

Appendix

26

MEETING OF THE ISLE OF ANGLESEY COUNTY COUNCIL

Minutes of the meeting held on 10 December 2009 (2:00pm)

PRESENT:

Councillor O Glyn Jones -Chair
Councillor Selwyn Williams- Vice-Chair

Councillors W.J. Chorlton; E.G. Davies; Lewis Davies; B. Durkin; Jim Evans; K. Evans; P.M. Fowlie; D.R. Hughes; Ff. M Hughes; K.P. Hughes; R.L.I. Hughes; W.I. Hughes; W.T. Hughes; Eric Jones; G.O. Jones; H. Eifion Jones; Raymond Jones; R. Dylan Jones; R. Ll Jones; T.H. Jones; Aled Morris Jones; C. McGregor; Rhian Medi; Bryan Owen; J.V. Owen; R.L. Owen; Bob. Parry OBE; G.O. Parry MBE; G.W. Roberts OBE, Peter S. Rogers; E. Schofield; Hefin W. Thomas Ieuan Williams; J. Penri Williams

IN ATTENDANCE:

Interim Managing Director;
Corporate Director (Education and Leisure);
Corporate Director (Finance);
Corporate Director (Environment & Technical Services);
Acting Corporate Director (Housing and Social Services)
Director of Legal Services/Monitoring Officer;
Head of Service (Property);
Head of Service (Environmental Services)
Solicitor to the Monitoring Officer
Committee Services Manager;
Communications Officer

APOLOGIES:

Councillors T. Ll Hughes, Eric Roberts

The meeting was opened with a Prayer offered by Councillor John Penri Williams.

1 1. MINUTES

Submitted and confirmed as a true record, the minutes of the meetings of the County Council held on the following dates -

- 15 September, 2009 (am)
 - Arising thereon -
 - **Page 7 - 2nd Paragraph**
 - Councillor J. Penri Williams wished to correct the minute by stating "that the Government had given £50b extra to the Banking system which was equivalent to £55m of Anglesey money." and that the Olympic Games were costing £12b (as opposed to the £112m quoted).
- 15 September, 2009 (pm)
- 6 October, 2009

- Arising thereon-

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- **Item 3 - Political Balance**

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- Councillor P.S.Rogers was of the opinion that the minute was not factually correct as regards the words stated by Councillor Durkin in the third paragraph of his account of events, namely "*There it is in black and white.*" He requested Councillor Durkin to confirm this to be the case, as he was not aware of these words in his copy of the Ombudsman's findings.

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- Councillor Durkin in response stated that the minute was correct in terms of what he had said at the meeting.

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- 27 October, 2009

1 **2. DECLARATION OF INTEREST**

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Councillor W.T.Hughes declared an interest in Item 4(iii) of these minutes, remained at the meeting but did not take part in any discussion or voting thereon.

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4 Councillor W.J.Chorlton declared an interest in Item 6(a) of these minutes and was not present at the meeting during any discussion or voting thereon.

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6 Councillor Ff.M.Hughes declared an interest in Item 6(a) of these minutes, remained at the meeting but did not take part in any discussion or voting thereon.

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1 **3. TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRPERSON, LEADER, MEMBERS OF THE EXECUTIVE OR THE HEAD OF THE PAID SERVICES.**

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The Chair referred to the fact that the Council had picked up several awards over recent weeks for various projects.

Ysgol y Graig won the CLAW (Consortium of Local Authorities Wales) sustainability award for 2009. The Llangefni school had been designed with energy saving and green features and produced over 50% of its own electricity. Congratulations were extended to the staff involved in the project, on their success.

The Housing Service had also received an award under the 'Delivering Customer Driven Service' category at the annual Chartered Institute of Housing ceremony. The award recognised the work being done by the Council to meet WHQS (Welsh Housing Quality Standard) requirements. The contractor responsible for delivering the WHQS work on Anglesey, G Purchase Construction also received an award for "Most Community Focused Contractor".

Congratulations were also extended to G Purchase Construction, to the members of staff within the Service for their commitment and hard work and also to the tenants who had been co-operating with officers and G Purchase to shape this successful service.

Congratulations to the Holyhead Leisure Centre staff who had won the North Wales Water Polo senior competition recently. Staff, together with leisure centre users, beat off fierce competition from seven other counties during the event held at Llandudno swimming pool, winning the senior title with a 3-0 win over Wrexham in the final.

Congratulations to Mr Carwyn Jones, AM on his election as First Minister of the Welsh Assembly Government

Mr Terry Jones, Head of Service – Environment, would be retiring on 23 December, 2009, after over 40 years service. On behalf of the Members and Officers he thanked him for all his good work over the years and wished him a long and happy retirement. It was also good to see him back here having made a full recovery following surgery.

It was with the deepest regret that the Council were informed that Leon Jamie Jones, 49 Tan yr Efail, Holyhead, who was aged 21 years last month, was fatally stabbed near his home.

Leon had just completed his Modern Apprenticeship in Motor Vehicle Maintenance and Repair with Môn Training and at his workplace Moduron Maethlu Motors, Llanfaethlu. He commenced his training in July 2005 and worked diligently through the Skill Build programme progressing on to the Foundation Modern Apprenticeship and then the Modern Apprenticeship.

He was a model apprentice and thought very highly of by his employer and staff and would be dearly missed.

The Chair on behalf of the Council expressed his deepest condolences to Mrs. Mary W Jones, Member Support Officer, upon the recent death of her mother.

The Chair also took the opportunity of sympathising with any member or member of staff who had suffered a bereavement. Members and Officers stood in silent tribute as a mark of their respect.

He extended a warm welcome to everyone for a cup of tea and mince pie following the meeting.

1 The Chair wished to make the following statement to Council:-

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3 *"Fellow Members and Officers, I would like to refer back to the meeting of the Council on 27th*

March, 2009.

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I was Vice Chairman at the time, but I Chaired part of that meeting.

While I was in the Chair, a motion of confidence in the Chairman (Councillor Aled Morris Jones) was proposed and seconded.

I asked for the views of the Monitoring Officer, who advised that the motion did not comply with the Council Procedure Rules, as it should have been put in writing before the meeting.

However, having received that advice, I allowed debate on the motion.

Having had an opportunity to step back from my decision, and think about it objectively, I now appreciate that it was inappropriate for me to permit the debate to continue.

I therefore want to take this opportunity to apologise to all members of the Council, and to the Monitoring Officer, for the way in which I conducted that item of business.

I do not try to excuse my actions but I hope that members accept that they were neither deliberate nor wilful.

I acted out of inexperience, compounded by the fact that the mood of the meeting was especially hostile. This made it very difficult for me to process and consider advice whilst also trying to keep the meeting in order.

You will see before you today a report in the name of Group Leaders to strengthen the arrangements surrounding Council meetings. These proposals have my full support and I hope they have yours.

If approved, and more importantly, adhered to they will make chairing future Council meetings somewhat easier and help Chairmen when faced with difficult decisions to take the right action

I hope that this apology is accepted in the spirit in which it is offered"

Councillor Aled Morris Jones also wished to make a personal statement.-

"Mr Cadeirydd, thank you and Council, for allowing me to make this personal statement. I refer to the events of the County Council meetings of the 5th and 27th of March.

I very much regret my action as Chairman when on the 5th of March, in the heat of the moment that I failed to give an appropriate opportunity for the Monitoring Officer to address the meeting. My motives were to enable the Council to move forward to minimise duplication of debate which I thought would be damaging to the Council. I now realise that although my intentions were honourable, my action was wrong. This was an error of judgment on my part.

Prior to the Council meeting of the 27th March, having received communication from the Monitoring Officer advising me that in my own personal interest not to Chair that meeting. I sought a second opinion from the Welsh Local Government Association, which opinion stated, that it was my choice and either option was acceptable, to Chair or not to Chair that meeting.

In the light of that advice I decided to Chair the meeting as it offered me an early opportunity to redress the less than satisfactory events of the 5th March Council meeting.

I assure the Council it was not my intention to stifle proper democratic debate but on reflection I realise that my action was a misguided attempt to minimise the damage to the Council.

I now ask you my fellow Councillors to view the events of the 5th and the 27th of March in the light of this statement and to judge my actions accordingly.

I assure you all that my intentions were honourable but I now accept with the benefit of hindsight they could have been judged otherwise.

I do wish to take this opportunity to express my regret to Council my fellow Councillors and to the Monitoring Officer for any action by me that might have caused you distress"

Councillor W.J. Chorlton expressed his dissatisfaction that both statements were not announcements but apologies, which were totally different matters. He was very concerned as to what had happened here today in that a complaint had been forwarded by himself to the Ombudsman with regard to those events. It was not acceptable to try and sweep the matter under the carpet - a full debate was required. He was not prepared to accept the statements because in his opinion what had happened on the day was totally and absolutely wrong.

The Chair in reply stated that this matter was not being swept under the carpet and he acknowledged that there was an on-going investigation taking place by the Ombudsman. However, he as Chairman had the authority to make announcements and to allow any person who had requested permission to make an announcement.

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6 4. QUESTIONS RECEIVED PURSUANT TO RULE 4.1.12.4

(i)The following question was put by Councillor Keith Evans to the Leader of the County Council:-

"In view of the reported changes in legislation, which are understood to have been adopted recently, what steps are planned by the County Council to revive efforts to achieve the ambitious marina project at Beaumaris, which would be a significant boost to activities on the Menai Straits and to the economy and tourism appeal of South-East Anglesey?"

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The Leader of the Council in response stated:-

"I can confirm that The Marine and Coastal Access Act 2009 received Royal assent on 12th November 2009. This legislation opens the door for Developers to consider the siting of a Marina at Beaumaris along the lines proposed by ABC in 1999. The new legislation does enable the Minister, to vary or revoke Orders made under the Sea Fisheries (Shellfish) Act 1997, such action could take place in instances where:-

- Permission has been granted for the carrying out of any development in on or over any portion of sea shore to which an Order relates,*
- As a result of the development it will be impossible or impracticable to exercise any right of several fishery or of regulating a fishery in the affected area.*

Provision is made in the Act for payment of compensation by the Owners of the affected area to any persons who are entitled to a right of several fishery in any part of the affected area

The passing of the Act now provides a new mechanism for the proposed Marina at Beaumaris to be reconsidered. To enable this to progress the developers will need to take steps to ensure relevant permissions are granted including Planning and FEPA consent. Currently all earlier approvals granted for the Gallows Point Marina have expired but an application to extend the period of Planning Consent has been lodged but not determined

Details of the proposed means of calculating compensation to those holding fishery rights are not yet clear. The commercial viability of the project may now depend crucially on the level of compensation required. Consultation on this matter will also be required with The Crown Estates. The Council and The Crown Estates would no doubt expect the developer to bear the cost of compensation payments "

Councillor Keith Evans requested that he be provided with a copy of the response. He went on to state that there was unfinished business from Phase 1 of the campaign in support of the Marina project and that related to finance. To his knowledge, the Council's substantial legal costs to date had not been disclosed and he requested when that information would be made available since the taxpayers of Anglesey had the right to know the full extent of the Council's investment so far

The Leader in reply stated that the calculations were now being drawn up and that hopefully by January 2010 those figures could be released.

(ii)The following question was put by Councillor H Eifion Jones to the Leader of the County Council:-

"In the Council's Improvement Plan for 2009/10 we have agreed a core indicator for the percentage of enforcement complaints resolved within 12 weeks of receipt. Therefore, could you please provide a figure for our performance so far this year?"

The Leader of the Council in response stated:-

"The target set in the Council's Improvement Plan for 2009-10 for percentage of Enforcement complaints resolved within 12 weeks of receipt is 60%. During the first 6 months of this financial year we

have recorded a performance rate of 70%. Staffing in this section for the last twelve months has been understaffed by 25%. In 2008/09 the target was also 60% but the performance was 44%.

Councillor H Eifion Jones thanked the Leader for his response but stated that there were clearly some outstanding issues within that Department. There had been a further slippage on the LDP of 12 months since the last Council meeting. He asked the Leader what action he proposed to take to rectify the resource situation and the priorities of that Department?

The Leader in reply stated that a report had come before the Executive earlier this month when the Executive allocated extra resources to ensure that the Enforcement section of the Planning Department was brought up to strength.

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(iii) The following question was put by Councillor H W Thomas to the Leader of the County Council:-

"What actions do you as Leader intend taking to ensure that the Smallholdings Estate on the Island is brought up to an acceptable standard, especially in view of the fact that your recent request for support from the Assembly seems to have fallen on deaf ears?"

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The Leader of the Council in response stated -

"It was disappointing that the SKIF application on behalf of our smallholding estate was not supported by the Assembly.

As an Executive we need to take a long critical look at our Property portfolio and to that end the Portfolio holder is consulting with our partners in January 2010 on a range of options in relation to the County Smallholding Estate.

As I have publicly stated this executive has no "sacred cows" as we consider the dire financial forecasts facing Local Authorities and will take appropriate action as the situation demands.

You will be aware that we recently agreed to invest all the income from our smallholdings into the maintenance budget for those properties. This was to try and remedy gross underfunding in maintenance over a considerable number of years. The adoption of the Council's Asset Management Plan later this afternoon will assist in establishing a planned maintenance regime if that is what will be considered to be the best option for this Authority.

Councillor H W Thomas asked whether the Leader would agree that the present policy regarding smallholdings was completely inadequate to furnish the amount of work that needed to be spent on the Estate. In view of the fact that this had been identified as a major risk to the Council he asked whether the Leader would consider setting up a cross-party Panel to help with the running of the Estate? It was a major task facing the Council, and also in view of the fact that it appeared that there had been dragging of feet regarding sales over the last 18 months and also a blatant breach of a tenancy agreement in the south of the Island.

The Leader in reply stated that he had every confidence that the Portfolio Holder would ensure that this particular branch of the County Council functioned efficiently and correctly within budget. Nothing was ruled out, nothing was ruled in.

4 5. PRESENTATION OF PETITIONS.

No petitions were received in accordance with Para 4.1.11 of the Constitution.

6. CHANGES TO THE COUNCIL CONSTITUTION

(a) Care Allowances

(a) Reported - That the Executive at its meeting on 10th November, 2009 had resolved as follows -

"to recommend to the Council that the Council endorse that the Constitution be amended by deleting the second sentence of clause 6.3.2. and submit the proposed change to the Minister for approval."

(b) Submitted for information, the report of the Interim Managing Director as submitted to the Executive on 10th November, 2009.

RESOLVED to endorse the recommendation of the Executive.

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(b) Re-Structuring of the Environment and Technical Services Department.

(a) Reported - That the Executive at its meeting on 1st December, 2009, had resolved to recommend to the County Council as follows -

"to amend the Constitution by inserting the changes as shown in Attachments B, Ch and D, deleting 3.5.3.16, amending Part 7 (Attachment Dd) and adding the regulations in paragraph 6 (Environmental Damage(Prevention and Remediation) Regulations 2009) to Appendix A.

subject to the Direction of the Welsh Ministers to amend the Constitution by inserting the changes as shown in Attachments B, Ch and D, deleting 3.5.3.16, amending Part 7 and adding the regulations in paragraph 6 (Environmental Damage(Prevention and Remediation)Regulations 2009)to Appendix A."

(b) Submitted - The report of the Solicitor to the Monitoring Officer as submitted to the Executive on 1st December, 2009.

(Councillor G.W.Roberts,OBE, wished it to be minuted that he had not voted on this matter).

RESOLVED to endorse the recommendation of the Executive.

(c) Public Speaking at the Planning and Orders Committee.

(a)Reported - That the Executive at its meeting on 1st December, 2009, had resolved to recommend to the County Council as follows -

"That it confirms its decision of 13 December, 2007 that a 12 month trial period for public speaking at the Planning and Orders Committee be introduced in respect of applications received on and after 1st January 2010. That the documents comprising the Appendix to this report be added to the Constitution to facilitate the public speaking arrangements."

(b) Submitted - A report by the Head of Service (Planning) and Director of Legal/ Monitoring Officer as submitted to the Executive on 1st December, 2009.

Councillor H.E.Jones enquired as to why it had taken 2 years to progress to this stage?

Councillor R.G.Parry,OBE, Portfolio Holder, in reply stated that there had been changes to the membership of the Planning Committee. The previous members of the Committee, prior to the 2008 elections, had visited Wrexham Council to have experience of public speaking in practice and then the current members of the Committee had been afforded the same opportunity.

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RESOLVED to endorse the recommendation of the Executive.

(ch) **Charging for Receivership Functions (Social Services Vulnerable Adults).**

Reported - That the Executive at its meeting on 1st December, 2009, had resolved to recommend to the County Council as follows:-

"To add to the Constitution at 3.5.3.20.3 by inserting the following clause:-

(x) to waive the case management charge in respect of clients under evidenced hardship"

and the Council will be invited subject to the discretion of the Welsh Ministers to amend the Constitution by inserting the above clause.

Submitted - The report of the Acting Corporate Director (Housing and Social Services) as submitted to the Executive on 1st December, 2009

RESOLVED to endorse the recommendation of the Executive.

7. W.L.G.A. - FINANCIAL OUTLOOK FACING LOCAL AUTHORITIES.

Reported by the Leader - Upon the response of the Chief Executive of the WLGA in a letter dated 13th October, 2009, as regards the financial outlook facing local authorities.

The letter went on to state that the WLGA had noted the points raised by the Council vis a vis large national capital schemes and the broader question of affordability. Their understanding was that the identity card programme was now subject to review and both the WLGA and the LGA in England had previously expressed concerns about the compulsory nature of the ID scheme and associated costs. On the 30th July, the Home Secretary, unveiled the final design proposals for the scheme which was no longer compulsory and more clearly linked to the provision of biometric passports.

In terms of Trident, the Association generally did not comment on either defence or foreign policy as a matter of course. Clearly any new government following the general election would have to review all large national schemes in light of the dire position of public finances and as a result the priorities on defence spending would be an issue.

(Councillor Rhian Medi wished it to be minuted that she had abstained from voting on this matter)

RESOLVED to note the contents of the response by the WLGA.

8. ANNUAL REPORT ON TREASURY MANAGEMENT FOR FINANCIAL YEAR 2008/09.

Submitted in accordance with the Codes of Practice - the report of the Corporate Director (Finance) on the annual report on Treasury Management for financial year 2008/09. The report was considered by the Executive at its meeting on 6th October, when it was RESOLVED "to recommend to the County Council that it accepts the contents of the report."

RESOLVED to accept the contents of the report.

9. REVIEW OF THE STATEMENT OF GAMBLING ACT POLICY.

Submitted - The report of the Corporate Director (Environment and Technical Services) advising the County Council of the recent consultation on the statutory three year review of the Council's Statement of Gambling Policy under the requirements of the Gambling Act 2005, and seeking the approval by Council of the final draft of the reviewed and updated Statement of Gambling Policy for 2010 to 2013.

RESOLVED to approve and adopt the final draft as a Statement of Gambling Policy for the purposes of the Gambling Act 2005, for the period 2010 - 2013.

10. ASSET MANAGEMENT PLAN.

Reported - That the Executive at its meeting on 1st December, 2009 had resolved as follows -

"to recommend to the County Council that it adopts the draft Asset Management Plan."

Submitted by the Portfolio Holder - The report of the Head of Service (Property) as submitted to the Executive on the above date. The Portfolio Holder noted that there were some minor changes to the plan due to work in progress.

Councillor H E Jones referred Members to Appendix 4 of the Plan. Comparing this with the same plan that went to the Principal Scrutiny Committee a few weeks ago, he saw that some fundamental changes had been made to the document. Firstly, smallholdings had been left out of the Plan for some reason. Before the Scrutiny Committee there were 116 farms listed and more importantly in the 5th column of the appendix, where it referred to maintenance cost estimates for the next 5 years there was a figure of almost £5m. He enquired as to how this figure was going to be spent? Apart from Youth Clubs, there were no other figures in that column. The total before the Scrutiny Committee was £15m, i.e. the sum that needed to be spent on the 300 or so Council owned properties. If all these sums were put together they came to a figure of £36m that required spending. He enquired as to how these sums were missed by the Executive?

The Portfolio Holder in response stated that the reason why smallholdings had not been included, was that the Council was in the process of carrying out a survey of the Estate in its entirety and these figures would be added once complete. The figures before the Scrutiny Committee were 5 years old and were currently in the process of being updated and that was why they had been omitted from this document. The figures in the appendix would be changing periodically as new survey information came to hand.

The Leader asked Council to accept the document today as a high level plan and that it would be upgraded once further information was to hand.

Councillor P.S.Rogers expressed his concern as to the condition of the Smallholdings Estate and to the fact that the Council was unable to take any action against breaches of tenancy agreements because of the run-down condition of the Estate. Even if the Council had received the £5m support grant from the Welsh Assembly, he felt it did not have the requisite number of staff to spend that amount of money. Missing out smallholdings in the Plan was in his opinion bordering on the suicidal. The Estate was the Council's greatest asset.

Councillor B.Owen understood that there was still £7m left in the convergence fund and that this Authority had received an invitation to re-bid. He thought that the Council did have the staff to undertake the work since the Housing Department were at the moment running a contract worth £20m over 4 years and they seemed to be managing it very well.

Councillor H W Thomas stated that there should be a fallback solution should the 2nd bid not materialise.

Councillor W.J. Chorlton was of the opinion that it was not the Authority's lack of spending on the Estate that was the issue but the lack of control over the tenants. He did not consider that the report was ready and that a Smallholdings Panel should be established to assist in its running.

Councillor E. Schofield stated that the issue before Council today was asset management in general and not solely smallholdings. There had been previous Smallholdings Panels over a number of years and their record was not something to be proud of in view of the situation the Council now faced. If the Estate was able to be put in order, there was nearly £0.5m revenue coming in every year which would help sustain these properties. The Executive needed to consider very carefully what it intended to do with the Estate as part of the forthcoming budget process round.

Councillor H.E. Jones referred to Item 4 of Page 4 of the Plan, namely Corporate Objectives for Asset Management Planning and the need *'to challenge the need for the property that the Council currently holds, identifying surplus and underperforming assets and recommending appropriate disposal plans in order to ensure that the Council's portfolio is no larger than necessary to deliver effective services to the public.'*

This he considered was a large void in the report and needed to be completed as a matter of urgency. He considered that the decision by the Executive on 1st December, 2009 that a report be submitted back on the matter by March 2011 was too late and he proposed that in order to progress matters such report should be received by March 2010.

The Interim Managing Director in response stated that his understanding of the situation was that the Asset Management Plan in total would go back by March 2011 but that the expectation in the meantime was that the various reviews would be conducted before then. It was not the intention that the reviews would be held up to that date and that the brief to officers was to complete those reviews as soon as possible.

Councillor H.E. Jones still proposed that a review on the Council's surplus properties be completed by the end of March 2010.

The Leader in reply stated that a large amount of work was needed to be done and he was loath to commit officers at Council today to a timetable that was unachievable with those officers then being accused of failing to meet deadlines.

Councillor H.W. Thomas proposed an amendment that the matter should be deferred today and that a further report be brought back to Council with more detailed information.

Both proposals were lost and it was **RESOLVED to adopt the draft Asset Management Plan.**

(Councillor Raymond Jones wished it to be noted that he had abstained from voting on this matter)

11. PROTOCOL ON CONDUCT OF COUNCIL MEETINGS.

Submitted - A report by the Political Groups on a proposed 'self-regulation' protocol for future meetings of the County Council

RESOLVED

- **To endorse the proposals contained in the report.**
- **That the Director of Legal Services/Monitoring Officer produces a 'Protocol' to embed these arrangements and that such a Protocol be considered for inclusion in the Council's Constitution.**

- That the Member development programme reflects the need to support all of those who Chair meetings but particularly those who Chair Council, Scrutiny and Planning and Orders.

12. CORPORATE GOVERNANCE INSPECTION UPDATE.

Submitted for information - A report by the Interim Managing Director updating the Council on progress being made on responding to the recommendations within the Corporate Governance Inspection report. The report paid particular reference to the following matters:-

- Action Plan
- Self-regulation
- Enhancing Accountability
- Developing a Strategic Vision for the Council

A considerable amount of planning had already taken place to develop and identify the priorities within the Action Plan. Further reports would be submitted to the Council over the course of the next few months. Members would need to appreciate that many of the change programmes would relate to the way that the Council operated and with Group Leaders it would be endeavoured to ensure that there was a high level of Member involvement and engagement both in the development and refinement of the Action Plan as well as in its delivery.

Councillor H. Eifion Jones thanked the Interim Managing Director for sorting out the important issue of the apology from the Executive Members as regards the actions they had undertaken over the last twelve months to the Management Team. He hoped that this had now cleared the air in allowing both parties to move forward in partnership. He also thanked those Executive members who accepted their responsibilities and signed the apology.

Councillor P.S. Rogers was of the opinion that over the last few months there had been no improvement as regards self-regulation. He mentioned the alleged interference that had taken place in the appointment of the Chair of the Audit Committee. He also mentioned that the letter of apology from the Executive to the Management Team was withheld against everybody's advice from becoming public, until after the former Managing Director had left. The Recovery Board were now looking at the recommendation of the Corporate Governance Inspection report that there should be independent chairs of Scrutiny Committees. Any normal Constitution in his opinion would have addressed that problem. The Council also needed to address the expenses claimed by those Councillors who went on a 'jolly' to South Wales. Although they paid their expenses they got them back again.

The Interim Managing Director in response acknowledged and recognised the points made but the desire certainly from the Officers affected by the Para 85 letter was that a line be drawn and that the Council should move forward. The Council could go back and look at its past but he did not believe that this would be helpful in moving the Council forward.

The Action Plan that he had prepared did address the important issues that had been raised. It did address the view of the independence and strengthening of the Audit Committee including recommendations that independent persons unconnected with the Council should also be appointed on to the Audit Committee. Group Leaders had also asked him to look at the Scrutiny arrangements and how they might be strengthened in terms of who chaired Scrutiny Committees and also in terms of how they could be better supported by the officer machine.

In terms of withholding information, that matter was still under investigation by the Ombudsman and he could not comment further.

The Leader stated that this was probably the 4th/5th occasion that Councillor Rogers had raised the issue of the Audit Committee Chair. He had given him answers on each and every other

occasion and they had been consistent and truthful. If Councillor Rogers could not accept those answers, then perhaps he should re-consider his position within this Authority.

Councillors H.W. Thomas and W.J. Chorlton were both of the opinion that the former Member of the Executive who had refused to sign the letter of apology to the officers in question, should apologise to the Council today. It would help the Council to move forward if he did so.

Councillor E. Schofield in response stated that he had been a member of this Authority for many years and those who knew him were aware that he would not shy away from the truth as he saw it. The important thing at the end of the day was whether an individual could live with his conscience. He had made it clear and public that he had drawn a line underneath everything that had happened in relation to the Audit report. He had assured both the Leader and the Interim Managing Director to this effect.

There were elements in that letter of apology which he was completely happy with and he did regret the period where there were obviously misunderstandings taking place. If two sides were unable to reach agreement, inevitably there would be an apportionment of responsibility on both sides. He accepted that and he believed that the way forward was to draw a line on all those matters. He wished to make it clear that he had never made a complaint about any Officer or Member within this Authority.

RESOLVED to accept the contents of the report.

1 13. NORTH WALES POLICE AUTHORITY.

Submitted for information - A report from Councillor Peter Rogers, the Council's representative on the North Wales Police Authority of meetings held by the Police Authority between 1st September, 2009 and 30th November, 2009.

Councillor H.E. Jones referred to the reference within the report to a possible precept of 3% and he requested further information in this respect and what consultation would take place with this Council?

Councillor Rogers in reply stated that the matter would be going before the Police Budget Scrutiny Committee this week. There were options of 2%, 3% and 5% being mooted. He did not think that a 5% increase would be acceptable under the present economic climate and that 2% was too low a figure. He was more than willing to discuss these options with the Executive before a final vote was taken by the Police Authority.

1 RESOLVED to accept the contents of the report.

1 14. NORTH WALES FIRE AND RESCUE AUTHORITY.

Submitted for information - A report from Councillor Aled Morris Jones, one of the the Council's representatives on the North Wales Fire and Rescue Authority, of meetings held by the North Wales Fire and Rescue Authority between 1st September, 2009 and 30th November, 2009.

Councillor H.E. Jones stated that the previous minute to Council stated that Councillor Aled Morris Jones would report back to this Council on the financial position. He requested this information as it was not contained within the report.

Councillor Aled Morris Jones in reply stated that the Fire Authority had not yet concluded their discussions on this matter and that he would report back to Council once these were to hand. However, it did appear that the Authority would be asking for a 2.5% increase or less.

RESOLVED to accept the contents of the report.

I 15. DELEGATIONS BY THE LEADER.

Submitted for information - A report by the Interim Managing Director setting out changes to the scheme of delegation relating to Executive functions made by the Leader since the last Ordinary meeting (Rule 4.4.1.4 of the Executive Procedure Rules of the Constitution referred).

RESOLVED to note the contents of the report.

The Chair apologised to Councillor Chorlton that he had not afforded him the opportunity to speak earlier as Local Member when referring to the death of Leon Jamie Jones. He apologised for this oversight.

1 The meeting concluded at 4:12pm

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3 COUNCILLOR O.GLYN JONES

4 CHAIRMAN

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