

THE CABINET TUESDAY, 15 OCTOBER 2019

Present:

Councillors: Dyfrig L. Siencyn, Dafydd Meurig, Craig ab Iago, Gareth Wyn Griffith, Nia Wyn Jeffreys, Gareth Thomas, Catrin Wager and Cemlyn Rees Williams.

Also present-

Dilwyn Williams (Chief Executive), Iwan Evans (Head of Legal Services), Dafydd Edwards (Head of Finance Department), Morwena Edwards (Corporate Director) and Sion Owen (Democratic Services Officer). RHUN

Item 5: Catherine Roberts (Senior Operational Officer Gwynedd and Anglesey Community Safety Partnership)

Item 6: Gareth Jones (Assistant Head of Environment Department), Rebeca Jones (Joint Planning Policy Unit Manager)

Items 7 and 8: Ffion Madog Evans (Senior Finance Manager)

Item 11: Sioned Williams (Head of Economy and Community Department) and Nia Bowden (High Value Jobs Programme and Snowdonia Enterprise Zone Manager)

1. APOLOGIES

Cabinet Members and Officers were welcomed to the meeting.

Apologies were received from Councillor Dilwyn Morgan.

2. DECLARATION OF PERSONAL INTEREST

There were no declarations of personal interest.

3. URGENT ITEMS

There were no urgent items.

4. MATTERS ARISING FROM OVERVIEW AND SCRUTINY

There were no matters arising from overview and scrutiny.

5. MINUTES OF THE MEETING HELD ON 15 SEPTEMBER 2019

The Chair signed the minutes of the previous meeting held on 17 September 2019 as a true record, subject to the amendment of the original record as follows (addition in italics):

It was emphasised that Welsh Government did not identify Ysgol Abersoch as a Rural

School, but the Education Department would follow the School Organisation Code, *using the same guidelines and treating the school as if it were.*

6. PUBLIC SPACES PROTECTION ORDER BANGOR

The report was submitted by Cllr Nia Jeffreys

DECISION

- 1) To approve the introduction of a Public Spaces Protection order (PSPO) for the city of Bangor for a period of three years, as per the draft Proposed Order attached to the report.
- 2) To revoke the Gwynedd Council Alcohol Consumption in Designated Public Places for the Areas of Caernarfon and Bangor Order 2004 (Current Order) on the making of the PSPO to the extent that it applies to Bangor.
- 3) To authorise the Head of Corporate Support to undertake the introduction of the Proposed Order and revocation of the Current Order.

DISCUSSION

It was noted that a report had been submitted to Cabinet on 16 July 2019 to approve a public consultation on the introduction of a Public Spaces Protection Order in a specific area of Bangor. Thorough consultation had been held with Local Members and the Police, as well as the public consultation. A good response had been received to the consultation, and the results of the consultation noted that a number of Bangor residents were concerned about anti-social behaviour in the city. Following the consultation and based on Police evidence, it was decided to expand the area of the order. The next steps would be to erect signs to inform the public, and the Police would also promote the order. Assurance was also received that the Order would not be used to target homeless people in Bangor.

Observations arising from the discussion

- It was noted that it was clear that thorough work had been carried out in order to prepare the Order.
- Groups that worked to promote the City were very supportive of the work, and saw its need as part of the jig-saw of Bangor's thriving development. To approve the introduction of a Public Spaces Protection order (PSPO) for the city of Bangor for a period of three years, as per the draft Proposed Order attached to the report.

7. LOCAL DEVELOPMENT PLAN ANNUAL MONITORING REPORT

The report was submitted by Cllr Gareth Griffith

DECISION

THE CABINET Tuesday, 15 October 2019

- 1) To accept the Final Annual Monitoring Report in Appendix 1 for submission to the Welsh Government by 31 October 2019.
- 2) To give permission to the Assistant Head of Environment Department to undertake any editorial and typographical changes to the Annual Monitoring Report before submitting to the Welsh Government.
- 3) To give permission to the Assistant Head of Environment Department in consultation with the Cabinet Member to undertake any amendments, which arise from matters raised by Isle of Anglesey County Council

DISCUSSION

The report was submitted, noting that this was the first monitoring report for the Joint Local Development Plan, reporting on the period between August 2017 and the end of March 2019. The report had already been submitted to the Communities Scrutiny Committee and the Joint Planning Policy Committee, and it had also been presented at workshops for Members. It had not yet been submitted to the Anglesey County Council Scrutiny Committee or Executive.

It was noted that the report was part of creating an evidence base in order to review the Plan in due course, reporting on 69 performance indicators whilst setting a baseline for them. It was required to review the Plan every four years; however, before reviewing the Plan, a minimum of three monitoring reports would need to be published. It was added that the Plan's local market housing policy was pioneering as the only one of its kind in Wales.

In relation to Wylfa, it was noted that the best course of action for the time being would be to exercise discretion until the situation settled. It was also emphasised that the policies in the Plan were robust, and that as part of planning applications, developers were required to prove the need for developments.

8. REVENUE BUDGET 2019/20 - END OF AUGUST REVIEW

Presented by Cllr Ioan Thomas

DECISION

To accept the report on the end of August 2019 review of the Revenue Budget, and:

- 1) Note that there is a significant overspend by the Adults, Health and Well-being Department this year, and as complex details need to be clarified in this picture in Adults care, the Chief Executive has already called a meeting of the relevant officers to gain a better understanding and a clear response programme, as is the case in Child care.
- 2) Ask the Cabinet Member for Children and Young People, together with the Head of Children and Families Department, to get to the root of the Department's overspend and take steps to bring the situation within control and within budget by the end of the financial year and report to the Cabinet on their response plan.
- 3) Allow the Environment Department to earmark (£220k) of the department's

underspend following a recent judicial review of a capital scheme relating to the Llanbedr access Road, due to reasons beyond the Council's control, by putting it into a specific fund for this purpose.

- 4) On Corporate budgets, transfer:
 - 1) (£240k) relating to capital costs to the capital programme's financing fund.
 - 2) (£995k) relating to repair and maintenance to the repair and maintenance fund.
 - 3) net underspend of (£1,632k) on Corporate Budgets to the Supporting the Financial Strategy Fund to mitigate the risk of overspending of Council departments in 2019/20.

DISCUSSION

The report was submitted, noting that it presented the end of August review for the Council's revenue budget. The review showed a mixed picture and reported an acceptable level of financial management by a number of the Council's departments. However, the pressures on some of the departments was highlighted following savings to the tune of £32 million since 2015 coupled with an increase in the demand for services.

Due to the scale of overspend anticipated in the Children (£2.9 million) and Adults (£1.6 million) departments, it was concluded that there was a need to get to the root of their inability to keep within their budgets. It was noted that the demand was higher than expected for the services of both departments, and the Adults department had also failed to realise nearly a million pounds in savings. In order to attempt to bring the situation under control, the Chief Executive had already held meetings with the departments in order to start this work, with the intention of reporting back to the Cabinet in due course.

It was added that the Highways and Municipal Department had overspent by approximately £733k. However, it did not cause concern as it included transitional costs that derived from changing arrangements in the waste field.

It was prudent to transfer the funds available due to the underspend on Corporate budgets in order to mitigate the risk of overspending of Council departments in 2019/20.

Observations arising from the discussion

- Concern was noted about the level of overspend in the Children and Adults departments, noting that this was the result of years of austerity and financial squeeze.
- Concern was noted that the increase in demand was unexpectedly high in the care sector.
- It was noted that there was a clear message for Welsh Government here, following the prioritisation of the Health Service in 2019/20. The Council needed a better settlement in order to cope with the impact of inflation and increase in demand.
- Although the Council had coped with the savings and the increase in demand, there was no certainty that Welsh Government appreciated this.

9. CAPITAL PROGRAMME 2019/20 - END OF AUGUST REVIEW

Presented by Cllr Ioan Thomas

DECISION

To accept the report on the end of August 2019 review of the capital programme, and approve the revised financing worth £17.85 million, namely:

Use of £8.304 million of various sources to fund actual slippages from 2018/19

Increase of

£5.936 million in the use of borrowing
£3.411 million in the use of grants and contributions
£82k in the use of capital receipts
£154k in the use of renewal funds and others

Reduction of £37k in the use of revenue contributions

DISCUSSION

The report was submitted, noting that it presented the end of August review (position as at 31 August 2019) for the Council's capital programme as part of the procedure for reviewing the 2019/20 budget.

It was necessary to ensure appropriate financing arrangements for the Council's plans to spend on capital, and the Cabinet was required to approve the capital programme and sources of funding. The Council was in a position to be able to invest £39.7million in capital for 2019/20, with 17.9million of it deriving from grants

Although incorporating funding via grant was a point of order, it was also necessary to consider situations where there had been a change in expenditure profiles between years and a change in the value of capital receipts and contributions.

10. FORWARD WORK PROGRAMME

Presented by Cllr Dyfrig Siencyn for information.

11. EXCLUSION OF PRESS AND PUBLIC

Presented by Cllr Dyfrig Siencyn

DECISION

It is resolved that the press and public be excluded from the meeting during the discussion on the item following due to the likely disclosure of exempt information as defined in Paragraph 14 of Schedule 12A of the Local Government Act 1972 Information relating to the financial or business affairs of any particular person (including the authority holding that information)

There is an acknowledged public interest in openness in relation to the use of public resources and related financial issues. It is acknowledged however that there are

occasions, in order to protect the financial interests of public authorities that matters related to commercial information need to be discussed without being publicised. The report relates specifically to contracting with a commercial company in relation to grant funded projects. The nature of the information is sensitive to the company and its publication could affect their commercial interests. The publication of commercially sensitive materials of this kind could also undermine the confidence of grant applicants to approach the Council. This would undermine the public interest of allowing frank and thorough discussions with applicants for financial support. For these reasons the balance lies with considering the matter as an exempt item.

12. CONTRACT WITH SNOWDONIA AEROSPACE LLP TO REALISE SNOWDONIA AEROSPACE CENTRE LLANBEDR INFRASTRUCTURE PLANS

The item was presented by Cllr Gareth Thomas.

DECISION

- 1) Based on the report, risk assessment and expert advice received, to authorise the delivery of the Infrastructure scheme at Snowdonia Aerospace Centre, Llanbedr.
- 2) To authorise the Head of Economy and Community Department, in consultation with the Head of Finance Department and the Head of Legal Services, to negotiate and sign a contract with Snowdonia Aerospace LLP which will protect the Council's interests as far as possible, including restriction for civil use of the centre only.
- 3) That the contract secures the civil use of the development by including a clause that will prohibit the military use of the buildings improved via the European funds project.

DISCUSSION

It was noted that a complete funding package was now in place for the Snowdonia Aerospace Centre Infrastructure scheme, including £7.5M of European funding. It was emphasised that the funding package was for the development of buildings for the Centre.

Gwynedd Council was the accountable body for the European funding; however, the leaseholders / operators of Snowdonia Aerospace Centre - Snowdonia Aerospace LLP - would be responsible for the work to be undertaken on the Llanbedr airfield site.

As far as possible, the Council's interests needed to be secured by establishing a legal contract with Snowdonia Aerospace LLP which reflected and responded to the risks to the Council stemming from delivering the scheme, including restricting the use of the centre to civil use only.

The meeting commenced at Time Not Specified and concluded at Time Not Specified

CHAIRMAN

