

ANNUAL MEETING OF THE COUNCIL, 18.05.17

Present: Councillor Annwen Daniels (Chair);
Councillor Annwen Hughes (Vice-chair);

Councillors:

Craig ab Iago, Menna Baines, Freya Hannah Bentham, Dylan Bullard, Stephen Churchman, Steve Collings, R.Glyn Daniels, Anwen Davies, Elwyn Edwards, Alan Jones Evans, Aled Evans, Dylan Fernley, Peter Antony Garlick, Simon Glyn, Gareth Wyn Griffith, Selwyn Griffiths, Alwyn Gruffydd, John Brynmor Hughes, Louise Hughes, R.Medwyn Hughes, Sian Wyn Hughes, Judith Humphreys, Nia Jeffreys, Peredur Jenkins, Aeron M.Jones, Aled Wyn Jones, Anne Lloyd Jones, Charles W.Jones, Elin Walker Jones, Elwyn Jones, Eric Merfyn Jones, Huw Wyn Jones, Keith Jones, Kevin Morris Jones, Linda A.W.Jones, Sion Wyn Jones, Eryl Jones-Williams, Cai Larsen, Beth Lawton, Dilwyn Lloyd, Dafydd Meurig, Dilwyn Morgan, Linda Morgan, Dafydd Owen, Edgar Wyn Owen, W.Roy Owen, Berwyn Parry Jones, Jason Wayne Parry, Nigel Pickavance, Rheinallt Puw, Peter Read, Dewi Wyn Roberts, Elfed P.Roberts, Gareth A.Roberts, W.Gareth Roberts, Mair Rowlands, Paul Rowlinson, Angela Russell, Dyfrig Siencyn, Mike Stevens, Gareth Thomas, Ioan Thomas, Hefin Underwood, Catrin Wager, Cemlyn Williams, Eirwyn Williams, Elfed Williams, Gareth Williams, Gethin Glyn Williams, Gruffydd Williams and Owain Williams.

Also in attendance: Dilwyn Williams (Chief Executive), Morwena Edwards and Iwan Trefor Jones (Corporate Directors), Dafydd Edwards (Head of Finance Department), Geraint Owen (Head of Corporate Support Department), Iwan Evans (Head of Legal Services / Monitoring Officer), Dafydd Wyn Williams (Head of Environment Department), Rhun ap Gareth (Senior Solicitor / Deputy Monitoring Officer), Vera Jones (Members Manager - Democracy Service) and Eirian Roberts (Member Support Officer).

Apologies: Councillors Dewi Owen and John Pughe Roberts.

Councillor Eric Merfyn Jones (Chairman) 2016/17 addressed the meeting.

1. CHAIR

Councillor Annwen Daniels was elected chair for 2017/18.

Councillor Annwen Daniels signed a declaration accepting the post of Chair of Gwynedd Council for 2017/18.

2. VICE-CHAIR

Councillor Annwen Hughes was elected vice-chair for 2017/18.

Councillor Annwen Hughes signed a declaration accepting the post of vice-chair of Gwynedd Council for 2017/18.

3. MINUTES

The Chair signed the minutes of the previous meeting of the Council held on 2 March 2017 as a true record.

4. DECLARATION OF PERSONAL INTEREST

Members had received a briefing note from the Monitoring Officer in advance about item 13 on the agenda – Financial Remuneration for Elected Members.

As a consequence of the nature of the report on Financial Remuneration for Elected Members, and in order to comply with the requirements of the Code of Conduct, the Chair declared a personal interest in the item on behalf of all members present but, as it was not a prejudicial interest, members would have the right to participate in the discussion and vote on the matter.

5. CHAIR'S ANNOUNCEMENTS

(1) Condolences

Condolences were extended to Councillor Annwen Hughes and Louise Hughes on the recent passing of loved ones.

Reference was made to the death of Rhodri Morgan, former Wales First Minister, who had been at the forefront of establishing the Assembly and who held the post of First Minister for almost 10 years before stepping down in 2010.

It was also noted that the Council wished to express condolences to everyone in the county's communities who had lost loved ones recently.

The Council stood in silence as a mark of respect.

(2) Congratulations

The following were congratulated:-

- The members on their success at the recent election and the new members were welcomed to their first meeting of the Council.
- The Principal Librarian, Hywel James, on receiving the Lifetime Achievement Award at a ceremony at the Cilip Cymru Conference in Llandudno to acknowledge his great contribution to Gwynedd Libraries and also to the public library service nationally.
- Anne Thomas of Bala and her team from Dolgellau Hospital on winning the Royal College of Nursing prize for their work in developing health care in rural Meirionnydd.
- Bala Football Club on winning the Welsh Cup this year.
- Pwllheli Rugby Club on their recent sweeping success.
- Gethin Lloyd Evans from Penrhyndeudraeth on being selected for North Wales Colleges at the student Rugby League Championships in Sydney, Australia in July. Gethin was studying para-medicine at Swansea University and would be graduating this year.

(3) Note

Members were asked to respond as soon as possible to the e-mail recently sent to them about the Review of the Local Democracy and Boundary Commission.

6. QUESTIONS

Question from Councillor Sion Jones

"Very recently, a company working on behalf of Vodafone installed a 15m high mast at a prominent location on Council land in Bethel. Planning permission was not required, neither was consultation with local residents. Is this a fair policy?"

Answer from the Head of Environment Department

(The written response of the Head of Environment Department to the question was circulated to members beforehand).

"It is not usual policy to erect telecommunications masts. This is legislation and the Council, therefore, has no choice as to whether planning permission is required or not. This comes to us as law. And the basis of this legislation is that Welsh Government is very eager for people in Wales to have access to the best possible 3G/4G phone connectivity to improve our businesses and to improve the economy and so that we are able to communicate as well as anyone else. I believe that this is what's behind this. They are attempting to reduce obstacles for companies such as Vodafone, or whoever, to install equipment. So planning permission is not necessary. The only matter they have to satisfy is that they have to consult by informing the Planning Authority of their intentions; the only thing the Planning Authority can examine is the setting and appearance of that which they intend to do. This matter has been to consultation since the Planning Authority is required to do so, and this consultation has taken place with the Community Council. Notices have been placed on the site as required and nearby residents have also been informed. There were two objections - one by the local councillor and the other from one of the nearby residents, but they were not reasons for refusing the application. The mast, which stands at 12.5 metres in height, has now been installed. There are light columns and are other columns there also. I don't believe the setting is poor. We have been to look at the site. It is in accordance with what the company has been saying. We did not have much scope to object to this and to insist that the company put forward a planning application. Whether the matter is fair or not, this is up to you as politicians; but we, as officers, work within the procedures and legislation that are laid out before us."

A supplementary question by Councillor Sion Jones

"Was Gwynedd Council given any money from Vodafone for erecting this mast?"

Answer from the Head of Environment Department

"The written explanation touches on another piece of legislation which enables companies such as Vodafone, BT, the Water Board, etc. to install equipment. They have the right under the Highways Act and the Streets Act to install equipment on our roads without payment. They do have to inform us of the work they're carrying out, but this is permitted. The location of this mast is on part of the highway; as such, they have the right to do this and they can do it for free as long as it does not impact the safety of road users etc. No, the Council has not received money for this. The Council would have been delighted if it was off-road land, and there are arrangements where the Council has received money for such installations, but not on this occasion. There was no way for us to obtain money from the company."

7. LEADER OF THE COUNCIL

Councillor Dyfrig Siencyn was appointed Leader of the Council for the term of this Council.

The Leader gave a short address, informing the Council that he was in the process of appointing nine members to the Cabinet and that he had invited Councillor Mair Rowland act as Deputy Leader.

8. AMENDMENTS TO THE CONSTITUTION

The Head of Legal Services / Monitoring Officer submitted a report suggesting amendments to the Council Constitution:-

- because of the review of the scrutiny arrangement;
- in order to implement changes to the Planning Committee's arrangements deriving from new legal requirements;
- to reflect a change to the name of the Regulatory Department to Environment Department.

He apologised for some minor typing errors in the documents and he also referred to the need to make two further changes to Appendix 1 (Section 7 of the Constitution), namely:-

- Delete the reference to 'Customer Care' under the Role and Scope of the Education and Economy Scrutiny Committee.
- Delete the reference to 'Language' under the Role and Scope of the Communities Scrutiny Committee as it will be the Language Committee that will be undertaking the scrutiny of language matters under the new arrangement.

During the discussion, some members expressed surprise about the new statutory requirement to disallow the use of substitutes in the Planning Committee and the Monitoring Officer agreed to convey the message to the Assembly and ask for further discussion.

RESOLVED

- (a) Adopt the changes to Section 7 of the Constitution, "Scrutiny Committees" in accordance with the report to implement the review of the scrutiny arrangement, also deleting the reference to 'Customer Care' under the Role and Scope of the Education and Economy Scrutiny Committee, and the reference to 'Language' under the Role and Scope of the Communities Scrutiny Committee.**
- (b) Adopt the changes to the remit of the Audit Committee and the Language Committee in response to the scrutiny review and change the name of the Audit Committee to Audit and Governance Committee.**
- (c) Note the changes in Section 9 of the Constitution, "Regulatory and Other Committees" in order to comply with statutory requirements.**
- (ch) Note the changes to the Constitution to reflect the change in the name of the Regulatory Department to Environment Department.**

9. THE COUNCIL'S POLITICAL BALANCE

The Head of Democratic Services presented the report on the Council's political balance and relevant matters, and the Leader proposed the recommendations of the Business Group.

It was explained:-

- At the time of writing this report, the exact political balance of the Council was not known.
- An update on the political balance was submitted to the Business Group on 15 May in order to agree on recommendations to be submitted to the Full Council.
- That all members had received an additional paper with recommendations for the Council based on the discussions of the Business Group and the content of that paper was elaborated upon (*see attached document*).

RESOLVED

- (a) To adopt the political balance and the allocation of seats on the Council's committees in accordance with the table in the Appendix:-**

- (b) Delegate the power to the Head of Democratic Services to make appointments to the committees on the basis of political balance and in accordance with the wishes of the political groups.
- (c) Allocate the chairpersonships of scrutiny committees on the basis of political balance as follows:

Independent Group – 2 members
 Plaid Cymru Group - 1 chair

- (ch) Confirm the allocation of the political groups support officers' posts and the hours of the political groups support officers as follows, and for the duration of this Council unless, in the opinion of the Business Group, a substantial change takes place in the political balance of the Council or that a political group has a less than 10% membership:-

Plaid Cymru Group - 35 hours
 Independent Group - 20 hours

- (d) Confirm the political balance for the outside bodies as follows for the term of this Council unless a review is required because of changes in the political balance:-

| BODY | Plaid Cymru | Independent | Llais Gwynedd | Labour Liberal Democrats | Individual Members |
|---------------------------------------|-------------|-------------|---------------|--------------------------|--------------------|
| Snowdonia National Park Authority | 5 | 3 | 1 | 0 | 0 |
| North Wales Fire and Rescue Authority | 3 | 2 | 0 | 0 | 0 |

- (dd) Nominate Councillor Dilwyn Morgan (Plaid Cymru) and Eric Merfyn Jones (Independent) as members of the Police and Crime Panel for the period until the next local government elections.

10. FINANCIAL REMUNERATION FOR ELECTED MEMBERS

The Head of Democratic Services presented a report asking that the Council determine the higher salaries to be paid for the coming year, and the Leader proposed the recommendations of the Democratic Service Committee.

During the discussion, specific attention was given to the recommendation to retain salary levels of Cabinet Members and Committee Chairpersons at Level 1 (£29,000) during the first year of the Council.

Some members expressed their support for the recommendation on the grounds that it reflected the responsibility and workload involved with the roles in question and that a decision had been made last year to retain the higher salaries at Level 1.

In contrast, other members noted that Councillors should demonstrate to residents of the county and Council staff their willingness to share some of the burden at this time of hardship and an amendment to reduce the higher salaries to level 2 (£26,000) was proposed and seconded.

A registered vote was called on the amendment and over a quarter of members voted in its favour.

In accordance with Procedural Rules, the following vote was recorded on the amendment:-

In favour (32)

Councillors Freya Hannah Bentham, Dylan Bullard, Stephen Churchman, R.Glyn Daniels, Anwen Davies, Dylan Fernley, Peter Antony Garlick, Alwyn Gruffydd, John Brynmor Hughes, Louise Hughes, R.Medwyn Hughes, Judith Humphreys, Aeron Jones, Elwyn Jones, Eric Merfyn Jones, Keith Jones, Kevin Morris Jones, Sion Jones, Eryl Jones-Williams, Dilwyn Lloyd, Roy Owen, Jason Parry, Nigel Pickavance, Dewi Roberts, Elfed Roberts, Angela Russell, Mike Stevens, Hefin Underwood, Eirwyn Williams, Elfed Williams, Gareth Williams and Owain Williams.

Against (39)

Councillors Craig ab Iago, Steve Collings, Annwen Daniels, Elwyn Edwards, Alan Jones Evans, Aled Evans, Simon Glyn, Gareth Griffith, Selwyn Griffiths, Annwen Hughes, Sian Wyn Hughes, Nia Jeffreys, Peredur Jenkins, Aled Wyn Jones, Anne Lloyd Jones, Berwyn Parry Jones, Charles Jones, Elin Walker Jones, Huw Wyn Jones, Linda Wyn Jones, Cai Larsen, Beth Lawton, Dafydd Meurig, Dilwyn Morgan, Linda Morgan, Dafydd Owen, Edgar Owen, Rheinallt Puw, Peter Read, Gareth A.Roberts, W.Gareth Roberts, Mair Rowlands, Paul Rowlinson, Dyfrig Siencyn, Gareth Thomas, Ioan Thomas, Cemlyn Williams, Gethin Glyn Williams and Gruffydd Williams.

Abstaining (1):

Councillor Catrin Wager

As the amendment had been lost, the members voted on the original proposal to accept the recommendations of the Democratic Services Committee, and it carried.

RESOLVED

(a) Continue to pay higher wages to the 18 roles noted below:-

- **Leader**
- **Deputy Leader**
- **Up to 8 other Cabinet members**
- **The Leader of the largest Opposition**
- **Chairpersons of the Scrutiny Committees (x3)**
- **Chair of the Audit and Governance Committee**
- **Chair of the Planning Committee**
- **Chair of the Licensing Committee**
- **Chair of the Pensions Committee**

(b) That salary levels for Cabinet Members and Committee Chairs (as listed in decision (a) above) remain at Level 1 (i.e. £29,100) during the first year of the new Council.

(c) To carry out a review of the workload of all chairs within a year to see whether there is room to vary the decision or reconsider the salary levels.

11. COMMITTEES CALENDAR 2017/18

The Head of Democratic Services presented a calendar for the dates of Council meetings for 2017/18.

RESOLVED to adopt the Committees Calendar for 2017/18.

The meeting commenced at 1.00 pm and concluded at 2.25 pm

CHAIRMAN

APPENDIX

Aa

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|----------------------------|--|
| MEETING | FULL COUNCIL |
| DATE | 18 MAY 2017 |
| TITLE OF THE REPORT | THE COUNCIL'S POLITICAL BALANCE (additional paper to coincide with item 12) |
| PURPOSE | Submit the recommendations of the Business Group to the Council |
| RECOMMENDATION | Allocation of seats on the Council's Committees and Confirm the Allocation of the Posts and Hours of the Members' Support Officers. |
| AUTHOR | Geraint Owen Head of Democratic Services |

1. THE COUNCIL'S POLITICAL BALANCE

1.1.1 Following the May 2017 Local Government elections, the Gwynedd Council political balance is as follows:

| <u>Group</u> | <u>Number</u> |
|--------------------|---------------|
| Plaid Cymru | 41 |
| Independent | 24 |
| Llais Gwynedd | 6 |
| Liberal/Labour | 2 |
| Individual members | 2 |
| Total | 75 |

2. ALLOCATION OF SEATS ON COMMITTEES

2.1 The seats are allocated on the various committees in accordance with the information noted in the appendix to this report.

3. CHAIRPERSONSHIPS AND AND VICE-CHAIRPERSONSHIPS

3.1 The only committees for which the chairs are to be allocated on the basis of political balance are the Scrutiny Committees. Specific rules must be followed when calculating entitlement to chairs of the scrutiny committees based on the political balance. The rules aim to ensure that groups that are not represented on the executive are given a fair proportion of the chairpersonships. In accordance with the rules, the chairpersonships are allocated as follows:

Independent Group – 2 Chairs, Plaid Cymru Group – 1 Chair

4. MEMBER SUPPORT OFFICERS

4.1 The hours of political support are allocated between the eligible groups as follows:

Plaid Cymru Group 35 hours
 Independent Group 20 hours

5. OUTSIDE BODIES

5.1 It is the Council that decides on allocations of the seats to bodies that require political balance. There are two of these, namely

- Snowdonia National Park Authority, and
- North Wales Fire and Rescue Authority

5.2 The seats on the two outside authorities are allocated as follows:

| BODY | Plaid Cymru | Independent | Llais Gwynedd | Liberal/ Labour | Individual Members |
|---------------------------------------|-------------|-------------|---------------|-----------------|--------------------|
| Snowdonia National Park Authority | 5 | 3 | 1 | 0 | 0 |
| North Wales Fire and Rescue Authority | 3 | 2 | 0 | 0 | 0 |

5.3 The allocation of seats will stand for the term of this Council unless a review is required due to changes in the political balance.

5.4 Police and Crime Panel. As noted in the original report, the Full Council must nominate members to represent the Council on the Police and Crime Panel. Gwynedd's representation on the Panel is two members – one from Plaid Cymru Group and one from the Independent Group.

5.5 It is essential that the members nominated to the Police and Crime Panel have the necessary knowledge and experience to assist the Police and Crime Panel to discharge its functions effectively, and this should be taken into consideration whilst nominating members. Nominations will be submitted to the Home Secretary for approval.

5.6 The Council is asked to nominate members from the two groups named above. It is recommended that the appointments will stand until the next Local elections are held.

ALLOCATION OF SEATS ON COMMITTEES

| A | Plaid Cymru | Independent Group | Llais Gwynedd | Lib/Lab | Individual Members | Total |
|--|-------------|-------------------|---------------|---------|--------------------|-------|
| Education and Economy Scrutiny Committee | 10 | 5 | 2 | 0 | 1 | 18 |
| Communities Scrutiny Committee | 10 | 5 | 2 | 1 | 0 | 18 |
| Care Scrutiny Committee | 10 | 6 | 1 | 0 | 1 | 18 |
| Audit and Governance Committee | 10 | 6 | 1 | 1 | 0 | 18 |

| B | Plaid Cymru | Independent Group | Llais Gwynedd | Lib/Lab | Individual Members | Total |
|--------------------------------------|-------------|-------------------|---------------|---------|--------------------|-------|
| Democratic Services Committee | 8 | 5 | 1 | 0 | 1 | 15 |
| Planning Committee | 8 | 5 | 1 | 1 | 0 | 15 |
| Central Licensing Committee | 8 | 5 | 1 | 1 | 0 | 15 |
| Language Committee | 8 | 5 | 1 | 0 | 1 | 15 |
| Chief Officers Appointment Committee | 8 | 5 | 2 | 0 | 0 | 15 |
| Employment Appeals Committee | 4 | 2 | 1 | 0 | 0 | 7 |

| | | | | | | |
|------------------------|-----------|-----------|-----------|----------|----------|------------|
| Number of seats | 84 | 49 | 13 | 4 | 4 | 154 |
|------------------------|-----------|-----------|-----------|----------|----------|------------|

| C | Plaid Cymru | Independent Group | Llais Gwynedd | Lib/Lab | Individual Members | Total |
|------------------------------------|-------------|-------------------|---------------|---------|--------------------|-------|
| Pensions Committee | 4 | 2 | 0 | 1 | 0 | 7 |
| Local Joint Consultative Committee | 6 | 3 | 1 | 0 | 1 | 11 |
| SACRE | 4 | 3 | 0 | 0 | 0 | 7 |
| Joint Planning Policy Committee | 5 | 2 | 1 | 0 | 0 | 8 |

| | | | | | | |
|--------------------|------------|-----------|-----------|----------|----------|------------|
| Total seats | 103 | 59 | 15 | 5 | 5 | 187 |
|--------------------|------------|-----------|-----------|----------|----------|------------|