

THE COUNCIL THURSDAY, 3 OCTOBER 2019

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

Councillors: Menna Baines, Freya Bentham, Stephen Churchman, Annwen Daniels, R. Glyn Daniels, Anwen Davies, Elwyn Edwards, Alan Jones Evans, Aled Evans, Dylan Fernley, Peter Antony Garlick, Selwyn Griffiths, Annwen Hughes, Louise Hughes, R. Medwyn Hughes, Judith Humphreys, Aeron M. Jones, Aled Wyn Jones, Charles W. Jones, Elwyn Jones, Eric Merfyn Jones, Gareth Jones, Huw Wyn Jones, Kevin Morris Jones, Linda A.W. Jones, Sion Jones, Eryl Jones-Williams, Cai Larsen, Dilwyn Lloyd, Dilwyn Morgan, Dafydd Owen, Dewi Owen, Jason Parry, Rheinallt Puw, Dewi Wyn Roberts, Elfed P. Roberts, Gareth A. Roberts, John Pughe Roberts, Mair Rowlands, Paul Rowlinson, Angela Russell, Dyfrig Siencyn, Mike Stevens, Gareth Thomas, Catrin Wager, Cemlyn Williams, Eirwyn Williams, Elfed Williams, Gareth Williams, Gethin Glyn 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), Dafydd Wyn Williams (Head of Environment Department) (for item 7), Rhun ap Gareth (Senior Solicitor / Deputy Monitoring Officer), Vera Jones (Democracy and Language Service Manager) and Eirian Roberts (Democratic Services Officer).

1. APOLOGIES

Councillors Craig ab Iago, Dylan Bullard, Gareth Griffith, Alwyn Gruffydd, John Brynmor Hughes, Nia Jeffreys, Peredur Jenkins, Anne Lloyd Jones, Berwyn Parry Jones, Elin Walker Jones, Keith Jones, Beth Lawton, Dafydd Meurig, Linda Morgan, W. Roy Owen, Nigel Pickavance, Peter Read, W. Gareth Roberts, Ioan Thomas, Hefin Underwood and Gruffydd Williams.

2. MINUTES

The Chair signed the minutes of the previous meeting of the Council held on 18 July 2019 as a true record.

3. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

4. THE CHAIR'S ANNOUNCEMENTS

Condolences were expressed to the family of the former Councillor and Chairman of this Council, William Arthur Evans, who died in August.

Condolences were also expressed to the family of Elain Heledd, headteacher of Ysgol Llanegryn, who had passed away recently.

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

The Council stood as a mark of respect.

The following were congratulated:-

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- Guto Dafydd on winning the Chair and the Daniel Owen Memorial Prize at this year's Conwy County National Eisteddfod.
- Everyone else from Gwynedd who had been successful, or who had been honoured at the Eisteddfod, including the former Chief Executive, Geraint R. Jones, who became a Fellow of the Eisteddfod.

Paula Sky Tunnandine, a member of staff at the Pavilion Centre, Harlech, was wished well on her forthcoming trip to Hawaii to compete in an Ironman competition, having recently won the Welsh Ironman competition.

5. CORRESPONDENCE, COMMUNICATIONS, OR ANY OTHER BUSINESS

None to note.

6. URGENT ITEMS

None to note.

7. QUESTIONS

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

(1) Question from Councillor Dylan Fernley

"What steps does this Council propose to take to promote use of public transport by employees? Should we incentivise bus use and punish car use for those who live on bus routes. Surely, paying people to drive a car when there is adequate public transport is wrong."

Response from the Leader, Councillor Dyfrig Siencyn, in the absence of the Cabinet Member for the Environment)

"We welcome this question, and there is certainly scope to reduce officer journeys and consider more cost effective and sustainable transport to travel around our County

As a first step, we are currently reviewing the public transport network across Gwynedd and will be highlighting opportunities to travel between Council area offices.

At the same time the Welsh Government is reviewing the Trawscymru service with a view to increasing frequency between Aberystwyth and Bangor. A fast service is planned between Dolgellau and Bangor at peak times, i.e. the bus will not stop in villages which will make this more attractive to workers.

The Council and Arriva have been working together to offer a cheaper ticket for Gwynedd Council staff which encourages employees to travel by bus in the Bangor, Caernarfon and Bethesda areas where the company operates."

Supplementary Question from Councillor Dylan Fernley

"What are we going to do about this situation?"

Response from the Leader, Councillor Dyfrig Siencyn, in the absence of the Cabinet Member for the Environment)

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"Thank you for challenging us as a Council to examine the matter. It is a valid question - why can't we devise arrangements that encourage, both workers and councillors, to use buses instead of cars, and I believe that there is scope for us to look at this. One significant problem, of course, as somebody who lives in a very rural area, is that public transport is often not fit for purpose when trying to reach meetings on time, etc., and it possible that we should examine our bus timetables and arrange our meetings to suit those timetables. I believe that there is scope for us to work on that. But, ultimately, there is a need for significant investment in a public transport system that is sustainable and carbon-neutral if possible. This means that significant investment is needed, and I would support this."

(2) Question from Councillor Paul Rowlinson

"It is now five years since the Council passed the motion below (09.10.2014):

"Following the latest attacks by the Israeli State on the territory of the Palestinians living in the Gaza Strip, this Council calls for a trade embargo with Israel and condemns the over-reaction and savageness used.

Furthermore, we confirm and underline this Council's decision to stop investing in Israel or in that country's establishments.

We believe that if Gwynedd leads the way there is hope that other councils in Wales and beyond will follow our example."

During the discussion:-

- The proposal was supported and the member was congratulated for bringing the matter before the Council.*
- It was noted that it was important that Gwynedd Council looked out on the world and that it tried to influence to the best of its ability on a situation like this.*
- It was emphasised that it must be made clear that the proposal condemned the Israeli State and not the Jewish religion."*

Can the Leader update us on how the Council has implemented the motion? For instance, had the Council consequently negotiated or rejected any investments or trade; had the Council avoided investing or trading with companies that operated in Israel; had any legal matters or any other difficulties arisen in relation to the implementation of this policy; and had the Council ensured that all its contractors implemented the policy?"

Response from the Leader, Councillor Dyfrig Siencyn

"Some of us will remember this motion, and the outcome. The Council has not invested in funds in Israel as they did not meet the financial criteria set out in the Investment Strategy adopted by the Council.

Following the passing of this motion in 2014, its legality was challenged by the Jewish Human Rights Watch in the High Court. Similar legal challenges were brought against Swansea and Leicester Councils. The Court determined in favour of the Council on the basis that the motion had not had affected our investment decisions. Despite this, the law is clear that the Council is not permitted to award or terminate a contract on the basis of the National or territorial origin of the contractor, the supply or service.

To summarise, therefore, in response to the question, we are acting in accordance with the decision, but, in so doing, we must be vigilant that we do not do anything that is illegal."

Supplementary question from Councillor Paul Rowlinson

"Are you aware of any other councils which have followed our example, and, if so, which ones?"

Response by the Leader, Councillor Dyfrig Siencyn

"Evidently, we are aware of Swansea Council and Leicester Council, as they were part of the same hearing as us in that judicial review. We are also aware that public bodies in London, East Sussex, Canterbury, Winchester, Bristol, Sheffield, Edinburgh and Dublin City Council have called for a trade embargo with Israel, and that a number of councils in countries across Europe have acted in a similar manner.

(3) Question from Councillor Aeron Jones

"How does the Cabinet Member responsible for children and young people foresee the Social Services Department coping with the challenges facing our children and young people in the future due to the uncertainty happening across Wales and Britain currently?"

Response from the Cabinet Member for Children and Families, Councillor Dilwyn Morgan

"A very open-ended question. I could keep you here for several hours praising the work of the Children's Service, etc., but I wish to take advantage of the opportunity to update you and highlight some matters that currently pose a challenge to us in the service. If I had more time, I would update you on what is happening in the Children's Service, and the message I wish to convey is that I would appreciate and welcome any enquiries from members about the Children's Service because, ultimately, it is a responsibility that lies with us all, as we are all corporate parents. Therefore, I hope that this message is clearly conveyed to you.

However, I will move on, and take the opportunity before my formal answer, to list some of the challenges that currently face us. I am certain that you are all aware of the overall increase in demand for the department's services, and there is an almost daily increase in the number of looked after children. The lack of suitable foster and residential placements for children and young people who need to be placed away from their family home leads to an increase in unmanaged placements, which are placements that we have to find at the last minute for children to ensure their safety. One example I can give you is the service having to make over 130 telephone calls to try to find accommodation for one young girl; nobody was willing to accept her, and she had to be accommodated over the weekend in a house with our staff. Therefore, here is another challenge that faces us. The increase in the complexity of cases, with a number of children coming to our attention late in the day, i.e. they are not on our radar, and suddenly, something happens within the family and these children come under our care. Therefore, this is a significant challenge. Another challenge is that other agencies shy away from their responsibilities because of a lack of resources at this time of austerity. Therefore, this is an additional challenge facing the Children's Service. Another challenge that we are currently facing, which is timely for me to report on, is the challenge and expectation set by Welsh Government to reduce the numbers of looked after children and young people, with a focus on local authorities. We all agree that we need to move towards a reduction, but the Government is currently trying to insist upon setting a target for us, a specific figure for the reduction in the number of children each year. We are one of the five councils in Wales that have currently rejected this as we feel that it places our children in a position that we

wish to avoid, and it also places additional pressure on our staff. Therefore, this is another of our current challenges. There are increasing demands on our social workers during care cases. Courts set timetables upon them, which creates significant difficulties in relation to assessing children and individuals. For the first time in over a decade we are starting to see the side effects due to a failure to appoint staff to posts. This is an increasing concern to use and, naturally, we are trying to do something to address this challenge.

The Children and Supporting Families Service have responded to new challenges, for example Child Sexual Exploitation, Child Criminal Exploitation, Harmful and problematic sexual behaviour through working closely with our partners to develop practice that increases staff members' skills to deal with these complex areas of work. We are part of a regional and national network that contribute to new developments and we lead on many aspects of service delivery, for example, safeguarding. We have foreseen that we need to develop specific services for some of these challenging areas, and we have plans in place. For example, to develop a multi-agency team to work within harmful sexual behaviour, and we are currently running a pilot programme for the region in relation to developing effective child protection practice. The service is confident that they identify needs and challenges effectively and are ambitious to develop new plans to meet and respond to those challenges. Gwynedd Children's Services have been successful in maintaining a stable workforce for a number of years, and professional staff are staying within the service, developing experience and confidence in their daily work. We offer opportunities for staff to develop in the area of work and invest in professional training and development. The staff in the service are experienced on every level of leadership – as noted in the Care Inspectorate Wales report following an inspection of Gwynedd Children's Services in August 2018 – we saw *that Gwynedd Children's Services have significant strengths, and they have a committed and stable workforce who are responding to an increasing workload in relation to complexities and volume. ...Staff showed commitment to ensuring the best outcomes for children and their families.'*

Supplementary question from Councillor Aeron Jones

"Is the Cabinet Member able to confirm that there are no more families currently suffering from this Council's maladministration as happened to Mr and Mrs A as they are defined in a recent Ombudsman's report, as their child is now an adult and it is now too late for them to receive the assistance that was needed at that time? Apparently, we have experts here on autism, who failed to provide what Mr and Mrs A's child needed."

Response from the Cabinet Member for Children and Families, Councillor Dilwyn Morgan

"We do not, and have never, claimed that we are perfect. Our workers deal with difficult situations that face families. They deal with children who are at risk. They deal with families who are at crisis point, and as I said, we do not claim to be perfect. But as the Cabinet Member for the service, and as Chair of the Safeguarding Strategic Panel and the Corporate Parenting Panel, I am totally confident that we have processes in place to examine cases such as this, and, more importantly, that we can learn from any such cases that have arisen. I believe that this element of learning is very important. Therefore, I wish to confirm that the safety and development of the children and young people of Gwynedd is a priority for us at all times, and that the voice of the child is a central part of this. In relation to commenting on the Ombudsman's report, it would be inappropriate for me to comment at the moment as there is more than one Ombudsman's case, and I am not certain to which one the member is referring."

(4) Question from Councillor Sion Jones

"The Bontnewydd and Caernarfon bypass is progressing quickly. Does the Cabinet Member agree with me that we need to ensure that any cycle route scheme resulting from 'Active Travel' is realized as soon as possible in the Bethel area, as the road developments cross the intended cycle route?"

Response from the Leader, Councillor Dyfrig Siencyn, in the absence of the Cabinet Member for the Environment)

"I am pleased that the long-awaited bypass scheme has finally commenced and it seems to be progressing well at the moment.

We had already identified the construction of a cycle and walking route between Bethel and Caernarfon and Llanrug and Caernarfon on our Active Travel Integrated Network Maps. Therefore, it has been our aspiration to see the path built

I agree with you that we now have a golden opportunity to make the scheme a reality as soon as possible following the construction of the bypass and I can confirm that the Environment Department is already in discussions with the Welsh Government to try to achieve this, also with plan to build a route between Llanrug and Caernarfon.

Ideally I would like to see the scheme built as part of the bypass scheme. As well as resulting in cost savings, building it as part of the larger scheme would reduce overall disruption to local traffic. We have already asked the Welsh Government if this is feasible and are awaiting their response."

Supplementary Question from Councillor Sion Jones

"May I ask the Leader and the Transportation Department to ensure that everything is ready and that any enquiries about funding or information that is required by the Government receive an immediate response to in order to ensure that progress happens as soon as possible?"

Response from the Leader, Councillor Dyfrig Siencyn, in the absence of the Cabinet Member for the Environment)

"I will meet the department to see what can be done to drive the scheme forward, which is something we all hope can be achieved."

(5) Question from Councillor Louise Hughes

"Once again, over the summer period, hundreds of vehicles were issued with parking tickets for parking on the side of the A4086 near Pen y Pass. Gwynedd Council has been aware of the problem for years, but to date no workable solutions have been put in place. We simply cannot continue fining visitors in this way. How does the Department propose to rectify the situation and put in place safe parking provisions?"

Response from the Leader, Councillor Dyfrig Siencyn, in the absence of the Cabinet Member for the Environment)

"There has been a significant increase in the number of visitors to the Northern Snowdonia area in recent years, particularly around Snowdon. This is of course encouraging from a tourism perspective but problems arise, especially on the busiest days when trying to cope with the numbers.

As many choose their personal vehicles to get to the Area and to travel around the attractions, dealing with the huge demand for parking is an almost impossible task. We have a responsibility to try and make our road network as safe as possible, which is why parking and speed restrictions are being imposed.

When considering the A4086 around Pen y Pass and Pen y Gwryd clearway prohibitions have already been implemented. I confirm that the signs comply with the Highway Code standards, but at times quite high numbers choose to park there. We have a responsibility to enforce, and we endeavour to do this to convey a message to others not to park there.

It is therefore it is essential that the Pen y Gwryd and Pen y Pass area are managed to the appropriate level, especially over holiday periods. The Department is aware of the comments on social media and of course there are two sides to this. Many of those who receive parking fines are often upset but the feelings of locals about the problems that illegal parking creates can be appreciated.

Discussions are ongoing with Snowdonia National Park Authority, Conwy County along with other partners, to try to encourage greater use of public transport and consider opportunities to create more parking capacity.”

8. GWYNEDD COUNCIL'S ANNUAL IMPROVEMENT PLAN 2018-19

The following officers from the Wales Audit Office were welcomed to the meeting to give a brief presentation and then answer members' questions.

- Alan Hughes (Local Government Performance Audit Leader)
- Jeremy Evans (Local Government Performance Audit Manager)

Following the presentation, members were given an opportunity to ask questions on the report.

In response to the Well-being of Future Generations (Wales) Act 2015 Examinations (page 27 of the agenda), that detailed to which extent the Council had acted in accordance with the sustainable development principle when establishing the new Youth Service, concern was raised by a number of members about the Audit Office's conclusion that more work was needed by the Council to fully establish the five ways of working. The Auditors' observations that the service provision had been mostly driven by financial constraints rather than an understanding of long-term service demand, was questioned.

The former Cabinet member who had been responsible for instigating the process of re-organising the Youth Service emphasised that the purpose of the re-modelling was to establish a longer-term view, to consider how to modernise the service, making it sustainable and more suited to the needs of young people today and in future. She was also of the opinion that consideration had been given to the five ways of working and the well-being objectives, and she referred to the consultation with young people and collaboration with other local organisations involved with young people as examples of this.

The former Cabinet member and others' observations were echoed by the Leader, who emphasised the strong feeling among members that the Audit Office's conclusions were totally wrong. He argued that it could be stated that all the changes made by the Council over recent years had been motivated by financial cuts. In spite of this, the Council had found new ways of working that addressed the requirements of the Well-being Act, and the Youth Service was a classic example of this, and had been praised as being effective and innovative, and an example to be followed by other councils. He

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added that what the members had heard undermined their trust in the Audit Office's ability to reach correct conclusions, and he called for a dialogue between the Council and the Audit Office on this specific point in order to move forward in future.

In response, the Local Government Performance Audit Manager noted that the Audit Office's viewpoint differed to the Council's opinion on this specific matter. He explained that discussions had been held with various officers within the Council as part of the process, and that the Audit Office's evidence was based on these interviews. He was also satisfied with the thoroughness of the work delivered during the year. However, he acknowledged that revisiting the situation could lead to a different opinion, and that consideration could be given to conducting a follow-up review on this issue in future. This work could include fuller discussions with officers, service users and the former Cabinet member.

Reference was made to the review of Local Government Services to Rural Communities: Community Assets Transfer (page 45 of the agenda). A question was asked about the rationale for transferring community assets to the community for next to nothing, which reduced the potential to generate an income for the County Council to enable it maintain existing services. In response, the Local Government Performance Audit Manager noted that he would take the question back to the project team that had been responsible for producing and developing the report's conclusions in the appendices to the Annual Improvement Report, and he would provide the member with a written response.

RESOLVED to accept the Annual Improvement Report 2018/19, subject to further discussions on some of the items within the report.

The meeting commenced at 2.30 pm and concluded at 3.30 pm

CHAIRMAN