

THE COUNCIL THURSDAY, 3 DECEMBER 2020

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

Councillors: Craig ab Iago, Dylan Bullard, Stephen Churchman, Steve Collings, Annwen Daniels, R.Glyn Daniels, Anwen Davies, Elwyn Edwards, Alan Jones Evans, Aled Evans, Dylan Fernley, Peter Antony Garlick, Gareth Wyn Griffith, Selwyn Griffiths, Alwyn Gruffydd, Annwen Hughes, John Brynmor Hughes, Louise Hughes, R.Medwyn Hughes, Judith Humphreys, Nia Jeffreys, Peredur Jenkins, Aled Wyn Jones, Anne Lloyd Jones, Berwyn Parry Jones, Elin Walker Jones, Elwyn Jones, Eric Merfyn Jones, Gareth Tudor Morris Jones, Huw Wyn Jones, Keith Jones, Kevin Morris Jones, Linda A.W.Jones, Eryl Jones-Williams, Cai Larsen, Beth Lawton, Dilwyn Lloyd, Dafydd Meurig, Dilwyn Morgan, Linda Morgan, 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.

Officers:

Dilwyn Williams (Chief Executive), Morwenna 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 Iarheit (Senior Solicitor / Deputy Monitoring Officer), Vera Jones (Democracy and Language Manager) and Eirian Roberts (Democratic Services Officer).

Also in attendance:

Alwen Williams (North Wales Economic Ambition Board Portfolio Director) and Sioned Williams (Head of Economy and Community Department) (for item 10).
Dr Einir Young (Chair of the Standards Committee) (for item 11).

1. APOLOGIES

Councillors Menna Baines, Aeron M. Jones, Dafydd Owen, W.Roy Owen and Hefin Underwood.

2. MINUTES

The Chairman signed the minutes of the Annual Meeting of the Council held on 1 October, 2020 as a true record.

3. DECLARATION OF PERSONAL INTEREST

Members had received a briefing note from the Monitoring Officer in advance regarding item 8 - Council Tax Reduction Scheme 2020/21, and Item 9 - Council Tax: Discretionary Powers to Allow Discounts and / or Raise a Premium 2021/22.

(1) Councillor Stephen Churchman declared a personal interest in item 8 on the agenda - Council Tax Reduction Scheme 2020/21 - as he claimed a Council Tax Reduction on his home, and therefore benefited from the scheme.

The member was not of the opinion that it was a prejudicial interest, and he did not withdraw from the meeting during the discussion on the item.

(2) The following members declared a personal interest in item 9 on the agenda - Council Tax: Discretionary Powers to Allow Discounts and / or Raise a Premium 2021/22:-

- Councillor Peredur Jenkins - because he rented out two properties.
- Councillor Aled Wyn Jones because a close relative had a second home in Gwynedd.
- Councillor Linda Morgan because she had family who own second homes.
- Councillor Dewi Wyn Roberts because he had a connection to someone who would be impacted by the Premium.
- Councillor Angela Russell - because she owned a second home and worked for people who owned holiday homes.
- Councillor Dyfrig Siencyn as he had a close connection to a person who paid the Premium.

The members were of the opinion that they were prejudicial interests, and they withdrew from the meeting during the discussion on the item.

4. THE CHAIR'S ANNOUNCEMENTS

Condolences were expressed to the following:-

- Councillor Gareth Thomas as his mother had recently passed away.
- The family of former Councillor Morgan Vaughan. Councillor Anne Lloyd Jones gave a tribute.
- The family of Councillor Charles Wyn Jones. Councillor Selwyn Griffiths gave a tribute.

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 in silence as a mark of respect and remembrance.

Best wishes were extended to the following:-

- Mr Dewi Pritchard Jones on his retirement as a Coroner at the end of November, and he was thanked for his work over the years.
- Elfyn Evans from Dolgellau, formerly from Dinas Mawddwy, in the final round of the World Rally Championship.

The following were congratulated:-

- The Energy Team of the Housing and Property Department on being awarded a British award (Energy Management Award - Public Sector Team of the Year) - a very deserved award, bearing in mind not only their success in reducing carbon emissions, but also their excellent work in the energy procurement field.
- Liz Saville Roberts, Plaid Cymru Leader at Westminster, on the Member of Parliament of the Year Award from the Patchwork Foundation, a diversity and inclusion charity. It was noted that the Member of Parliament for Dwyfor Meirionnydd had been recognised for her regional work promoting the rights of young women, and had been awarded 'Other Party MP of the Year.'

5. CORRESPONDENCE, COMMUNICATIONS, OR ANY OTHER BUSINESS

None to note.

6. URGENT ITEMS

None to note.

7. QUESTIONS

No questions were received.

8. COUNCIL TAX REDUCTION SCHEME 2021/22

The Cabinet Member for Finance, Councillor Ioan Thomas, submitted a report asking the Council to confirm the continuation of the current Local Scheme to provide assistance towards paying Council Tax for the year commencing 1 April 2021.

RESOLVED

(a) To continue the Council's Local Scheme for the year commencing 1 April 2021, as it was during 2020/21. Therefore the following conditions (i - iii below) regarding the continuation of the discretionary elements would apply:

(i) To implement a 100% disregard for war disablement pensions, and war widow pensions for both pensioners and working age claimants.

(ii) Not to increase the extended reduction periods for pensioners and working age claimants from the standard four weeks in the Prescribed Scheme.

(iii) Not to increase the backdate period for pensioners and working age claimants from the standard three months contained within the Prescribed Scheme.

(b) Where appropriate, to delegate powers to the Head of Finance Department, in consultation with the Cabinet Member for Finance, to make minor amendments to the scheme for 2021/22, provided that it will not change the substance of the scheme.

9. COUNCIL TAX: DISCRETIONARY POWERS TO ALLOW DISCOUNTS AND / OR RAISE A PREMIUM 2021/22

The Cabinet Member for Finance, Councillor Ioan Thomas, presented a report asking the Council for formal confirmation for 2021/22, of the previous decisions not to give discounts to second homes and to disallow discounts on empty properties, and to raise a premium of 50% on such relevant properties.

In specific reference to second homes, the Cabinet Member noted:-

- That the provision and density of holiday homes had grown over recent years, together with the associated effect socially, economically and environmentally.
- That the popularity of Gwynedd as a holiday destination and the use of holiday accommodation as a financial investment were factors, and a significant growth had been seen recently across the whole county in the number of residential units used as holiday accommodation.
- That it was proposed to submit a research paper on managing the use of dwellings as holiday homes to the Communities Scrutiny Committee on 10 December, with specific recommendations to be discussed in the Cabinet on 15 December.
- Although it was recognised that it would not be possible to implement those recommendations immediately, due to the need for legislation by the Welsh Government, the rate of the Premium on property was a matter that the full Council could act upon.

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- There had been regular correspondence as well as formal and informal meetings between Gwynedd Council, ministers and officers from the Welsh Government, to discuss our concerns regarding the ability of second home owners to use Section 66 of the Local Government Finance Act 1988 to transfer their property from domestic property, paying Council Tax, to self-catering units, that are subject to non-domestic rates.

The Deputy Leader noted:-

- That the recommendation proposed to continue with the existing situation to raise a premium of 50% on second homes and empty homes, however, it had become evident from discussions with members, proposals in the Council and public demands in our communities, that it was necessary to reconsider the Premium, with the intention to increase it.
- The situation in the county was critical, with housing stock being lost to second homes with local people unable to afford buying homes in their communities.
- The Cabinet and the members had been pressing the Government to change the act and to give us powers to control second homes. The Government had stated that we had no evidence to justify this, however, the evidence had not been published and would be discussed soon.
- In addition to discussing the research paper on managing the use of dwellings as holiday homes, the Cabinet on 15 December would discuss the Housing Action Plan, an ambitious and exciting plan that would invest approximately £77m in providing housing for young people in the county.
- Being aware of the strong feelings regarding this matter, he wished to make an amendment to delete the words "*and raises a premium of 50% on class B second homes*" in the second bullet point of the recommendation, by inserting the words "*but deferring the decision regarding setting the Premium and to request that the Cabinet consider the propriety of increasing the level to 100%. The Cabinet is requested to hold a consultation process on this basis, to consider the relevant factors, and to submit a further recommendation to the Council in March 2021*" following "class B". The amendment was seconded.

Members were given an opportunity to make observations and ask questions on the amendment. Individual members submitted the following observations:-

- It was suggested that more discretion should be used in the context of empty homes in the process of being repaired.
- Concern was expressed that raising the Premium on second homes to 100% may push more people to find ways of avoiding paying the tax. Many owners of second homes declared that their house in Gwynedd was now their main residence, and a call was made to look into this, and to also look at ways of testing that all the 2000 homes transferred to non-domestic tax were businesses.
- It was emphasised that a national campaign was required to close the loophole in terms of the transfer of holiday homes to businesses, and there was room for Gwynedd Council to lead on this.
- It was noted that it was greatly hoped that the Cabinet would support the amendment and would also offer ideas beyond the matter of only tax.

In response to the observations and questions from individual members, the Head of Finance noted:-

- That the principle of allowing a Council Tax exemption for a longer period to first time buyers who were repairing old houses was one of the projects within the Housing Action Plan, and therefore this should receive early attention. The Cabinet could make a decision regarding the period, however, officers did not have much flexibility per case with this.

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- That Council Tax collection arrangements were very effective and second home owners could pay promptly. However, the Council would lose the tax as well as the Premium, on property that transferred to a business, and was also hit by backdating. The number that had transferred last year was over 400, and the figure was already close to that this year. In previous years, there were approximately 300 a year.
- The Leader, Chief Executive, the Head of Finance and others had worked with the Government around March / April this year to put rules in place so that every property that transferred did not receive the Covid grant, however, in the end between half and three quarters of them received the grant, as it was proven that the property was let for more than 140 days a year in those cases. Although there was a wish to exempt them completely, this would have exempted some actual holiday businesses, and in the end this was a compromise.
- As a Council Tax collector the Council could police the position regarding main residences, e.g. by checking to what addresses their bank statements were sent, etc. However, as the majority that had transferred received full Small Businesses Rates Relief, there was no point in them declaring that the property was their main residence or otherwise.
- It was the Valuation Office, HMRC agency, that policed the transfer from the domestic list to the business list, however, it appeared that they did not check the evidence very thoroughly. Therefore, the Council continued to campaign in an effort to convince the Welsh Government to change legislation, and there was work afoot by the Finance Department, and also by the Planning Service, to proceed in the hope that there would be some progress over the coming months.

Referring to the wording of the amendment, the Chief Executive explained that amending the second bullet point only was inconsistent with the first section that recommended that the Council did nothing to the plan for 2021/22. Therefore, he suggested that the amendment was covered in the whole decision, in order that the entire decision could be referred back to the Cabinet.

The amendment proposer noted that he was happy to change his amendment in accordance with this, and the seconder also consented to the change.

Councillor Eryl Jones-Williams noted that would not vote either way on this matter, as he had lost connection for the majority of the discussion.

RESOLVED that the Council defers the decision with regards to permitting discounts and raising a premium, asking the Cabinet to consider the propriety of increasing the level by up to 100%. The Cabinet is requested to hold a consultation process on this basis, to consider the relevant factors, and to submit a further recommendation to the Council in March 2021 in accordance with Section 12, 12B and 12A of the Local Government Finance Act 1992.

10. FINAL AGREEMENT OF THE NORTH WALES GROWTH DEAL

The Leader submitted a report presenting the package of key documents required to reach Final Agreement for the North Wales Growth Deal with the UK Government and Welsh Government.

He noted that:-

- The adoption of the recommendations would allow the signing of the Final Agreement with both Governments on 17 December.
- In terms of the Growth Deal itself, it had been a long three year journey, however, the North Wales Economic Ambition Board had been established nearly eight years ago, when the local authorities in north Wales, universities, colleges and the private sector came together to address economic development matters at a regional level.

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- In working together, the partnership was widely recognised as a strong partnership and an example of good practice.
- The six authorities that are partners on the Board are of several different political hues with very different economic backgrounds, however, the six Leaders were in agreement that the welfare of the people of north Wales was what was important.
- He wished to thank partnership members, including the universities and colleges and the private sector, who had been a major part of the discussion and of developing the plans.
- In addition, he also wanted to thank the team of officers under the lead of Alwen Williams, Portfolio Director, and he noted that the fact there was such a good team of officers in the north operating in the economic development field gave him confidence that it would be possible to address the major problems that will face us in the future.
- That as statutory officers of the host authority, Dafydd Edwards, Head of Finance and Iwan Evans, Monitoring Officer were instrumental in leading teams of officers across the north in undertaking the financial and legal and governance work, and he wished to thank them also for their outstanding contribution to the work of the Board.
- The situation of the economy in the north had changed since the plan's projects had been originally developed. Covid had had a very detrimental impact, and the economy had an uncertain future as a result of whatever would emanate from Brexit.
- That the Ambition Board was more than the Growth Deal, and it was proposed to look at other streams of financial investments from several directions.
- Although it was disappointing that the Westminster Government had provided less money than the total requested at the start, however, signing the Final Agreement before Christmas would release a stream from the £240m, with £16m received every year for the next fifteen years to implement Growth Deal projects over the next 5-6 years.

Alwen Williams (Portfolio Director) and Sioned Williams (Head of Economy and Community) were welcomed to the meeting, and the Portfolio Director was invited to give a slide presentation. During the presentation, the following were highlighted:-

- Growth Deal Portfolio - details were given on the aim, the size of investment for the plan as a whole and the expenditure objectives.
- Overview of the programmes
- A List of Growth Deal Projects.
- Regional benefits

The Head of Economy and Community was invited to present a slide on the specific benefits for Gwynedd, namely:-

- Improved digital connectivity for businesses, residents and visitors.
- Access to facilities, equipment, support and specialist research for Gwynedd food and drink businesses by means of an investment at the Glynllifon site.
- Access to innovative research and support with sustainable farming techniques for farming businesses in Gwynedd.
- Supply chain opportunities and jobs as a result of capital projects such as Morlais, Holyhead Port, etc.
- Opportunities for renewable energy initiatives within the Smart Local Energy Project and an investment in the Low Carbon Energy Centre of Excellence at Bangor University.
- Investment of £20m in the infrastructure of the Trawsfynydd site for the development of innovative low carbon energy.

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- Opportunities to develop strategic sites as part of the long-term Land and Property programme including the Bryn Cegin site.

It was also stressed that the Growth Deal was one programme, and there were other projects that would add value, and would build on this throughout Gwynedd.

The Head of Finance was invited to give an overview of the financial implications. It was noted:-

- That the grant funding would become consistent from both Governments over the 15 years, however, the expenditure would be accelerated over the first six years.
- It would be necessary to borrow to deal with this cash flow, and as the host authority, Gwynedd would facilitate this for its partners by establishing a system that would give a reasonable and consistent contribution over the fifteen years to pay the borrowing costs.
- As the timing of the payments nor the interest rates were known as yet, all partners had been given a range and the range for Gwynedd varied between £80,000 - £118,000 per annum.
- Governance Agreement 2 ensured that no partner would be able to walk away without paying their share of these costs.

The Monitoring Officer was invited to give an overview of the governance agreement and the legal implications. It was noted:-

- That Governance Agreement 2 would transfer us to an operational period and to achieve the Growth Deal and the Growth Vision.
- The agreement created a legal framework that committed every partner to their contributions, and no one could walk away from the agreement except at the expense of also respecting their financial commitments for the future.
- That there were governance arrangements within the agreement that support the Ambition Board and provide for matters such as scrutiny and financial management and staffing etc.

Members were then given an opportunity to make observations and ask questions. Individual members submitted the following observations:-

- It was noted that the plan was ambitious, and this was to be welcomed. There was a tough time ahead of us, and it was good that we had this type of plan to hand.
- Concern was expressed that so few of these projects were in Dwyfor and Meirionnydd. The importance of being flexible and brave was emphasised and to do everything possible to assist projects with the potential to bring a high number of jobs to those areas, and it was asked how companies who wish to make an investment in the county could participate in the Growth Deal.
- The fact that this was a plan that had been developed in north Wales was welcomed and that it created quality jobs with good wages that will allow young people to live and work in their communities.
- Reference was made to one of the key principles of the Growth Vision, namely focusing on retaining young people, increasing employment levels and improving skills to achieve inclusive growth, and it was strongly felt that this plan would assist to respond to the concerns of parents that there were not enough quality work opportunities here in the north West.
- It was noted that there was no work or housing for young people in areas such as Pen Llŷn and concern was expressed that companies that benefit from the Growth Deal will move on in due course and take the grants with them.

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- It was noted that 2021 would also be a challenging year, however, the Growth Deal would give us a reason to be positive and optimistic, and the venture was wished every success.
- The importance of doing everything to encourage and assist new businesses was emphasised.
- Concern was expressed regarding the decision of the North Wales Mersey Dee Business Council to withdraw their membership from the Ambition Board.
- Concern was expressed regarding the lack of doctors, dentists, vets and carers in Gwynedd.
- Concern was expressed that the counties in the East would take all the funding and that the North West would not see much benefit.
- It was noted that it was difficult to get projects in mid-Wales and the importance of collaboration with the Mid-Wales Growth Deal was emphasised. It was also noted that the road network was a barrier to investment in the south of the county.
- It was noted that the south of Meirionnydd was one of the poorest areas in Europe, and it was greatly hoped that the situation would be totally changed within 10 years.
- It was noted that talking of an investment of £1.1b for north Wales was a dream, and it was feared that we would be stood waiting for the £722m from the private sector.
- Concern was expressed that we had been tied to Deeside and Wrexham, where the largest population resided and the area that would get the most benefit.
- Pride was expressed that Gwynedd was collaborating as a full partner in the board, and led on this important plan.
- It was emphasised that it was necessary to reinforce the agri-food industry and it was also noted that the future was low carbon energy and digital schemes.
- The fact that Parc Cegin, Bangor would be fully used was welcomed.
- It was noted that there should be a campaign to establish a school of medicine, dentistry and veterinary science as part of Bangor University.
- Concern was expressed that the growth plans split Wales, and this at a time of national unity, by merging the north with Merseyside, Mid-Wales with Birmingham and the south with Bristol.
- It was noted that it was understood that Warrington would be the centre to check paperwork for lorries transporting goods from Holyhead to Ireland following Brexit, and it was asked why this centre would not be established on Anglesey, or even at Parc Cegin, Bangor, considering the proximity of the site to the A55.
- It was noted that there was no reference in the papers to Arfor, or recognition that Wylfa newydd had ever been underway.
- It was noted that the vision was to be praised, however, creating a connection with the north of England was opposed, as this would weaken us as a nation.
- Our representatives were asked to ensure that a fair share of the funding came to Gwynedd.
- It was suggested that every member who had spoken against the plan should consider what was their 'Plan B', asking if they had £1.1b to spend on job creation for young people in Gwynedd, because without this, how could they vote against the plan?

In response to the observations and questions from members, it was noted:-

- That it was wished that Dwyfor and Meirionnydd would see a benefit. It had been a difficult process to ensure the fair distribution of the projects across all the councils, however, it was believed that this had been managed. There were projects that would cross every geographical boundary e.g. the digital project and community low carbon energy projects, and elements of the agricultural projects would also assist the whole county.

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- In terms of procurement arrangements, the Portfolio Office was working on a procurement strategy that would enable local companies to apply for some of the work that would come from the Growth Deal. It had to be ensured that the contract was not too large, or presented in a way that would prevent local companies from being able to benefit from it. Using local companies to the maximum was a fundamental principle for us in the north, and especially in Gwynedd as our purpose as an Ambition Board was to support our local companies first.
- In terms of investments, part of the vision was to create a more attractive north Wales for investors, not necessarily to invest directly in one of the Growth Deal's projects, however, as the Growth Deal projects create better resources for investors looking to locate or re-locate.
- Concerns about companies establishing here and then moving away were understood, however, the purpose of the Growth Deal was not to throw funding at companies to come here to establish, but to create an environment that was appealing to businesses and to assist them. It was added that local businesses craved places to work from. Many new businesses had been established during the Covid period, and every assistance and support needed to be given to them.
- That the support of the North Wales Mersey Dee Business Council to all the activities of the Ambition Board had been significant, however, they looked at their own activity following Covid and saw that they had to focus their scarce resources to support their members. However, they continued to be part of the activity, and they had been part of facilitating a virtual conference recently with 200 businesses. The Board also looked at ideas in terms of how to improve engagement with the business sector, and the Business Support Group, namely a collection of very prominent business owners in the north, also did very good work in terms of supporting and scrutinising the Board's work.
- That the pessimism of some members regarding the plan was not shared. Risks were involved with everything of course; however, this plan should be confidently embraced.
- It was not proposed to forget about the county's rural areas, and the 6 authorities were equal in terms of influence on the Board, with considerable trust between the political leaders and everyone's wish was to ensure that any benefit from the plan should be spread fairly across the north.
- Any development within the Council's area or the National Park Authority was subject to local planning policies, and although it was the Council who set those policies, our ability to vary them was fairly limited due to national policies. The private sector stated that the process of getting planning permission and consents from other relevant agencies had to be easier, and this message had been conveyed to the ministers several times. There was also room for us to influence if we felt justice was not being done.
- That our economic, transport and social connections were close with Powys and Ceredigion, and although we had been invited to attend meeting of the Mid Wales Growth Committee we were not recognised as full partners. This was a matter of concern and frustration, however, it was intended to continue to press them regarding this.
- It was considered that the partnership across the North had brought the counties of the East closer to us than ever before. Although it was possible for Flintshire and Wrexham to turn their sights towards Chester and Liverpool, they had chosen to turn towards counties in the West as they were part of Wales and there was an excellent and close connection in particular with the leaders of Flintshire and Wrexham.
- That the investments we as a Council give to the Growth Plan were some tens of thousands, however, in due course this would bear fruit and would be benefit of hundreds of thousands.

RESOLVED

- (a) To approve the Overarching Business Plan as the document that sets out the arrangements for delivering the North Wales Growth Deal as the basis for completing the Final Agreement and acceptance of the Grant Funding Letter with the UK and Welsh Governments.
- (b) To approve the provisions in Governance Agreement 2, which involve the non-executive functions, and specifically adopt the arrangements for Scrutiny that have been noted in "Governance Agreement 2: Appendix 3" as the basis for completing the Final Agreement and acceptance of the Grant Funding Letter with the UK and Welsh Governments.
- (c) Subject to completing Governance Agreement 2, that Gwynedd Council agrees to act as the Host Authority and the Accountable Body and signs the letter of the Grant Funding Proposal on behalf of the Partners through the Chief Finance Officer.
- (ch) To approve the method used to calculate the cost of borrowing, which is required in principle to facilitate the negative cash flow for the Growth Deal, and to include a provision within the Council Budget to pay this contribution and the established core and supplementary contributions as set out in GA2 (and in paragraphs 5.5 - 5.7 of the report).
- (d) To delegate authority to the Chief Executive, in consultation with the Leader, the Monitoring Officer and the Section 151 Officer, to agree minor changes to the documents with the Partners as necessary to complete the agreement.

11. THE STANDARDS COMMITTEE'S ANNUAL REPORT 2019/20

Dr Einir Young, Chair of the Standards Committee, was welcomed to the meeting to present the committee's annual report for 2019/20.

In presenting the report, specific attention was drawn to the fact that the committee had reported for several years that no cases had been brought before them, and therefore came to the conclusion that Gwynedd standards were very high. However, annually at the meeting of the full Council members noted that cases were being sent to the Ombudsman, but it was a long-winded process and the threshold for an investigation was high, as he determined more often than not that there was no case to answer. This was a disappointment to persons who thought that they had a valid complaint.

It was explained that the Standards Committee received the details of the cases that went before the Ombudsman, as if there was a case to answer, it would be sent back to the committee, and knowing the details of the case beforehand would prejudice the committee. However, she wished to assure the Members and residents that maintaining standards was of the greatest importance, and everyone had to take responsibility for their own conduct.

Dr Einir Young thanked the Monitoring Officer and the Senior Corporate Solicitor for their legal guidance and their support throughout the year.

Members were then given an opportunity to make observations and ask questions. Individual members submitted the following observations:-

- It was noticed that the Ombudsman had not dealt with any case again this year, and concern was expressed that people now felt that there was no point in taking their complaint to the Ombudsman. It was not possible for anybody, except for the chair or clerk of a community council, to turn to Unllais for support and it was asked where people should go to get fair play.
- Reference was made to a case where councillors had resigned as a result of the Ombudsman's decision not to investigate their complaint that they were being bullied.

- It was noted that it was easy to accuse councillors of bullying, and once a finger had been pointed, those individuals had to work very hard to defend themselves. An accusation of bullying did not necessarily mean that bullying was occurring.

In response to the above observations, it was noted that it was necessary to work within the existing system. There were over 700 community and town council members in Wales with approximately 63 councils, and there was a lack of capacity within those councils to deal themselves with matters that did not reach the threshold, especially smaller councils. There was no simple answer to the problem, unless there was a pot of additional resources available to facilitate a different process.

Dr Einir Young was thanked for her presentation.

12. NOTICE OF MOTION

Submitted - the following notice of motion by Councillor Paul Rowlinson, in accordance with Section 4.20 of the Constitution and it was seconded:-

"The Council resolves:

- (a) To write to the Welsh Government urging them to utilise any levers at their disposal to mitigate any detrimental impact on animals and vulnerable people of the hosting of fireworks displays.
- (b) To write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays.
- (c) To request the Communities Scrutiny Committee to give consideration within its work programme to review what steps the Council can take to promote or encourage:
 - That all public firework displays within the local authority boundaries should be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people.
 - A public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including precautions that can be taken to mitigate risks.
 - Local suppliers of fireworks to stock 'quieter' fireworks for public displays.
 - People to limit the use of fireworks to a period close to specific dates."

Many members expressed their support for the motion, however, it was noted that it should also be borne in mind that fireworks were an inevitable part of religious celebrations, such as Diwali, Festival of Light.

RESOLVED to adopt the motion, namely:-

- (a) To write to the Welsh Government urging them to utilise any levers at their disposal to mitigate any detrimental impact on animals and vulnerable people of the hosting of fireworks displays.**
- (b) To write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays.**
- (c) To request the Communities Scrutiny Committee to give consideration within its work programme to review what steps the Council can take to promote or encourage:**
 - That all public firework displays within the local authority boundaries should be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people.**

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- **A public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including precautions that can be taken to mitigate risks.**
- **Local suppliers of fireworks to stock ‘quieter’ fireworks for public displays.**
- **People to limit the use of fireworks to a period close to specific dates.**

The meeting commenced at 1.00 pm and concluded at 3.55 pm

CHAIR