



Complete Agenda

Chief Executive's Department
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

THE COUNCIL

Date and Time

1.00 pm, THURSDAY, 12TH MAY, 2016

*** NOTE**

This meeting will be webcast

<http://www.gwynedd.public-i.tv/core/portal/home>

Location

Siambwr Dafydd Orwig, Council Offices, Caernarfon, Gwynedd, LL55 1SH

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(DISTRIBUTED 05/05/16)

**Dilwyn Williams
Chief Executive**

www.gwynedd.llyw.cymru

THURSDAY, 5 MAY 2016

Dear Councillor,

MEETING OF GWYNEDD COUNCIL – THURSDAY, 12 MAY 2016

YOU ARE HEREBY SUMMONED to attend a meeting of **GWYNEDD COUNCIL** which will be held at **1.00 pm** on **THURSDAY, 12TH MAY, 2016** in **SIAMBR DAFYDD ORWIG, COUNCIL OFFICES, CAERNARFON, GWYNEDD, LL55 1SH, COUNCIL OFFICES, CAERNARFON** to consider the matters mentioned in the following agenda.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Dewi Sillan'.

Prif Weithredwr/Chief Executive

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

Plaid Cymru - Siambr Dafydd Orwig
Independent – Siambr Hywel Dda
Llais Gwynedd – Ystafell Gwyrfai
Liberal Democrats - Ystafell Peris
Labour – Rear of Siambr Dafydd Orwig

AGENDA

1. CHAIRMAN

To elect a Chairman for 2016/17.

2. VICE-CHAIRMAN

To elect a Vice-chairman for 2016/17.

3. APOLOGIES

To receive any apologies for absence

4. MINUTES

6 - 27

The Chairman shall propose that the minutes of the meetings of the Council held on the following dates be signed as true records (attached)

(i) 3 March, 2016

(ii) 18 March, 2016 (extraordinary meeting)

5. DECLARATION OF PERSONAL INTEREST

To receive any declaration of personal interest.

6. THE CHAIRMAN'S ANNOUNCEMENTS

To receive any Chairman's announcements.

7. CORRESPONDENCE, COMMUNICATIONS OR OTHER BUSINESS

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

8. URGENT ITEMS

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

9. QUESTIONS

To consider any questions the appropriate notice for which have been given under Section 4.19 of the Constitution.

10. THE WALES AUDIT OFFICE'S ANNUAL REPORT

28 - 62

- (a) To submit the report of the Head of Corporate Support (attached).
 - (b) To receive a presentation by the Wales Audit Office.
- 11. THE REFERENDUM ON MEMBERSHIP OF THE EUROPEAN UNION** 63 - 65
- To submit the report of the Council Leader (attached).
- 12. AMENDMENTS TO MODEL CODE OF CONDUCT** 66 - 81
- To submit the report of the Monitoring Officer (attached).
- 13. ANNUAL REPORT BY THE CHAIR OF THE DEMOCRATIC SERVICES COMMITTEE OUTLINING SUPPORT FOR MEMBERS** 82 - 89
- (a) To submit the report of Councillor Thomas G.Ellis, Chairman of the Democratic Services Committee (attached).
 - (b) To select a Chairman for 2016/17.
- 14. MEMBERS' SALARIES** 90 - 95
- To submit the report of Councillor Thomas G. Ellis, Chairman of the Democratic Services Committee (attached).
- 15. THE COUNCIL'S POLITICAL BALANCE** 96 - 98
- To submit the report of the Council Leader (attached).
- 16. NOTICES OF MOTION**

(A) NOTICE OF MOTION BY COUNCILLOR OWAIN WILLIAMS

In accordance with the Notice of Motion received under Section 4.20 of the Constitution, Councillor Owain Williams will propose as follows:-

“That the Council asks Gwynedd Council’s Cabinet to consider reviewing its policy regarding the allocation of contracts to food suppliers in our schools and the priority it gives to small local companies.

The logic behind this is the fact that it alleges that it gives priority to small local companies rather than large companies. This is crucially important as some companies supply imported food, especially meat. The importance of being able to trace the source of every type of meat cannot be over-emphasised, given

the difficulties and dangers for children and adults of eating contaminated meat e.g. mad cow disease. Arguing that the price of meat supplied by large companies is cheaper is futile and cynical; what price the safety and health of our children?"

(B) NOTICE OF MOTION BY COUNCILLOR ELWYN EDWARDS

In accordance with the Notice of Motion received under Section 4.20 of the Constitution, Councillor Elwyn Edwards will propose as follows:-

“Following the Council’s decision on 18/3/16 to monitor and assess the Welsh language situation (from 2011) in the context of the Joint Local Development Plan, that this Council invites Anglesey Council to participate fully in the work.”

THE COUNCIL 3/3/16

Present: Councillor Dilwyn Morgan (Chairman);
Councillor Eric Merfyn Jones (Vice-chairman).

Councillors: Craig ab Iago, Stephen Churchman, Annwen Daniels, Lesley Day, Gwynfor Edwards, Dyfed Edwards, Elwyn Edwards, Trevor Edwards, Thomas Ellis, Alan Jones Evans, Aled Evans, Jean Forsyth, Gweno Glyn, Simon Glyn, Gwen Griffith, Selwyn Griffiths, Alwyn Gruffydd, Siân Gwenllian, Annwen Hughes, Chris Hughes, John Brynmor Hughes, Louise Hughes, Sian Wyn Hughes, Jason Humphreys, Peredur Jenkins, Aeron M. Jones, Aled Wyn Jones, Anne Lloyd Jones, Brian Jones, Charles W. Jones, Dyfrig Jones, Elin Walker Jones, John Wynn Jones, Sion Wyn Jones, Eryl Jones-Williams, Beth Lawton, Dilwyn Lloyd, June Marshall, Dafydd Meurig, Linda Morgan, Dewi Owen, Michael Sol Owen, W. Roy Owen, William Tudor Owen, Caerwyn Roberts, Gareth A. Roberts, John Pughe Roberts, W. Gareth Roberts, Mair Rowlands, Angela Russell, Dyfrig Siencyn, Mike Stevens, Gareth Thomas, Glyn Thomas, Ioan Thomas, Hefin Underwood, Ann Williams, Eirwyn Williams, Elfed Williams, Gethin Glyn Williams, Gruffydd Williams, Hefin Williams, John Wyn Williams, Owain Williams, R. H. Wyn Williams, Mandy Williams-Davies and Eurig Wyn.

Officers present: Dilwyn Williams (Chief Executive), Morwena Edwards and Iwan Trefor Jones (Corporate Directors), Dafydd Edwards (Head of Finance Department), Geraint Owen (Head of Corporate Support Department), Iwan Evans (Head of Legal Service / Monitoring Officer), Rhun ap Iareth (Senior Solicitor / Deputy Monitoring Officer), Arwel E. Jones (Senior Manager – Democracy and Delivery), William E. Jones (Senior Manager – Finance), Hawis Jones (Strategic Planning and Performance Manager - for Item 8 on the agenda), Meinir Owen (Savings Programme Manager - for Item 10 on the agenda), Gareth Jones (Senior Manager - Planning and Environment - for Item 16 on the agenda), Nia Haf Davies (Planning Manager, (Joint Planning Policy Unit - Anglesey and Gwynedd) - for item 16 on the agenda) and Bethan Adams (Member Support and Scrutiny Officer).

Apologies: Councillors Anwen Davies, Linda Wyn Jones, Christopher O'Neal and Peter Read.

1. MINUTES

The Chairman signed the minutes of the previous meeting of the Council held on 10 December 2015 as a true record subject to the addition of 'Implementation of the Social Services and Well-being Act' under item 5:

"A member noted that she was uncomfortable with the monolingual English film and that the Council's staff spoke Welsh."

2. DECLARATION OF PERSONAL INTEREST

Members had received a briefing note from the Monitoring Officer in advance regarding item 10 on the agenda, 'Budgetary Matters'. Further guidance was provided to members that they should declare an interest if particular attention was given to a matter in a proposal or amendment during the discussion.

The following members declared a personal interest in item 10 on the agenda - Budgetary Matters, for the reasons noted:-

- Councillor W. Roy Owen - because he was a Canolfan Noddfa trustee.
- Councillor W. Tudor Owen - because he was vice-chair of the Canolfan Noddfa board.

- Councillor Gruffydd Williams - because he was a member of the Nefyn Playing Field Committee which had made an application for a grant from Mantell Gwynedd and Cist Gwynedd.

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

The Monitoring Officer noted that the senior officers present, with the exception of the Chief Executive, would declare an interest and would withdraw from the chamber during the entire discussion on item 9 'Annual Review - Council's Pay Policy'. It was added that the Chief Executive would declare a personal interest and withdraw from the chamber if a discussion relating to the Chief Executive's post arose.

The Corporate Directors, the Head of Finance Department, the Head of Corporate Support Department and the Head of the Legal Service / Monitoring Officer declared a personal interest in this item as the report involved their salaries. They were of the opinion that it was a prejudicial interest, and they withdrew from the meeting during the discussion on the item.

3. THE CHAIRMAN'S ANNOUNCEMENTS

(1) Speedy Recovery

Councillor Peter Read, who was currently in hospital, was wished a speedy recovery.

(2) Condolences

Councillor John Wynn Jones paid tribute to the late former Councillor Eddie Dogan, who had represented Dewi Ward for many years, and condolences were extended to his family in their bereavement.

Condolences were expressed to the family of former Councillor Mair E. Williams (Mair Vanwil) who had been an active member of this council for many years and a former Mayor of Caernarfon.

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

(3) Extraordinary Meeting

It was reported that an application to hold an extraordinary meeting of the Full Council to discuss the Joint Development Plan's language assessment had been accepted. The meeting would be held on the morning of Friday 18 March.

(4) Access to Council offices

It was noted that following multiple cases where members of the public had gained unauthorised access to staff offices, work had commenced on installing a new access system for the main entrances and some other key doors. New ID cards had been distributed to members before the meeting to allow them to gain access to Council buildings with meeting rooms.

4. CORRESPONDENCE, COMMUNICATIONS, OR ANY OTHER BUSINESS

It was reported, for information, that a response had been received from the Culture, Media and Sport Department regarding the Council's call at its previous meeting opposing the cut

to S4C's budget. The response received at the end of January emphasised that the Government had to make difficult decisions and that the proposed cut to S4C's budget was less than other organisations. It was noted that at the beginning of February, the Government announced that S4C would receive the £400,000 sponsorship that it had expected to lose, the Culture Secretary, John Wittingdale stated that a review would also be held next year.

5. QUESTIONS

(1) Question from Councillor Sion Jones

"What is the Leader doing to ensure that zero hours contracts are stopped in Gwynedd Council?"

Response from Councillor Dyfed Edwards, Council Leader

(The Leader's written response had been circulated to members in advance.)

"Over the past few years the Council has aimed to eradicate zero hours contracts and is extremely close to doing so. That is the right thing to do and I am very pleased that the Council has been able to work towards that aim."

A supplementary question from Councillor Sion Jones

"Can the Leader promise that within six months all of the zero hours contracts will have been eradicated and that the Council will re-examine the situation involving seasonal workers with problems arising for some individuals in terms of obtaining a mortgage?"

Response from Councillor Dyfed Edwards, Council Leader

"I don't think setting a timetable on any action is wise, that would be a mistake because it limits any possibilities. Let us examine the situation, and if there is problem then there is a duty on us as an employer to consider what those problems are. I am not aware of those problems, a little bit of work needs to be done.

The Councillor is right to acknowledge that there is a difference between zero hours contracts and other contracts, I am pleased that he recognises that, something he has not always done in the past, so this is a step forward.

Let us get to work and I make this promise to the Council, we will investigate any difficulties and any problems that arise from the type of contracts the Councillor has referred to and we will report back to the appropriate place with any developments in the field. I think that that is the appropriate way forward."

(2) A question by Councillor Aeron M. Jones

"With a substantial number in Gwynedd running businesses or small businesses in Gwynedd, how successful has the Council been in implementing its Keeping the Benefits Local Project in terms of keeping Council expenditure with local contractors?"

Response from Councillor Mandy Williams-Davies, Cabinet Member for Economy

(The Cabinet Member's written response was distributed to the members in advance.)

"It is a very important field, as you will see from the 40% statistic. It is a complex field, and there are some companies with headquarters outside the County but have branches within the County that employ people here and spend money here and if you take them into consideration the percentage increases to 54%.

We are collaborating internally in terms of how we buy into category management rather than departments. Having said that, I am aware that it is an internal structure, there are two parts for me, there are internal matters, but also external matters and working with small businesses specifically is important to me and for me that's where the prosperity lies. We have undertaken some work through the Delivery Panel to see how we can utilise the Economy and Community Department to ask what the obstacles are and whether we can help when there are questions regarding how to fill in forms and the like.

In terms of the percentage it is comparatively good but that does not mean that it is not a priority, and that is why I am eager for it to remain in the Strategic Plan.

I am a strong believer in social clauses, and if there is a contract going we push to get an apprenticeship or something similar involved with it, this work is ongoing. Fairly encouraging statistics but I emphasise that I want to push this further."

A supplementary question by Councillor Aeron M Jones

"Would it be possible for the Economy and Community Department to work more with local businesses to keep work and the benefit local?"

Response from Councillor Mandy Williams-Davies, Cabinet Member for Economy

"After the last meeting of the Delivery Panel, there were three points of concern for companies, namely obtaining information on how to tender, when and who. We have held meet and greet sessions with buyers. I won't mention a specific tender but there are things that we have been able to do such as not being part of a national framework so that we can break things down. It is a very complex field, but one that I am eager to develop.

I also work relatively closely with the Corporate Scrutiny Committee, I have already held two sessions before them and have invited myself back for the third time and I'm very happy to undertake this collaboration to develop this field."

6. GWYNEDD STRATEGIC PLAN 2016-17

Submitted – the Leader's report, which recommended that the Council should adopt a specific Strategic Plan for the year to come, drawing attention to the projects which had been completed and added since the previous year.

During the discussion, the following matters were raised:-

- The plan was welcomed but its delivery was dependent on the decision regarding the cuts.
- The work in terms of community regeneration was extremely important and it was a good thing that the Cabinet had not recommended including the Community Regeneration Unit as part of the cuts.
- Referring to Ysgol Bro Llifon, the Cabinet Member for Education noted that an invitation was extended to members to visit this extraordinary resource. The officers

of the Education Department and the Property Unit were thanked for their work in relation to the project.

- The Vice-Chair noted that the ill-feeling that had been caused by establishing the new school had dissolved and that members should take advantage of the invitation to visit the school.
- Referring to the G7 'Capacity and sustainability of the care and health arrangements' project, a member noted that he welcomed including the project in the Strategic Plan as dementia would affect all of Gwynedd's wards in the years to come. He noted that Mark Drakeford MP, the Minister for Health and Social Services, had announced £30 million for dementia prevention, he was of the opinion that some of the funding should be allocated to individuals who had already received a diagnosis as there was a shortage of dementia beds in some parts of the County.
- Referring to the T7 'High profile and strategic events' project, an appreciation of bringing attention to Festival No. 6 was expressed and it was welcomed that reference in the plan to the Licensing Unit's good work was welcomed.
- The plan set an ambition for the Council to deliver for the people of Gwynedd.
- The Council collaborated across sectors and with third sector organisations in relation to preventative services to ensure the best opportunities for the County's children and young people.
- The outcomes deriving from the plan would not happen quickly in the Economy field but an investment had been made for the future.
- Workshops would be held regarding big events in the County which would also look at opportunities to grow businesses and the enthusiasm of the county's business people was appreciated.

RESOLVED to adopt the Strategic Plan.

7. ANNUAL REVIEW - COUNCIL'S PAY POLICY

Submitted - the report of the Cabinet Member for Resources recommending that the Council should adopt the Pay Policy Statement for 2016/17. It was noted that the Chief Officers Appointment Committee had considered the Pay Policy at its meeting on 25 February 2016 and recommended that the Council should adopt it.

RESOLVED - to adopt the Pay Policy Statement for 2016/17 (Appendix 1 of the report).

8. BUDGETARY MATTERS

The Chair noted that it was with a heavy heart that the difficult decisions regarding the cuts were made, but during a period of national cuts the Council had to make these difficult decisions. Thanks were expressed for the councillors' thorough work and he referred to the enthusiasm of Gwynedd's residents during the Gwynedd Challenge consultation and their lobbying work during the past weeks and months that had been essential to come to a conclusion on the cuts.

He referred to a petition that had been submitted before the meeting. The Cabinet Member for Economy expanded that she had received a petition regarding the arts, 'Don't cut the arts in Gwynedd,' with 1,225 names.

In response to a question regarding the costs of upgrading the Council offices' secure access doors, the Head of Finance noted that a bid for £60,000 had been submitted by the Regulatory Department to improve the security of the offices access arrangements as a result of incidents. It was noted that the work was funded equally by the Regulatory Department and the bid funding.

The Cabinet Member for Resources proposed the Cabinet's recommendations on the 2016/17 budget and the Council Tax. He emphasised that the Council had to set a balanced and viable budget. He guided the members through the report, noting that the strategy aimed to safeguard the services provided by the Council for the people of Gwynedd and to keep the increase in Council Tax to the minimum. The proposal was seconded.

The Chair reminded the members of the note that he had distributed detailing the procedure for dealing with this matter. Members were invited to propose amendments to the Cabinet's recommendation by referencing the number of the plan in question and bearing in mind that any amendment had to note how it would ensure a balanced budget.

In response to a member's question regarding the procedure of establishing a budget and setting the Council Tax, the Monitoring Officer noted, in accordance with the statutory procedure, that the Cabinet recommended a budget and Council Tax to the Full Council.

A member noted that the Cabinet Members had received more information than the other members in order to come to a decision. In response, the Chief Executive noted that the Cabinet had received comprehensive information so that they could draw up a list of possible cuts before releasing the list to consult with the public. He accepted that only a summary had been given to the members when they were consulted the previous summer in order to avoid overloading the members and striking a balance in terms of the information that was required. He noted that the additional information was available to other members if they so wished.

During the subsequent discussion, the following main points were noted:-

- An appreciation of the work of officers and the public as part of the Gwynedd Challenge consultation.
- Given that the Strategic Plan had noted that approximately 6.9 million tourists had visited Gwynedd in 2014, creating £975 million in revenue, had consideration been given to relocating the tourist information centres?
- A Scrutiny Working Group had recommended charging a fee for using the County's toilets, had considered either transferring them to others or opening some seasonally but this had not been implemented.
- The Lloyd George Museum was an important resource in terms of education and tourism with on-line petitions and calls from Assembly Members to keep this resource of national importance. Had consideration been given to contacting Welsh Government and asking it to adopt it as part of the National Museum?
- Two or three line manager posts should be cut from the Council staffing structure rather than cutting tourist information centres which were extremely important for tourism. If it was decided to close the tourist information centres, the centre located in Neuadd Dwyfor should be saved.
- Only approximately 2% of the people of Gwynedd had taken part in the Gwynedd Challenge consultation.
- Concern regarding the order of the meeting.
- Welsh Government's Public Health White Paper recommended that the Council provided a sufficient number of public toilets. Therefore, why were the Council going to close 50 out of 73 public toilets in the County?
- Several individuals had not completed the on-line questionnaire as part of the Gwynedd Challenge consultation because it had been too complicated and that the number of responses received was low given this expensive exercise.

In response to the members' observations, the Chief Executive noted the following:-

- In terms of the public toilets, it was only economically possible to charge a fee by installing payment machines for some of the toilets, and should there be a wish to

remove plan number 51 (Close 50 out of 73 of the County's public toilets) from the cuts then another plan would need to be added to the cuts or the Council Tax would have to be increased. There was work to be done in terms of which public toilets would be closed and how to realise the cuts and perhaps the Scrutiny Committee should be part of the process.

- It was acknowledged that there would be an impact on tourism by including some plans in the list of cuts but should a plan be removed from the list then another plan would have to be added or the Council Tax would have to be increased.
- Discussions had not been held with Welsh Government regarding the Lloyd George Museum but it was recommended to postpone acting on the cut until 1 April 2017, in order to give the Service an opportunity to hold discussions with anybody that wished to take responsibility for the museum.
- Further work was to be undertaken on some of the plans included in the list of cuts before they could be implemented.

An amendment was proposed to remove plan number 12 (reduce 50% of the grants given to voluntary organisations for specific projects) and plan number 26 (delete the Canolfan Noddfa grant) from the list of cuts and increase the Council Tax by 4.03%.

The Head of the Finance Department noted that removing both plans from the list of cuts would mean raising the Council Tax by 4.09% in order to set a balanced budget. The proposer accepted the adjustment.

The amendment was seconded.

In response to enquiries by members relating to declaring an interest, the Monitoring Officer noted that he had made a request for members to ask for guidance in advance. He added that the members had received training on the Code of Conduct and it was a matter for the individual Councillor to decide in terms of declaring an interest.

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

In favour: (8) Councillors Gwynfor Edwards, Aled Evans, Gwen Griffith, Aled Wyn Jones, Sion Wyn Jones, Dilwyn Morgan, Mike Stevens and Glyn Thomas.

Against: (49) Councillors Craig ab Iago, Stephen Churchman, Annwen Daniels, Lesley Day, Dyfed Edwards, Elwyn Edwards, Trevor Edwards, Thomas Ellis, Alan Jones Evans, Jean Forsyth, Gweno Glyn, Simon Glyn, Selwyn Griffiths, Alwyn Gruffydd, Siân Gwelllian, Annwen Hughes, John Brynmor Hughes, Louise Hughes, Sian Wyn Hughes, Peredur Jenkins, Anne Lloyd Jones, Charles W. Jones, Dyfrig Jones, Elin Walker Jones, John Wynn Jones, Beth Lawton, Dilwyn Lloyd, Dafydd Meurig, Linda Morgan, Dewi Owen, Michael Sol Owen, Caerwyn Roberts, Gareth A. Roberts, John Pughe Roberts, W. Gareth Roberts, Mair Rowlands, Angela Russell, Dyfrig Siencyn, Gareth Thomas, Ioan Thomas, Eirwyn Williams, Elfed Williams, Gethin Glyn Williams, Hefin Williams, John Wyn Williams, Owain Williams, R. H. Wyn Williams, Mandy Williams-Davies and Eurig Wyn.

Abstentions: (7) Councillors Chris Hughes, Aeron M. Jones, Brian Jones, Eric Merfyn Jones, Eryl Jones-Williams, June Marshall, Hefin Underwood.

During the subsequent discussion on the original proposal, the following main points were noted:-

- The Council's decision not to supply salt bins could mean an increase in Community Council precepts.
- The Council had consulted on a larger scale than other councils in Wales and had weighed up the evidence to safeguard public services as the people of Gwynedd were dependent on them.

- It was acknowledged that it would have been beneficial to receive a higher number of responses to the consultation.
- The cuts were inevitable because of Westminster Government's policy.
- If there would be difficulties in terms of realising the cuts following further work, that the Cabinet would receive a report.
- Could a note be made of the Council's intention to charge a premium on long-term empty properties and second homes from the 2017/18 financial year onwards without designating a percentage?
- In order to safeguard vulnerable people, the Cabinet recommended not including plan number 34 (Cut 10% on the Support Service given to Children from Derwen) because it would have a detrimental impact on the Derwen service, which was already implementing efficiency savings.
- There was still work to be done on several plans before the cuts could be realised and everyone who had taken part in the Gwynedd Challenge consultation was encouraged to continue with the work of discovering alternative delivery methods.
- There had been a composite inflation increase of 67% on the Council Tax since 2005 compared with the general composite inflation increase of 37% in the same period, it was recognised that the situation was difficult and that the Council's movement towards the living wage would be welcomed but there had been insufficient scrutiny on the possible cuts. Therefore, a member wished to increase the Council Tax by 3.5% and asked the Scrutiny Committee to consider the information during the next three months and recommend the way forward to the Cabinet.
- Support keeping the tourist information centres and public toilets but it would mean a further increase in the Council Tax. The details of some of the plans were not known and therefore the member would abstain.
- There was a need for work to be carried out to reconcile what the communities and the Council were undertaking.
- A high number of the responses to the consultation were from organisations and services but the response level was low in terms of plans that would affect children and vulnerable adults and the member was therefore happy that the Council was going to take care of them.
- Could an explanation be provided as to why some names in the additional information provided to members had been deleted?

In response to the members' observations, the officers noted:-

- In terms of charging a premium on long-term empty properties and second homes, a clear warning would need to be provided regarding the premium if it was going to be implemented from the 2017/18 financial year onwards. The Holiday Homes and Taxes Scrutiny Investigation was being carried out at present and it was recommended to wait for the result of the investigation and then assess the situation with all the information before coming to a decision.
- In terms of the aspiration to increase the Council Tax by 3.5% and to ask the Scrutiny Committees to consider the information during the next three months and recommend the way forward to the Cabinet, it was not an appropriate amendment as it was a legal requirement to set a balanced budget as noted at the beginning, it would have to note specifically how it intended to address the financial deficit.
- It was acknowledged that there was inconsistency in terms of funding from the Council and the Community Councils. Meetings with Community Councils were currently being held and work would be undertaken in the near future to examine the situation while searching for further efficiency savings and perhaps the Scrutiny Committees could take part in the process.
- Data in the additional information such as personal e-mail addresses had been hidden in order to comply with data protection rules as they were public documents.

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

In favour: (58) Councillors Craig ab Iago, Annwen Daniels, Lesley Day, Gwynfor Edwards, Dyfed Edwards, Elwyn Edwards, Trevor Edwards, Alan Jones Evans, Aled Evans, Jean Forsyth, Gweno Glyn, Simon Glyn, Gwen Griffith, Selwyn Griffiths, Siân Gwenllian, Annwen Hughes, Chris Hughes, John Brynmor Hughes, Sian Wyn Hughes, Peredur Jenkins, Aled Wyn Jones, Anne Lloyd Jones, Brian Jones, Charles W. Jones, Dyfrig Jones, Elin Walker Jones, Eric Merfyn Jones, John Wynn Jones, Beth Lawton, June Marshall, Dafydd Meurig, Dilwyn Morgan, Linda Morgan, Dewi Owen, Michael Sol Owen, W. Roy Owen, W. Tudor Owen, Caerwyn Roberts, Gareth A. Roberts, John Pughe Roberts, W. Gareth Roberts, Mair Rowlands, Angela Russell, Dyfrig Siencyn, Mike Stevens, Gareth Thomas, Ioan Thomas, Hefin Underwood, Ann Williams, Eirwyn Williams, Elfed Williams, Gethin Glyn Williams, Gruffydd Williams, Hefin Williams, John Wyn Williams, R. H. Wyn Williams, Mandy Williams-Davies and Eurig Wyn.

Against: (9) Councillors Stephen Churchman, Thomas Ellis, Alwyn Gruffydd, Louise Hughes, Jason Humphreys, Aeron M. Jones, Sion Wyn Jones, Dilwyn Lloyd and Owain Williams.

Abstentions: (2) Councillors Eryl Jones-Williams and Glyn Thomas.

RESOLVED:

1. To approve the recommendations submitted by the Cabinet, as noted in the report, which will result in an increase of 3.97% in Council Tax for 2016/17.
2. To note that the Cabinet Member for Resources, in a decision notice dated 6 November 2015, approved the calculation of the following amounts for 2016/2017 in accordance with the Regulations made under Section 33 (5) of the Local Government Finance Act 1992 ("The Act"):-
 - (a) 49,932.37 being the amount calculated as Gwynedd's Tax Base in accordance with the Local Authorities (Calculation of Council Tax Base) (Wales) Regulations 1995 as amended, as its Council Tax base for the year.
 - (b) Part of the Council's Area - Community Tax Base -

Aberdaron	526.68	Llanddeiniolen	1,809.82
Aberdyfi	925.62	Llandderfel	489.47
Abergwyngregyn	116.15	Llanegryn	153.55
Abermaw (Barmouth)	1,085.90	Llanelltyd	272.58
Arthog	607.53	Llanengan	1,958.38
Y Bala	760.10	Llanfair	305.07
Bangor	3,640.77	Llanfihangel y Pennant	204.16
Beddgelert	306.95	Llanfrothen	209.90
Betws Garmon	130.77	Llangelynnin	390.27
Bethesda	1,641.55	Llangywer	133.74
Bontnewydd	439.05	Llanllechid	336.18
Botwnnog	436.07	Llanllyfni	1,376.49
Brithdir a Llanfachreth	397.62	Llannor	891.25
Bryncrug	331.06	Llanrug	1,122.86
Buan	225.99	Llanuwchllyn	300.51
Caernarfon	3,449.47	Llanwnda	771.51

Clynnog Fawr	432.03	Llanycil	195.06
Corris	293.73	Llanystumdwy	861.68
Criccieth	911.69	Maentwrog	273.75
Dolbenmaen	582.77	Mawddwy	331.44
Dolgellau	1,183.41	Nefyn	1,382.45
Dyffryn Ardudwy	788.20	Pennal	219.60
Y Felinheli	1,105.05	Penrhyndeudraeth	749.49
Ffestiniog	1,675.41	Pentir	1,022.55
Y Ganllwyd	80.70	Pistyll	239.92
Harlech	745.00	Porthmadog	1,934.14
Llanaelhaearn	430.45	Pwllheli	1,700.31
Llanbedr	307.34	Talsarnau	305.16
Llanbedrog	678.35	Trawsfynydd	500.78
Llanberis	766.49	Tudweiliog	440.50
Llandwrog	989.69	Tywyn	1,554.84
Llandygai	958.16	Waunfawr	545.21

being the amounts calculated as the Council Tax Base amounts for the year for dwellings in those parts of its area to which one or more specific items relate.

3. That the following amounts are now calculated by the Council for the 2016/2017 year in accordance with Sections 32 to 36 of the Act:-

- (a) £340,323,810 The aggregate of the amounts which the Council estimates for the items set out in Section 32 (2) (a) to (e) of the Act (gross expenditure).
- (b) £111,524,200 The aggregate of the amounts which the Council estimates for the items set out in Section 32 (2) (a) to (e) of the Act (income).
- (c) £228,799,610 The sum that corresponds to the difference between the above aggregate 3 (a) and the above aggregate 3 (b) calculated by the Council, in accordance with Section 32(4) of the Act, as its budgetary requirements for the year (net budget).
- (ch) £166,696,539 The aggregate of the sums which the Council estimates will be payable for the year into its fund in respect of redistributed National Non-domestic Rates and the Revenue Support Grant, less the estimated cost to the Council of discretionary non-domestic rate relief granted.
- (d) £1,243.74 The amount in 3 (c) above, less the sum in 3 (ch) above, all divided by the sum noted in 2 (a) above, calculated by the Council in accordance with 33(1) of the Act, being the basic amount of Council Tax for the year (Gwynedd Council tax and the average community council tax).
- (dd) £1,826,710 The aggregate amount of all special items referred to in Section 34 (1) of the Act (community council precepts).
- (e) £1,207.16 The sum in 3 (d) above, less the result of dividing the amount in 3(dd) above divided by the amount in 2(a) above, calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in

those parts of its area to which no special item relates (Band D for Gwynedd Council Tax only).

(f) For parts of the Council's area -

Aberdaron	1,224.25	Llanddeiniolen	1,215.45
Aberdyfi	1,232.62	Llandderfel	1,225.34
Abergwyngregyn	1,224.38	Llanegryn	1,233.21
Abermaw (Barmouth)	1,255.05	Llanelltyd	1,231.01
Arthog	1,221.15	Llanengan	1,232.69
Y Bala	1,232.16	Llanfair	1,230.11
Bangor	1,298.22	Llanfihangel y Pennant	1,235.35
Beddgelert	1,234.85	Llanfrothen	1,232.41
Betws Garmon	1,217.10	Llangelynnin	1,227.15
Bethesda	1,241.72	Llangywer	1,237.07
Bontnewydd	1,242.46	Llanllechid	1,229.47
Botwnnog	1,218.63	Llanllyfni	1,235.09
Brithdir a Llanfachreth	1,222.25	Llannor	1,224.17
Bryncrug	1,231.96	Llanrug	1,229.42
Buan	1,223.75	Llanuwchllyn	1,240.44
Caernarfon	1,264.70	Llanwnda	1,230.75
Clynnog Fawr	1,225.68	Llanycil	1,224.08
Corris	1,227.53	Llanystumdwy	1,224.57
Criccieth	1,244.45	Maentwrog	1,227.80
Dolbenmaen	1,224.32	Mawddwy	1,223.75
Dolgellau	1,249.41	Nefyn	1,243.31
Dyffryn Ardudwy	1,232.53	Pennal	1,234.48
Y Felinheli	1,238.83	Penrhyndeudraeth	1,252.52
Ffestiniog	1,290.72	Pentir	1,236.37
Y Ganllwyd	1,245.57	Pistyll	1,230.08
Harlech	1,229.98	Porthmadog	1,234.56
Llanaelhaearn	1,265.24	Pwllheli	1,248.62
Llanbedr	1,242.95	Talsarnau	1,239.93
Llanbedrog	1,232.22	Trawsfynydd	1,233.12
Llanberis	1,233.25	Tudweiliog	1,220.78
Llandwrog	1,246.06	Tywyn	1,255.40
Llandygai	1,228.24	Waunfawr	1,229.17

the amounts given by adding the amounts of the item or specific items relating to dwellings in those parts of the Council's area mentioned above, to the sum given in 3(e) above, divided in each case by the amount of 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

(ff) For parts of the Council's area, the figures noted in *Appendix 1*, being the amounts given by multiplying the sums specified in 3(f) above by the number which, in the proportions set out in Section 5 (1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in

accordance with Section 36 (1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

4. To note that for the 2016/2017 year the Police and Crime Commissioner North Wales has stated the following amounts in a precept issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwellings shown below:

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Band I
160.08	186.76	213.44	240.12	293.48	346.84	400.20	480.24	560.28

5. Having calculated the aggregate in each case of the amounts at 3 (ff) and 4 above, the Council, in accordance with Section 30 (2) of the Act, hereby sets the amounts noted in Appendix 2 as the amounts of Council Tax for the year 2016/2017 for each of the categories of dwellings shown in the Appendix.

9. **TREASURY MANAGEMENT - TREASURY MANAGEMENT STRATEGY STATEMENT, MINIMUM REVENUE PROVISION STRATEGY AND ANNUAL INVESTMENT STRATEGY FOR 2016/17**

Submitted - the report of the Cabinet Member for Resources which requested that the Council adopt the proposed strategies.

The chair of the Audit Committee confirmed that the committee had discussed the strategies in a seminar and at a formal committee meeting, and supported the recommendations.

RESOLVED to adopt the Treasury Management Strategy Statement, the Minimum Revenue Provision Strategy and the Annual Investment Strategy for 2016/17 (Appendix A), the Prudential Indicators (Appendix B) and the Treasury Management Schedules (Appendix C).

10. **A LANGUAGE POLICY FOR GWYNEDD COUNCIL**

Submitted - the Deputy Leader's report, which noted that the current procedure of statutory language plans was coming to an end with the arrival of the new Language Standards in April 2016. It was noted that the policy before the Council was an amendment and update of the former Language Plan that had been considered by the Language Committee on 14 January 2016.

During the ensuing discussion, Members noted the following points:

- While welcoming the policy, it should be insisted upon and not encouraged for external consortia and bodies to comply with the Council's Language Policy.
- The crematorium documents, although it was recognised that they were forms from the Home Office, which displayed the Council's logo, were in English only.
- Correspondence was sometimes received from the Council by post with English being more prominent than the Welsh language.
- The policy noted that any notices or posters from other bodies or companies that were displayed in Council buildings had to be bilingual. Therefore, monolingual Welsh posters were prohibited.
- Not all of the Language Committee's observations on the policy had been adequately included in the document.
- It was a robust and fair document that pushed legal boundaries.

- Bilingualism should not be forced upon community societies or groups receiving sponsorship from the Council which operated in Welsh only.
- When an individual that did not fully meet the linguistic requirements was appointed to a post, there should be a way to bring the individual's period in the post to an end if there was a lack of commitment or a lack of ability to improve their linguistic skills over a certain period to the level required for the post.

In response to the above observations, the Deputy Leader noted that he acknowledged the points raised. He noted that the Council's Language Policy was the most advanced but there was room for improvement. He added that the Council could only promote the language and that he would look into seeing if it was possible to strengthen sections of the policy and address the personnel elements. He confirmed that a continuous dialogue with the Language Committee was maintained.

RESOLVED:

- To approve adding the Language Policy to the list of policies within the Policy Framework to be adopted by the Full Council;**
- To adopt the policy that is attached as an appendix to the report as the Gwynedd Council Language Policy.**

11. APPOINTMENT OF INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE

The Chair of the Democratic Services Committee submitted a report requesting that the Council considered and decided on the recommendation of the Consultative Committee to appoint an independent member to the Standards Committee as a result of the fact that the term of office of one of the current independent members had come to an end.

In response to members' observations regarding the individual recommended for appointment, the Monitoring Officer noted that the Consultative Committee had followed a detailed and statutory process and that an individual's membership of a political party was not a consideration within the criteria.

RESOLVED to appoint Aled Jones as an independent member of Gwynedd Council's Standards Committee, to serve for a six year period.

12. THE COUNCIL'S POLITICAL BALANCE

Submitted - the Leader's report reviewing the Council's political balance. It was noted that it was recommended to allocate a seat earmarked for the Plaid Cymru Group on the Pensions Committee to the Labour Group as the Council had just addressed specific costs to train an elected member of the Labour Group to serve on this Committee. It was explained that because the Plaid Cymru Group had technically not appointed a member to the Committee it was open for the Council to appoint a member.

RESOLVED to appoint a member of the Labour Group to the Pensions Committee and change the allocation shown in the table.

SCRUTINY COMMITTEES

	Plaid Cymru	Independent	Llais Gwynedd	Labour	Liberal Democrats	Individual Member
Corporate	9	5	2	1	1	
Communities	10	5	1	1	1	

Services	10	4	2	1		1
Audit	10	5	2	1		

OTHER COMMITTEES

	Plaid Cymru	Independent	Llais Gwynedd	Labour	Liberal Democrats	Individual Member	
Democratic Services	8	4	2	1			
Language	8	4	2	1			
Planning	8	4	1	1	1		
Central Licensing	8	5	2				
Employment Appeals	3	1	1	1		1	
Chief Officers Appointment	8	4	1	1	1		
Number of seats	82	41	16	9	4	2	154

	Plaid Cymru	Independent	Llais Gwynedd	Labour	Liberal Democrats	Individual Member
Pensions	3	2	0	1	1	
Local Joint Consultative Committee	6	2	1	2		
Special Educational Needs Joint Committee	3	2	1			1
Joint Planning Policy Committee	4 (3 seats and one substitute)	2	1	1		
SACRE	4	2	1			

Total seats	102	51	20	13	5	3	194
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(changes highlighted in grey)

13. COMMITTEES CALENDAR 2016/17

The Leader submitted the calendar of dates of Council meetings for 2016/17.

RESOLVED to adopt the Committees Calendar for 2016/17.

14. JOINT LOCAL DEVELOPMENT PLAN – AMENDED TIMETABLE TO BE INCLUDED IN THE DELIVERY AGREEMENT

Submitted - the Cabinet Member for Planning's report detailing the amended timetable for the Joint Local Development Plan.

In response to observations from the members in relation to the contents of the Joint Local Development Plan, the Cabinet Member for Planning noted that only the timetable was being considered at the meeting.

RESOLVED to approve the revised timetable (Appendix 1 of the report) for the preparation of the Joint Local Development Plan to comply with legislative requirements.

15. NOTICES OF MOTION

Submitted, for information, a letter from the Treasury, in response to Councillor Sian Gwenllian's notice of motion at the previous meeting, opposing the Treasury's financial policies.

It was reported that a response had been received from Liz Saville Roberts MP expressing her support for Mandy Williams-Davies' Notice of Motion opposing the new Trade Union Measures.

The meeting commenced at 1.00pm and concluded at 4.00pm.

CHAIRMAN

EXTRAORDINARY MEETING OF THE COUNCIL, FRIDAY, 18 MARCH 2016

Present:: Councillor Dilwyn Morgan (Chairman);
Councillor Eric Merfyn Jones (Vice-chairman).

Councillors: Craig ab Iago, Anwen Davies, Lesley Day, Dyfed Edwards, Elwyn Edwards, Trevor Edwards, Thomas Ellis, Alan Jones Evans, Aled Evans, Jean Forsyth, Gweno Glyn, Simon Glyn, Gwen Griffith, Alwyn Gruffydd, John Brynmor Hughes, Louise Hughes, Sian Wyn Hughes, Aeron M.Jones, Aled Wyn Jones, Anne Lloyd Jones, Brian Jones, Charles W.Jones, Elin Walker Jones, John Wynn Jones, Sion Wyn Jones, Dilwyn Lloyd, June Marshall, Dafydd Meurig, Michael Sol Owen, William Tudor Owen, Gareth A.Roberts, John Pughe Roberts, W.Gareth Roberts, Angela Russell, Dyfrig Siencyn, Mike Stevens, Gareth Thomas, Hefin Underwood, Ann Williams, Eirwyn Williams, Elfed Williams, Gruffydd Williams, Hefin Williams, Owain Williams ac R.H.Wyn Williams.

Officers present: Dilwyn Williams (Chief Executive), Iwan Evans (Head of Legal Services/ Monitoring Officer) Corporate Director), Rhun ap Gareth (Senior Solicitor / Deputy Monitoring Officer), Arwel E. Jones (Senior Manager – Democracy and Delivery) and Eirian Roberts (Member Support and Scrutiny Officer), Dewi Morgan (Senior Manager - Revenue and Risk), Gareth Jones (Senior Manager - Planning and the Environment Department), Nia Davies (Planning Manager - Gwynedd and Anglesey Joint Planning Policy Unit), and Eirian Roberts (Member Support and Scrutiny Officer).

Apologies: Councillors Stephen Churchman, Endaf Cooke, Annwen Daniels, Selwyn Griffiths, Sian Gwenllian, Annwen Hughes, Peredur Jenkins, Dyfrig Jones, Linda Wyn Jones, Eryl Jones-Williams, Beth Lawton, Linda Morgan, W.Roy Owen, Peter Read, Caerwyn Roberts, Mair Rowlands, Glyn Thomas, Ioan Thomas, Gethin Glyn Williams, Mandy Williams-Davies and Eurig Wyn.

1. DECLARATION OF PERSONAL INTEREST

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

2. CHAIRMAN'S ANNOUNCEMENTS

The following were congratulated:-

- Councillor Charles W Jones on being awarded a Bachelor in Theology degree (BTh) with honours from the South Africa Institute of Theology.
- Everyone who was awarded in the Council at its Best Ceremony and the Interviews for Dafydd Orwig Memorial Prize the previous week. Everyone who had been associated with the ceremony were thanked.
- Janet Williams, Foster Carer with the Council for being awarded the Citizenship Award in this year's St David's Day Awards.

3. QUESTION

The Chairman explained that Councillor Eurig Wyn has submitted a question prior to the last meeting of the Council and the question had been submitted after the closing date and he was to allow the question to be asked at this Extraordinary Meeting of the Council.

A Question from Councillor Eurig Wyn (and asked by Councillor Hefin Williams in the absence of Councillor Eurig Wyn)

EXTRAORDINARY MEETING OF THE COUNCIL, 18.03.16

"What financial community benefits will be afforded to the community of Waunfawr following the damage done to the area as a result of FIRST HYDRO developments to establish a hydro-electricity scheme in the area?"

Answer from Councillor Dafydd Meurig, Cabinet Member for Planning.

(The Cabinet Member's written response was distributed to the members in advance).

"Contributions to local communities considerations are not part of the planning regime and we are not aware that a specific financial community benefit has been given to the community of Waunfawr as a result of the development of the Dinorwig Power Station. However, it must be noted that the economic benefit which this scheme has provided during the construction and operational phases up until the present day has been substantial for the local area , which itself has benefited the community.

A supplementary Question from Councillor Eurig Wyn (and asked by Councillor Hefin Williams in the absence of Councillor Eurig Wyn)

"Will the Council, through the Planning Department, agree to investigate similar developments in Scotland where the County Councils and the Government have created an effective strategy to fund such schemes ensuring that benefits are provided to the communities?"

Answer from Councillor Dafydd Meurig, Cabinet Member for Planning.

(The Cabinet Member's written response was distributed to the members in advance).

"The guidance of the Scottish Government also emphasises that financial community benefit is not a voluntary arrangement that is entirely separate from the planning process and, therefore, the same is true in this case but the preliminary work has been undertaken by officers from the Council's Property Service and the Economy and Community Department to try to scope the the economic/community benefits that could be associated with renewable energy schemes. Additionally, it is important to state that in situations where a renewable scheme is on land where the Council is the landowner, which is true in the case of Glyn Rhonwy, namely an application that is currently under consideration, the Council will consider opportunities to negotiate community benefits as part of the arrangement for the disposal of the land.

4 . **JOINT LOCAL DEVELOPMENT PLAN**

The Chairman explained that in accordance with section 4.12.1 (d) of the Constitution, a letter had been received from Cllr Aled Evans, signed by nine other councillors requesting an extraordinary meeting of the Council to discuss"aspects of the LDP (Gwynedd and Anglesey), that is, the method used to evaluate the impact of this proposed plan on the Welsh language. *We feel that what has been done us unacceptable regarding protecting the Welsh language and we would like further steps to reverse the weakness."*

The Chairman emphasised that it would be this matter only that would be under discussion and constitutionally it would not be possible to discuss any other aspect of the plan.

The Monitoring Officer provided guidance regarding the general legal and constitutional position regarding the discussion and he noted:-

- The development of the Deposit Plan was in the hands of the Joint-Planning Policy Committee and decisions on the consultation, the response to the

EXTRAORDINARY MEETING OF THE COUNCIL, 18.03.16

consultation and its submission for an independent inquiry had been delegated by this Council to the Joint-committee since 2011.

- On 29 January of this year, the Joint-committee decided that the plan would go forward to an independent inquiry and on that basis the decision was notified and the preparatory work was commenced.
- This decision was in accordance with the Joint-committee's delegated powers and it was satisfied, on behalf of Gwynedd Council, that the plan was sound enough to proceed to the inquiry and that the process and the response was robust to proceed to an inquiry. Consequently, it was not legally possible for the Council to overturn this decision.
- It had been a joint decision with Anglesey and there was also a significance to this decision for those who has supported or objected to the plan.
- There was a process which allowed objections to the plan to be addressed by the Inspector and it was likely that there would be hearings on the response to some of these issues also and, therefore, the objections would be weighed up.
- The request for an extraordinary meeting of the Council did not state a specific notice of motion but rather a request for a discussion only. According to the Council's Constitution, in order to have a discussion there had to be a proposal and one of the rare occasions when a proposal could be made without a notice was by means of a recommendation by a Cabinet Member. Therefore, the Cabinet Member for Planning intended to submit a proposal to open the discussion. Then, it would be a matter for the members to consider whether they accepted the motion or submit appropriate amendments.

It was proposed and seconded that the Procedural Rules should be set aside to allow any member to submit a proposal to the Council.

A registered vote was called for on the proposal to set the Procedural Rules aside.

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

In favour: (32) Councillors - Craig ab Iago, Anwen Davies, Elwyn Edwards, Trevor Edwards, Alan Jones Evans, Aled Evans, Jean Forsyth, Gweno Glyn, Simon Glyn, Alwyn Gruffydd, John Brynmor Hughes, Louise Hughes, Sian Wyn Hughes, Aeron Jones, Aled Wyn Jones, Brian Jones, Elin Walker Jones, Eric Merfyn Jones, Sion Wyn Jones, Dilwyn Lloyd, Dilwyn Morgan, W.Tudor Owen, Gareth A.Roberts, John Pughe Roberts, Angela Russell, Mike Stevens, Hefin Underwood, Ann Williams, Eirwyn Williams, Elfed Williams, Gruffydd Williams and Owain Williams.

Against: (13) Councillors – Lesley Day, Dyfed Edwards, Gwen Griffith, Anne Lloyd Jones, John Wynn Jones, June Marshall, Dafydd Meurig, Michael Sol Owen, W.Gareth Roberts, Dyfrig Siencyn, Gareth Thomas, Hefin Williams and R.H.Wyn Williams.

Abstaining: (2) Councillors – Thomas Ellis and Charles W.Jones

As the majority of members had voted in favour of the proposal, the Chairman announced that the Procedural Rules had been set aside for this meeting.

A member enquired whether the Constitution allowed any member to request a vote of no confidence in a department, individual or unit. The Monitoring Officer replied that what was before this meeting was the consideration of the method used to weigh-up the impact of the proposed plan on the Welsh language and, therefore, it would not be appropriate to extend that to include a vote of no confidence as this was not on the agenda and the members had not received a notice of motion for such a proposal.

Councillor Aled Evans was invited to explain why he and his fellow councillors had called an extraordinary meeting of the Council and to submit the evidence that he had submitted to the Council.

EXTRAORDINARY MEETING OF THE COUNCIL, 18.03.16

Councillor Aled Evans noted the following:-

- The Cabinet Member for Planning was asked at the meeting of the full Council on 5 March, 2015, how any responses that came to hand in the consultation phase would be incorporated in the Plan and the Cabinet Member had encouraged everyone to respond to the consultation.
- There had been a thorough and detailed consultation and the responses were published on 29 January, but much of what had been submitted had been set aside.
- Subsequently, a request was received from several organisations and individuals for councillors such as himself and others to call for an extraordinary meeting of the full Council to discuss the matter and as a result, he had a proposal to submit.

The Chairman explained that the proposal could be submitted after the Cabinet Member had submitted his case.

A presentation was provided on the Local Development Plan and the Welsh Language by Councillor Elin Walker Jones on behalf of members who had called for the extraordinary meeting. She explained the logic behind calling the meeting by referring to several statistics regarding the position of the Welsh language and to summarise, she emphasised:-

- There was a need for a full and meaningful review of the position of the Welsh language from 2011 onward.
- Full use should be made of Census figures and any relevant information.
- The strength of the Welsh language in Gwynedd and Anglesey should mean that it was afforded special attention and status as an area of linguistic sensitivity.
- There was an urgent need to develop meaningful monitoring mechanisms that would constantly feed into the live document of the language assessment.

The Cabinet Member was invited to provide a presentation.

The Cabinet Member for Planning submitted the factual report that was distributed with the meeting's agenda and the following points were highlighted:

- The relevant background and context for making decisions on the Joint Local Development Plan.
- The legislative context and national planning policy - preparing joint local development plans and assessing the impact on the Welsh language.
- Overview of the processes.
- The evidence.
- Public engagement and consultation (including input by Councillors) and the decision-making process.
- Sustainability Assessment (including a Strategic Environmental Assessment).
- Language Impact Assessment.
- A public consultation on the Deposit Plan: February - March 2015.
- Decision of the Joint Planning Policy Committee - January 2016.
- Consultation on the Focussed Changes - emphasising that there was an opportunity until 13 April to send observations regarding the changes stemming from the previous consultation period.
- The Public Examination.
- Conclusion - (i) that the process had been entirely inclusive with several opportunities throughout the process for councillors and communities to have an input in accordance with the Delivery Agreement which had been approved by the Councils at the beginning of the process, and (ii) the process of preparing the

EXTRAORDINARY MEETING OF THE COUNCIL, 18.03.16

Joint Local Development Plan had satisfied the statutory requirements, including consideration of the Welsh language and its use in respect of its relevance to land use.

The Chairman noted that it was important to have a proposal in order to open the discussion, and constitutionally any member had a right to do that as the Procedural Rules had been set aside.

The following was proposed:

"In view of the fact that the process of drawing-up the Joint Local Development Plan had taken a considerably longer time to complete and that there had to be an extension to the current plan, it is realised that there has been no full and meaningful monitoring of the situation. Therefore, accepting that the Local Development Plan's language assessment is a live and reactive document, we ask the Council to consult on methods of contemporising the monitoring of the impact of the current and proposed planning situation on the Welsh language. This should take place by making full use of the figures of the 2011 Census and by considering the suitability of the housing and population numbers that form the baseline of the plan. It is noted that the new plan should come into force in 2016 or 2017 and there has been no monitoring since 2011, whilst ideally the new plan notes that monitoring should be undertaken annually."

Prior to requesting a seconder, the Chairman asked the Monitoring Officer to ensure that the proposal was constitutional.

The Monitoring Officer noted that he was of the opinion that the first sentence of the proposal, and specifically the wording *"there had been no full and meaningful monitoring of the situation"* would overturn the decision of the Joint Planning Policy Committee because the Joint-committee had concluded that the information it had received was meaningful and appropriate and that the plan was sound for progressing to an examination.

The proposer expressed his willingness to omit the first sentence of the proposal and the Chairman read the amended proposal, namely:-

"Accepting that the Local Development Plan's language assessment is a live and reactive document, we ask the Council to consult on methods of contemporising the monitoring of the impact of the current and proposed planning situation on the Welsh language. This should take place by making full use of the figures of the 2011 Census and by considering the suitability of the housing and population numbers that form the baseline of the plan."

The proposal was seconded.

The following amendment was proposed:-

"Accepting that the Joint Local Development Plan's language assessment is a live document, in adopting it the Council will commit to ensuring that the monitoring and reviewing is based on the most current data available at the time."

The amendment was seconded.

Some members expressed their dissatisfaction with the plan and the process in its entirety and they noted that they had come to the conclusion that a vote of no confidence should be made in the Joint-Planning Policy Committee. In response, the Monitoring Officer emphasised that the method of weighing-up the impact of the plan on the Welsh language was the only issue before the Council and such a notice of motion should have been made as part of the process of calling the meeting.

EXTRAORDINARY MEETING OF THE COUNCIL, 18.03.16

A member of the Joint Planning Policy Committee noted that he had not much confidence in the Joint-committee because he had constantly objected (for linguistic reasons), to the number of houses being constructed.

It was suggested that it would be possible to link the proposal and the amendment as the proposal underlined the need to examine the evidence as the plan moved towards implementation whilst the amendment referred to using every speciality and examine all data, such as up-to-date social statistics which could be more useful than Census statistics only.

During the ensuing discussion it was noted:-

- The wish to see a planning policy that enabled the conversion of outbuildings and farm buildings to be used by local people for the benefit of the community and the Welsh language.
- Positive and proactive action had to be taken in every aspect of the Council's work if the Welsh language was to continue to be a viable language in the county's communities.
- The Plan, as it currently stood, was contrary to the Planning Act 2015, which referred to the need to concentrate on local matters and aims that had been identified in a local strategy with an evidence base along with including an assessment of the likely effects of the plan on the use of the Welsh language in the area.
- The Language Committee's request for a discussion on the Deposit Plan had been refused.
- 160 observations regarding the Plan had been discarded on the grounds that they were not sufficiently sound according to officers and specific reference was made to evidence submitted by various community councils regarding the local need for houses but they had been disregarded.
- Hunaniaeth had clearly stated that without robust evidence of the local need for housing, it was difficult to know for certain whether any development would have a positive or negative impact on the Welsh language, however, bearing in mind the vulnerable position of the Welsh language as a minority language, it was impossible to take this chance without knowing with certainty that any development would reinforce the position of the language.
- It had to be acknowledged that every economic development or settlement should reinforce the Welsh language and no development should be considered that would mean taking steps to alleviate its impact on the Welsh language.
- The Gwynedd and Anglesey Housing and Language Review stated that it would be unlikely that this plan would safeguard the Welsh language.
- It was a matter of sadness for the members that the full Council was not given an opportunity to discuss the Plan in its entirety prior to it being forwarded to the Inspector.
- The Planning Department was working against local individuals who wished to construct affordable houses for their own families but were more than ready to support developments of 200-300 houses.
- The social housing points system worked against indigenous Welsh speakers.
- Young Welsh people were moving from the villages because of the lack of employment and the planning policies should facilitate keeping young people in the rural areas.
- There was a need to monitor the situation better in fairness to the young people in rural communities.

It was enquired whether it was possible to merge the proposal and the amendment by committing to build on the language assessment methodology that already existed by working with an organisation which specialised in language sociology, e.g. the

EXTRAORDINARY MEETING OF THE COUNCIL, 18.03.16

University, language organisations etc. and also to take the opportunity to consult widely on the development of this methodology with interested local organisations and individuals.

The proposer of the original motion and the proposer of the amendment were invited to merge the proposal and the amendment along the following lines but both expressed their desire to keep the proposal and amendment separate.

A registered vote was called for on the amendment.

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

In favour: (13) Councillors – Craig ab Iago, Lesley Day, Dyfed Edwards, Thomas Ellis, Anne Lloyd Jones, Charles W.Jones, John Wynn Jones, June Marshall, Dafydd Meurig, Michael Sol Owen, W.Gareth Roberts, Dyfrig Siencyn and Hefin Williams.

Against: (34) Councillors - Anwen Davies, Elwyn Edwards, Trevor Edwards, Alan Jones Evans, Aled Evans, Jean Forsyth, Gweno Glyn, Simon Glyn, Gwen Griffith, Alwyn Gruffydd, John Brynmor Hughes, Louise Hughes, Sian Wyn Hughes, Aeron Jones, Aled Wyn Jones, Brian Jones, Elin Walker Jones, Eric Merfyn Jones, Sion Wyn Jones, Dilwyn Lloyd, Dilwyn Morgan, W.Tudor Owen, Gareth A.Roberts, John Pughe Roberts, Angela Russell, Mike Stevens, Gareth Thomas, Hefin Underwood, Ann Williams, Eirwyn Williams, Elfed Williams, Gruffydd Williams, Owain Williams and R.H.Wyn Williams.

Abstaining: (0)

A registered vote was called for on the original proposal.

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

In favour: (43) Councillors - Craig ab Iago, Anwen Davies, Lesley Day, Dyfed Edwards, Elwyn Edwards, Trevor Edwards, Thomas Ellis, Alan Jones Evans, Aled Evans, Jean Forsyth, Gweno Glyn, Simon Glyn, Gwen Griffith, Alwyn Gruffydd, John Brynmor Hughes, Sian Wyn Hughes, Aeron M.Jones, Aled Wyn Jones, Anne Lloyd Jones, Charles W.Jones, Elin Walker Jones, Eric Merfyn Jones, John Wynn Jones, Dilwyn Lloyd, June Marshall, Dafydd Meurig, Dilwyn Morgan, William Tudor Owen, Gareth A.Roberts, John Pughe Roberts, W.Gareth Roberts, Angela Russell, Dyfrig Siencyn, Mike Stevens, Gareth Thomas, Hefin Underwood, Ann Williams, Eirwyn Williams, Elfed Williams, Gruffydd Williams, Hefin Williams, Owain Williams ac R.H.Wyn Williams.

Against: (1) Councillor - Louise Hughes

Abstaining: (2) Councillor - Brian Jones and Sion Wyn Jones.

RESOLVED accepting that the Local Development Plan's language assessment is a live and reactive document, we ask the Council to consult on methods of contemporising the monitoring of the impact of the current and proposed planning situation on the Welsh language. This should take place by making full use of the figures of the 2011 Census and by considering the suitability of the housing and population numbers that form the baseline of the plan."

The Chairman thanked everyone for their contribution and members of the public present for showing their opinions and support.

The meeting commenced at 10.00 am and concluded at 11.45 am

Agenda Item 10

MEETING	FULL COUNCIL
DATE	12th MAY 2016
TITE OF THE REPORT	GWYNEDD COUNCIL ANNUAL IMPROVEMENT REPORT 2015 -16
PURPOSE	PRESENTATION OF THE REPORT TO THE FULL COUNCIL
AUTHOR	GERAINT OWEN, HEAD OF CORPORATE SUPPORT

1. BACKGROUND

- 1.1 The Gwynedd Council Annual Improvement Report by the Auditor General summarises the audit work undertaken in the Council by the Wales Audit Office since the publication of the last report in July 2015.
- 1.2 The report also contains a summary of the key findings in the published reports of other regulators such as Estyn, Care and Social Services Inspectorate Wales or the Welsh Language Commissioner.
- 1.3 It should be noted that this report is not a full review of all the Council's arrangements or services.
- 1.4 On the basis of the work undertaken by the Wales Audit Office and other regulators, the Auditor General states if the Council is likely to make arrangements to ensure continuous improvement for 2016 – 17.
- 1.5 In the opinion of the Auditor,
The Council has continued to improve in its priority areas and has sound financial management arrangements, but there are some weaknesses in its scrutiny arrangements.
- 1.6 Officers from the Wales Audit Office will give a presentation on the key points to the Council.
- 1.7 This is the first time the Annual Improvement Report has been presented to the Full Council.
- 1.8 There will be an opportunity for members to ask questions to Wales Audit Office officers.



WALES AUDIT OFFICE
SWYDDFA ARCHWILIO CYMRU

Annual Improvement Report 2015-16

Gwynedd Council

Issued: March 2016

Document reference: 216A2016



This Annual Improvement Report has been prepared on behalf of the Auditor General for Wales by Sian Clark, Jeremy Evans, Fflur Jones and Nigel Griffiths under the direction of Jane Holownia.

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Together with appointed auditors, the Auditor General audits local government bodies in Wales, including unitary authorities, police, probation, fire and rescue authorities, national parks and community councils. He also conducts local government value for money studies and assesses compliance with the requirements of the Local Government (Wales) Measure 2009.

Beyond local government, the Auditor General is the external auditor of the Welsh Government and its sponsored and related public bodies, the Assembly Commission and National Health Service bodies in Wales.

The Auditor General and staff of the Wales Audit Office aim to provide public-focused and proportionate reporting on the stewardship of public resources and in the process provide insight and promote improvement.

Contents

Summary report

About this report	4
2015-16 performance audit work	5
The Council has continued to improve in its priority areas and has sound financial management arrangements, but there are some weaknesses in its scrutiny arrangements	6
Recommendations	6

Detailed report

Performance

The Council has continued to make progress against its improvement priorities	9
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Use of resources

The Council's financial management arrangements are sound and it is well placed to tackle future challenges	13
---	----

Vision and Governance

The Council's Ffordd Gwynedd vision is starting to change the Council's culture but there are weaknesses in scrutiny	15
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Appendices

Appendix 1 – Status of this report	20
Appendix 2 – Annual Audit Letter	21
Appendix 3 – National report recommendations 2015-16	23

Summary report

About this report

- 1 This Annual Improvement Report (AIR) summarises the audit work undertaken at Gwynedd Council (the Council) since the last such report was published in July 2015. This report also includes a summary of the key findings from reports issued by 'relevant regulators', namely: the Care and Social Services Inspectorate Wales (CSSIW); Her Majesty's Inspectorate for Education and Training in Wales (Estyn); and the Welsh Language Commissioner (the Commissioner). Nonetheless, this report does not represent a comprehensive review of all the Council's arrangements or services. The conclusions in this report are based on the work carried out at the Council by relevant external review bodies and, unless stated otherwise, reflect the situation at the point in time that such work was concluded.
- 2 Taking into consideration the work carried out during 2015-16, the Auditor General will state in this report whether he believes that the Council is likely to make arrangements to secure continuous improvement for 2016-17.
- 3 This statement should not be seen as a definitive diagnosis of organisational health or as a prediction of future success. Rather, it should be viewed as providing an opinion on the extent to which the arrangements currently in place are reasonably sound insofar as can be ascertained from the work carried out.
- 4 We want to find out if this report gives you the information you need and whether it is easy to understand. You can let us know your views by e-mailing us at info@audit.wales or writing to us at 24 Cathedral Road, Cardiff, CF11 9LJ.

2015-16 performance audit work

- 5 The work carried out since the last AIR, including that of the 'relevant regulators', is set out below.

Project name	Brief description
Wales Audit Office Use of Resources: Financial Resilience Assessment	Review of the Council's financial position and how it is budgeting and delivering on required savings.
Wales Audit Office: 'Improvement Plan' Audit	Review of the Council's published plans for delivering on improvement objectives.
Wales Audit Office: 'Assessment of Performance' Audit	Review of the Council's published performance assessment, including testing and validation of performance information.
Wales Audit Office Governance: Review of Scrutiny	Review of the effectiveness of the Council's scrutiny processes.
Wales Audit Office Vision and Performance: Update on Ffordd Gwynedd	Update on the Ffordd Gwynedd projects.
Wales Audit Office: Performance Assessment	Assessment of performance in relation to the Council's Welsh Language improvement objective, to understand whether the Council's public reporting of its performance is fair and balanced.
Wales Audit Office Performance Management: Benchmarking social services costs against performance	Review across the North Wales councils to explore the value of the current social services performance indicators and the links, if any, with costs.
CSSIW: Review of the Social Services Department's performance 2014-15	Assessment of the performance of the Council's Social Services Department.
Wales Audit Office: Follow-up work	To assess whether Council has appropriate corporate processes for responding to reports, tracking implementation of recommendations and reporting this to the appropriate committee.
Wales Audit Office: National reports	<ul style="list-style-type: none"> • The financial resilience of councils in Wales • Community safety partnerships • Income generation and charging • Council funding of third-sector services

The Council has continued to improve in its priority areas and has sound financial management arrangements, but there are some weaknesses in its scrutiny arrangements

- 6 Based on, and limited to, the work carried out by the Wales Audit Office and relevant regulators, the Auditor General believes that the Council is likely to comply with the requirements of the Measure and secure improvement during 2016-17. The Auditor General has reached this conclusion because:
- a the Council has continued to make progress against its improvement priorities and complied with the Local Government Measure 2009;
 - b the Council's financial management arrangements are generally sound and it is well placed to tackle future challenges; and
 - c the Council's Ffordd Gwynedd vision is starting to change the Council's culture but there are weaknesses in scrutiny.

Recommendations

- 7 Given the wide range of services provided by the Council and the challenges it is facing, it would be unusual if we did not find things that can be improved. The Auditor General is able to:
- a make proposals for improvement – if proposals are made to the Council, we would expect it to do something about them and we will follow up what happens;
 - b make formal recommendations for improvement – if a formal recommendation is made, the Council must prepare a response to that recommendation within 30 working days;
 - c conduct a special inspection and publish a report and make recommendations; and
 - d recommend to Ministers of the Welsh Government that they intervene in some way.
- 8 During the course of the year, the Auditor General did not make any formal recommendations. However, lower-priority issues, known as proposals for improvement, are contained in our other reports but may be referred to later on in this report. We will continue to monitor proposals for improvement during the course of our improvement assessment work. He does, however, make recommendations that may be relevant to the Council in his Local Government National Reports. A list of recommendations contained in reports issued in 2015-16 can be found in [Appendix 3](#).

- 9 In addition, the CSSIW, Estyn and the WLC included areas for improvement in their inspection reports and letters issued to the Council during the year. These are available at www.cssiw.org.uk, www.estyn.gov.uk and www.comisiynyddygyraeg.org.

Detailed report



Performance

The Council has continued to make progress against its improvement priorities

Estyn's evaluation of school performance

- 10 The proportion of pupils eligible for free school meals in Gwynedd is lower than the Wales average. This is taken into account when evaluating the performance in the authority.
- 11 Performance in the Foundation Phase indicator and the core subject indicator at key stage 2 has improved broadly in line with that of most other local authorities across Wales.
- 12 At key stage 3, performance in the core subject indicator¹ has improved at a similar rate to the Wales average. For this indicator, Gwynedd has been the highest performing authority in Wales for the last four years.
- 13 At key stage 4, pupils' performance in nearly all indicators shows a gradual trend of improvement over time. The performance in science and Welsh is particularly strong and compares favourably with levels in similar local authorities. At key stage 4, performance in the level 2 threshold including English or Welsh and mathematics has improved well in the last three years. However, in 2015, performance in this measure is just below the benchmark for performance set by the Welsh Government. Performance in the capped points score indicator has shown a gradual improvement over the last three years and in 2015 is above the benchmark for performance set by the Welsh Government.
- 14 In 2015, pupils eligible for free school meals have achieved better than similar pupils in Wales in nearly all xkey indicators at key stage 4.
- 15 Attendance in Gwynedd schools is amongst the highest in Wales. Whilst the trend in overall attendance has been more variable in primary schools, there has been a consistent improvement in secondary school attendance over the last five years.

The Council has made steady progress improving social services and preparing for coming changes

- 16 CSSIW published its Annual Review and Evaluation of Performance 2014/2015 in October 2015 and this is available on [its website](#). The following paragraphs summarise the CSSIW's evaluation of the Council.
- 17 The Council has made steady progress improving social services and preparing for coming changes. The council has a vision to support people in their communities in creative, flexible and cost effective ways and improve the experiences and choices for people with complex needs. The Council has begun to develop services along these lines and the principles of the Social Services and Wellbeing (Wales) Act (SSWB Act). The greater engagement and support of the health board is noticeable, as it previously hampered development.

¹ The **core subject indicator** refers to the percentage of pupils who attain the level expected of them in mathematics, science and either English or Welsh as a first language. This equates to level 4 or above at key stage 2 and level 5 or above at key stage 3.

- 18 The performance in some areas of social services has been incrementally improving year on year, and there are solid areas of practice and good outcomes, such as for looked after children. Change in service design has been slow in other areas, such as in services for people with learning disabilities and adult accommodation strategy.
- 19 The planned changes in social services will require changes in established practice and culture. The nature and scale of the changes faced by social services present significant risks that require a high level of leadership and support to be delivered in a timely manner. The new arrangements with a cabinet member for adults and health and a cabinet member for children and young people should provide a clearer line of sight on the new service developments, and engagement with the health board.
- 20 The council has strong performance in implementing the requirements of More Than Just Words² – the framework for the Welsh language.
- 21 As part of the Wales Audit Office Social Services Sustainability work across the six North Wales councils, we produced a document for the Council that presented:
- a future demand for social services in Gwynedd through benchmarking population projections for children and older people; and
 - b a suite of graphical analyses that combined financial and performance data for social services in Gwynedd over multiple years and which also placed the Council within the context of the other 21 Welsh councils.
- 22 There were no recommendations or conclusions from this work as we provided each Council with a data pack that displayed the information from a value-for-money perspective and facilitated a North Wales-wide workshop for Directors of Social Services and other key senior managers. We received positive feedback on the output and await to see how the Council uses this approach as part of its internal challenge processes.

The Council has complied with the Local Government Measure 2009

- 23 The Council has complied with the Local Government Measure 2009 and we issued compliance certificates for the Council's Strategic Plan and its Performance Report and in July 2015 and November 2015.
- 24 Public reporting of performance is generally fair and balanced. The Strategic Plan and the annual Performance Report are clearly laid out and present a clear picture of what the Council is aiming to achieve, the progress it is making and how its performance compares with the Welsh average. The Council could do more to compare its performance with neighbouring councils. The Council's short summary of its performance uses eye catching graphics effectively to convey key messages.

² **Mwy na geiriau/More than just words: A Strategic Framework for Promoting the Welsh Language in Health, Social Services and Social Care** was published in 2012 by the Welsh Government Deputy Minister for Social Services. The aim of the framework is to ensure that organisations recognise that language is an intrinsic part of care and that people who need services in Welsh get offered them.

The Council takes account of the recommendations of regulators but there is scope to use findings more systematically and consistently to better support improvement

- 25 Although the Council has regard to the findings and recommendations of external regulators, there is considerable variation in how these recommendations are acted upon across different services.
- 26 In general when national studies are identified the Council assesses whether a recommendation has a local impact and benefit. If so, reports are logged and responsibilities identified for taking the recommendations forward. However, not all reports are identified and as such it is possible that not all recommendations are assessed and logged in this way.
- 27 Those recommendations identified and acknowledged as having local benefit are inserted into departmental business plans where appropriate so that actions flow through existing mechanisms rather than being an 'add-on' to established processes. However, there is no formal way of monitoring the steps that services take to address recommendations or the impact these actions have.
- 28 The Council's Audit Committee receives reports from all regulators and also an indication from officers on whether recommendations have been taken forward or not. The Council acknowledges that there is a need to strengthen how evidence is presented to substantiate what action has been taken to enable Audit Committee Members to assess whether the intended outcome has been achieved or not.

The Council has made progress in promoting the use of the Welsh language within the county but could tell the public more about progress in its annual report

- 29 The Council, motivated by the drop in the proportion of the county's population using Welsh everyday reported in the National Census data, introduced an improvement objective to support and promote the use of the Welsh language. The improvement objective 'Promoting the use of the Welsh language' supports the Council's 'Stronger Communities' theme within its Strategic Plan 2013-17. During 2014-15, a number of projects were undertaken with the aims of increasing the use of the Welsh language by children and young people and sustaining the levels of usage within communities across Gwynedd.
- 30 With data only available from the National Census every 10 years the Council has taken constructive steps to develop specific and measurable aims by establishing baseline positions from which to measure its progress.
- 31 The Council acknowledges that some of the projects under this improvement objective are highly ambitious, particularly given the level of external engagement and commitment required to achieve them. The Council places high importance on enabling the use of the Welsh language to thrive within the county and has prided itself on the high level of Welsh speakers traditionally residing within its boundaries. As such the Council views these stretching targets as the right approach and the right commitment to make to its citizens in this area.

- 32 The Council has made great progress with its Gwynedd Primary Schools Welsh Language Charter Project with 97 per cent of primary schools (94 out of 97) succeeding in gaining the Language Charter Silver or Bronze award and increasing pupils' use of Welsh in the school playground. The project has been recognised as good practice and will be rolled out across Welsh-language schools in north Wales by the end of 2016 and across the rest of Wales by the end of 2017.
- 33 However, the Council acknowledges it has made less progress in other areas. Some slippage was due to unfortunate and unforeseen circumstances, such as a temporary reduction in the capacity of the small team responsible for a number of the projects. In another project the Council's Welsh in Education Strategic Project to increase the percentage of year 9 students assessed through the medium of Welsh was delayed, as the action plan from the Council's Scrutiny Investigation Report into Welsh Education was delayed, however, this is now in place and the project can move forward.
- 34 The progress of a number of projects depended on the engagement of and commitment from external partners and communities. In some cases the Council had difficulty making progress because of varied levels of commitment and delays that were outside of its control. For example it did not achieve its stated aim in the Welsh in the Public Service Project in part due to assumptions about the language situation of neighbouring organisations in Gwynedd. However, the Council is now better placed to make progress and has a better understanding of what it needs to do.
- 35 The Council's Annual Performance Report informs the public on the progress it has made against its improvement objectives. The report provides an accurate picture of its successful performance under this improvement objective but is less forthcoming in relation to the areas where less progress has been made. More detail would add to the picture and as such with additional detail it would be a fairer and more balanced picture of performance.

Use of resources

The Council's financial management arrangements are sound and it is well placed to tackle future challenges

- 36 On 26 November 2015, the Auditor General issued an Annual Audit Letter to the Council. The letter summarises the key messages arising from his statutory responsibilities under the Public Audit (Wales) Act 2004 as the Appointed Auditor and his reporting responsibilities under the Code of Audit Practice. The Auditor General issued an unqualified opinion on the Council's accounting statements confirming that they present a true and fair view of the Council's and the Pension Fund's financial position and transactions. The Annual Audit Letter can be found in [Appendix 2](#) of this report.

The Council has an effective framework for financial planning

- 37 The Council has an effective and well-managed corporate framework for financial planning. It has a clear overall vision and aims, which it articulates through its Council Plan (2013-17). The Council's prime objective is 'putting the people of Gwynedd at the centre of everything we do'. It seeks to achieve this by focusing on 16 improvement objectives across seven priority areas; these objectives are clearly articulated in the plan. The Council has a robust mechanism in place for ensuring improvement objectives are integral to the service plans and budgets and financial plans are set in line with the delivery of these objectives. The Council regularly considers the balance between the delivery of objectives and the evolving financial challenges it faces.
- 38 The Council has established clear policies in respect of financial planning arrangements. It has set out responsibilities for budget setting, monitoring and reporting. The Council's MTFP is integrated within the 2015-16 budget report which was presented to the Council in March 2015. The section titled 'The medium term plan to address the financial gap 2015-16 to 2017-18' outlines the projected financial situation for the next three years. It includes the need to close the gap of £53 million of which around £34 million is projected additional savings broken down as follows:
- a efficiency plans already approved by Cabinet of £13.6 million;
 - b schools efficiency target of £4.3 million;
 - c further efficiencies of £6 million; and
 - d cuts of £9 million.
- 39 The Council reviews and revises the medium-term plan to respond to changing circumstances and it has stated that subsequent plans will estimate the position for four years (2016-17 to 2019-20). Extracting the MTFP from the main budget report could give the plan a higher profile, add clarity and focus and enable easier review.

- 40 The Council manages its risks associated with the budget and sets the medium-term direction in line with known facts and the Council makes sound assumptions. Financial and corporate planning processes are integrated and link to risk management arrangements and other wider strategies.
- 41 The Council has a good track record of identifying and delivering a programme of savings. Whilst there was a small shortfall in the delivery of the 2014-15 savings plan, the Council delivered its overall budget with a small underspend as its service underspends compensated for missing its savings target.

Overall the Council has effective financial controls and it has a robust framework in place for reviewing and challenging financial performance

- 42 Our audit of the accounts showed that the statement of accounts gave a true and fair reflection of the financial position of the Council and that they had been properly prepared, supporting our view that the Council's financial controls are effective.
- 43 The Council's leadership team has a good understanding of the significant and rapidly changing financial challenges and risks facing the Council. The Council has comprehensive reporting arrangements, both formal and informal processes, to review and challenge financial performance. Consideration of the Council's financial position is a key part of the role of Audit Committee, where challenge is robust and effective. The wider Member base has a full appreciation of the budget position gained through involvement in budget setting.
- 44 Public consultation and engagement on budget issues have been particularly strong this year. The public were presented with the full picture of the Council's finances and were asked the difficult question about where savings should be made. Over 2,100 people responded to the consultation, mainly online through the Council's website.
- 45 The Council has strong financial leadership at officer level although, while capacity within the finance service remains adequate, it might be a challenge to maintain at the right level in the longer term.

Vision and Governance

The Council's Ffordd Gwynedd vision is starting to change the Council's culture but there are weaknesses in scrutiny

The Council's Ffordd Gwynedd vision is starting to change the organisation's culture and putting the people of Gwynedd at the centre of everything the Council does

- 46 The Council's Ffordd Gwynedd programme is about putting the people of Gwynedd at the centre of everything the Council does. It is both a business transformation programme and a cultural/behavioural change programme. The Council, in order to maximise the value created for the people of the county, is considering everything it does through the eyes of its citizens rather than through the eyes of its staff. It is clear that Ffordd Gwynedd is not about satisfying everyone's wishes but about creating a culture which puts people central to what it does and establishing the right conditions and eliminating barriers to allow this to happen.
- 47 To support the delivery of this approach the Council has established a number of principles, these are:
- a **leadership** that highlights the importance of the programme and maintains the vision;
 - b **managers** who are in work empowering and equipping staff to meet the needs of customers and getting rid of barriers;
 - c **staff** who are empowered to work flexibly to address customer needs and go after opportunities to eliminate demand for services;
 - d suitable **engagement** arrangements to ensure that we do the right things in terms of what matters to the people of Gwynedd and prioritising our resources;
 - e a **performance framework** that measures whether the Council meets the needs and offers value for money;
 - f **governance** arrangements that base decisions on the basis of firm evidence;
 - g **service provision** arrangements that create value for the customer;
 - h **policies** that promote supporting meeting customer needs rather than creating obstacles; and
 - i **employment** arrangements that equip staff and reinforce behaviours to place the people of Gwynedd central to everything the Council does.

- 48 The Council has established a number of projects to support the delivery of Ffordd Gwynedd, these include manager and staff training and selected consultancy to help drive out waste processes in specific service areas.
- 49 The Council's Learning and Development group are responsible for integrating Ffordd Gwynedd into the training courses provided for officers. The Ffordd Gwynedd vision is relatively easy to communicate and easy to identify with, providing managers with a good focus to move forward with. All managers have received this training. However it is more difficult to embed and to cascade to officers in those operational services that tend to be difficult to reach. Many, such as staff in care homes feel that they already put the citizen at the centre and find it difficult to focus on the full range of Ffordd Gwynedd principles. The Council is aware of the challenges ahead and is working hard to address these.
- 50 The Council has used the systems thinking³ method to start changing its delivery model from the traditional command and control design. This eliminates process steps that do not add value and challenges the rules in which they operate. The Council has five systems projects running in various different parts of the business. Examples include the property and planning functions where there has been good buy in from staff. The systems approach has built on the departments coaching culture and there has been a positive change in the mind set of staff reinforced by good practical outcomes. These good examples can now be shared with other sections of the department and the wider Council helping further support the value of Ffordd Gwynedd and provide it with a momentum for further change.
- 51 The Council also applied the systems approach to one of its central support units. This unit has a role to play in a number of processes, but does not control the complete processes, for example, it receives recruitment applications and checks staff travel claims but does not complete the whole process for either. Whilst the systems approach has brought benefit the Council has realised that looking at a units activity rather than end-to-end functions is not the best approach. In addition measures have been difficult to set as it is difficult to impact the whole process. However, the Council is now using an IT solution that enables the various players in a process to communicate and keep track of project progress. This looked at a high level to be a very valuable tool.
- 52 Of the Council's systems projects the Alltwn Hospital has the highest profile, where social workers are co-located with health staff and deliver an integrated service to citizens. The concept aims to bring together social workers, the hospital health team and district nurses in the area (Dwyfor). Alltwn is about integration and shared analysis of service user need using a 'what matters' conversation with the service user and a 'fish bowl' meeting with professionals from both organisations following this to determine the best services to meet the service users' desired outcomes.

³ The **Vanguard systems thinking method** helps service organisations change from a conventional 'command-and-control' design to a systems design.

- 53 This project is easily the most complex the Council has undertaken. It currently faces a number of barriers. These include the differences between the way in which health and social services operate (for example, health run 12-hour shifts over a seven-day period including at night, social care staff in general work day time weekdays) and the delay to the relocation of district nursing staff. Whilst ensuring it safeguards vulnerable adults in the area the Council needs to consider the next steps for this particular project, how best it can build on recent positive meetings with the Health Board, and how it can capture the learning and implement this in other locations.

Although the Council has recently implemented some improvements to the scrutiny process, it remains ineffective in a number of key areas

There is a lack of a shared understanding and recognition of the purpose, value and responsibilities of scrutiny

- 54 There is widespread confusion and scepticism amongst officers and members regarding both the role and value of scrutiny within the Council – much of which is founded in the changes to the number and responsibilities of scrutiny committees introduced in 2012. Although the changes were well planned and implemented, they have not, overall, generated the expected improvements to the scrutiny process.
- 55 The resultant lack of confidence has created barriers to the effectiveness of some key areas of scrutiny and, therefore, the capability of scrutiny to support improvement in the Council's decision-making and the quality of its services. There is a feeling amongst Members that the work of scrutiny being 'side-lined' and isolated from many important areas including policy development and the challenge and monitoring of service performance.
- 56 Attempts have also been made to improve the frequency of contact between senior officers, Cabinet members and scrutiny. Despite the potential, these meetings have to facilitate more proactive scrutiny, they are not held regularly and are often cancelled at short notice.

There are a number of weaknesses in scrutiny arrangements

- 57 Scrutiny committees use sound criteria for choosing and prioritising items for their forward work programmes, but it is not applied consistently and there is a lack of consideration of available resources. Meetings are not held frequently enough to enable members to give adequate consideration to important agenda items and the contribution of pre-meetings to the effectiveness of the scrutiny process is variable.

- 58 Despite recent attempts to encourage Cabinet members to improve engagement with scrutiny, there remains a separation and a lack of co-ordination between the agendas and work of Cabinet and the scrutiny committees. A lack of detail in the Cabinet forward work programme makes it difficult for scrutiny committees to identify, in advance, areas on which to focus. In addition, as Cabinet meetings are held far more frequently than those of scrutiny committees, there are only limited opportunities for scrutiny to provide input and challenge to many areas of Cabinet business.
- 59 Reports by regulatory bodies are not consistently included in the forward work programmes of the Council's scrutiny committees. Current practice is that the scrutiny support officers refer some of the reports from Estyn, CSSIW, and the Wales Audit Office, to the appropriate committee for inclusion in their programmes. There is also generally a lack of enthusiasm for, and appreciation of, the value regulators' reports can add to scrutiny.
- 60 The majority of papers presented to scrutiny committees are of a reasonable quality. However, some of the information provided contains complex statistical material and makes assumptions about the level of knowledge of members in a particular service area. Some of the papers also use acronyms without any accompanying explanation.
- 61 Some aspects of scrutiny meetings, such as the contributions of officers and Cabinet members, work well. However, a number of other areas are less effective. Weaker areas include a lack of focus in questioning and probing when holding Cabinet Members to account and insufficient understanding of key issues during the formulation of recommendations intended to produce achievable and measurable improvements.
- 62 Scrutiny investigations are generally well-formulated and robust but their broad scope and a lack of resources often result in a loss of momentum, delays to final reports and problematic public engagement.

There is insufficient awareness of the impact of scrutiny which risks undermining its intended purpose of contributing to improvements in the services the Council provides for the people of Gwynedd

- 63 The Council undertakes little, if any, analysis and assessment of the impact of scrutiny on, for example, the decisions of Cabinet and the impact of the work of scrutiny committees on improving services. Without a formal evaluation and reporting process, the Council is unable to demonstrate that it is achieving the 'better decisions' and 'better services' improvement objectives in the Scrutiny Strategy.

- 64 Cabinet's reported acceptance of all scrutiny recommendations can be misleading and contributes to the uncertainty about scrutiny's impact on decisions and service improvements. However, although the Cabinet accepts all the recommendations from scrutiny, it only implements some. Although there is no obligation on the Cabinet to accept all scrutiny recommendations, some Members are frustrated that they receive no feedback to explain why their recommendations are not implemented. Cabinet Members have recently agreed to re-examine their approach to responding to scrutiny recommendations.
- 65 Scrutiny forward programmes regularly include updates on the progress of the implementation of recommendations made following scrutiny investigations.

The Council's role in the maintenance of the trunk road network across North and Mid Wales is not sufficiently transparent and relevant information is not easily available to the public

- 66 We wrote to the Council in November 2015 in response to the concerns of a Gwynedd resident. In considering the correspondent's concerns, we found that aspects of the governance arrangements relating to the repairs and maintenance of the trunk road network in Gwynedd are unclear to the public. This conclusion is consistent with a recommendation to the Welsh Government made by the Public Accounts Committee of the National Assembly for Wales in June 2015, that, '... accountability for the planning and delivery of minor improvement schemes via Trunk Road Agents and their local authority and other organisational partners be clarified and publicised so that it can be clearly understood by members of the public'.
- 67 The Council is the Agent accountable to the Welsh Government for the operation of the North and Mid Wales Trunk Road Agency (NMWTRA). The Council is also the lead authority within the partnership of eight councils within North and Mid Wales and which, between them, deliver or procure the work on the region's trunk roads. An Agency Agreement underpins the Council's role as Agent, while a Partnership Agreement between the eight councils sets out how they will deliver the Agency Agreement together. A Joint Committee consisting of councillors from each authority meets periodically, as set out in the Partnership Agreement, but the proceedings and minutes of the Joint Committee are not publicised.

Appendix 1 – Status of this report

The Local Government (Wales) Measure 2009 (the Measure) requires the Auditor General to undertake an annual improvement assessment, and to publish an annual improvement report, for each improvement authority in Wales. This requirement covers local councils, national parks, and fire and rescue authorities.

This report has been produced by staff of the Wales Audit Office on behalf of the Auditor General to discharge his duties under section 24 of the Measure. The report also discharges his duties under section 19 to issue a report certifying that he has carried out an improvement assessment under section 18 and stating whether, as a result of his improvement plan audit under section 17, he believes that the authority has discharged its improvement planning duties under section 15.

Improvement authorities are under a general duty to ‘make arrangements to secure continuous improvement in the exercise of [their] functions’. Improvement authorities are defined as local councils, national parks, and fire and rescue authorities.

The annual improvement assessment is the main piece of work that enables the Auditor General to fulfil his duties. The improvement assessment is a forward-looking assessment of an authority’s likelihood to comply with its duty to make arrangements to secure continuous improvement. It also includes a retrospective assessment of whether an authority has achieved its planned improvements in order to inform a view as to the authority’s track record of improvement. The Auditor General will summarise his audit and assessment work in a published annual improvement report for each authority (under section 24).

The Auditor General may also, in some circumstances, carry out special inspections (under section 21), which will be reported to the authority and Ministers, and which he may publish (under section 22). An important ancillary activity for the Auditor General is the co-ordination of assessment and regulatory work (required by section 23), which takes into consideration the overall programme of work of all relevant regulators at an improvement authority. The Auditor General may also take account of information shared by relevant regulators (under section 33) in his assessments.

Appendix 2 – Annual Audit Letter

Dilwyn Williams
Cllr Dyfed Wyn Edwards
Gwynedd Council
Shirehall Street
Caernarfon
LL55 1SH

Dear Dyfed and Dilwyn

Annual Audit Letter – Gwynedd Council 2014-15

This letter summarises the key messages arising from the Auditor General for Wales' statutory responsibilities under the Public Audit (Wales) Act 2004 and my reporting responsibilities under the Code of Audit Practice.

The Council complied with its responsibilities relating to financial reporting and use of resources

It is the Council's responsibility to:

- put systems of internal control in place to ensure the regularity and lawfulness of transactions and to ensure that its assets are secure;
- maintain proper accounting records;
- prepare a Statement of Accounts in accordance with relevant requirements; and
- establish and keep under review appropriate arrangements to secure economy, efficiency and effectiveness in its use of resources.

The Public Audit (Wales) Act 2004 requires me to:

- provide an audit opinion on the accounting statements;
- review the Council's arrangements to secure economy, efficiency and effectiveness in its use of resources; and
- issue a certificate confirming that I have completed the audit of the accounts.

Local authorities in Wales prepare their accounting statements in accordance with the requirements of the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom. This code is based on International Financial Reporting Standards. On 30 September 2015, I issued an unqualified audit opinion on the accounting statements confirming that they present a true and fair view of the Council's and the Pension Fund's financial position and transactions. My report is contained within the Statement of Accounts. The key matters arising from the accounts audit (for both the Council and the Pension Fund) were reported to members of the Audit Committee in my Audit of Financial Statements reports on 24 September 2015. I do not need to bring anything to your attention in this letter.

It is also worth noting that the Council lead on the preparation of the accounts of the GwE Joint Committee and also prepared Annual Returns for the Gwynedd Harbours, the Special Educational Needs Joint Committee (SEN) and the Joint Planning Policy Joint Committee (JPP). On 30 September 2015:

- I issued an unqualified opinion on GwE's accounts confirming that they present a true and fair view of the Committee's financial position and transactions.
- I confirmed that the information contained in the annual returns for Gwynedd Harbours and the SEN and JPP Joint Committees was in accordance with proper practices.

The key matters arising from these audits were reported to the relevant committees where appropriate. Again, I do not need to bring anything to your attention in this letter.

I am satisfied that the Council has appropriate arrangements in place to secure economy, efficiency and effectiveness in its use of resources

My consideration of the Council's arrangements to secure economy, efficiency and effectiveness has been based on the audit work undertaken on the accounts as well as placing reliance on the work completed as part of the Improvement Assessment under the Local Government (Wales) Measure 2009. My Annual Improvement Report will highlight areas where the effectiveness of these arrangements has yet to be demonstrated or where improvements could be made.

I have not yet issued a certificate confirming that the audit of the accounts has been completed

I have not yet issued a certificate concluding the audit as there was a matter outstanding relating to an objection raised by an elector. However, I have concluded my work on this matter and responded to the elector stating that I do not propose any further formal audit action.

As there have been no changes to the accounts since I issued my opinion on 30 September 2015, I intend to issue a certificate confirming that the audit of the accounts has been completed, once the Audit Committee has considered my final report and re-approves the accounts. I anticipate that this will take place in early December 2015.

My work to date on certification of grant claims and returns has not identified significant issues that would impact on the 2015-16 accounts or key financial systems

My programme of audit work on the 2014-15 grant claims is currently underway. To date I have not identified any issues that would impact on the 2015-16 accounts or key financial systems.

The financial audit fee for 2014-15 is currently expected to be in line with the agreed fee set out in the 2015 Audit Plan.

Yours sincerely

Derwyn Owen

For and on behalf of the Auditor General for Wales

Appendix 3 – National report recommendations 2015-16

Date of report	Title of review	Recommendation
April 2015	<p>The Financial resilience of Councils in Wales</p>	<p>R1 Councils should ensure that their corporate plan:</p> <ul style="list-style-type: none"> • is the core driver for the service plans and other supporting strategies including workforce, information technology and capital expenditure; • maintains at least a three to five year forward view and is aligned with the medium term financial plan and other supporting strategies; and • should clearly articulate the desired role of the council in five years - the model for delivering priority services and the infrastructure and resources needed to deliver future priorities within available finances. <p>R2 The medium term financial plan should identify the major financial risks and key assumptions and senior officers and councillors should subject them to effective scrutiny and challenge before adopting the plan.</p> <p>R3 Councils need to ensure that funding deficits are accurately projected and fully reconciled to detailed savings plans for each year over the life of the medium term financial plan.</p> <p>R4 Councils should review the adequacy of the financial assurance arrangements that underpin the delivery of annual savings plans, including the level of scrutiny and challenge provided by councillors.</p> <p>R5 Councils should ensure that they have a comprehensive reserves strategy that outlines the specific purpose of accumulated useable reserves as part of their Medium term Financial Plan.</p> <p>R6 Councils should develop corporate wide policies on income generation with a view to increasing revenue streams and relieving financial pressures.</p> <p>R7 Councils should:</p> <ul style="list-style-type: none"> • strengthen budget setting and monitoring arrangements to ensure financial resilience; and • review the coverage and effectiveness of their internal and external assurance financial systems and controls to ensure they are fit for purpose and provide early warning of weaknesses in key systems.

Date of report	Title of review	Recommendation
April 2015	<p>The Financial resilience of Councils in Wales</p>	<p>R8 Councils must review their finance teams and ensure that they have sufficient capacity and capability to meet future demands.</p> <p>R9 Council officers need to equip councillors with the knowledge and skills they need to deliver effective governance and challenge by extending training opportunities and producing high quality management information.</p>
June 2015	<p>Achieving improvement in support to schools through regional education consortia – an early view.</p>	<p>R1 To clarify the nature and operation of consortia. We found there to be continuing uncertainty about some aspects of the nature of regional consortia and their present and future scope (paragraphs 2.2 to 2.20). We therefore recommend:</p> <ul style="list-style-type: none"> • Local authorities should clarify whether consortia services are jointly provided or are commissioned services (services provided under joint-committee arrangements are jointly provided services and are not commissioned services). <p>R2 To focus on outcomes through medium-term planning. We found that the development of effective regional consortia was hindered by a focus on short-term actions and uncertainty about the future of consortia (paragraphs 2.33 to 2.36; 3.16 to 3.17). We therefore recommend:</p> <ul style="list-style-type: none"> • As any possible local authority re-organisation will not be fully implemented until 2020, the Welsh Government and regional consortia should develop three-year plans for the further development, scope, and funding of regional consortia linked to appropriate strategic objectives.

Date of report	Title of review	Recommendation
June 2015	<p>Achieving improvement in support to schools through regional education consortia – an early view.</p>	<p>R3 To develop more collaborative relationships for the school improvement system. The development of the National Model for Regional Working involved many school improvement partners but we found that this had not led to the development of sufficiently collaborative relationships (paragraphs 2.25 to 2.32). We therefore recommend:</p> <ul style="list-style-type: none"> • Regional consortia should develop improved arrangements for sharing practice and supporting efficiency (for example, one consortium could take the lead on tackling an issue or have functional responsibility for the development of a policy). • The Welsh Government, local authorities and regional consortia should recognise the interdependency of all partners fulfilling their school improvement roles and agree an approach to: <ul style="list-style-type: none"> – information sharing and consultation about developments related to school improvement; – developing collaborative relationships of shared accountability; and – undertaking system wide reviews, and an alignment of the understanding and position of regional consortia across all Welsh Government relevant strategies. <p>R4 To build effective leadership and attract top talent. Regional consortia, local authorities and the Welsh Government have all found difficulties in recruiting to senior leadership for education and we found there had been limited action to address this (paragraphs 2.37 to 2.40). We therefore recommend:</p> <ul style="list-style-type: none"> • the Welsh Government and local authorities should collaborate to improve the attractiveness of education leadership roles to attract the most talented leaders for the school improvement system; and • local authorities should collaborate to support the professional development of senior leaders and to ensure appropriate performance management arrangements are in place for senior leaders.

Date of report	Title of review	Recommendation
June 2015	Achieving improvement in support to schools through regional education consortia – an early view.	<p>R5 To improve the effectiveness of governance and management of regional consortia. Whilst continuing progress is being made, we found that regional consortia have not yet developed fully effective governance and financial management arrangements (paragraphs 3.2 to 3.36). We therefore recommend that local authorities and their regional consortia should:</p> <ul style="list-style-type: none"> • improve their use of self-evaluation of their performance and governance arrangements and use this to support business planning and their annual reviews of governance to inform their annual governance statements; • improve performance management including better business planning, use of clear and measurable performance measures, and the assessment of value for money; • make strategic risk management an integral part of their management arrangements and report regularly at joint committee or board level; • develop their financial management arrangements to ensure that budgeting, financial monitoring and reporting cover all relevant income and expenditure, including grants funding spent through local authorities; • develop joint scrutiny arrangements of the overall consortia as well as scrutiny of performance by individual authorities, which may involve establishment of a joint scrutiny committee or co-ordinated work by local authority scrutiny committees; • ensure the openness and transparency of consortia decision making and arrangements; • recognise and address any potential conflicts of interest; and where staff have more than one employer, regional consortia should ensure lines of accountability are clear and all staff are aware of the roles undertaken; and • develop robust communications strategies for engagement with all key stakeholders.

Date of report	Title of review	Recommendation
July 2015	<p>Review of Corporate Safeguarding Arrangements in Welsh Councils</p>	<p>R1 Improve corporate leadership and comply with Welsh Government policy on safeguarding through:</p> <ul style="list-style-type: none"> • the appointment of a senior lead officer who is accountable for safeguarding and protecting children and young people with corporate responsibilities for planning improvements; • the appointment of a lead member for safeguarding; and • regularly disseminating and updating information on these appointments to all staff and stakeholders. <p>R2 Ensure there is a corporate-wide policy on safeguarding covering all Council services to provide a clear strategic direction and clear lines of accountability across the Council.</p> <p>R3 Strengthen safe recruitment of staff and volunteers by:</p> <ul style="list-style-type: none"> • ensuring that Disclosure and Barring Service (DBS) checks and compliance with safe recruitment policies cover all services that come into contact with children; • creating an integrated corporate compliance system to record and monitor compliance levels on DBS checks; and • requiring safe recruitment practices amongst partners in the third sector and for volunteers who provide services commissioned and/or used by the Council which are underpinned by a contract or service level agreement. <p>R4 Ensure all relevant staff, members and partners understand their safeguarding responsibilities by:</p> <ul style="list-style-type: none"> • ensuring safeguarding training is mandated and coverage extended to all relevant Council service areas, and is included as standard on induction programmes; • creating a corporate-wide system to identify, track and monitor compliance on attending safeguarding training in all Council departments, elected members, schools, governors and volunteers; and • requiring relevant staff in partner organisations who are commissioned to work for the Council in delivering services to children and young people to undertake safeguarding training.

Date of report	Title of review	Recommendation
July 2015	<p>Review of Corporate Safeguarding Arrangements in Welsh Councils</p>	<p>R5 In revising guidance, the Welsh Government should clarify its expectations of local authorities regarding the roles and responsibilities of the designated officer within education services, and the named person at senior management level responsible for promoting the safeguarding.</p> <p>R6 Improve accountability for corporate safeguarding by regularly reporting safeguarding issues and assurances to scrutiny committee(s) against a balanced and Council-wide set of performance information covering:</p> <ul style="list-style-type: none"> • benchmarking and comparisons with others; • conclusions of internal and external audit/ inspection reviews; • service-based performance data; • key personnel data such as safeguarding training, and DBS recruitment checks; and • the performance of contractors and commissioned services on compliance with Council safeguarding responsibilities. <p>R7 Establish a rolling programme of internal audit reviews to undertake systems testing and compliance reviews on the Council's safeguarding practices.</p> <p>R8 Ensure the risks associated with safeguarding are considered at both a corporate and service level in developing and agreeing risk management plans across the Council.</p>

Date of report	Title of review	Recommendation
October 2015	<p>Supporting the Independence of Older People: Are Councils Doing Enough?</p>	<p>R1 Improve governance, accountability and corporate leadership on older people's issues through:</p> <ul style="list-style-type: none"> • the appointment of a senior lead officer who is accountable for coordinating and leading the Council's work on older people's services; • realigning the work of the older people's strategy coordinators to support development and delivery of plans for services that contribute to the independence of older people; • the appointment of a member champion for older people's services; and • regularly disseminating and updating information on these appointments to all staff and stakeholders. <p>R2 Improve strategic planning and better coordinate activity for services to older people by:</p> <ul style="list-style-type: none"> • ensuring comprehensive action plans are in place that cover the work of all relevant council departments and the work of external stakeholders outside of health and social care; and • engaging with residents and partners in the development of plans, and in developing and agreeing priorities. <p>R3 Improve engagement with, and dissemination of, information to older people by ensuring advice and information services are appropriately configured and meet the needs of the recipients.</p> <p>R4 Ensure effective management of performance for the range of services that support older people to live independently by:</p> <ul style="list-style-type: none"> • setting appropriate measures to enable Members, officers and the public to judge progress in delivering actions for all council services; • ensuring performance information covers the work of all relevant agencies and especially those outside of health and social services; and • establishing measures to judge inputs, outputs and impact to be able to understand the effect of budget cuts and support oversight and scrutiny.

Date of report	Title of review	Recommendation
October 2015	<p>Supporting the Independence of Older People: Are Councils Doing Enough?</p>	<p>R5 Ensure compliance with the Public Sector Equality Duty when undertaking equality impact assessments by:</p> <ul style="list-style-type: none"> • setting out how changes to services or cuts in budgets will affect groups with protected characteristics; • quantifying the potential impact and the mitigation actions that will be delivered to reduce the potentially negative effect on groups with protected characteristics; • indicating the potential numbers who would be affected by the proposed changes or new policy by identifying the impact on those with protected characteristics; and • ensuring supporting activity such as surveys, focus groups and information campaigns includes sufficient information to enable service users to clearly understand the impact of proposed changes on them. <p>R6 Improve the management and impact of the Intermediate Care Fund by:</p> <ul style="list-style-type: none"> • setting a performance baseline at the start of projects to be able to judge the impact of these overtime; • agreeing the format and coverage of monitoring reports to enable funded projects to be evaluated on a like-for-like basis against the criteria for the fund, to judge which are having the greatest positive impact and how many schemes have been mainstreamed into core funding; and • improving engagement with the full range of partners to ensure as wide a range of partners are encouraged to participate in future initiatives and programmes.

Date of report	Title of review	Recommendation
December 2015	Delivering with less - leisure services	<p>R1 Improve strategic planning in leisure services by:</p> <ul style="list-style-type: none"> • setting an agreed council vision for leisure services; • agreeing priorities for leisure services; • focusing on the Council's position within the wider community sport and leisure provision within the area; and • considering the potential to deliver services on a regional basis. <p>R2 Undertake an options appraisal to identify the most appropriate delivery model based on the Council's agreed vision and priorities for leisure services which considers:</p> <ul style="list-style-type: none"> • the availability of capital and revenue financing in the next three-to-five years; • options to improve the commercial focus of leisure services; • opportunities to improve income generation and reduce council 'subsidy'; • a cost-benefit analysis of all the options available to deliver leisure services in the future; • the contribution of leisure services to the Council's wider public health role; • better engagement with the public to ensure the views and needs of users and potential users are clearly identified; • the impact of different options on groups with protected characteristics under the public sector equality duty; and • the sustainability of service provision in the future.

Date of report	Title of review	Recommendation
December 2015	Delivering with less - leisure services	<p>R3 Ensure effective management of performance of leisure services by establishing a suite of measures to allow officers, Members and citizens to judge inputs, outputs and impact. This should cover council-wide and facility specific performance and include:</p> <ul style="list-style-type: none"> • capital and revenue expenditure; • income; • council 'subsidy'; • quality of facilities and the service provided; • customer satisfaction; • success of 'new commercial' initiatives; • usage data – numbers using services/facilities, time of usage, etc; and • impact of leisure in addressing public health priorities. <p>R4 Improve governance, accountability and corporate leadership on leisure services by:</p> <ul style="list-style-type: none"> • regularly reporting performance to scrutiny committee(s); • providing elected Members with comprehensive information to facilitate robust decision-making; • benchmarking and comparing performance with others; and • using the findings of internal and external audit/inspection reviews to identify opportunities to improve services.

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MEETING	FULL COUNCIL
DATE	12 MAY, 2016
SUBJECT	THE REFERENDUM ON MEMBERSHIP OF THE EUROPEAN UNION
PURPOSE	To seek the Council's views on the issue
AUTHOR	Councillor Dyfed Edwards, Council Leader

1. On 23rd June, the referendum about whether or not Britain will remain in the European Union will take place.
2. Clearly, this is an issue of the greatest importance and, already, the arguments for an against have been highlighted by both sides.
3. Since we as a Council have a duty to lead our communities and ensure a sustainable future for our residents, we have a duty to discuss the issue and come to a conclusion about whether or not to remain a member of the European Union is a good or bad thing for the residents of Gwynedd.
4. One thing about which both sides of the debate agree is that the result of the vote is one of the most important issues about which residents will have an opportunity to express a view for some time and encouraging as may as possible of our residents to vote is of the greatest importance.
5. The arguments in favour and against remaining in the European Union are broad that are receiving much attention in the Press. They can be summarised under the following headings:-
 - Consumer Matters – Matters regarding prices, safety testing and treating customers fairly, with both sides differing on the benefits of having the safeguards provided and the costs of that for homes.
 - The Cost of Membership– The Cost of Membership on one side and what we receive back on the other, with both sides differing on the value of Britain's investment in the Union compared to the benefit in return.
 - Education and Research – How membership effects education and medical, technical and scientific research, with both sides differing on the Union's intention to spend €80bn on research between 2014 and 2020.
 - Energy and the Environment – The availability of Energy and how the Environment is protected, with both sides differing on the benefit of working towards an integrated energy market and more control from Europe on climate change and pollution.
 - Farming and Fisheries – The effect of the Union and its policies on agricultural and fishing policies, with both sides differing on the benefit of the Common Policies and the subsidy given to agriculture in particular.
 - Britain's Role World-wide and Defence – Defence and the strength of Britain's position as a state within the world, with both sides differing on the increasing role of Europe in foreign policy.

- Immigration – The issue of Immigration and freedom of movement across the Union, with both sides differing on the impact of membership of the Union on the ability to control immigration.
 - Policing and Safety – Policing and Cross-border Security, with both sides differing on this bearing in mind that Britain is not part of the Schengen free movement area.
 - Sovereignty and Law-making – The extent to which Britain makes its own laws and how it is run, with both sides differing on the extent to which Britain has to accept laws and directives from Europe
 - Trade and the Economy – The effect of the membership of the Union on Trade and the Economy, with both sides differing on the effect of remaining in the European Union that does represent about half of Britain’s trade.
 - Travelling and Working Abroad – Living and travelling abroad for work and leisure, with both sides differing on the effect of membership on the freedom of individuals to live and work freely throughout the Union.
 - Work and Pay – The effect of membership of the Union on work pay and conditions, with both sides differing on some workers rights being enforced by Europe.
6. Clearly, all these factors are important but there are some arguments that are of particular relevance to Gwynedd residents.
 7. First of all, general taxation funds 73% of all the Council’s services, and since that money is dependent on the strength of the economy, the view on what will happen to the economy if we withdraw from the European Union is one vital factor. We know, of course of the impact the recent financial squeeze has had on services to the people of Gwynedd so far.
 8. We should also note that Wales and Gwynedd specifically have benefited substantially from European structural funds (£1.8bn to Wales during the 2014-2020 period); money for the Rural Development Plan (£490m over Wales) and also the money that comes to agriculture from the Common Agricultural Policy (approximately £230m per annum). Over the years, Gwynedd has been exceptionally successful in attracting European money. Since the turn of the Millenium, grant money to the value of £158 million has been attracted to the county to fund over 120 projects that have been vital for our communities. Between 2007 and 2013, European funding has assisted 1,475 businesses to grow and expand, helped establish 560 new businesses and 2,320 new jobs. The funding also helped over 12,000 people in Gwynedd to gain qualifications and assisted over 1,800 people back into work. Of course, the argument by those wishing to leave is that it would be possible to continue to pay these sums from the money we would save from our contributions to Europe. In my opinion, there is no certainty that this would happen.
 9. Having considered the areas noted in paragraph 5 above, some clearly offer themselves naturally for action at an European level rather than individual states. We need to respond to issues such as the crisis of global warming and the efforts to prevent war. The role of the European Union in this is vital.

10. On a different issue, we need to consider Wales' specific position as part of the pattern of governance in Europe. Devolution is still on a journey in Wales, with the Welsh Assembly receiving more powers gradually. Most of the "new" countries in Europe see their future as part of the European Union.
11. Whilst the discussion on whether or not to remain a member of the European Union has concentrated on the issues raised in paragraph 5, I believe that the most important consideration is our attitude to the world as a people and as a nation. As the world becomes smaller, as we see greater inequalities in the world and the threats of famine, global warming and war increase, I believe that we need a community of European nations to co-operate and strive together to respond to these situations. While we see ourselves as citizens of Wales, we also want to see ourselves as citizens of Europe and the world.
12. It is worth noting the views of local government in Wales. The Welsh Local Government Association's Manifesto sets out clearly that it is strongly in favour of remaining part of the European Union, noting three main points to support this. With regard to the Economy and Prosperity, the Association notes that Wales would be hit harder if Britain were to leave with Union with the value of Welsh exports to the European Union amounting to 8% of Wales' economic value added, the second highest in Britain. It also noted that Wales is a net gainer from European Union moneys and, without the assurance of any meaningful regional policy, there is no certainty that Wales' position would be safeguarded if Britain left the Union. With regard to Society, the Association is of the view that European legislation on environmental issues, equalities, employment and health has a positive impact on the quality of life of Welsh residents. Finally, on Security, the Association is of the view that the advantages arising from membership in terms of cross-border working and working internationally with partners makes our country safer.
13. Having weighed up the arguments in favour and against and, in considering the factors that are more specific to Gwynedd, I am of the view that it would be of greater benefit to the residents of Gwynedd to remain a part of the European Union and I recommend therefore that the Council should state that such is the Council's view.

Agenda Item 12

MEEETING	COUNCIL
DATE	12 May 2016
TITLE	AMENDMENTS TO MODEL CODE OF CONDUCT
AUTHOR	IWAN G D EVANS, MONITORING OFFICER.

SUMMARY

1.1 The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016 came into force on 1st April 2016.

1.2 This Order amends some key elements of the existing Code of Conduct

1.3 Members need to be aware of these changes and the Council's Constitution needs to be amended to take these changes into account.

2. BACKGROUND INFORMATION

2.1 All Local Authorities in Wales are required to adopt a Code relating to the conduct expected of its Members. The core contents of the Code known as the Model Code of Conduct have been prescribed by Welsh Ministers since the first Code was introduced in 2000. The Model Code was substantially revised in 2008 into its current form

2.2 The 2016 Order amends the Model Code of Conduct in some key respects, namely:-

2.2.1 The onus on Members to report any conduct which they reasonably believe to be a breach of the Code of Conduct is changed so that Members now only need report the matter to the Monitoring Officer and not to the Ombudsman as well

2.2.2. Rule 10 (2) (b) of the previous Code is deleted. This created a Personal Interest where a member of the public might reasonably perceive a conflict between your role in taking or being involved in a particular decision and your role representing the interests of the constituents of your ward.

2.2.3 Additional provisions are introduced around making written representations where Members have a prejudicial interest. In that situation, Members can submit written representations to a meeting relating to that business provided that the public are allowed to attend the meeting for the

purpose of making representations, answering questions or giving evidence relating to that business. When submitting any representations, Members must comply with any procedure which the Authority has adopted for the submission of representations.

2.3 In effect, this puts Members in the same position as a member of the public in those specific circumstances. Provision already existed for members to exercise public speaking rights at such meetings where the authority's procedures allowed for this and in accordance with the authority's procedures. However, the Member concerned will not be able to debate and vote on the matter.

2.4 There are also a number of technical changes relating to up dating references to legislation and providing clarity for matters pertaining to Community Councils in particular.

3.RECOMMENDATION(S)/OPTIONS

3.1 That the Council formally adopts the amendments to its Code of Conduct for Members in accordance with the report.

Appendix

Relevant amendments to Constitution

BACKGROUND PAPERS

The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016

SECTION 18

18. MEMBERS' CODE OF CONDUCT

18.1 THE PRINCIPLES

The Conduct of Members (Principles)(Wales) Order 2001 sets out the principles which are to govern the conduct of members of a relevant authority in Wales. They are :

18.1.1 SELFLESSNESS

Members must act solely in the public interest. They must never use their position as members to improperly confer advantage on themselves or to improperly confer advantage or disadvantage on others.

18.1.2 HONESTY

Members must declare any private interests to their public duties and take steps to resolve any conflict in a way that protects the public interest.

18.1.3 INTEGRITY AND PROPRIETY

Members must not put themselves in a position where their integrity is called into question by any financial or other obligation to individuals or organisations that might seek to influence them in the performance of their duties. Members must on all occasions, avoid the appearances of such behaviour

18.1.4 DUTY TO UPHOLD THE LAW

Members must act to uphold the law and act on all occasions in accordance with the trust that the public has placed in them

18.1.5 STEWARDSHIP

In discharging their duties and responsibilities members must ensure that their authority's resources are used both lawfully and prudently

18.1.6 OBJECTIVITY IN DECISION MAKING

In a carrying out their responsibilities including making appointments, awarding contracts, or recommending individuals for rewards and benefits, members must make decisions on merit. Whilst members must have regard to the professional advice of officers and may properly take account of the views of others, including their political groups, it is their responsibility to decide what view to take and if appropriate, how to vote on any issue.

18.1.7 **EQUALITY AND RESPECT**

Members must carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion, and show respect and consideration for others.

18.1.8 **OPENESS**

Members must be as open as possible about all their actions and those of their authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law.

18.1.9 **ACCOUNTABILITY**

Members are accountable to the electorate and the public generally for their actions and for the way they carry out their responsibilities as a member. They must be prepared to submit themselves to such scrutiny as it appropriate to their responsibilities.

18.1.10 **LEADERSHIP**

Members must promote and support these principles by leadership and example so as to promote public confidence in their role and in the authority. They must respect the impartiality and integrity of the authority's statutory officers and its other employees.

18.2 **INTERPRETATION**

18.2.1 In this code

"co-opted members" in relation to a relevant authority, means a person who is not a member of the authority but who :

- (a) is a member of any committee or sub-committee of the authority, or
- (b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority

and who is entitled to vote on any question which falls to be decided at any meeting of that committee or sub-committee:

"meeting" means any meeting :

- (a) of the relevant authority;
- (b) of any executive or board of that relevant authority;
- (c) of any committee, sub-committee, joint committee or joint sub-committee of the relevant authority or of any such committee, joint committee or joint sub-committee of any executive or board of the authority, or

- (d) where members or officers of the relevant authority are present other

than a meeting of a Political Group constituted in accordance with regulation 8 of the Local Government (Committee and Political Groups) Regulations 1990 and includes circumstances in which a member of an executive or board or an officer acting alone exercises a function of an authority;

"Member" includes, unless the context requires otherwise a co-opted member;

"Register of Members' interests" means the register established and maintained under section 81 of the Local Government Act 2000;

"Relevant authority" means:

- (a) a county council;
- (b) a county borough council;
- (c) a community council
- (d) a fire and rescue authority constituted by a scheme under Section 2 of the Fire and Rescue Service Act 2004 or a scheme to which 4 of that Act applies;
- (e) a National Park Authority established under Section 63 of the Environment Act 1995;

"you" means you as a member or co-opted member of a relevant authority; and

"your authority" means the relevant authority of which you are a member or co-opted member.

18.2.2 In relation to a community council—

(a) **"proper officer"** means an officer of that council within the meaning of section 270(3) of the Local Government Act 1972; and

(b) **"standards committee"** means the standards committee of the county or county borough council which has functions in relation to the community council for which it is responsible under section 56(1) and (2) of the Local Government Act 2000.

18.3 GENERAL PROVISIONS

18.3.1. Save where paragraph 18.3.3 applies, you must observe this code of conduct :

- (a) whenever you conduct the business, or are present at a meeting, of your authority;
- (b) whenever you act, claim to act or give the impression you are acting in the role of member to which you were elected or appointed;
- (c) whenever you act, claim to act or give the impression you are

acting as a representative of your authority; or

- (d) at all times and in any capacity, in respect of conduct identified in paragraphs 18.3.6(a) and 18.3.8

18.3.2 You should read this code together with the general principles prescribed under Section 49(2) of the Local Government Act 2000 in relation to Wales.

18.3.3 When you are elected, appointed or nominated by your authority to serve

- (a) on another relevant authority, or any other body, which includes a ~~police authority or~~ Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or
- (b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

18.3.4 You must :

- (a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;
- (b) show respect and consideration for others,
- (c) not use bullying behaviour or harass any person; and
- (d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

18.3.5 You must not :

- (a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so.
- (b) prevent any person from gaining access to information to which that person is entitled by law.

18.3.6 You must :

- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;
- (b) report, whether through your authority's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, your authority which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a

fixed penalty);

- (c) report to the ~~Public Services Ombudsman for Wales~~ and to your authority's Monitoring Officer any conduct by another member which you reasonably believe breaches this code of conduct;
- (d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for or on behalf of your authority.

18.3.7 You must comply with any request of your authority's Monitoring Officer or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

18.3.8 You must not :

- (a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;
- (b) use, or authorise others to use, the resources of your authority :
 - (i) imprudently;
 - (ii) in breach of your authority's requirements;
 - (iii) unlawfully;
 - (iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;
 - (v) improperly for political purposes; or
 - (vi) improperly for private purposes.

18.3.9 You must :

- (a) when participating in meetings or reaching decisions regarding the business of your authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by your authority's officers, in particular by :
 - (i) the authority's head of paid service;
 - (ii) the authority's Head of Finance;
 - (iii) the authority's Monitoring Officer;
 - (iv) the authority's chief legal officer (who should be consulted when there is any doubt as to the authority's power to act, as to whether the action proposed lies within the policy framework agreed by the authority or where the legal consequences of action or failure to act by the authority might have important repercussions);

- (b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

18.3.10 You must :

- (a) observe the law and your authority's rules governing the claiming of expenses and allowances in connection with your duties as a member;
- (b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception or a working lunch duly authorised by your authority), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

18.4 INTERESTS

18.4.1 Personal Interests

- (a) You must in all matters consider whether you have a personal interest, and whether this code of conduct requires you to disclose that interest.
- (b) You must regard yourself as having a personal interest in any business of your authority if
 - (i) it relates to, or is likely to affect :
 - (A) any employment or business carried on by you;
 - (B) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
 - (C) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;
 - (D) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
 - (E) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (D) above;
 - (F) any land in which you have a beneficial interest and which is in the area of your authority;
 - (G) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company

of which you are a remunerated director, or a body of the description specified in sub-paragraph (D) above.

(H) any body to which you have been elected, appointed or nominated by the authority;

(I) any:

1. public authority or body exercising functions of a public nature;
2. company, industrial and provident society, charity or body directed to charitable purposes;
3. body whose principal purposes include the influence of public opinion or policy;
4. trade union or professional association; or
5. private club, society or association operating within your authority's area

in which you have membership or hold a position of general control or management.

(J) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer).

~~(ii) a member of the public might reasonably perceive a conflict between your role in taking a decision upon that business, on behalf of your authority as a whole and your role in representing the interests of constituents in your ward or electoral division; or~~

(iii) a decision upon it might reasonably be regarded as affecting :

- (A) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;
- (B) any employment or business carried on by persons as described in (A).
- (C) any person who employs or has appointed such persons described in (A), any firm in which they are a partner, or any company of which they are directors;
- (D) any corporate body in which persons as described in (A) have a beneficial interest in a class of securities exceeding the nominal value of £5,000, or
- (E) any body listed in paragraphs 18.4.1(b)(i)(l)1 to 18.4.1(b)(i)(l)5 in which persons described in (A) hold a position of general control or management to a greater extent than the majority of:

1. in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or
2. in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

18.4.2 **Disclosure of Personal Interests**

- (a) Where you have a personal interest in any business of your authority and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence and nature of that interest before or at the commencement of that consideration, or when the interest becomes apparent.
- (b) Where you have a personal interest in any business of your authority and you make :
 - (i) written representations (whether by letter, facsimile or some other form of electronic communication) to a member or officer of your authority regarding that business, you should include details of that interest in the written communication; or
 - (ii) oral representations (whether in person or some form of electronic communication) to a member or officer of your authority you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest, and confirm the representations and interest in writing within 14 days of the representation.
- (c) Subject to paragraph 18.4.5(a)(ii) below, where you have a personal interest in any business of your authority and you have made a decision in exercising a function of an executive or board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.
- (d) You must, in respect of a personal interest not previously disclosed before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 18.4.2(a) submit a written notice to the authority in accordance with any requirements identified by your authority's Monitoring Officer or in relation to a community council your authority's proper officer from time to time, but as a minimum containing:
 - (i) details of the personal interest;
 - (ii) details of the business to which the personal interests relates; and
 - (iii) your signature.
- (e) Where you have agreement from your monitoring officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 18.5.2(a), your obligations under

paragraph 18.4.2 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that your Monitoring Officer has agreed that the nature of such personal interest is sensitive information.

- (f) For the purpose of paragraph (d), a personal interest will only be deemed to have been previously disclosed if written notification has been provided in accordance with this code since the last date on which you were elected, appointed or nominated as a member of your authority.
- (g) For the purposes of sub-paragraph (c) where no written notice is provided in accordance with the paragraph you will be deemed as not to have declared a personal interest in accordance with this code.

18.4.3 **Prejudicial Interests**

- (a) Subject to sub-paragraph (b) below, where you have a personal interest in any business of your authority, you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (b) Subject to paragraph (c), you will not be regarded as having a prejudicial interest in any business where that business :-
 - (i) relates to:
 - (A) another relevant authority of which you are also a member;
 - (B) another public authority or body exercising functions of a public nature in which you hold a position of general control or management;
 - (C) a body to which you have been elected, appointed or nominated by your authority;
 - (D) your role as a school governor (where not appointed or nominated by your authority) unless it relates particularly to the school of which you are a governor;
 - (E) your role as a member of the Local Health Board where you have not been appointed or nominated by your authority;
 - (ii) relates to
 - (A) the housing functions of your authority where you hold a tenancy or lease with your authority, provided that you do not have arrears of rent with your authority of more than two months and provided that those functions do

not relates particularly to your tenancy or lease;

- (B) the functions of your authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which the child attends;
 - (C) the functions of your authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are receipt of, or are entitled to the receipt of such pay from your authority;
 - (D) the functions of your authority in respect of an allowance or payment made in accordance with the provisions of Part 8 of the Local Government (Wales) Measure 2011, or an allowance or pension provided under section 18 of the Local Government and Housing Act 1989;
- (iii) your role as a community councillor in relation to a grant, loan or other form of financial assistance made by your community council to community or voluntary organisations up to a maximum of £500.
- (c) The exemptions in sub-paragraph 18.4.3.(b)(i) do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

18.4.4 Overview and Scrutiny Committees

You also have a prejudicial interest in any business before an Overview and Scrutiny Committee of your authority (or of a sub-committee of such a committee) where :

- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
- (b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

18.4.5 Participation in relation to Disclosed Interests

- (a) Subject to paragraphs (b), (c) and (d), where you have a prejudicial interest in any business of your authority you must, unless you have obtained a dispensation from your authority's standard committee :
 - (i) withdraw from the room, chamber or place where a meeting considering the business is being held -
 - (A) where sub-paragraph (b) applies, immediately after the

period for making representations, answering questions or giving evidence relating to the business has ended and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or

- (B) in any other case, whenever it becomes apparent that that business is being considered at that meeting;
 - (ii) not exercise executive or board functions in relation to that business;
 - (iii) not seek to influence a decision about that business;
 - (iv) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and
 - (v) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.
- (b) Where you have a prejudicial interest in any business of your authority you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.
- (c) Where you have a prejudicial interest in any business of your authority you may submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under a statutory right or otherwise.
- (ch) When submitting written representations under sub-paragraph (c) you must comply with any procedure that your authority may adopt for the submission of such representations.
- (c) Sub-paragraph (a) does not prevent you attending and participating in a meeting if -
- (i) you are required to attend a meeting of an overview or scrutiny committee by such committee exercising its statutory powers; or
 - (ii) you have the benefit of a dispensation provided that you -
 - (A) state at the meeting that you are relying on the dispensation; and
 - (B) before or immediately after the close of the meeting give written notification to your authority containing -

1. details of the prejudicial interest;
2. details of the business to which the prejudicial interest relates;
3. details of, and the date on which, the dispensation was granted; and
4. your signature.

(d) Where you have a prejudicial interest and are making written or oral representations to your authority in reliance upon a dispensation you must provide details of the dispensation within any such written or oral representation and, in the latter case, provide written notification to your authority within 24 days of making the representation.

18.5 THE REGISTER OF MEMBERS' INTERESTS

18.5.1 Registration of Financial and Other Interests and Memberships and Management Positions

- (a) Subject to sub-paragraph(c) you must within 28 days of
- (i) your authority's code of conduct being adopted or the mandatory provisions of this model code being applied to your authority; or
 - (ii) your election or appointment to office (if that is later)

register your personal interests, where they fall within a category mentioned in paragraph 18.4.1(b)(i), in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

- (b) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10(2)(a), register that new personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 10(2)(a), register that change in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

- (c) Sub-paragraphs (1), (2) and (3) do not apply to sensitive information determined in accordance with paragraph 18.5.2(a).
- (d) (5) Sub-paragraphs (1) and (2) do not apply if you are a member of a relevant authority which is community council when you act in your capacity as a member of such an authority.

You must, when disclosing a personal interest in accordance with paragraph 11 for the first time register that personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a

18.5.2 Sensitive Information

- (a) When you consider that the information relating to any of your personal interests is sensitive information and your authority's monitoring officer agrees, you need not include that information when registering that interest, or as the case may be a change to the interest under paragraph 18.5.1.
- (b) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under sub-paragraph (a) is no longer sensitive information, notify your authority's monitoring officer or, in relation to a community council your authority's proper officer asking that the information be included in your authority's register of members' interests.
- (c) In this code, 'sensitive information' means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

18.5.3 Registration of Gifts and Hospitality

You must within 28 days of being offered any gift, hospitality, material benefit or advantage above the value of £25, provide written notification to your authority's monitoring officer in relation to a community council your authority's proper officer of the existence and nature of that gift, hospitality, material benefit or advantage. You must register any such offer whether you accept it or not.

Agenda Item 13

MEETING	Full Council
DATE	12 May 2016
TITLE	Annual Report by the Chair of the Democratic Services Committee outlining support for members
REPORT	Present the annual report on behalf of the Democratic Services Committee outlining the support available to elected members, the developments implemented and the support currently being developed.
AUTHOR	Councillor Tom Ellis Chair – Democratic Services Committee

1. Under the 2011 Local Government (Wales) Measure, the Democratic Services Committee is responsible for specific matters (Under Section 11), as follows:
 - Fulfil the local authority's role to appoint a Head of Democratic Services
 - Review the support available with regards to staff, buildings and other resources available to the Head of Democratic Services, in order to ensure they are sufficient for the requirements of the role
 - Produce a report, at least annually, to be presented to the Full Council in relation to the above.
2. The last annual report was presented to the Full Council in its meeting on 14th May 2015, outlining the support available for the Head of Democratic Services (Geraint Owen) and elected members, including details of the support being developed.
3. Regular consultation is undertaken with the members of the Democratic Services Committee about the support available to elected members, and as representatives of their fellow members, their guidance is subsequently followed. This year, to ensure an opportunity for all members to present their views, it was decided to consult, in the form of an online questionnaire, with all elected members to establish their views on the support available and to ask for constructive comments on how to improve the support within the resources available. The opportunity to share your views is still open, by filling in the questionnaire which is available in Rhaeadr.
4. The following provides an update of the current situation with regards to support for members.

A. Supporting effective communication?

1. **Information / Workshops / Consultation** – Once again this year, several workshops have been held for elected members, with the main focus in this

challenging year on the Gwynedd Challenge. A number of scrutiny workshops were held for all elected members under the guidance of the Chief Executive in order to establish a significant degree of shared understanding on the issues relating to the Financial Strategy and the cuts in order to ensure that members were armed with information to explain matters to their constituents. The workshops proved to be very important to establish an understanding of the matters presented, prior to the discussion of the issue at the Full Council in March. It should be noted that the workshops were held in various locations and at various times in response to concerns raised by members in the past regarding the difficulties faced by elected members in employment to attend such workshops. The informal feedback received is very positive, with work currently underway to capture lessons learned from the engagement undertaken with the elected members and the people of Gwynedd for the future.

2. **Champions** – The champion’s role in Gwynedd is to support and advise the Cabinet Member who has direct responsibility for the field is continuing to develop. The following have been appointed:

- | | |
|--------------------------------------|--|
| • Older People | Selwyn Griffiths |
| • Carers | Eryl Jones Williams |
| • Autism | Elin Walker Jones |
| • Member Development | Chair of Democratic Services Committee |
| • Scrutiny | Chair of the Scrutiny Forum |
| • Disability | Peter Read |
| • The Welsh Language | Craig ab Iago |
| • Voice of Children and Young People | Annwen Daniels |
| • Equality and Diversity | Gwen Griffith |
| • Fairtrade | R Hefin Williams |
| • Biodiversity | Angela Russell |
| • Mental Health | Beth Lawton |
| • Sustainability | Aled Evans |
| • Small Businesses | Sian Gwenllian |

3 **Area Forums** – The Area Forums continue to be held in the four areas, namely Bangor / Ogwen, Gwyrfai, Dwyfor (Area Committee) and Meirionnydd. Generally, they are considered as a success; however the success, input from members and attendance varies from area to area.

4 **Electronic Information and Communication** – Electronic information and communications has been one of the main issues discussed at the Democratic Services Committee since it was established. Following requests from members further training sessions have been held for those wishing to further develop their use and skills with the ipad. It was emphasised that those attending the further training had a role to share any information gained and to mentor their fellow members, as sharing information in an informal situation has been proved to be as effective as learning in specific training courses. In general, the sessions have been a success, with a number of members

developing their confidence to use the ipad, with some even progressing to sending electronic Christmas cards!

One of the requests by members over the last few months is the ability to send/receive official councillor emails from their personal mobile phones. We have received confirmation by now that we will be able to provide a service where members can send/receive official councillor emails on their personal mobile phones, on condition that this is done in a secure way which has been agreed with inspectors. There are costs to the Council with the provision. We will pilot the provision over the coming months to ensure that all works well before offering the service to all members.

On the other hand, however, it has become apparent during the year that the numbers requesting hard copies of committee agendas has risen. In addition, and of more concern, it has become apparent that a number of elected members who have an ipad, have not been using them to receive electronic mail, and due to a lack of using their official email account, the accounts were closed automatically. The Democratic Services Committee, in its meeting on 10th December 2015 decided that they wished to continue to support the Council's aim of communicating electronically with members where possible, and through the official email address provided by the Council.

Some members have faced difficulties in changing their passwords or similar problems, but having contacted the IT helpdesk problems have been resolved. If members have technical difficulties, they should contact the IT helpdesk on 01286 679 114.

In addition, work has already started on trying to identify the best electronic device to meet the Council's and elected member's requirements for the period following the Local Government elections in May 2017. It may feel a long way away, but careful planning and consideration needs to start now to ensure the most suitable device.

- 5 **Modern.Gov** - Modern.gov was a new development during the year to assist elected members. It is a system to receive committee agendas in an easier way, so that agendas for relevant meetings are loaded automatically onto the ipad thus ensuring that the member does not have to look for an email link to download information etc. This can all be done through the Modern.gov app. A training session was held for elected members in November 2015 with approximately half of elected members present. It has come to our attention that some members do not use Modern.gov, and officers have been trying to assist members to promote its use.

A large number of members have stated that the new website is much improved, and much easier for Gwynedd residents to gain information about their local elected member. The individual page for each member has been praised. Note that information about all members' attendance is now published automatically on these pages, with the information updated regularly. Note that we are continuing to develop the site, and more information about additional committees will be included in the future.

Attendance (except in circumstances of sickness / long term sickness) has been a topic of discussion in a number of different forums, and political leaders receive information if individual members have not been present for a specific time.

- 6 **Information Bulletin – *Rhaeadr*** – *Rhaeadr* was originally established in response to a request from members to receive information swiftly and timely, through electronic means from one source (rather than emails from various sources).

Articles included in *Rhaeadr* contain information about the Cabinet and Cabinet Members work, support for elected members, what is happening within the council (latest news, press releases) and issues within wards (roadworks, land disposal, planning issues etc). This year

- A total of 308 articles have been published (an average of 27 articles a month),
- with an average 942 “visits” per month to the Welsh site and 309 “visits” on the English site – a visit being the number of times an individual clicks on a specific article to read it fully. Note that a synopsis of the various articles can be seen by visiting the home page only.

Work is currently being undertaken to review how *Rhaeadr* looks and how it is published, to ensure that it meets members and officers’ requirements. The work has looked at three principal areas:

- a questionnaire sent to members;
- develop a test site based on the comments from the questionnaire and further research work by officers;
- trial the test site with some elected members in a recent Democratic Services Committee and 1:1 sessions with some members.

The response to the proposed changes was positive and valuable feedback was received by members. Work will now progress with the changes, with the new look *Rhaeadr* to be released soon.

- 7 **The relationship between Scrutiny and Cabinet** – The relationship between Scrutiny and Cabinet continues to develop, with all members agreeing the need to ensure respect and collaboration in order to achieve the best for the residents of Gwynedd. Meetings were held between the Scrutiny Chairs and Cabinet to discuss, in an open and constructive manner, the lessons learned so far, and future improvements. Scrutiny items have already changed over the last year, with a number of items being presented for scrutiny prior to discussions at the Cabinet meetings.

In addition, a new development is the formal arrangements for the Chairs of the Scrutiny Committees to present their recommendation to Cabinet members in Cabinet meetings. The Cabinet Member will then either agree or reject the recommendation, stating his/her reason. This leads to transparency in the scrutiny arrangements, and a clear path for the various

recommendations. Work is currently ongoing to review our scrutiny arrangements, with the focus on ensuring that scrutiny adds value.

8 Web-casting Council meetings

The Council has web-cast a number of its main committee meetings since January 2015, in order to try and promote and improve democratic accountability and the public's awareness of the Council's work. The viewing figures have increased during the last 18 months, as more and more Gwynedd residents become aware of the facilities following promoting the webcasting in news papers and on the Council's twitter and facebook accounts. The viewing figures obviously vary from committee to committee, and it appears that a number make use of the archive facilities rather than viewing the live feed.

It is nearing the end of the Council's current webcasting agreement, and in the spirit of promoting democracy and transparency, the Democratic Services Committee is eager to continue with the service, especially in light of the recent consultation on the Local Government Bill, which will promote more web-casting.

Web-casting can be seen through following the link below:

<https://www.gwynedd.llyw.cymru/en/Council/Councillors-and-committees/Councillors-and-committees.aspx>

- 9 Remote attendance to Council meetings** – Elected members are already accustomed to holding informal meetings through video-conferencing facilities, and this practice has worked very well over the years, enabling members to attend the nearest location rather than travelling to the Council headquarters on each occasion. This year, a pilot was held of a full committee meeting through video link between the Hywel Dda chamber, and the video-conferencing rooms at Dolgellau and Pwllheli. The pilot was a success, however a few lessons were learnt. We will continue with trying to improve this service over the next year.

B. Support for elected members to undertake their specific duties

- 10 Personal Development Interviews** – the Personal Development reviews are a chance for members (excluding Cabinet members) to assess their individual development needs in a confidential one to one conversation, with the outcome of the conversations used to influence the training programme for all elected members or to arrange specific training sessions for the individual. A number of the themes raised in previous reviews were addressed in the 2015/16 training programme, and the reviews were also a way of raising the awareness of members of some courses already provided and available for all.

Elected members were invited to take part in individual reviews again this year, with invitations sent through *Rhaeadr* on a number of occasions. Unfortunately, the uptake this year was very low.

- 11 **Developments in local areas on specific matters (enquiries or complaints)** – We saw this year that Cabinet Members and officers have been true to their word and included elected members early in any discussions. Individual members have also committed to respect trust and confidentiality until any proposals for change were mature enough for public consultation and release.

Operational contact arrangements – we are fully aware of the frustration faced by members on identifying contact points within services, and we are currently developing ‘contact’ sheets in response. Members should continue to make contact through Galw Gwynedd as they are very efficient at tracking enquiries. If there is a specific enquiry or complaint, members should try and contact the service in the first place for a response, and if the response is inadequate, the query should be sent to the relevant Cabinet Member. We continue to encourage members to use the appropriate avenues available to them.

- 12 **Individual Member’s Right in Cabinet meetings** - The local member is invited to be present if a local matter arises. It is the Democratic Service’s responsibility to identify local members for local items and the local member’s responsibility to ensure that he / she is aware of the content of the Cabinet’s agenda.

13. **Promoting the role of an Elected Member (preparations for May 2017 elections)** – The Local Government White Paper, Local Government Reform: Power to Local People, noted that there is a lack of diversity of elected members in Local Government, especially in terms of young people, ethnic minority, disabled and females. Whilst there is national work progressing in the field, a small group of members have been working on trying to understand the situation in Gwynedd, raising awareness of Gwynedd residents what is democracy, what the Council does, and what opportunities exist to take part, in the hope of encouraging more individuals from different backgrounds (in particular young people and females) to stand in the Local Government elections in May 2017. They are also working on trying to identify the obstacles facing individuals which prevent them from standing in elections, which will then lead to specific projects to respond to the obstacles, where possible. The Council have recognised the work, which has been included in the Council’s Strategic Equality Plan, 2016 – 2020.

Preparing for the May 2017 elections – Part of the above work programme includes preparing for the Local Elections to be held in May 2017. After listening to the comments of a number of elected members who have joined the Council since May 2012, a clear message is that a number were not fully aware of what to expect following success at the polling station. In response to these comments, the following work is underway to:

- a) Develop awareness raising sessions for potential candidates prior to the elections in May 2017. These sessions will be an opportunity for potential candidates to develop a fuller understanding of the situation prior to elections – aiming at ensuring that individuals are aware of the opportunities available, the expectations on them, and the support available for elected members following successful elections.

- b) Develop an induction programme for elected members following May 2017 elections. Again, members have shared their experiences with us of sessions held at the beginning of the current Council term, and work is underway to plan the induction sessions and the subsequent training sessions in a meaningful and rational way, whilst considering the comments received so far and consulting with current members.
- c) Electronic Equipment. At the same time we need to start considering the requirements of elected members and the Council for the future, and start considering the best form of IT equipment available for elected members following the elections in May 2017.

C. Support for scrutiny members and other committees

14 Administrating committees and publishing agendas and recording minutes (all committees) – The Democratic Services Team administers the agendas and minutes of over 40 different committees, publishing bilingually on the Council’s website. We continue to review the work constantly, working to ensure clarity in the minutes at all times. Work has been ongoing with the chairs of various committees to try and summarise decisions / recommendations at the end of each item to ensure clarity amongst all members present.

15 Scrutiny Investigations – the purpose of the scrutiny investigations is to look in depth at the true effect of different policies on the residents of Gwynedd, looking in more depth than can be done compared with scrutinising an item in committee. With a small number of members per investigation, along with support from officers who specialise in specific fields to support the work and support from the Democratic Services Unit, a number of ‘start and finish’ scrutiny investigations have been on the work programme during 2015/16.

Services Scrutiny Committee

- Welsh Language Education
- Education support services
- From Hospital to Home
- Alltwen

Communities Scrutiny Committee

- Homelessness
- Street enforcement

Corporate Scrutiny Committee

- Holiday Homes and taxes
- Engagement

Ch. Support for all members – administrative, practical and developmental

16 Administrative support for the political groups - administrative support for political groups is implemented in accordance with the Council's decision in May 2012 with the three largest groups receiving administrative support according to their size.

17 Administrating, processing and paying wages and travelling costs - Wages and travelling costs are administered, processed and payed in line with the Independent Remuneration Panel for Wales's guidelines. Information with regards to members remuneration will be published on the Council's website annually in accordance with the guidelines. The guidelines for making claims are on the website. I will take this opportunity to remind members of the guidelines and the need for them to submit their applications on a monthly basis.

18 Annual reports from elected members – The Council must make arrangements to enable elected members to produce and publish annual reports but currently it is not compulsory for any member to prepare such a report. Members will remember that the Council responded positively to a suggestion that members annual reports be made compulsory as part of a recent consultation.

A further increase in the number of annual reports published was seen in 2014/15 (published July 2015) with 39 members choosing to produce a report. The guidelines for producing an annual report in 2015/16 will be distributed through *Rhaeadr* shortly.

19 A comprehensive training programme – as 2016/17 is the last year prior to the Local Government elections of 2017, we were therefore aware that the training requirements of elected members may be different this year. Consultations with officers took part as usual to ensure that the most important elements were included in the training programme. In addition, a consultation session was held at the end of the Democratic Services meeting on 22/03/2016 in order to seek opinion from members on the content of the programme for 2016/17. The views of the Democratic Services Committee have been incorporated in the 2016/17 training programme.

Attendance on training courses remains a concern. Members are expected to try and attend training sessions in order to ensure that they possess the latest information as there are a number of changes in various fields. It is understandable that attending training courses can be a challenge to a number of members due to work commitments and so forth, and therefore the Learning and Developing Services are currently developing web based learning, which will, hopefully, provide an alternative and additional way for members to partake in training and increase participation in training.

Agenda Item 14

MEETING	Full Council
DATE	12th May 2016
TITLE	Members Salaries
REPORT	Report by Sub-Group of the Democratic Services Committee recommending the way forward regarding elected members salaries
AUTHOR	Councillor Tom Ellis, Chair of Democratic Services Committee on behalf of the sub-group

Independent Remuneration Panel's Annual Report on Financial Recognition

1. The Independent Remuneration Panel's Annual Report on financial recognition was published in February 2016, setting the guidance regarding salaries payable to elected members annually. Follow the link below if you wish to view the full report.
<http://gov.wales/irpwsb/home/publication/2016-17/irp-annual-report-2016-17/?skip=1&lang=en>
2. The main conclusions from the report are as follows:
 - a. No change in the basic salaries for the majority of the members
 - b. No change in the Leader and Deputy Leader's salaries
 - c. Each individual council to decide to place Cabinet Members on one of two salary levels, Level 1, £29,000 (as current) or Level 2 (£26,100)
 - d. Each individual council to decide to place Committee Chairs on one of two salary levels, Level 1, £22,000 (as current) or level 2 (£20,000)
3. The Panel's report notes that the right to make decisions on points 2c and 2d above lies with the Council.
4. In making the decision, the Council should consider not only on which level to position the different posts but also if there is room to differentiate between the various responsibilities. With regards to the level of responsibility which is shouldered by different Cabinet Members, it should be noted that we have made a deliberate effort, as a Council, to share the Cabinet's responsibilities as equally as possible. The Council should also consider whether there are differences in the responsibilities shouldered by the committee chairs noted below and, also, chairs of other committees that do not receive special acknowledgement, such as the Pensions Committee, the Language Committee and the Democratic Services Committee.

Democratic Services Committee

5. The matter was discussed in the last Democratic Services Committee held on 22/03/2016. During the discussions in the meeting, the members considered the deliberate allocation of Cabinet Members duties to ensure consistency and balanced workloads. The Committee also discussed complications which could arise should there be more than one salary level for Cabinet Members, leading to difficulties in moving responsibilities from one Cabinet Member to another. The geographical nature of the county was also considered, along with the challenge of providing services across the second largest county in Wales - a factor that should be considered for Cabinet Members and Chairs of the Committees. In the same way, the requirement for members to travel across Gwynedd, bearing in mind that it can take approximately two and a half hours to travel from the North to the South of the County was also taken into consideration.
6. On the basis of the discussions and the considerations above, the Committee decided to recommend as follows:
 - 6.1 To keep Cabinet Members salary at Level 1 (on the basis of considering the equal workload and responsibilities) and to keep salary levels for Chairs of Committees at Level 1 (on the basis of considering the workload, geographical nature of the county and the need to travel to meetings etc)
 - 6.2 To establish a small Group of members of the Committee to look again at the Chairmanships that receive higher financial acknowledgement, reporting the recommendations to the Full Council.

Work of the Sub-Group

7. The higher salaries currently paid are as follows:
 - Leader and Deputy Leader of the Council
 - Each Cabinet Member
 - Leader of the largest opposition party
 - Chairs of the committees listed below:
 - Scrutiny Committee (X3)
 - Audit Committee
 - Planning Committee
 - Licensing Committee
 - Employment Appeals Committee
8. When the original work to identify the list above was undertaken, there was much discussion before deciding on the last of the higher salaries to be allocated, with the Democratic Services Committee, the Language Committee, the Employment Appeals Committee and the Pensions Committee under consideration. The Council decided in its meeting on 28th February 2013, based on the evidence to hand at the time, to award the last higher salary to the Chair of the Employment Appeals Committee.
9. The members of the sub-group of the Democratic Services Committee asked to consider whether using elements of the jobs appraisal process would assist with this

further work. Following much consideration, it was concluded that using elements of the jobs appraisal process would not be appropriate.

10. To be consistent with the original assessment made in assessing which roles were to receive higher salaries, it was decided to consider the same factors again, being
 - Pressure of work
 - Importance of the role to co-members
 - The Committee's leadership and developmental roles
11. Details are included in the appendix regarding the number of committee meetings, requirements by officers outside the meetings of the Committee, Chair's role, and further requirements outside meetings of the committee (e.g. training, attending meetings and seminars etc.) See Appendix A.
12. Having considered the information that has been updated in the appendix, it became apparent that there has been some change in the pressure of work and expectations since the original assessment, with a reduction in requirements for some Chairs, but much additional pressure on others due to the additional requirements, in particular to the Chair of the Pensions Committee.

RECOMMENDATION

13. Continue with Cabinet Members salary level on Level 1 (on the basis of considering the pressure of work and equal responsibilities to the work areas) and continue the salary levels for committee Chairs on Level 1 (based on considering the pressure of work, geographical nature of the county and the need to travel to meetings etc)
14. Based on the information considered by the sub-group, it is recommended that a higher-salary be paid to the Chair of the Pensions Committee in accordance with the work and additional requirements which is to come to the Chair of that Committee due to the changes.
15. In order to execute the above recommendation, as the Council is limited to paying 18 higher salaries, it is recommended, based on the evidence, not to pay the higher salary to the Chair of the Employment Appeals Committee hereafter.

Background Document

Letter from the Chairman of the Independent Remuneration Panel for Wales dated 18th February, 2016

Employment Appeals Committee

a	Number of Meetings	<p>4 meetings were held in 2015-16 although approximately 10 meetings were programmed for the year in order to respond timely should the need arise for a hearing.</p> <p>Meetings can last a most of the day, and detailed preparatory work is required before hand.</p> <p>It should be noted that there is a potential for the number of appeals to increase as a result of implementing the cuts, but of course it is impossible to say currently what the workload will be realistically.</p>
b	Requirements by officers outside the Committee Meetings	<p>A short briefing session is held over the telephone with the chairs in the period after the officers have released the programme, but before the meeting.</p> <p>A short briefing session is also held on the day of the meeting to discuss matters.</p> <p>Attending Council offices to ensure that the letter is accurate and sign it following cases.</p>
c	Chair's Role	<p>Chair the meeting by</p> <ul style="list-style-type: none"> • Ensuring fair play to all sides • Be unbiased, open and fair • Be firm, but fair to all 'sides' • Make people feel at home • Be clear of the procedure and adhere to the procedure <p>Note also that the Committee's decision, appeal by appeal, will be reported briefly, verbally by the Chair, at the end of the individual hearings and that a letter confirming decisions (which will not automatically please the appellant) will go in the Chair's name.</p>
d	Further requirements outside the Committee Meetings	There are no travelling/training needs nor the need to attend cross-Wales meetings

Language Committee

a	Number of Meetings	<p>4 meetings were held in 2015-16</p> <p>Additionally, approximately 4 "language researches" are conducted annually.</p> <p>The "language research" meetings are half a day on average.</p> <p>Usually, the research is chaired by another member, usually the Language Champion.</p>
b	Requirements by officers outside the Committee Meetings	A short briefing session will be held on the day of the meeting to discuss matters.
c	Chair's Role	<p>Chair the meeting through</p> <ul style="list-style-type: none"> • Discuss, recognise, prioritise and rationalise the matters to be included on the agenda to ensure that attention is

		<p>given to the most important strategic matters.</p> <ul style="list-style-type: none"> • Keep the balance between the matters and the large strategic priorities / local concerns • Deal with matters / concerns or complaints which are more local in their nature.
d	Further requirements outside the Committee Meetings	There are no travelling / training / attendance at cross-Wales meetings. The relevant Cabinet Member has responsibility for the language field and therefore further requirements fall on him.

Democratic Services Committee

a	Number of Meetings	4 meetings were held in 2015-16 5 meetings of the diversity sub-group were held during the year, with requirements on the Chair
b	Requirements by officers outside the Committee Meetings	<p>A short briefing session is held over the telephone with the chair before the meeting, discussing the reports beforehand so that the Chair has time to consider them</p> <p>A brief briefing session is held on the day of the meeting also to discuss matters.</p> <p>A (telephone) meeting after the meeting also to ensure that executing on matters happens correctly and expediently.</p> <p>Ad-hoc telephone calls depending on matters which arise</p>
c	Chair's Role	<p>Chair the meeting through</p> <ul style="list-style-type: none"> • Discuss, prioritise and rationalise matters to be included on the agenda to ensure that attention is given to the most important strategic matters • Recognise matters of importance to all members resulting from comments / complaints by co-members on matters within the scope of the Committee. • Be fair and balanced when considering different matters. <p>The Chair will also present an annual report on the work of the Committee with the Head of Democratic Services to a meeting of the Full Council annually.</p>
d	Further requirements outside the Committee Meetings	<p>There are some calls on the Chair outside of the specific meetings of the Committee, such as:</p> <ul style="list-style-type: none"> • Discuss and receive comments from co-members in his role as Chair of the Committee • Attending all Wales meetings to discuss the obligations / statutory obligations representing the Council and elected members during the meeting. (Only one meeting per year from now on).

Pensions Committee

a	Number of Meetings	Historically:
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		<p>Annual meeting of Fund employer, 4 formal meetings of the Pensions Committee, 4 informal meetings of the investment panel.</p> <p>The joint-investment project will change this as the 8 funds?? C.P.L.L.?? in Wales move forward to establish and execute a procedure of co-working, including joint procurement, pooling frameworks for joint investments, with an appropriate governing structure and answerable to drive and manage co-working in the future.</p> <p>The 8 pension funds in Wales are Swansea, Cardiff, Clwyd (Flintshire), Dyfed (Carmarthenshire) Gwent (Torfaen), Gwynedd, Powys and Rhondda Cynon Taf. The Chairs of these, along with appropriate officers, will meet fairly regularly to establish and execute a procedure for governing the proposed joint-investment (approximately 5 or 6 meetings per year, and a need to attend 2 or 3 other national events).</p> <p>It is foreseen that the number of committees will more than double, from approximately 9 meetings to approximately 22 meetings per year, with the pressure on the Chair of the Pensions Committee being somewhat more challenging in those meetings.</p>
b	Requirements by officers outside the Committee Meetings	Requirements outside of the committee noted above and below.
c	Chair's Role	<p>In the future, there will be a need for the Chair of the Pensions Committee to be more busy in the field and to prepare more and report back as he will be the only member present representing Gwynedd's pension fund in the Welsh joint-investment fund.</p> <p>This will not supersede the meetings of the Pensions Committee, which will continue on a more strategic level: allocate the fund between categories of assets such as equity, bonds, property etc, rather than chose a number of companies to invest portfolio on behalf of the Fund.</p>
d	Further requirements outside the Committee Meetings	Moreover, since summer 2015, Gwynedd Pension Board has been established, which scrutinises decisions and performance of the Gwynedd Pension Fund. It is expected that the Pensions Board will call the Chair of the Pensions Committee often (5 annual meetings), to be answerable for the Committee's decisions and to discuss the response of the Committee (investment panel) on matters of performance of investments to the Fund etc.

Agenda Item 15

MEETING	FULL COUNCIL
DATE	12 May 2016
REPORT TITLE	The Council's Political Balance
PURPOSE	Annual Review of the Council's Political Balance
RECOMMENDATION	Allocation of Seats on the Council's Committees
AUTHOR	Geraint Owen, Head of Democratic Services

1. INTRODUCTION

- 1.1 The Council has seen much change to its political constitution during 2015/16.
- 1.2 At the Full Council meeting on 3rd March, 2016, the political constitution of the Council was as follows:

Plaid Cymru	39
Independent	20
Llais Gwynedd	8
Labour	5
Liberal Democrats	2
Individual Member	1
Total	75

- 1.3 The political constitution remains unchanged.

2. ALLOCATION OF SEATS ON COMMITTEES

- 2.1 To remind members, the four main rules in the Local Government and Housing Act 1989 in relation to the allocation of seats are noted here:
- 2.2 (a) Every seat on a committee cannot be allocated to the same political group;
- (b) The majority of seats on a committee must be allocated to a political group if the number of persons who are members of that group constitute a majority of the Council's members;
- (c) Subject to paragraphs (a) and (b) above, the number of seats on ordinary committees allocated to each political group will be the same as the number of all seats that members of that group has on the Council;
- (d) Subject to paragraphs (a), (b) and (c) above, the number of seats on a committee allocated to each political group will be the same proportion of seats on the committee as the number of seats that members of that group has on the Council.
- 2.3 In order to ensure that these rules are adhered to, the Council has been dealing with committees in different blocks in the past. This also makes it easier to ensure that rule (c) in paragraph 2.2 above is adhered to.

3. CHAIRPERSONSHIPS AND VICE-CHAIRPERSONSHIPS

- 3.1 In order to respond to the requirements of the Local Government Measure (2011) in terms of allocation of chairpersonships and vice-chairpersonships, the committees are divided into separate blocks.
- 3.2 In accordance with the requirements of sections 66-75 of the Local Government (Wales) Measure 2011 it is a requirement to allocate the chairpersonships of scrutiny committees in order to ensure, as far as possible, that political balance was reflected in those chairpersonships, and that the groups that were not represented on the executive were given a fair proportion of the chairpersonships.
- 3.3 The only committees in which the chairs are to be allocated on the basis of political balance are the following Scrutiny Committees. In accordance with the agreement of the Council's Business Group, it is suggested that the chairpersonships are allocated as follows to reflect the custom whereby the vice-chairs step into the chair naturally:

Corporate	Llais Gwynedd
Communities	Plaid Cymru
Services	Independent

- 3.4 In accordance with section 83 of the Measure, the chairperson of the Audit Committee cannot be a member of a political group which is represented on the executive.
- 3.5 There is no statutory or constitutional provision to control the appointments to the vice-chairpersonships or to the chairpersonships of the remaining committees (other than a member of the executive cannot chair the Licensing Committee).
- 3.6 The committees themselves will elect their chairpersons in these cases subject to the procedural rules which limit the term of a chairperson to two years. The committees themselves will also elect the vice-chairs.

4. RECOMMENDATION

- 4.1 The Council is asked to:
- adopt the allocation in Appendix A, which is consistent with that which was adopted on 3rd March 2016. In order to approve the recommendations, because the rules are not being fully implemented, the Council will have to approve them unopposed (as carried out in the past).
 - deputise the right to the Head of Democratic Services to make appointments to the committees on the basis of political balance and in accordance with the wishes of the political groups
 - allocate the chairpersonships of scrutiny committees on the basis of political balance, as follows:

Corporate Scrutiny Committee	Llais Gwynedd
Communities Scrutiny Committee	Plaid Cymru
Services Scrutiny Committee	Independent

APPENDIX A

SCRUTINY COMMITTEES

	Plaid Cymru	Independent	Llais Gwynedd	Labour	Liberal Democrats	Individual Member
Corporate	9	5	2	1	1	
Communities	10	5	1	1	1	
Services	10	4	2	1		1
Audit	10	5	2	1		

OTHER COMMITTEES

	Plaid Cymru	Independent	Llais Gwynedd	Labour	Liberal Democrats	Individual Member
Democratic Services	8	4	2	1		
Language	8	4	2	1		
Planning	8	4	1	1	1	
Central Licensing	8	5	2			
Employment Appeals	3	1	1	1		1
Appointment of Principal Officers	8	4	1	1	1	

Number of seats	82	41	16	9	4	2	154
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	Plaid Cymru	Independent	Llais Gwynedd	Labour	Liberal Democrats	Individual Member
Pensions	3	2	0	1	1	
Local Consultative Joint Committee	6	2	1	2		
Special Educational Needs Joint Committee	3	2	1			1
Joint Planning Policy Committee	4 (3 seats and one substitute)	2	1	1		
SACRE	4	2	1			

Total seats	102	51	20	13	5	3	194
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