



**Adran y Prif Weithredwr**  
**Chief Executive's Department**  
Swyddfa'r Cyngor  
CAERNARFON  
Gwynedd  
LL55 1SH

Cyfarfod / Meeting

**Y CYNGOR**  
**THE COUNCIL**

Dyddiad ac Amser / Date and Time

**1.00pm, DYDD IAU, 6 RHAGFYR 2012**  
**1.00pm, THURSDAY, 6 DECEMBER 2012**

Lleoliad / Location

**Siambr Dafydd Orwig**  
**Swyddfa'r Cyngor, Caernarfon**

Pwynt Cyswllt / Contact Point

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(DOSBARTHWDYD/DISTRIBUTED 28/11/12)

**Harry Thomas**  
**Prif Weithredwr / Chief Executive**

[www.gwynedd.gov.uk](http://www.gwynedd.gov.uk)

28 Tachwedd/November 2012

Annwyl Gyngorydd,

**CYFARFOD O GYNGOR GWYNEDD – 6 RHAGFYR 2012**

**FE'CH GWYSIR TRWY HYN** i gyfarfod o **GYNGOR GWYNEDD** a gynhelir am **1.00PM, DYDD IAU** nesaf, **6 RHAGFYR 2012 YN SIAMBR DAFYDD ORWIG, SWYDDFA'R CYNGOR, CAERNARFON**, i ystyried y materion a grybwyllir yn y rhaglen a ganlyn.

Dear Councillor,

**MEETING OF GWYNEDD COUNCIL – 6 DECEMBER 2012**

**YOU ARE HEREBY SUMMONED** to attend a meeting of **GWYNEDD COUNCIL** which will be held at **1.00PM** on **THURSDAY** next, **6 DECEMBER 2012** in **SIAMBR DAFYDD ORWIG, COUNCIL OFFICES, CAERNARFON** to consider the matters mentioned in the following agenda.

Yr eiddoch yn gywir/Yours faithfully,



Prif Weithredwr/Chief Executive

Bydd yr ystafelloedd a ganlyn ar gael i'r grwpiau gwleidyddol yn ystod y bore:-

The following rooms will be available for the political groups during the morning:-

Plaid Cymru - Siambr Dafydd Orwig  
Annibynnol/Independent – Ystafell Gwyrfai  
Llais Gwynedd – Ystafell Llyfni  
Democratiaid Rhyddfrydol/Liberal Democrats - Ystafell Daron  
Llafur/Labour – Cefn Siambr Dafydd Orwig/Rear of Siambr Dafydd Orwig

# AGENDA

## 1. APOLOGIES

To receive any apologies for absence.

## 2. MINUTES

The Chairman shall propose that the minutes of the meeting of the Council held on 4 October 2012 be signed as true record. (copy herewith – **white** enclosure).

## 3. DECLARATION OF PERSONAL INTEREST

To receive any declaration of personal interest.

## 4. THE CHAIRMAN'S ANNOUNCEMENTS

To receive any Chairman's announcements.

## 5. CORRESPONDENCE, COMMUNICATIONS OR OTHER BUSINESS

To receive any correspondence, communications or other business brought forward at the request of the Chairman.

## 6. URGENT BUSINESS

To note any items which are urgent business in the opinion of the Chairman so they may be considered

## 7. QUESTIONS

To consider any questions the appropriate notice for which have been given under Procedural Rule 12.

## 8. APPOINTMENT OF AN INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE

To submit the report of the Monitoring Officer (copy herewith – **lilac** paper)

## 9. COUNCIL TAX – DISCRETIONARY POWERS TO ALLOW DISCOUNTS

To submit the report of the Head of Finance (copy herewith – **gold** paper)

## 10. MEMBERS' SALARIES

To submit the report of the Head of Strategic and Improvement (copy herewith – **blue** paper)

## 11. THE GWYNEDD WAY

Presentation by the Chief Executive

## 12. FOCUS ON GWYNEDD'S CHILDREN AND YOUNG PEOPLE

Presentation by Councillor Sian Gwenllian – Cabinet Member for Education and Children and Young People

## 13. NOTICE OF MOTION

In accordance with the notice of motion received under Procedural Rule 17, Councillor Stephen Churchman will propose as follows:

**“Considering the strategic importance of our sub-regional railway network throughout North Wales, Gwynedd Council recognises that this network is undervalued and has been under-supported by consecutive governments both at Westminster and more latterly at Cardiff.**

**With a substantial investment of £350m announced on 16 July 2012 for South Wales, North Wales has yet again missed out. With an investment in our network on the par with the South Wales investment, we should see a railway fit for the 21<sup>st</sup> century. This will drive confidence within our infrastructure that could lead to commercial investments throughout the region as a spin-off.**

**To this end, Cyngor Gwynedd calls upon the Welsh Government and the Westminster Government to recognise the vital importance in our sub-regional network and to make substantial investments accordingly.**

**Gwynedd Council must also seek support and collaboration with all the other North Wales Local Authorities, MP's, Constituency AM's and Regional AM's to ensure the maximum impetus in driving this measure”.**

The procedural motion was received from the member in accordance with Procedural Rule 17(12) requesting that the matter be discussed on the day instead of being referred to the relevant committee.

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# THE COUNCIL 04/10/12

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**Present:** Councillor Selwyn Griffiths (Chairman)  
Councillor Huw Edwards (Vice-chairman)

Councillors: Craig ab Iago, Stephen Churchman, Anwen Davies, Lesley Day, Eddie Dogan, David G. Edwards, Dyfed Edwards, Trevor Edwards, T.G. Ellis, Alan Jones Evans, Aled Ll. Evans, Jean Forsyth, Gweno Glyn, Gwen Griffith, Alwyn Gruffydd, Siân Gwennllian, Annwen Hughes, Jason Humphreys, Peredur Jenkins, Anne Ll. Jones, Charles W. Jones, Dyfrig Jones, Elin Walker Jones, Eric M. Jones, John W. Jones, Sion W. Jones, Eryl Jones-Williams, Beth Lawton, Dilwyn Lloyd, June Marshall, Dafydd Meurig, Dilwyn Morgan, Linda Morgan, Christopher James O'Neal, Dewi Owen, Michael Sol Owen, W. Roy Owen, W.Tudor Owen, Peter Read, Caerwyn Roberts, John Pughe Roberts, Liz Saville Roberts, W. Gareth Roberts, Mair Rowlands, Angela Russell, Dyfrig Siencyn, Mike Stevens, Gareth Thomas, Ioan Thomas, Paul Thomas, Ann Williams, Eirwyn Williams, Elfed W. Williams, Gethin G. Williams, Gruffydd Williams, Hefin Williams, John W. Williams, Owain Williams, Mandy Williams-Davies, Robert J. Wright, Eurig Wyn

**Also present:** Harry Thomas (Chief Executive), Dafydd Lewis and Iwan Trefor Jones (Corporate Directors), Dilys Phillips (Monitoring Officer/Head of Democracy and Legal Department), Dafydd Edwards (Head of Finance Department), Aled Davies (Head of Regulatory Department), Gwenan Parry (Head of Customer Care Department), Arwel Ellis Jones (Senior Manager – Corporate Commissioning Service), Janet Roberts (Senior Manager – Delivery and Change Support), Huw Ynwr (Senior Manager – Information Technology and Business Transformation), Darren Griffiths (Strategic Planning Manager), Vera Jones (Members' Manager – Democratic Service), Iwan Evans (Legal Services Manager) and Gwyn Parry Williams (Members' Support and Scrutiny Officer)

**Apologies:** Councillors Endaf Cooke, Elwyn Edwards, Simon Glyn, Chris Hughes, John Brynmor Hughes, Louise Hughes, Brian Jones, Linda W. Jones, Llywarch Bowen Jones, Nigel Pickavance, R.H. Wyn Williams

The meeting was opened with a prayer by Councillor Selwyn Griffiths.

## 1. MINUTES

The Chairman signed the minutes of the Council meeting held on 21 June 2012 as a true record.

## 2. DECLARATION OF PERSONAL INTEREST

- (i) The Monitoring Officer drew attention to the item "Cartrefi Cymunedol Gwynedd Annual Report" and noted that the four members who represented the Council on the Company Board needed to declare an interest but that they were entitled to take part in the discussion and

voting thereon and that any member who was a tenant of the company needed to declare an interest also and to reach a conclusion whether he/she could take part in the discussion and be seen as impartial.

In relation to the items "Gwynedd Council's Strategic Plan 2012/13" and "The Performance of Gwynedd Council 2011/12" the officer noted that a member would need to declare an interest on any associated specific matter should there be a discussion on that matter.

ii) Councillors Anne Lloyd Jones, Michael Sol Owen and John W Williams declared a personal interest in the item "Cartrefi Cymunedol Gwynedd Annual Report" since they represented the Council on the Company Board.

The members were of the opinion that it was not a prejudicial interest and they participated fully in the discussion on the item.

iii) Councillor Eryl Jones-Williams declared a personal interest in the item "Cartrefi Cymunedol Gwynedd Annual Report" as he was a tenant.

The member was of the opinion that it was a prejudicial interest, and he withdrew from the meeting during the discussion on the item.

iv) Councillor Angela Russell declared a personal interest in the item "Cartrefi Cymunedol Gwynedd Annual Report" as her daughter was a member of the Company Board.

The member was of the opinion that it was a prejudicial interest and she withdrew from the meeting during the discussion on the item.

v) Councillor Sion W. Jones declared a personal interest in the item "Cartrefi Cymunedol Gwynedd Annual Report" as he was a tenant.

The member was of the opinion that it was not a prejudicial interest and he participated fully in the discussion on the item.

vi) Councillor Gwen Griffith declared a personal interest in the item "Cartrefi Cymunedol Gwynedd Annual Report" as she was the Chair of Mantell Gwynedd who was responsible for implementing the company's specific grants.

The member was of the opinion that it was not a prejudicial interest and she participated fully in the discussion on the item.

vii) Councillor Siân Gwenllïan declared a personal interest in the item "The Performance of Gwynedd Council 2011/12" and specifically the performance indicators involving post-16 education in Dwyfor compared with Arfon, since she had a child in the sixth form in Arfon.

The member was of the opinion that it was a prejudicial interest and she withdrew from the meeting during the discussion on the item.

- (viii) Councillor Liz Saville Roberts declared a personal interest in the item "The Performance of Gwynedd Council 2011/12" and specifically the question raised about post-16 transport arrangements as she worked for a post-16 education provider, Llandrillo Menai Group.

The member was of the opinion that it was a prejudicial interest and she withdrew from the meeting during the discussion on the item.

### **3. CHAIRMAN'S ANNOUNCEMENTS**

- i) The Chairman thanked everyone for the support and best wishes he had received during his recent illness. He also gave thanks on his own behalf and on behalf of the Vice-chairman to those members who had attended meetings in their place.
- ii) The Chairman referred to Councillor Huw Edwards who would be having an operation during the next few weeks and wished him well. The member wished to thank Councillor Ioan Thomas for all his help during the preceding weeks.
- iii) To sympathise with the following -

Councillors Simon Glyn and Gweno Glyn for the loss of a mother and grandmother recently.

The family of Mr Tecwyn Ellis, the first Director of Education of the former Gwynedd County Council who had died recently.

The family of Mr Tom Jones, the former T&GWU Union organiser who had died recently.

The family of Mrs Eileen Beasley who had died recently. She and her husband Trefor would be remembered for their sacrifice in the fifties in their stance for the Welsh language.

The Chairman also referred to a letter he had received from former Councillor Keith Greenly-Jones giving thanks for the words of condolences he had received following the death of his wife recently.

The Council members stood as a mark of respect.

- iv) The county's youth were congratulated following their success in the recent examinations and their teachers were thanked. Also those from Gwynedd who had succeeded at the National Eisteddfod in the Vale of Glamorgan in August were congratulated.

Ysgol Bro Plenydd, Y Ffôr was congratulated on celebrating its centenary during the previous week.

#### **4. APPOINTMENT TO THE STANDARDS COMMITTEE**

The Chairman noted that four applications had been received for one seat as an independent member of the Standards Committee; however it had not been possible for the Consultative Panel to interview the candidates prior to the Council meeting as one of them had been away on holiday. In view of this, the matter should be deferred to the next meeting of the Council on 6 December 2012.

**RESOLVED to accept the report and agree to defer the matter until the next meeting of the Council on 6 December 2012.**

#### **5. SUPPORT FOR MEMBERS**

- a) Submitted – the report of the Chairman of the Democratic Services Committee noting that the aim of the Council was to ensure “The best for the people of Gwynedd today and tomorrow” and that everyone had a role to play to ensure this, especially the elected members within the Council. Ensuring that there was an understanding of the support available to enable everyone to fulfil his/her role was vital.

He noted that, under the new Local Government 2011 measure, the Democratic Services Committee was responsible for ensuring sufficient and appropriate support to all members to fulfil their role. The committee had identified areas which needed to be changed and improved and areas where work was already ongoing. At its last meeting, the committee had decided to report to all members of the Council outlining the support available and the support currently being developed.

- b) Members were invited to submit observations.
- i) In relation to the expectation of three members of the Cabinet reporting at each Council meeting, a member enquired whether this would be a question and answer session.

In response, the Senior Manager – Corporate Commissioning Service noted that the pattern of the reports needed to be agreed upon and, if time allowed, members of the Cabinet would be available to answer any questions.

- ii) A member referred to difficulties with receiving Council e-mails. He noted that several members had expressed a wish to continue to receive information electronically from the Council via their personal e-mail addresses rather than the Council e-mail system.

The Senior Manager – Corporate Commissioning Service noted that the matter had been discussed at the Business Group recently where it had been agreed to proceed to provide information electronically to members and to assess any difficulties experienced.



The Head of Customer Care Department noted that should difficulties arise with receiving Council e-mails, members should contact the Helpdesk in the first place.

- iii) In response to a question by a member regarding the possibility of being able to upgrade the current e-mail system in order to have better access to large documents etc., the Senior Manager – Information Technology and Business Transformation noted that it was intended to train Council officers to package electronic documents in small folders. In terms of the infrastructure, background work was being undertaken at present which would include providing a link to the Council's meetings documentation.
- (iv) A member referred to a case where a member from another ward had interfered with her work within her ward and that this should not happen again.
- (v) The Chairman of the Democratic Services Committee expressed dissatisfaction that only a few members had attended training sessions recently because some had not received information about them electronically.

In response, the Members' Manager – Democratic Service confirmed that members had received information about the training sessions electronically and by letter.

- (vii) A member emphasised the importance of local members receiving information from officers or Cabinet Members about work etc. being carried out in their wards.
- (vii) Another member referred to a road which had been closed in his ward for four weeks and he had not been given information about this beforehand by Council officers.

In response, the Chief Executive noted that cases such as these should not happen and that he would raise the matter at the Heads of Department Management Group in the next week.

- (viii) A member suggested that a clause should be added to "Support to Local Members to fulfil their roles" regarding "notifying the local member when specific work had not been fulfilled".
- (ix) A member referred to the fact that the Council no longer provided headed paper or envelopes for them.

In response, the Senior Manager – Corporate Commissioning Service noted that there had been no change in the policy and that the Council continued to provide headed paper and envelopes for members.

**RESOLVED to accept the report.**

## 6. GWYNEDD COUNCIL STRATEGIC PLAN 2012-2013

- (a) The Council Leader set out the background and context of the report.

It was explained that, under the Local Government (Wales) Measure 2009, each Local Authority in Wales was duty-bound to set improvement objectives annually, and to put effective arrangements in place to meet those objectives. In Gwynedd, this duty was fulfilled by publishing a Strategic Plan which summarised the improvement objectives the Council wanted to address and described the projects and benefits per project the Council intended to realise in 2012-13 in order to ensure improvement in specific areas.

Details were given on the work of preparing the strategic plan. It was noted that, following submitting the draft plan to Council members at a workshop in July 2012, some changes had been made to the content of the document prior to wide consultation on it with the public and partners. Reference was made to some examples of the observations which had influenced the content.

In relation to the Final Strategic Plan, it had been submitted for consideration by the Cabinet on 26 September 2012 when it had been approved.

It was noted that work on drawing up a new Strategic Plan for the Council for 2013-2017 had commenced, which would set out the Council's new aims, improvement objectives and improvements for a period of four years from April 2013. One of the main comments that had emerged during the Members Workshop had been the need to ensure that all members received meaningful opportunities to contribute to the development of the new Strategic Plan.

- (b) Members were invited to make observations.
- (i) Proposals in the care field for 2012/13 – Clause 6.3.3 – Integrated Family Support

A member drew attention to the lack of dementia respite care for families in the Dwyfor area.

In response, the Council Leader noted that a project was being undertaken to identify the need for such a centre.

The Corporate Director, Dafydd Lewis, noted that in the strategic review undertaken of residential and nursing services, the demand for more dementia services had been identified. He noted that discussions were ongoing to attract people to offer more services. In the meantime, an element of respite care could happen through the Council's residential homes.

- (ii) Proposals in the Economy and Regeneration fields for 2012/13 – Clause 7.3.1 – Green Gwynedd and the Low Carbon Sector

In relation to Low Carbon Energy, a member was of the opinion that the interpretation referred to in the first clause under the heading “Project Activities” was not correct and that it should be changed i.e. nuclear was not low carbon energy.

In response, the Council Leader noted that the point referred to by the member was in the strategic plan, namely a combination of energy and taking advantage of the natural resources that Gwynedd currently had in order to create low carbon energy and also economic opportunities. He noted that the term referred to, namely low carbon energy, was an internationally recognised term by scientists from all corners of the world. The energy created by power stations such as Wylfa was acknowledged as low carbon energy.

Further, the member proposed an amendment, namely that the first clause referred to above should be changed to read “The Energy Island forecasted is a mix of renewable energy and nuclear energy and we must take advantage of developments in renewable energy and ensure that this part of Wales benefits from the employment opportunities created”.

The amendment fell.

- (iii) A member proposed an amendment namely that the following wording should be included “Safe and Sustainable” to the heading “Green Gwynedd and the Low Carbon Sector”.

The amendment fell.

- (iv) Proposals in the Children and Young People field 2012/13

The Cabinet Member for Education noted that the heading “*Prosiect Trawsnewid Addysg Gynradd ac Uwchradd*”, needed to be added on page 44 of the Welsh version of the document.

The member noted that information had been received on that day from the Welsh Government that a proportion of the funding for the twenty-first century schools programme would be released early for ten projects in Wales which included the Special Education Centre of Excellence. This would mean that the money could be spent next year rather than the following year meaning that the scheme could be started sooner.

- (v) A member drew attention to the fact that there was no reference in the plan to the need for new schools in Groeslon and Cricieth.

In response, the Cabinet Member for Education noted that a report would be submitted to the Cabinet on 9 October 2012 on “Priorities Plan – Reorganisation of Education Provision” where a recommendation would be made to prioritise the review of primary education provision in the

Groeslon area, to include Carmel and Bronyfoel (Fron). The aim was to establish a school in the area as soon as possible.

The local member for the Groeslon area noted that the scheme to have a new school in Groeslon had been in the pipeline for about 18 months and that he welcomed the fact that the matter would be discussed by the Cabinet the following week.

Iwan T. Jones, Corporate Director, confirmed that the provision in the Groeslon area was considered a priority as noted in the report submitted to the Cabinet on 9 October 2012. He noted that the Council had been successful in attracting £4.8m towards the twenty-first century schools programme and specifically for the Groeslon area. The biggest obstacle faced was that it had not been possible to access the money until after 2014 and, therefore, it would not be possible to commence work on any plan until after that time. However, information had been received today that the Welsh Government was willing to release a proportion of the sum of £38m towards the Special Education Centre of Excellence during 2013/14.

- (vi) Proposals in the Environment and Infrastructure field for 2012/13 – Clause 9.3.5 – Affordable homes for purchasing and renting

A member noted that some holiday homes were being turned into businesses which meant that the Council did not receive tax from them. He asked whether it would be possible for the Council to take action in relation to this.

In response, the Cabinet Member for Housing noted that in its response to a consultation document, Gwynedd Council had asked the Welsh Government to give powers to local authorities to control the change of property categories in relation to local taxes.

In response to a further enquiry by a member, the Head of Finance Department referred to a situation where a house owner could change it into a second home, or even a holiday home on the non-domestic rates list, by convincing the District Valuer of this. Consequently, the Council, as tax collector, would lose the taxes for the current year and would also suffer a further financial loss should the Valuer decide to back-date the change of use of the property.

The Head of Finance Department confirmed that Cabinet Members and Council officers were taking every opportunity to influence the Welsh Government to legislate in the field and it was this that was referred to in the final clause of page 54 of the Strategic Plan.

- (vii) In relation to Flood Risk Management, a member referred to the flooding problems at Penrhos, Pwllheli and that action should be taken once again to try to prevent this.

Agreed to note the situation.

- (viii) Proposals in the Language field for 2012/13.

A member was of the opinion that there was no vision in this field. He anticipated that, when the results of the Census would be published in April 2013, not one community throughout Wales would have 70% Welsh speakers.

In response, the Council Leader noted that he agreed with the member's observations. It was an example of a field in which the Council needed to do something different. He noted the trend in schools changing from English to Welsh. In the long-term, it would be possible to address the matter thoroughly in the next four year plan.

- (ix) A member suggested that a map should be included within the strategy. There was agreement to this suggestion.

The member noted that the reference to the use of information technology should be strengthened in the plan. It was agreed that the Council should recognise information technology as a tool to modernise and communicate internally and externally.

**RESOLVED to adopt the Strategic Plan for the 2012/13 period and to authorise the Council Leader and the Chief Executive to undertake any necessary changes to ensure accuracy.**

## **7. THE PERFORMANCE OF GWYNEDD COUNCIL 2011/12**

- (a) The Council Leader set out the background and context of the report.

He explained that the Local Government (Wales) Measure 2009 had placed a duty on local authorities to make arrangements to secure continuous improvement and to account for it. He noted that, following the new Council in May 2012, it had been decided that the Strategic Plan would replace the Three Year Plan. Authorities were required to publish an assessment of their performance during a financial year by 31 October of the following year. In accordance with the requirements, the Council needed to ensure that the content of the report provided a balanced, fair and accurate reflection of the Council's performance.

He noted that details about the Council's performance against its improvement objectives and all improvements and indicators within the first year of the Three Year Plan 2011-2014 were provided. Details were also provided of the Council's performance against its commitments in narrative form by offering the background to the performance. A detailed assessment was provided for each improvement, including an explanation of the actions to be taken where there had been slippages at the end of 2011/12. In order to ensure that the Council was accountable for its performance, and that it published a balanced assessment of its achievement, it had been decided to assess progress against specific criteria.

He also noted that the report had been scrutinised by the Corporate Scrutiny Committee on 2 October 2012 and members' attention was drawn to the recommendations of that committee.

- (b) Members were invited to submit observations.
- (i) A member expressed concern that several lengthy reports needed to be scrutinised in a short period of time.

In response, the Council Leader noted that discussions had been held at forums on the nature of scrutiny committees and some elements could possibly be revisited.

- (ii) Care Improvements – Reference CGOE18 – Supporting Vulnerable Young Adults

A member referred to the comments noted in the document, namely "Priority was not given within the work programme of the Service in 2011/12 for this Project as there were so many other requirements. A review is needed as to whether or not it should be included as an improvement in 2012-13 and a resource identified to address it". The member was of the opinion that it should be included as an improvement due to the importance of this field.

In response, the Chief Executive noted that it was not intended to disregard the matter but, rather, that the work needed to be prioritised.

Dafydd Lewis, Corporate Director, noted that his project considered specifically the needs of the service when a young person would reach 18 years old and became an adult.

The Chief Executive further noted that the comments noted in the document were for 2011/12; however, he promised to address the matter for the future.

- (iii) In response to a question by a member regarding employing young apprentices, Iwan T. Jones, Corporate Director, noted that this was a scheme run jointly with Anglesey County Council which was being developed and co-ordinated by Llandrillo College. He noted that approximately 30 apprentices had been recruited and their placements were in businesses in either Gwynedd or Anglesey.

- (iv) Children and Young People – Reference EAS02

In response to a question by a member regarding the transformation of post-16 education and training provision, Iwan T. Jones, Corporate Director, noted that the indicator showed the changes afoot in terms of post-16 education and training specifically in the Arfon area. He noted that work was afoot to promote collaboration between providers in the

post-16 education and training field in Arfon. In the Dwyfor area, the provision was offered on the Coleg Meirion Dwyfor campus.

(v) Language – Reference PS105 – The Schools' Language Charter Scheme

A member noted that the Corporate Scrutiny Committee held on 2 October 2012 had recommended that this scheme should be moved from green to amber and he asked for an explanation about the logic behind this. As some had concerns about the performance of the Language Charter, he suggested that the matter should be addressed at the Language Committee.

In response, the Vice-chair of the Corporate Scrutiny Committee noted that the committee had recommended to change the colour from green to amber as no clear outcome had been noted.

**RESOLVED**

**a) To approve the document as a balanced, fair and accurate reflection of the Council's performance against its improvements and indicators during 2011/12, and to adopt it.**

**b) To accept the recommendations of the Corporate Scrutiny Committee on the document as follows -**

- **Care Improvements – Reference CGOE01 – Change the final paragraph of the comments to read as follows *“It appears that there has been a reduction in the number of home care hours provided to 9324; however, analysis work is continuing in order to identify the trend”*.**
- **Regeneration and the Economy – Reference SMG07 – Delete the word *“advocacy”*.**
- **Children and Young People – Graph no. 3 on page 38 – Change *“Number”* to *“%”*.**
- **Children and Young People – Reference Add.03 – Need to draw specific attention to the secondary sector in this improvement and outcome.**
- **Language field – Reference Add.11 – Change the colour of improvements Add.11, PS105, PS106, PS109 and PS110 to amber in order to ensure that it is a balanced, fair and accurate reflection of the performance.**

**c) To refer reference PS105 – Schools' Language Charter Scheme for further attention by the Language Committee.**

**ch) To authorise the Head of Strategic and Improvement Department to make any necessary corrections, additions or editorial changes to ensure accuracy before publishing the report.**

**8. CARTREFI CYMUNEDOL GWYNEDD ANNUAL REPORT**

Ffrancon Williams, Chief Executive of Cartrefi Cymunedol Gwynedd and Rhys Jones, Communities and Customers Director were welcomed to the meeting.

- a) Submitted by the Chief Executive of Cartrefi Cymunedol Gwynedd – the annual report which outlined their activities for the second year from 1 April 2011 to 31 March 2012.

He drew attention specifically to the following issues -

- i) Delivery of Offer Document promises
- ii) Welsh Housing Quality Standard (WHQS) investment works
- iii) Consultation arrangements with tenants
- iv) Obligations under the Agreement (Nomination and Housing Agency Agreements, Service Level Agreements and Housing Benefit Protocol)
- v) Elected Members' Protocol
- vi) Partnership working on strategically important housing items
- vii) Other operational matters

- b) Members were invited to make observations.

- i) A member expressed disappointment regarding the quality of customer care. He noted that he had contacted staff on many occasions in relation to tenants' problems and that his enquiries had been ignored entirely. He also noted that their repair system was deficient and referred specifically to one occasion when it had taken three months to repair a gate.

In response, the Chief Executive asked that, if there were specific examples, officers' attention should be drawn to them. He noted that customer care was one of the main priorities and changes within their internal arrangements had been undertaken in order to improve this. He was aware of the complaints regarding the maintenance service and a review was afoot to try to resolve the problems.

The Communities and Customers Director noted that improvements had derived from a customer satisfaction survey. It had been agreed to strengthen the customer care team by employing additional staff and the centre's opening hours had been extended to from 8.00am to 6.00pm in order to be able to deal with complaints etc. sooner and more consistently.

- iii) A member drew attention to the need to provide allotments for tenants.

In response, the Chief Executive noted that, as part of the transfer process, some allotments had been taken over but that the statutory ones continued to be in Council ownership. He suggested that any application for allotments should be submitted to the Council initially and that they would work with them where appropriate.

- iii) A member asked whether it would be possible to establish area offices in order to enable tenants to have better contact with officers.

In response, the Chief Executive noted that area offices existed in the three areas.



iv) In response to a member's question regarding shareholders, the Chief Executive noted that an advertisement would be placed in the tenants' newsletter and on the CCG website inviting tenants to become shareholders.

v) A member enquired whether there had been a clause in the agreement at the time of transfer to employ local people who were able to speak Welsh.

In response, the Chief Executive noted that it was illegal to include clauses within any European tendering document insisting that local people be employed; however, through the "Targeted Recruitment and Training", a clause had been secured within the contracts noting an expectation of 15% of the workforce to be in training. In addition, local labour was monitored and pressure was placed on contractors to employ locally.

vi) A member referred to the fact that several tenants could not afford fuel and were taking out the fireplaces in their houses. She asked how tenants who faced fuel poverty would be supported.

In response, the Chief Executive noted that, under the improvement and investment programme, there were various options of heaters available. He noted that they had already worked with several tenants in order to decide on the best option. He referred to the financial inclusion strategy which attempted to give tenants substantial assistance to make better use of the money they had, including banking arrangements etc.

vii) In response to a question by another member regarding open fires in the houses, the Chief Executive noted that an element of safety existed with these and, as landlord, tests needed to be carried out on the open fires. Consideration would be given to solid fuel as an option offered to tenants.

viii) A member asked whether tenants who were unhappy with CCG as a landlord had the right to go to another housing association.

In response, the Chief Executive noted that there was a formal complaints procedure for tenants with several steps involved with the internal complaints procedure and tenants could also refer their complaints to the Ombudsman. He noted that any tenant could submit an application to be transferred to any organisation. He was not aware of any legislation if a tenant was dissatisfied with the landlord.

ix) A member asked how many people were employed by them locally in the three areas throughout Gwynedd and also how many local companies were employed.

In response, the Chief Executive noted that he did not have the figures but that he would convey the information to the member.

x) A member referred to a recent case where an electrical surveyor had visited a particular property and he had been of the opinion that the

property did not need to be rewired but the tenant needed to sign an appropriate form refusing the rewiring of the property.

In response, the Chief Executive noted that tenants did have the right to refuse work to be carried out on their property. He noted that if the electrical system of the houses needed attention, they had a responsibility as a landlord to ensure that that happened and they worked with tenants in such cases.

**RESOLVED to accept and thank the officers for the report.**

## **9. NOTICES OF MOTION**

- (A) In accordance with Procedural Rule 17, it was reported that a notice of motion had been submitted, along with a procedural motion, in accordance with Procedural Rule 17 (12), by Councillor Michael Sol Owen, requesting that the matter be discussed at the full Council without being referred to committee -

**RESOLVED to discuss the proposal at this meeting.**

The following proposal was proposed and seconded:-

**“That Gwynedd Council supports the implementation of a trial period of GMT + 1 for the winter and GMT + 2 for the summer (i.e. double summertime) because of the general advantages it would confer on the population and businesses here in Gwynedd. That is, energy savings, less emissions, fewer road accidents and an economic benefit to the tourist industry”.**

The proposer noted that several reports supported this proposal. Amongst the general advantages to the UK were -

- a) Reducing carbon emissions by approximately 447,000 tonnes.
- b) Saving on the production of approximately 6 gigawatt hour of electricity every day.
- c) It was estimated that approximately 450 fatal accidents on the roads would be prevented.
- ch) Increasing the tourism industry.

It had been given to understand that an early day motion for an experiment for three years on the matter was to be discussed in the House of Commons in 2012/13. He noted that 39 Members of Parliament had signed the motion including Elfyn Llwyd, Hywel Williams and Albert Owen.

Several members objected to the proposal and noted their reasons for that.

**RESOLVED to refuse the proposal.**

- (B) Reporting back on Notices of Motion

- (i) It was reported that a notice of motion had been submitted to the Council on 16 December 2010 noting that the Council should proceed urgently to ensure that signs were erected in the town of Caernarfon and other populated areas in order to prevent dogs from running free, without a lead. The Council resolved to refer the matter to the attention of the Environment Scrutiny Committee.
- (ii) Submitted – the report of the Head of Regulatory Department on the discussions of the Environment Scrutiny Committee and later the Cabinet.

**RESOLVED to accept the report of the Head of Regulatory Department and the recommendations of the Environment Scrutiny Committee and the Cabinet.**

The meeting commenced at 1.00 pm and concluded at 4.30pm.

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**CHAIRMAN**

<b>MEETING :</b>	<b>THE COUNCIL</b>
<b>DATE:</b>	<b>6, December, 2012.</b>
<b>TITLE:</b>	<b>Appointment of Independent Member to the Standards Committee.</b>
<b>AUTHOR:</b>	<b>Dilys Phillips, Monitoring Officer.</b>
<b>ACTION:</b>	<b>To consider the recommendation of the Consultative Panel.</b>

## **1. BACKGROUND**

- 1.1 There are 9 members on the Standards Committee, namely :-
- 5 independent members (i.e. members with no connection with a local authority).
  - 1 community committee member who is a member of a Gwynedd community council (but not a Gwynedd Council member).
  - 3 Gwynedd Council elected members.
- 1.2 On the 19<sup>th</sup> July 2012 the resignation of one independent member was received, creating a vacant seat on the committee.
- 1.3. In accordance with the procedure agreed by the Council the vacant seat for an independent member was advertised in the press with a closing date of 27<sup>th</sup> September.
- 1.4 Under the relevant legislation a Consultative Panel must consider the applications and then makes a recommendation to the Council which applicant to appoint. Members of the Panel were the Chairman of the Democratic Services Committee, Chairman of the Standards Committee, member of a Community Council and two lay members with no connection with local government. The Panel's role is to consider each application and to apply the Council's criteria for appointing independent members to the Committee. Whilst the appointment is made by the Council, it must have regard to the recommendations of the panel.
- 1.5 The Consultative Panel met on the 22<sup>nd</sup> October and interviewed 3 of the applicants. The fourth applicant was unavailable for interview but consideration was given to his application on paper and the Panel came to the conclusion that he did not excel the successful applicant.
- 1.6 Following a detailed and thorough consideration of the applications, the Panel decided to recommend Dr Einir Meredydd Young to the Council as an independent member on the Standards Committee. Dr Young lives in Talybont, Bangor and is employed at the University.

## **2. RECOMMENDATION**

- 2.1 To appoint Dr Einir Meredydd Young as an independent member on Gwynedd Council's Standards Committee to serve for a period of 6 years.

MEETING: **THE FULL COUNCIL**

DATE: **6 DECEMBER 2012**

TITLE: **COUNCIL TAX: DISCRETIONARY POWERS TO ALLOW DISCOUNTS**

PURPOSE: **Formal ratification for 2013/14 and thereafter of previous decisions not to allow any discounts for second homes and to disallow discount on empty properties.**

CABINET MEMBER: **Councillor Peredur Jenkins**

CONTACT OFFICER: **Dafydd L Edwards, Head of Finance**

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## **1. LEGISLATIVE BACKGROUND**

- 1.1 Section 12 of the Local Government Finance Act 1992 (as amended by Section 75 of The Local Government Act 2003 and The Council Tax (Prescribed Classes of Dwellings) (Wales) (Amendment) Regulations 2004) provides Councils with the discretionary powers to grant discount or not to two classes of second homes (classes A and B, below) and to long term empty dwellings (class C). The discount can be 50%, a reduced percentage or no discount.
- 1.2 Whilst regulations now provide the Cabinet with powers to decide on the council tax base, **a decision by the full Council is still required in relation to discounts.** For technical reasons, annual confirmation has been sought again regarding the decision to disallow council tax discounts.

## **2. CURRENT POLICY AND INTENTION**

- 2.1 The Council has resolved to allow NO discounts to second homes (classes A and B) every year since receiving discretionary powers for these classes in 1998, and it is recommended below that this should continue for 2013/14.
- 2.2 The Council has also resolved NOT to allow a 50% discount for class C (in respect of empty/unoccupied properties) since 2009/10, and it is recommended below that this should continue for 2013/14.
- 2.3 In order to avoid the need for an annual decision on the above, the full Council resolved on 21 January 2010 to confirm that this policy would continue beyond 2010/11, and thereafter until a relevant item is tabled on the full Council's agenda. However, consideration by a valuation tribunal of a case involving a property in another county raised doubt regarding the validity of a permanent resolution and policy on this matter, and the legal opinion is that it would avoid an element of risk to the Council if we secure an annual decision for this matter.
- 2.4 The financial strategy for 2013/14, and the Council's grant settlement from the Welsh Government, is based on continuation of the policy to allow NO discounts, and any change to that policy would need to be funded by the Council in 2013/14.

### 3. **“THE REGULATIONS” – COUNCIL TAX (PRESCRIBED CLASS OF DWELLINGS (WALES) REGULATIONS 1998 / THE COUNCIL TAX (PRESCRIBED CLASSES OF DWELLINGS) (WALES) (AMENDMENT) REGULATIONS 2004**

- 3.1 In the above Regulations, 'second homes' have been categorised into two classes, A and B, while class C refers to empty properties:
- ❑ **Class A** - Second homes which are unoccupied and furnished, with a restriction on occupancy for a period of at least 28 consecutive days in any 12 month period.
  - ❑ **Class B** - Second homes which are unoccupied and furnished.
  - ❑ **Class C** – empty and unfurnished properties, and have been such for a period of over 6 months.
- 3.2 The Regulations provide the Council with the discretion to charge full Council Tax or to allow a 25% or 50% discount to classes A and B.
- 3.3 Similarly, the Regulations provide the Council with discretion to continue to allow a 50% discount, to allow a lower percentage of discount, or no discount at all to class C.

### 4. **SECOND HOMES**

- 4.1 A number of elected members have suggested that we should charge more than 100% of the usual Council Tax payable on second homes, by means of a 'premium' rather than a discount.
- 4.2 In order to operate a 'premium', there would need to be a change in the national Regulations, and also a change in the primary legislation underpinning those Regulations (by the Westminster and Welsh Governments).
- 4.3 Acting jointly with other local authorities, the Council Leader, Cabinet Members and many officers continue to campaign to prompt such a development, with local authorities retaining the additional council tax income generated.
- 4.4 It is now understood that the Westminster Government has granted the power for the Welsh Government to legislate on charging more than 100%, but to date, the Welsh Government has not consulted on the matter. Further, in order to act comprehensively, it will also be necessary for the Welsh Government to secure powers to legislate regarding controlling / preventing the transfer of second homes to commercial holiday homes and business rates.

### 5. **EMPTY PROPERTY**

- 5.1 Gwynedd Council's Empty Property Strategy was adopted in February 2009. The Council has also recognised the importance of dealing with empty properties within its Strategic Plan (bringing empty properties back into use). The Empty Property Strategy's mission statement is that: *“Gwynedd Council will endeavour to bring empty properties back into use. Our aims are to contribute to the well-being of the neighbourhood, increase the supply of housing, reduce homelessness or the potential for homelessness, and at the same time, reduce the pressure on the Housing Waiting List”.*

- 5.2 Since April 2009, long term empty dwellings have been charged 100% council tax, following either an exempt period of 6 months, or an extended 12 month period of exemption if undergoing major renovation. Any discount would provide an unfortunate incentive for owners to keep dwellings empty. The Empty Property Strategy includes the Council exercising its discretion to charge 100% council tax on long term empty dwellings, as an incentive for these dwellings to be reoccupied. It is recommended that the full Council continues with the resolution not to allow a discount on empty property in 2013/14.
- 5.3 In connection with empty property tax, there was a recent consultation on raising more than 100% of Council Tax on long-term empty properties. It is anticipated that discretionary power will, in future, be granted to local authorities to charge more than 100%, but it is unlikely for 2013/14.

## 6. RECOMMENDATION

- 6.1 It is prudent to seek an annual decision by the full Council on these matters.
- 6.2 Therefore, **the Council is asked to formally resolve** again for 2013/14 **that Gwynedd Council allows NO discount** under Section 12 of the Local Government Finance Act 1992 **to the two classes of second homes** (classes A and B) defined in the Council Tax (Prescribed Class of Dwellings) (Wales) Regulations 1998.
- 6.3 Further, **the Council is asked to formally decide** again for 2013/14 **to allow NO discount in respect of empty properties** (class C).

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### Opinion of the Statutory Officers:

#### Chief Executive:

I support the recommendation which has been consistent with the Council's policy on the matter for some time.

#### Monitoring Officer:

I have no observations from a propriety perspective.

#### Head of Finance:

I have collaborated with the Cabinet Member in the preparation of this report and I confirm the content.

MEETING	COUNCIL
DATE	6 <sup>TH</sup> DECEMBER, 2012
SUBJECT	MEMBERS' SALARIES
AUTHOR	Geraint George, Head of Strategic and Improvement

1. At its meeting on the 17<sup>th</sup> May, 2012 the Council decided to allocate 16 of the possible 18 senior salaries available to elected members. The senior salaries were allocated as follows: Leader of the Council, and up to nine Cabinet members (to include the Deputy Leader if there is one), the Chairs of the three Scrutiny Committees, the Audit Committee, Planning Committee and the Licensing Committee.
2. It was decided not to allocate the remaining two senior salaries, but to review the matter during the year when the changes to the constitution and the workload of the different committees became clearer.
3. To remind the members, there are five categories of members eligible to receive senior salaries, namely: Leader of the Council, Deputy Leader of the Council, Members of the Cabinet, Committee Chairs, Leaders of a Political Group.
4. The Independent Remuneration Panel for Wales' draft annual report – December 2012, states “*that a council must make a Senior Salary available to the Leader of the largest opposition group ... providing the Group meets the Panel's requirement of not less than ten per cent (10%) of all council members*” (para 3.10). The final report is expected at the end of December 2012.
5. There are 16 members in the largest opposition group in Gwynedd, the Independent group, which consists of more than 10% of all Council members. It is therefore a requirement to assign one of the remaining Senior Salaries to the Leader of the largest opposition group.
6. Following from the above, one Senior Salary remains. In accordance to the five categories of members eligible to receive senior salaries (para 3 above), consideration for payment of the final senior salary was given to the Chairs of the remainder of the Committees. A number of factors were considered, including the requirements of the role, the importance of the role to other members and the developmental and leadership role of the committee.
7. The committees where a senior salary is not currently paid to the Chair of
  - a. Democratic Services Committee
  - b. Language Committee
  - c. The Employment Appeals Committee
  - d. Pensions Committee
  - e. Area Committees



8. In order to come to a decision, the Council must consider the following factors:
  - Workload
  - The importance of the role to other members
  - Leading and developmental role of the committee
9. It is very difficult to compare workload by looking simply at the number of meetings only, as a substantial amount of the workload is related to the work of the Chair between committee meetings. However, it seems that the two Chairs with the highest workload with regards to time are The Employment Appeals Committee and the Democratic Services Committee.
10. Whilst giving consideration to the other factors, it appears that the role of the Democratic Services Committee is of greater significance in relation to its importance to other members and the developmental/leadership role, especially in relation to the role of the Chair within the new political structure.
11. **Recommendation:**

Based on the evidence presented above, it is recommended that the Council allocate the remaining two senior salaries to the Leader of the largest opposition group and to the Chair of the Democratic Services Committee for the remainder of the Council year, and to review the situation further from May onwards. The senior salaries should be payable from when the additional responsibilities were undertaken.