion W. Jones, Eryl Jones-Williams, Beth Lawton, Dilwyn Lloyd, June Marshall, Dafydd Meurig, Dilwyn Morgan, Christopher James O'Neal, Dewi Owen, Michael Sol Owen, W. Roy Owen, Nigel Pickavance, Caerwyn Roberts, John Pughe Roberts, Mair Rowlands, Angela Russell, Dyfrig Siencyn, Mike Stevens, Gareth Thomas, Ioan Thomas, Ann Williams, Eirwyn Williams, Elfed W. Williams, Gethin G. Williams, Hefin Williams, John W. Williams, R.H. Wyn Williams, Mandy Williams-Davies, Robert J. Wright, Eurig Wyn

Also present: Harry Thomas (Chief Executive), Iwan Trefor Jones and Dilwyn Williams (Corporate Directors), Dilys Phillips (Monitoring Officer / Head of Democratic and Legal Services), Dafydd Edwards (Head of Finance Department), Geraint George (Head of Strategic and Improvement Department), Arwel Ellis Jones (Senior Manager - Corporate Commissioning Service), Vera Jones (Resources Manager – Democratic Services), Iwan Evans (Legal Services Manager) and Gwyn Parry Williams (Member Support and Scrutiny Officer)

Apologies: Councillors Craig ab Iago, Endaf Cooke, Elwyn Edwards, Huw Edwards, Alan Jones Evans, Simon Glyn, Gwen Griffith, Llywarch Bowen Jones, Linda Morgan, W. Tudor Owen, Peter Read, Liz Saville Roberts, W. Gareth Roberts, Paul Thomas, Gruffydd Williams, Owain Williams

The meeting was opened with a prayer from Councillor Tom Ellis.

1. MINUTES

The Chairman signed the minutes of the meeting of the Council held on 4 October 2012 as a true record.

2. DECLARATION OF PERSONAL INTEREST

- (i) The Monitoring Officer drew attention to the item, "Council Tax – Discretionary Powers to Allow Discounts". She noted that this item related to two categories of property, namely -
- a) Second Homes (holiday homes) which were empty but furnished.
 - b) Houses that had been empty and unfurnished for six months or more.

If a member had a house in Gwynedd that fell into either category, and was subject to council tax not non-domestic rates, they should declare an interest in the item and leave the Chamber.

- ii) Councillor Dafydd Meurig declared a personal interest in the item "Appointment of an Independent Member to the Standards Committee" as he knew the applicant very well.

The member was of the opinion that it was a prejudicial interest and he withdrew from the meeting during the discussion on the item.

- iii) Councillor Mair Rowlands declared a personal interest in the item "Appointment of an Independent Member to the Standards Committee" as the applicant was her line manager and head of department for her post in the University.

The member was of the opinion that it was a prejudicial interest and she withdrew from the meeting during the discussion on the item.

- iv) Councillor Mandy Williams Davies declared a personal interest in the item "Council Tax – Discretionary Powers to Allow Discounts" as her husband had inherited a house within the family which had been empty for more than six months.

The member was of the opinion that it was a prejudicial interest and she withdrew from the meeting during the discussion on the item.

- v) Councillor Aeron Jones declared a personal interest in the item "Council Tax – Discretionary Powers to Allow Discounts" as his home was currently empty due to the recent floods.

The member was of the opinion that it was a prejudicial interest and he withdrew from the meeting during the discussion on the item.

- vi) Councillors Tom Ellis, Anwen Davies, Anwen Hughes, John B. Hughes, Caerwyn Roberts and Dyfrig Siencyn declared a personal interest in the item "Council Tax – Discretionary Powers to Allow Discounts" as they owned second homes (holiday homes).

The members were of the opinion that it was a prejudicial interest, and they withdrew from the meeting during the discussion on the item.

3. CHAIR'S ANNOUNCEMENTS

- i) Condolences were expressed to the following:-

Councillor Linda Morgan on the recent loss of her mother.

Councillor June Marshall on the recent loss of her sister.

The Council members stood as a mark of respect.

- ii) Best wishes for a quick recovery were extended to Councillors Huw Edwards, Elwyn Edwards and Ann Williams following recent surgery procedures. Similarly, Councillor Peter Read was wished a speedy recovery following recent ill-health.
- iii) The Gwynedd Youth Service was congratulated upon receiving an Excellence Award in Tobacco Management. Congratulations were also extended to those from Gwynedd who had been successful at the Gŵyl Cerdd Dant festival held in Llandudno the previous month.
- iv) The Council's best wishes and sympathy were sent to everyone who had been affected by the recent floods. Gratitude was expressed to all the Council staff who had been on hand during the incident.
- v) It was intended to hold an extraordinary meeting of the Council on 24 January 2013 to discuss the changes to the Council Tax Benefits Regulations. It was also intended to invite Mr Winston Roddick, the North Wales Police Commissioner to give a presentation at that Council meeting.
- vi) He was in the process of visiting all of the Council's homes for the elderly during the period leading up to Christmas, and he expressed his gratitude for the welcome he had received so far.

He wished the members and the staff a Merry Christmas and a Happy New Year.

4. QUESTIONS

a) Question from Councillor Eryl Jones-Williams

"Is Gwynedd Council prepared for the effect of the changes in the benefit system on 11,000 families in Gwynedd? The changes will come into effect in April 2013 and involve housing benefit, council tax benefit etc."

Submitted – answer from Councillor Brian Jones, Cabinet Member for Deprivation.

The member was thanked for his question. In light of the fact that an extraordinary meeting of this Council would be held on 24 January 2013 to discuss the Council Tax Reduction Scheme which would replace the current Council Tax benefit in April 2013, he was of the opinion that the answer that had been prepared in response to this question could be discussed at that meeting.

The member who had asked the question was satisfied with this.

b) Question from Councillor Angela Russell

“Because there are problems with flooding on the A499 near Llanbedrog, should the Council install barriers near the side of the road to prevent cars that will go through the water, to be safe?”

Councillor Dyfed Edwards, Council Leader submitted the answer in the absence of Councillor W. Gareth Roberts, Cabinet Member for Environment.

“The Transportation Service within the Regulatory Department is very aware of the concerns in relation to this site. A site meeting was held with the local councillor on 14 November when it was explained that the width of the plot adjacent to the road at the location was insufficient to erect a barrier. In addition, there is BT equipment in the plot which would require moving should foundations for the barriers be required.

Therefore, it is difficult to alleviate the concerns in the short term. Despite this, an opportunity arises as the Department develops a cycle route between Pwllheli and Abersoch and this could offer an opportunity to widen the plot and possibly install a suitable barrier. The current cycle route implementation programme will complete the link between Cricieth and Porthmadog during this financial year and will aim to complete the link between Glynllifon and Llanwnda and Holyhead Road during 2013-14. After that, the aim is to establish a link between Llanaelhaearn and Pwllheli during 2014-15 and endeavour to realise the majority of the link between Pwllheli and Abersoch during 2015-16.

In order to try to research further whether anything could be done in the short-term to improve safety, the Cabinet Member is very willing to facilitate a meeting with the local Councillor and relevant officers.”

Supplementary Question

“Would it be possible to install the barriers before the Christmas period?”

The Council Leader’s Answer

He pledged that he would convey the message to the Cabinet Member for Environment.

5. APPOINTMENT OF INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE

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

It was reported that there was a total of nine members on the committee, namely five independent members, one community committee member and three Gwynedd Council elected members.

On 19 July 2012 the resignation of one independent member was received, creating a vacant seat on the committee. In accordance with the procedure agreed by the Council the vacant seat for an independent member was advertised and four applications had been received.

Under the relevant legislation, a Consultative Panel was required to consider the applications before submitting recommendations to the Council on which applicant to appoint. She provided details of the panel's membership. She then noted that the panel's role had been to consider each application using the Council's criteria for appointing independent members to the Committee. While the Council was to make the decision, it must have regard to the recommendations of the Panel.

The Panel had convened on 22 October 2012, and three applicants had been interviewed. The fourth applicant was unavailable for interview, but consideration was given to his application on paper and the Panel had concluded that he did not surpass the successful applicant. Following detailed and thorough consideration of all applications, the panel decided to recommend Dr Einir Meredydd Young to the Council as an independent member of the Standards Committee. Dr Young lived in Talybont, Bangor and worked at the University.

RESOLVED to appoint Dr Einir Meredydd Young as an independent member of Gwynedd Council's Standards Committee, to serve for a six year period.

6. COUNCIL TAX: DISCRETIONARY POWERS TO ALLOW DISCOUNTS

- a) Submitted – the report of the Head of Finance Department to formally ratify for 2013/14 and thereafter, previous decisions made not to allow any discounts for second homes and to disallow discount on empty properties.
- b) The Cabinet Member for Resources set out the background and context of the report and noted that the Council's financial strategy and the grant settlement were based on continuing with the policy of not allowing a discount.
- c) It was reported that a number of members had suggested that the rates payable for second homes should be charged at more than 100% of the Council Tax usually payable, by using a "premium" rather than a discount. To this end, it was noted that there would have to be a change to the National Regulations and also changes to the primary legislation at the core of the Regulations.

It was explained that the Council Leader, the Cabinet Members and many officers, along with other local authorities, continued to campaign to encourage such a development and for the local authorities to retain the additional council tax income that could be generated. It had now been given to understand, that the Westminster Government had granted powers to the Welsh Government to legislate on charging more than

100%, however the Welsh Government had not consulted on the matter to date. Additionally, in order to implement this in full, there would be a need to secure legislative powers for the Welsh Government relating to managing/preventing the transfer of second homes to commercial holiday homes and business rates.

Ch) Members were invited to submit observations.

Many members were of the opinion that the Welsh Government should be pressed upon to consult on the powers transferred to them from the Westminster Government to legislate on charging more than 100% Council Tax for second homes.

In response, the Head of Finance Department notified the Council members that the Cabinet Member for Housing had sent a response in October 2012 to the Welsh Government on the issue of long-term empty homes. He confirmed that the Westminster Government has granted powers for the Welsh Government to legislate on charging more than 100% tax on second homes and that the Welsh Government had consulted on the matter of charging higher taxes on empty homes, however the holiday home element of the consultation had been omitted. Despite this, the Cabinet Member's formal response on behalf of the Council had expressed concern that the proposed legislation did not go far enough in order to deal with second homes and holiday homes.

RESOLVED

a) That Gwynedd Council, for 2013/14, allows NO discount under Section 12 of the Local Government Finance Act 1992 to the two classes of second homes (classes A and B), as defined in the Council Tax (Prescribed Class of Dwellings) (Wales) 1998, and that Gwynedd Council allows NO discount in respect of empty homes (class C).

b) To press on the Welsh Government to consult on the powers transferred to them from the Westminster Government to legislate on charging more than 100% Council Tax for second homes.

7. MEMBER SALARIES

- a) Submitted – the report of the Head of Strategic and Improvement Department on allocating the two remaining senior salaries.
- b) The Council Leader set out the context and reported that the Council had resolved at its meeting on 17 May 2012 to allocate 16 of the possible 18 senior salaries available to members to: the Council Leader and up to nine Cabinet Members (including the Deputy Leader, if there was one); the Chairs of the three Scrutiny Committees and the Audit, Planning and Licensing Committees. It had been resolved not to allocate the two remaining senior salaries, and to review the matter during the year when changes to the constitution and the related workload would become clearer.

It was noted that there were five categories of members eligible to receive senior salaries, namely, the Council Leader, Deputy Leader of the Council, Members of the Cabinet, Committee Chairs and Leaders of a Political group. The senior salaries were allocated to specific roles, and individuals were not permitted to receive more than one senior salary.

He drew attention to the fact that the draft annual report of the Remuneration Panel for Wales on Financial Recognition in December 2012 noted *"that a council must make a Senior Salary available to the Leader of the largest opposition group... providing the Groups meet the Panel's requirement of not less than ten per cent (10%) of all Council members"*. The final report was awaited at the end of December 2012.

There were 18 members in the largest opposition group in Gwynedd, the Independent Group, which consisted of more than 10% of all Council members. It was therefore a requirement to assign one of the remaining Senior Salaries to the Leader of the largest opposition group. In accepting this, there was one Senior Salary remaining. Given the five categories of members eligible to receive the salary, the remainder of the committee Chairs were considered. A number of different factors had been assessed, including the requirements of the role, the importance of the role to other members and the developmental and leadership role of the committee. It was noted that the committees where a senior salary was not currently paid to the Chair included the Democratic Services Committee, the Language Committee, the Employment Appeals Committee, the Pensions Committee and the Area Committees.

In relation to workload, it was difficult to compare them solely by the number of meetings held as a substantial amount of the workload was related to the work of a Chair between meetings. However, it seemed that the two committees with the greatest workload in terms of time were the Employment Appeals Committee and the Democratic Services Committee. Whilst giving consideration to other factors, it appeared that the role of the Democratic Services Committee was more significant in relation to its importance to fellow members and the developmental/leadership role, especially in relation to the role of the Chair within the new political structure.

- c) Members were invited to make observations.
- i) A member proposed an amendment, that the Chairs of all committees should receive recognition for their work.

In response, the Monitoring Officer referred to the threshold on the number of senior salaries that could be allocated, namely 18 with the exception of the Chairman and the Vice-chairman of the Council. She reminded the members of the Council's decision on 17 May 2012 to allocate 16 of the 18 senior salaries, and unless a salary was removed from one of the chairs who currently received a senior salary, this amendment could not be implemented.

The amendment fell.

The Senior Manager - Corporate Commissioning Service notified the committee that the number of meetings had been considered and that the greatest workload for the Chairs took place between meetings. Consideration had been given to factors such as the importance of the role in relation to direction and the importance of the role to fellow members etc.

- ii) A member acknowledged that the role of the Democratic Services Committee was important but that the work of other committees should also be weighed up. He noted that the workload of the Employment Appeals Committee was also heavy, as very often, the meetings lasted for most of the day. It had been given to understand that approximately 10 meetings of this committee had been held since June 2012. He was of the opinion that the senior salary should be allocated to the Chair of the Employment Appeals Committee.

In response, the Council Leader suggested that either the recommendation submitted to the Council today could be accepted, or, the matter could be referred to the attention of the relevant committee, namely the Democratic Services Committee, for further consideration and to submit recommendations to the Council.

- iii) A member suggested that the matter should be deferred in order to obtain all of the background information e.g. the number of preparatory meetings etc. and to submit a further report to the Council. He disagreed that the Democratic Services Committee should discuss the matter as it would affect the Chair of that committee.

In response, the Chief Executive suggested that the Council's Business Group could discuss the chairmanship element only and submit recommendations to the Council. A member proposed this as an amendment.

The amendment fell.

- iv) Another member proposed an amendment that a special committee be established with membership from the back bench, not including committee Chairs, to consider the work levels of the Chairs of other committees and to submit a recommendation to the Council on 28 February 2013.

The amendment was carried.

- v) A member proposed an amendment that the special committee should also discuss the matter of allocating a senior salary to the Leader of the Largest Opposition Group.

The amendment fell.

RESOLVED

a) To establish a special committee with membership from the backbench, not including committee Chairs, on the basis of political balance to consider the work levels of the Chairs of other committees and to submit a recommendation of the Council on 28 February 2013.

b) To allocate a senior salary to the Leader of the Largest Opposition Group for the remainder of the Council year, and to review to the situation further from May 2013 onwards.

8. THE GWYNEDD WAY

- (a) A presentation was given by the Chief Executive on how to cope with future challenges and whether or not the business model was suitable for the future and if it needed amending. He was of the opinion that he should seek input from all Council members in order to steer the way forward.

He elaborated on the following issues –

- The Financial Challenge the Council faced over the next four years. He noted that the figures were likely to deteriorate following the Chancellor of the Exchequer's statement this week. He referred to a total deficit of approximately £25m over four years. Over the last eight years, the Council had been required to find savings of approximately £29m and during the next four years, it was anticipated that a similar amount of savings would need to be found again; therefore, the challenge was enormous. The savings would affect 20% of the Council's services. He noted that for the first two years, the Council had planned for more savings than the actual deficit meaning that the surplus could be transferred to the second phase. This Council was at the forefront in comparison with other Councils in north Wales as it had included forward-planning in its work. He was of the opinion that the business model would not be sustainable in the future, mainly due to the country's changing demography.
- The current approach. Currently, the demand for services was examined on the basis of current policies and their estimated cost. The focus would then be on the resources. In future it was anticipated that sufficient efficiency savings could not be achieved in the traditional way and substantial cuts to services was unavoidable.
- The alternative approach. It could be possible to continue to cut supply costs and adopt a more strategic and systematic approach to reduce the cost of demand for public services. In doing so, it would then be possible to adopt a different business model. He referred to a budgetary growth of 65% between 2005 and 2013 in the field of Children's Social Services, as opposed to less than 20% growth for the remainder of the Council's services.
- Proof of Concept. Was the potential enough to warrant a strategic approach and what needed to change to ensure its success? He referred to reducing the cost of demand through preventative work and by transferring responsibilities to individuals/communities.

Focus could be placed on different fields such as Children and Families, General Services, Older People and Public Health. He referred to an Alternative Business Model, Service for the Elderly which was cheaper.

- Children and Families. He referred to brain development and that babies were born with 25% of their brains already developed and by the time they reached three years old, 80% of their brains were developed. By the time they reached the age of five, 85% of their intellect, personality and skills would have been cultivated. Early experiences had a decisive impact on the architecture of the brain.
- Effect of Deprivation. He noted that children from the poorest 20% of homes were on average 19 months behind children from the top 20% by the age of 4/5. Generally, 20% of variability in pupils' achievement was attributable to school level factors and the remaining 80% to pupil level factors.
- Public Spending Pattern on Education in Wales and England over the life cycle.
- Demand Management – Saving Money. He referred to the fact that the Scottish Parliament anticipated that there could be medium term net savings of £130m a year from pre birth to five years old. The corresponding figure in Wales would be approximately £70m/£80 a year. Additionally it was estimated that 40% - 45% of public spending in Scotland was negative and aimed at addressing social problems.
- What needed to change e.g. change the relationship between citizens and the state, a dual role for the Council, a joint relationship with the community and the need for new skills/abilities.

- (b) Questions were raised by the members in relation to the presentation and the Chief Executive responded to them accordingly.

To follow, members were then given an opportunity to take an informal vote on the following questions -

- i) Could this type of strategy work in principle?
- ii) Could the Council officers change to respond to this challenge?
- iii) Could members lead the change within the community?
- iv) Could the Council and the community change to ensure success?
- v) Should the Council change its business model to manage the future?

The Chief Executive was thanked for the presentation.

9. FOCUS ON GWYNEDD'S CHILDREN AND YOUNG PEOPLE

- a) Submitted – a presentation by Councillor Sian Gwenllian, Cabinet Member for Education and Children and Young People on some of the main work streams the member had been involved with since May 2012.

She drew attention to the following matters -

- The aim of the Council was for every child to have the opportunity and the support to fully develop.
- There were 25,494 children in Gwynedd and within this figure there were some cohorts of children who were much more vulnerable e.g. there were more than 200 looked after children in Gwynedd. She noted that there were more than 1,000 children with various learning disabilities and 3,800 children in out of work families who received tax credits.
- The four main themes she expected to focus on were Welfare, Safety, Protection Issues; Consistency in the Quality of Education; Sustainable Schools and Supporting Special Groups of Children/Families. She detailed the background / priorities of these themes.
- Success criteria – quality criteria – that the Children were safe in Gwynedd; consistent and high standards of quality across and within schools; inclusive and appropriate provision and a network of schools of the right size in the right location.
Process criteria – proactive and effective support for some groups of children and families; effective early intervention across the age spectrum and successful intensive attention to the early years and preventative work.

b) Questions were raised by the members in relation to the presentation and the Cabinet Member responded to them accordingly.

The Cabinet Member was thanked for the presentation.

10. NOTICE OF MOTION

In accordance with Procedural Rule 17, it was reported that a notice of motion had been submitted, along with a procedural motion, in accordance with Procedural Rule 17 (12), by Councillor Stephen Churchman, requesting that the following matter be discussed at the full Council without being referred to committee:-

RESOLVED to discuss the proposal at this meeting.

The following proposal was proposed and seconded:-

“Considering the strategic importance of our sub-regional railway network throughout north Wales, Gwynedd Council recognises that this network is undervalued and has been under-supported by consecutive governments both at Westminster and more latterly at Cardiff.

With a substantial investment of £350m announced on 16 July 2012 for south Wales, north Wales has yet again missed out. With an investment in our network on the par with the south Wales investment, we should see a railway fit for the 21st century. This will drive confidence within our infrastructure that could lead to commercial investments throughout the region as a spin-off.

To this end, Gwynedd Council calls upon the Welsh Government and the Westminster Government to recognise the vital importance in our sub-regional network and to make substantial investments accordingly.

Gwynedd Council must also seek support and collaboration with all the other North Wales Local Authorities, MPs, Constituency AMs and Regional AMs to ensure the maximum impetus in driving this measure.”

The proposer elaborated on the notice of motion.

The Council Leader notified the Council that the infrastructure was a matter of great importance to the Council. However, he wished to correct some points within the notice and he drew attention to the fact that the railway system had not been devolved to Wales, and therefore funding the railways was a matter for the Westminster Government. He noted that Britain received 98% of investment from the railways which left Wales with a 2% investment. The matter had been discussed approximately 18 months ago with Mr David Jones, who was now the Secretary of State for Wales, and since that time a number of discussions had been held where it had been agreed to stage a campaign in order to secure the electrification of the north Wales railway as far as Crewe. He also noted that further work was to be done, such as electrification of the railway between north Wales and south Wales.

Another member proposed an addition to the notice, namely, *“that the Westminster Government should be asked to protect the existing infrastructure”*. The proposer of the notice of motion accepted this addition.

A member referred to the need to upgrade the Conwy Valley Railway and he was of the opinion that the Westminster Government's attention should be drawn to this also. The proposer of the notice of motion was happy to include this.

RESOLVED

- a) That Gwynedd Council calls on the Westminster Government to -**
 - i) Acknowledge the vital importance of our sub-regional network, and to make substantial investments accordingly.**
 - ii) To protect the existing infrastructure.**
 - iii) To upgrade the Conwy Valley Railway.**
- b) To seek support and collaboration from all the other north Wales Local Authorities, MPs, Constituency AMs and Regional AMs to ensure the maximum impetus in driving this measure.**

The meeting commenced at 1.00pm and concluded at 4.45p.m.

CHAIRMAN