
ANNUAL MEETING OF THE COUNCIL 2/5/19

Present: Councillor Edgar Wyn Owen (Chair);
Councillor Simon Glyn (Vice-chair).

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

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

Councillor Annwen Hughes, Chair 2018/19, addressed the meeting.

1. CHAIR

Councillor Edgar Wyn Owen was elected chair for 2019/20.

Councillor Edgar Wyn Owen signed a declaration accepting the post of Chair of Gwynedd Council for 2019/20.

2. VICE-CHAIR

Councillor Simon Glyn was elected Vice-chair for 2019/20.

Councillor Simon Glyn signed the declaration accepting the post of Vice-Chair of Gwynedd Council for 2019/20.

3. APOLOGIES

Councillors Craig ab Iago, Anwen Davies, John Brynmor Hughes, Linda Morgan, W.Roy Owen, W.Gareth Roberts, Hefin Underwood and Gethin Glyn Williams.

4. MINUTES

The Chair signed the minutes of the previous meeting of the Council held on 7 March 2019 as a true record.

5. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received.

6. THE CHAIR'S ANNOUNCEMENTS

Condolences were extended to Councillor Linda Ann Jones as her son had recently passed away.

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

The Council stood as a mark of respect.

Councillor Gareth Tudor Morris Jones, the new member for the Morfa Nefyn Ward, was welcomed to his first meeting of the Council.

The following were congratulated:-

- The group of Councillors nominated by Prostate Cymru for an award after raising over £8,000 for the Prostate Cymru Charity during the "Trôns dy Dad" event in August 2018. It was noted that Councillors Dilwyn Lloyd, Roy Owen and Steven Churchman would attend the awards ceremony in Cardiff in April.
- Mali Jones from Ysgol y Berwyn, Y Bala for scoring an excellent try for the Wales under 18 Women's Rugby Team against England recently.
- Lowri Howie, form Ysgol Gynradd Llanbedr, for winning the British inter-schools slalom ski competition recently in Pila, Italy, making her the overall winner in the under 10 girls category, and who through her endeavours put Ysgol Gynradd Llanbedr, and Gwynedd, on the map.

7. CORRESPONDENCE, COMMUNICATIONS, OR ANY OTHER BUSINESS

None to note.

8. URGENT ITEMS

None to note.

9. QUESTIONS

(The Cabinet Members' written responses to the questions had been distributed to the members in advance).

(1) Question from Councillor Kevin Morris Jones

"After all the problems with the parking situation in Llanberis over Easter, I would be grateful to know what this Council intends to do to improve the situation, bearing in mind that a balance must be struck between promoting tourism and health and safety in the area?"

Response from the Cabinet Member for the Environment, Councillor Gareth Griffith

"It is clear that the Department had a busy time over Easter - it was very hot, and the Member has reported on what we saw in the area, when so many tourists visited her over Easter. In terms of what the Department intends to do, it endeavours to carry out work throughout the entire county. There are parking restrictions, there are signs, and fines have been imposed and the situation will be monitored over these periods to improve arrangements, not only for tourists but also for the residents of Gwynedd. It is, therefore, difficult work, and since Easter was later this year, there were more people and the weather was extremely hot and brought people to the area. The situation will be monitored and the Department is taking the opportunity to talk to anyone who has problems in their ward."

Ancillary question from Councillor Kevin Morris Jones

"Is it time, perhaps, to bring out the tow vans and show tourists that we are open and safe for visitors and locals to visit us?"

Response from the Cabinet Member for the Environment, Councillor Gareth Griffith

"The Department is prepared to talk to any Councillor from any ward. The Department has been issuing fines. I accept the point the member is making and we will have a further discussion and will see how things go over the summer."

(2) Question from Councillor Paul Rowlinson

"At the previous meeting, when discussing the budget, the plans to prevent holiday homes from transferring to Business Tax in order to avoid the holiday home premium were outlined. Could the Leader update us on any lobbying that has taken place to try to tackle this?"

Response by the Leader, Councillor Dyfrig Siencyn

"Our intention was to prepare evidence, for which work I would like to thank the Chief Executive and the Finance Department, and to gather information from the Counties that are members of the Rural Forum, of which there are nine county members. At our meeting of the 10 April we presented a paper to the Rural Forum highlighting the actual cost, not only to individual councils but to the whole of Wales in revenue, of losing this Domestic Tax from our budgets. I am pleased to announce that the Rural Forum unanimously agreed to support our request to the Local Government Association to undertake the work of submitting our case to Welsh Government on behalf of the Rural Forum. I think that having nine Councils in gives us greater power than if we stood alone on this issue, and we expect a progress report from the Local Government Association on the work it has done. It is worthwhile noting at this point that the message has been driven home and that the civil servant from the Welsh Government's office has arranged to visit us on 13 May in order to hear our evidence and to gain a greater understanding of the problem that has arisen following the introduction of the right to charge a premium for holiday homes."

A supplementary question by Councillor Paul Rowlinson

"Could you provide details on the amount the premium has charged, or does charge, and how many have transferred to Business Rates and what impact this has on the Council's budget and on the plans to secure suitable homes for the people of Gwynedd?"

Response by the Leader, Councillor Dyfrig Siencyn

"The latest I have are the figures provided in the report. In Gwynedd, 1,250 domestic houses have transferred from Council Tax to Non-domestic Tax since April 2014. On a Domestic Tax level, that translates to an annual loss of almost £2m to Gwynedd from Council Tax. From what we have gathered from other Councils (and this, it has to be acknowledged, is fairly superficial work; yet, at least six councils have responded), we estimate conservatively, that the loss to the Wales-wide coffers is approximately £4.5m. That is, the income for Wales has fallen by £4.5m over this period which, of course, means that every Council in Wales is missing out. We have detailed examples of this. It even affects Cardiff and Wrexham and places that don't have any issues with holiday homes. I shall ask the Head of Finance Department to demonstrate how much premium we have received and how much we anticipated we would have received."

Further response from the Head of Finance Department:

"The numbers transferring from the Council Tax list to the Business Rates list is accelerating. In this last year, approximately 460 properties transferred from the Domestic List to the Business List, an increase of 60% on the 280 which transferred in the previous year. There is a need to intervene to ensure greater integrity, and that work is on-going. In terms of how much Tax Premium we collect, we had estimated that we would generate £2.9m last year, with £200,000 of this being earmarked for policing the procedure and initiatives in the field of housing, with the remainder earmarked to implement the Housing Strategy that will soon be presented to us. Whilst we will get in the region of between £2.7m and £2.9m, unfortunately, when a property transfers, the Valuer back-dates some of it. The loss from back-dating is a specific cash problem for us, whilst the transfer means a loss to all councils in moving forward, as there is an adjustment in the grant allocation for it."

Further response by the Leader, Councillor Dyfrig Siencyn.

"I believe we had estimated that we could generate approximately £5m a year, therefore, we lose out on £2m-£3m a year from the premium alone, never mind the loss from the standard Tax. The solution, of course, is clear and we have proposed it and will convey it to Welsh Government. It is that the Housing Act for Wales needs to be modified: if a house is a dwelling, it will be taxed as a dwelling. That is, it may not be a business unless it has received planning permission to convert it into a different type of business. Therefore, this is straightforward and easy to explain. In fact, the Chief Executive and I had an initial meeting with the Local Government Minister and we raised the point with her, and she is interested. She has previous experience of this type of situation, and she really should be interested, because the Legislation means that we are not only losing money to the country's purse in general, but are unable to achieve what the holiday home premium is meant to achieve, which is more houses for our local people and encourage people and make it easier for local people to get houses. We are currently putting money in the pockets of those who can afford holiday homes, and we are simultaneously unable to obtain the expenditure that should be due to us to carry out mitigation work and provide houses for our own people."

A member noted that this matter had been raised at the previous meeting, and in line with the Constitution of the Council it was not permitted to discuss the matter again within six months. In response, the Monitoring Officer noted that responding to a question submitted by a member did not contravene the six month rule.

(3) A question by Councillor Owain Williams

"Following the fact that a by-election will no longer be held in the Morfa Nefyn Ward, exactly how many Gwynedd Council Councillors have now walked into these seats without facing an election, and how do these figures compare with neighbouring counties, i.e. Anglesey, Conwy and Denbighshire?"

Response from the Cabinet Member for Corporate Support, Councillor Nia Jeffreys

"As you are aware, the last Local Government elections were held in May 2017. At that time, 21 of the 75 seats on Gwynedd Council were uncontested.

The situation varied across Wales, with a total of 92 uncontested seats in Wales in 2017 (7%), which was slightly lower than in 2012, when there were 99 uncontested seats (8%). Interestingly, three rural areas, namely Gwynedd, Powys and Pembrokeshire accounted for over 50 of these seats in 2017. However, it should also be noted that half of Welsh Councils had at least one uncontested seat in 2017.

The situation in the neighbouring counties was as follows:

Conwy - six uncontested seats (of 59 seats)

Denbighshire - five uncontested seats (of 47 seats)

Anglesey - no uncontested seats (out of 30 seats)

We are aware that people stand as Councillors for many reasons. However, research also highlights some of the obstacles facing people who are interested in standing. The Council also invests time and resources before every election to encourage a broader range of people to stand, and this must be remembered. Addressing this is a constant challenge for every organisation involved with Local Government in Wales and for us as councillors."

A supplementary question by Councillor Owain Williams

"Those figures, therefore, show that 7% of seats throughout Wales have been taken without election, but in Gwynedd it is 30%, four times greater than the Wales-wide average. How are we going to address this and what was the closing date for the last by-election?"

Response from the Cabinet Member for Corporate Support, Councillor Nia Jeffreys

"I am confident that the Council has addressed all the statutory requirements relating to the election. In fact, it has gone beyond those requirements by posting information on the website, and also by posting information to people who do not use e-mail. It is a great shame that people have not stood for election in Morfa Nefyn. We as Plaid Cymru see this as an important subject and we welcome a discussion about policies. Next Saturday, I will attend an event in Pen Llŷn arranged by Councillor Wager to try to attract more women to stand for election. This is a subject in which I am deeply interested, and I read the Local Government report about diversity in the Local Government field which also looked at barriers that deter people from standing. There was a whole chapter about bullying, discrimination and harassment, and I was astonished to read that only a third of councillors have not suffered. As we are talking specifically about Morfa Nefyn in this question, I would like to take this opportunity to extend my deepest thanks to former councillor Siân Hughes for her years of service to the Council and her ward; and finally, I would like to extend a very warm welcome to Councillor Gareth Jones, and congratulate him."

(4) Question from Councillor Sion Jones

"The recent Council Tax increase has hit many families financially. The Council must be thanked for raising awareness of the Tax Relief Programme available. However, would it be possible for the Cabinet Member to explain the definition of 'low income' and how many people in Gwynedd get Council Tax relief?"

Response by the Cabinet Member for Finance, Councillor Ioan Thomas

"The definition of 'low income' is complex and technical.

The term 'low income' is used nationally by many agencies, despite not having a clear definition of what is meant by 'low income'.

The level of income that would make a household eligible for support through the Council Tax Relief Scheme varies depending on a range of circumstances.

Members will remember that the Full Council at its meeting in December of last year, as it does every December, decided on its Council Tax Relief Scheme. However, it is noted that the bulk of the scheme is defined by Welsh Government regulations.

The regulations define the 'relevant sum' for different circumstances.

When assessing the right to Council Tax relief, consideration is given to the earnings of the household, and this sum is compared with the 'relevant sum'.

As 'relevant sum' varies depending on the situation and circumstances of the application, the Council has a calculator on its website, to which members have been given a link, and it is possible for residents to visit this and see the situation. This enables the people of Gwynedd to find out whether they are eligible for Council tax relief by inputting details of their personal circumstances. It is then possible for people to decide to go ahead and submit an application for a formal assessment or to discuss the situation with staff. I am aware that officers of the department do very good work on behalf of the people who contact them.

Currently, 9,301 households in Gwynedd get Council Tax relief, which is a commitment of £9.6m of the Council's resources. Approximately 58,000 households receive a Council Tax bill, therefore 9,301 is close to 16% of the total receiving a full or partial relief. I ask that Members convey this information to any constituents applying for this."

A Supplementary Question by Councillor Sion Jones

"Is the Cabinet Member willing to review the way the process works and to look at simplifying the process in order to help the people of Gwynedd?"

Response by the Cabinet Member for Finance, Councillor Ioan Thomas

"Your original question was about the relief, I have responded to this and this will go through the Council in December. You mentioned single people, etc. This defines something known as '*discounted*', and it is not a relief. I believe that around 18,000 people get a discounted Council Tax bill. I am very happy for anyone to contact me or the department to obtain accurate details about the information. It is not straightforward, as I explained with the relief, but you mention relief and we also offer a

discount. I, therefore, acknowledge that it is not easy to understand, but I will look into the situation and am willing to receive any correspondence."

10. MAIN MESSAGES FROM THE STATUTORY DIRECTOR FOR SOCIAL SERVICES REGARDING THE 2018-19 PERFORMANCE

The Statutory Director for Social Services presented a report outlining the main messages regarding the performance of Social Services, to which attention will be drawn in the annual report in due course, and she outlined the main challenges and transformation programmes for 2019/20.

The Director explained that:-

- the annual report would be available in its final form in July, and would be circulated to all Council members.
- Due to personal commitments, she would be unable to attend the Full Council meeting in July to present the report. This year, therefore, an early high level report was submitted to the meeting of this Council.

The Director took the opportunity to thank all staff, internal and external, for their tireless and committed work once again this year. She particularly thanked Marian Parry Hughes (Head of Children and Families Department) and Aled Davies (Head of Adults, Health and Well-being Department) for their committed and valuable work throughout the year. She also thanked the scrutiny members for their input and Cabinet Members in the care field, Councillors W.Gareth Roberts and Dilwyn Morgan, for their support over the year. She also noted that she looked forward to working with Councillor Dafydd Meurig, who had taken over as portfolio holder for adults, health and well-being.

Individual members noted the following observations:-

- The report was welcomed and it was noted that the series of video clips about Hafan y Sêr, Hafod y Gest, Plas Hafan and Dementia Go, shown as part of the presentation, had brought the work of the service alive to members.
- It was noted that the provision had been transformed in recent years and many new and pioneering plans had been welcomed, such as the extra care housing at Hafod y Gest, the pilot scheme in Bethesda to transform domiciliary care and More than Just Words. Hafan y Sêr was specifically referred to, and it was noted that we should take pride in it as the only Welsh medium and bilingual provision for disabled children and young people, and share the message across Wales to show what is possible.
- It was suggested that every staff member should visit older people homes in their areas in order to see the excellent work carried out by staff.
- A request was made that a section be included in the full annual report about developments in services for people with autism.

In response to questions from individual members:-

- That the increase in the numbers of looked after children reflected our society and the challenges many of the children and their families were facing. This was why preventative work and early intervention were so crucial: to make it possible to offer this support to families and children, by working with the schools, etc, in the most appropriate way to prevent problems from escalating. Expectations had increased because of work done to raise people's awareness

of safeguarding issues and the fact that looked after children now continued to live at home with their parents also contributed to the numbers.

- That it was commonplace to hear about independent private companies getting into financial difficulties; therefore, it was important to weigh up the most suitable care market for Gwynedd. As we had an internal provision and, as many provisions in Gwynedd had expanded, whether independent, third sector or private, this Council was not as dependent on large companies as some other counties. Nevertheless, clarity was necessary regarding the demands from the care sector; demand had to be mapped in conjunction with the sector; and, assurance that the provision, be it internal or external, was funded in order that it worked as it should. It was possible that there had not been enough clarity over the years, but the Council had to have a sustainable provision of a high standard in moving forward. Work was under way regionally and locally in this regard, to ensure that the right balance was struck. However, the Council had difficult decisions to make in a challenging financial climate.
- One of the greatest difficulties in the 'More than Just Words' field, was how to persuade independent, outside provision to fully comply with the requirements. Despite the expectation placed on them, and although constructive discussions had taken place over the years, they had not been given sufficient support to set about improving the linguistic provision. The Council was now supporting them far more proactively in drawing up policies, recruiting differently, and creating an environment within their homes that had greater emphasis on the Welsh language.
- Although it was community staff that maintained the care at the new Hafod y Gest, there was no intention to take away from the community. As tenants, the most appropriate care model for the residents of Hafod y Gest was domiciliary care. Therefore, rather than having one team in the building and another in the community, it was decided to set up one team that was able to discuss and prioritise the work among its members. It was believed that this arrangement would strengthen the community and the extra care housing. The Director, however, agreed to take this comment back to the teams so that information could be provided to satisfy the member that there was no risk and that this was something the service would monitor as time went on.
- Much had happened in the field of dementia in terms of investing in homes and collaborating with the Health Board to ensure a seamless and improved provision. Information about the developments in Dolgellau and Barmouth specifically could be sent to the member; however, the process involved making the buildings provision more suitable for people with dementia; then it would look at the way suitably skilled staff could be recruited to correspond to that investment.
- In response to a suggestion that there was room to improve the new arrangements for contacting Social Service out of hours, the Director proposed to talk to the member in order to find out about his experience of phoning in.

11. THE HEAD OF DEMOCRATIC SERVICES' ANNUAL REPORT 2018-19

The Head of Democratic Services (Head of Corporate Support Department) submitted his annual report on behalf of the Democratic Services Committee, which focused on developments in 2018/19 and the development priorities for 2019/20.

The Head of Department thanked all members of the committee for their support and guidance, especially the Chair, Councillor Dewi Owen, and Vice-chair, Councillor Anne Lloyd Jones, and the Democracy team, under the leadership of the Democracy Manager.

During the discussion the following matters were raised by individual members:-

- A member noted that he was experiencing ongoing problems with the Surface Pro.
- It was noted that the Members' Room was dated and that it did not have a printer.

12. APPOINTMENT OF CHAIR TO THE DEMOCRATIC SERVICES COMMITTEE

The Council was invited to appoint a chair for the Democratic Services Committee for 2019/20.

RESOLVED to elect Councillor Dewi Owen as Chair of the Democratic Services Committee for 2019/20.

13. SCRUTINY ANNUAL REPORT 2018-19

Submitted - the scrutiny annual report for 2018/19 by the Chair of the Scrutiny Forum, Councillor Beth Lawton. She explained that the role of the Scrutiny Forum was to take an overview of the work of all scrutiny committees and she asked members to contact any member of the forum if they thought a matter needed to be scrutinised. She thanked her fellow chairpersons and vice-chairs, and everyone involved with scrutiny, for their work.

A member noted that she was pleased to see that public toilets were still being given attention, but that she was disappointed that after 10 years the matter had still not been resolved. In response, it was noted that a new Public Toilets Strategy was in the pipeline and members were reminded of their right to call in any matter that was submitted to Cabinet.

The Chair of the Scrutiny Forum was thanked for presenting the report on behalf of the scrutiny chairs.

14. THE COUNCIL'S POLITICAL BALANCE

Submitted - a report by the Head of Democratic Services on the Council's political balance and relevant matters.

It was noted that the situation had changed since the report was prepared, as the empty Morfa Nefyn seat had since been filled and that membership of the Council had returned to 75. Should a request be made, a further report would have to be submitted to the next meeting of the Council to reflect that. However, it was noted that the change with the one seat didn't lead to any changes to the allocation of seats, and the situation remained as noted in the report.

During the discussion the following matters were raised by individual members:-

- The Leader of the Independent Group expressed her disappointment that the Vice-chairmanship of the Council had not gone to the Independent Group, the usual arrangement was that the role alternated between the Plaid Cymru Group and the Independent Group. In response, the Monitoring Officer explained that there was no provision in the Constitution to allocate the Vice-chairmanship to any specific group.

- There was disappointment that not every group appointed members to the scrutiny committees and an enquiry was made into the amount of time they had before they lost those seats. In response, the Monitoring Officer explained that if the group did not appoint within the timetable, the provision in the Constitution allowed the Council to appoint members to committees on a general basis, without adhering to political balance. However, with any subsequent reviews of the balance, the arrangements would revert to their original form, and that generated its own problems. In response to an allegation that nothing was being done about the situation, the Chief Executive noted that he would raise the issue with the Business Group in order to seek a resolution.

RESOLVED

- To adopt the list of committees and sub-committees to be established for the municipal year, as noted in the appendix to these minutes, and to adopt the allocation of seats in accordance with what is noted in the appendix.**
- To delegate the power to the Head of Democratic Services to make appointments to the committees based on political balance and in accordance with the wishes of the political groups.**
- To allocate the chairs of scrutiny committees on the basis of political balance as follows:**

**Education and Economy Scrutiny Committee Plaid Cymru Group
Communities Scrutiny Committee Independent Group
Care Scrutiny Committee Independent Group**

The meeting commenced at 1.00pm and concluded at 2.55pm.

CHAIR

APPENDIX

A	Plaid Cymru	Independent	Llais Gwynedd	United Independent Group for Gwynedd	Individual Member	Total
Education and Economy Scrutiny Committee	10	5	2	1		18
Communities Scrutiny Committee	10	5	2	0	1	18
Care Scrutiny Committee	10	5	1	1	1	18
Audit and Governance	10	5	1	1	1	18

B	Plaid Cymru	Independent	Llais Gwynedd	United Independent Group for Gwynedd	Individual Member	Total
Democratic Services	8	5	1	1		15
Planning	8	4	1	1	1	15
Central Licensing	8	4	1	0	2	15
Language	8	5	1	1		15
Chief Officers Appointment	8	5	2	0		15
Employment Appeals	4	2	1	0		7
Number of seats	84	45	13	6	6	154

C	Plaid Cymru	Independent	Llais Gwynedd	United Independent Group for Gwynedd	Individual Member	Total
Pensions	4	2	0	0	1	7
Local Joint Consultative Committee	6	3	1	1		11
SACRE	4	3	0	0		7
Joint Planning Policy Committee	5	2	1	0		8

Total seats	103	55	15	7	7	187
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