



**CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL**

**ADRAN RHEOLWR GYFARWYDDWR/
DEPARTMENT OF THE MANAGING DIRECTOR**

**LYNN BALL LL.B., (Hons.)Cyfreithiwr/Solicitor
CYFARWYDDWR GWASANAETHAU
CYFREITHIOL A PHWYLLGORAU/SWYDDOG
MONITRO / DIRECTOR OF LEGAL AND
COMMITTEE SERVICES / MONITORING OFFICER**

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Ein Cyf – Our Ref. HPP/CAH/FOIA-012753-HPP
Eich Cyf – Your Ref.

20 May 2010

Dear [REDACTED]

RE: REQUEST FOR INFORMATION

I refer to your request for information dated 19th February 2010 in relation to the employment of David J Bowles.

Your request contains three questions which relate to the remuneration of the Head of Paid Service and the Interim Managing Director. I acknowledge that this response to your request is delayed. Whilst regrettable, the delay has been unavoidable as elements of your request have required the consideration of issues surrounding contractual commercial sensitivity, the impact of other statutory regimes and the requirement to protect personal information.

Your request has required the Authority to consider the disclosure of information which is covered by a confidentiality clause in the contract between the Council and Solace Enterprises Ltd. A failure to maintain the confidentiality could have resulted in an action for breach of confidence being brought against the Authority. I am mindful that disclosure of this sum without consultation with the appropriate third parties could have left the Council open to a judicial review of the decision to disclose. David J. Bowles expressed a preference for disclosure of the relevant information during the discussions with Solace Enterprises Ltd. The Council has now received and considered the views of Solace Enterprises Ltd.

My email to you dated 16th April 2010 advised you that the law in relation to the inspection of accounts and the publication of sums pertaining to the remuneration of senior officers has changed. In fact, the revisions to the Accounts and Audit Regulations were anticipated at the time of the receipt of your request.

Anglesey Council made submissions to the Welsh Assembly Government in relation to the draft amendments to the Act in order that the position of interim senior officials could be

addressed under the statutory audit regime. It was hoped that the revised regulations would have provided some direction to local authorities.

The potential to inadvertently disclose personal elements contained within the information you have requested through the publication of two separate sums under different legislation required consideration.

With regard to your first question, the statutory post of Head of Paid Service requires a payment of a nominal sum at the very least. The Head of Paid Service currently receives the nominal sum of £1. However, I am not certain whether this adequately answers your question, "*the remuneration that this post currently attracts with Anglesey Council*". The appointment of David J Bowles was made under ministerial direction, and it is evident that we could not have appointed him or anyone else on this nominal sum without also engaging with a third party agency to secure his employment.

The statement of Dr Brian Gibbons, former Minister for Social Justice and Local Government, made on the 12th of August 2009, provides useful background information. The Minister explains in his statement that the Council required a Managing Director with proven experience in remedial change management and corporate governance rebuilding. He explained that there are very few such individuals available and that he did

"not believe the Council would be able to recruit such a person itself. Its current problems and its seriously damaged reputation would deter many candidates and the open recruitment process it would have had to follow would take far too long ... instead I have exercised the Council's power to designate a Head of Paid Service under Section 1 of the Local Government and Housing Act 1989, effectively taking the decision on behalf of the Council".

The Council was therefore directed by the minister to make suitable arrangements with Solace Enterprises in order to secure the engagement of the Interim Managing Director. The minutes of the Council's Appointments Committee demonstrate the discussion surrounding the employment of the Interim Managing Director and are relevant to your enquiry. The minutes are in the public domain and may be consulted on the Council's website and I have attached copies for your attention.

In relation to your second question about the value and duration of the contract term, I would again refer to the Ministerial direction as demonstrated in the statement, where the Minister stated that the appointment would be for a maximum of one year in the first instance. The contract makes provision for the extension of the term of employment. I cannot, however provide you with information on the value of the contract, as this is not explicitly stated on the contract or associated documentation. The value of the contract depends on many variables, such as number of days worked by David J Bowles in a given month.

Your third question requests information about the value of the monthly sum paid by this Council to Solace Enterprises Limited for the service of the Interim Managing Director. I note that you have not requested details of the remuneration of David J Bowles, which the Council does not hold. However, a proportion of the sums paid to Solace Enterprises Ltd is personal to David J Bowles and represent personally negotiated contractual elements.

As you know, the relevant information is covered by a confidentiality agreement between the Council and Solace Enterprises Limited.

The Freedom of Information Act 2000 makes provision to protect the commercial interest of Public Authorities and the third parties who enter into commercial agreements with them. The Council is required to consider whether disclosure of the information you seek would be prejudicial to the *commercial interests of any person*.

Commercial prejudice to the Council or Solace Enterprises would arise if the ability of the Council to obtain the services of external staff in specific roles would be harmed. Also the potential to disclose the basic negotiating position of Solace Enterprises Ltd could be detrimental to the company in their future dealings with David J Bowles or any other person. Secondly, and once the prejudice test is satisfied, the Council is required to apply the public interest test to weigh up the arguments for and against disclosure.

Whilst we consider that that the exemption at s.43 FOIA does apply as some prejudice to the commercial interests of the Council or Solace Enterprises Ltd could arise from disclosure of this commercially confidential information, we do not consider that the balance of the public interest is weighed in favour of maintaining the exemption. The relevant information is disclosed below.

I am unable to disclose a single monthly figure as you have requested as the sums paid to Solace Enterprises Ltd reflect a number of variables. Therefore, the sums paid have been expressed as a single total figure. I am advised that the total amount payable to Solace Enterprises Ltd for the services of David J. Bowles for the period September 2009 to March 2010 (not including VAT) is £124.7k. The sum reflects a daily fee payable to Solace Enterprises Ltd of £1160 (not including VAT) plus accommodation and travel costs. Please note that information about the daily rate and other negotiated elements of the contract is provided with the consent of David J. Bowles and Solace Enterprises Ltd.

It could be argued that the public interest lies not in knowing how much David J. Bowles is paid by Solace Enterprises Ltd as their contractor, but rather in knowing the costs to the Authority of securing the Interim Managing Director's services. In this regard, information contained in a report by the Corporate Director of Finance to the Appointments Committee on 25 September 2009 about the Council's budgetary provision could be viewed as being relevant to your request.

The report, "*Financial implications of the new Interim Managing Director*" was originally deemed exempt information under Schedule 12A Local Government Act 1972. However, given that the balance of the public interest test has shifted towards disclosure, the report is included as an attachment. The table provided under point 2 of the report contains a projection of the budget deficit and costs as estimated at that time. The budget has since been adjusted and the actual cost for financial year 2010-11 will be reported in that year's statement of accounts.

The report also refers to the salary of the previous Managing Director. In order to provide some context for the sums shown in the report and disclosed above, the attached extract from the Statement of Accounts for 2008/2009 demonstrates what is already in the public domain in relation to the remuneration of Derrick Jones.

Whilst I regret the delay, I hope that I have demonstrated that legitimate factors have impacted on our ability to respond to your request within the statutory time limits set out in the Act. Further, I would add that the public interest in transparency is acknowledged by all who have been involved in the formulation of this response; this is demonstrated by the Council's disclosure of additional information.

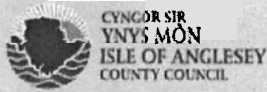
As you have already complained to the Information Commissioner about our failure to comply with s.17 of the Act, I see no need to provide you with the Commissioner's contact details in this instance. However, a copy of this response will also be sent to the Information Commissioner's Office.

Yours sincerely

Huw Pierce Pritchard
Corporate Information Officer

Schedule of attachments

1. Minutes of Appointments Committee held on 25 September 2009
2. Report of Corporate Director of Finance on 'Financial Implications of the Appointment of the New Interim Managing Director' (25 September 2009)
3. Extract from Statement of Accounts 2008/2009



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APPOINTMENTS COMMITTEE

Minutes of the meeting held on 25 September, 2009

- PRESENT:** Councillor T.H. Jones - Chairman
- Councillors Keith Evans, Fflur M. Hughes, Eric Jones,
Rhian Medi, R.L. Owen, G.W. Roberts OBE, Etwyn Schofield.
- IN ATTENDANCE:** Corporate Director (Finance),
Personnel Manager (RLH),
Committee Officer (MEH).
- APOLOGIES:** Councillors R. Dylan Jones, Aled Morris Jones.

1 DECLARATION OF INTEREST

No declaration of interest was received by any Member or Officer in respect of any item discussed.

2 MINUTES

The minutes of the meeting held on 4 September, 2009 were confirmed, subject to the following :-

- Ŷ that the paragraph under the name of Councillor Schofield which states *'He also expressed reservations regarding the delegation to Officer proposed within the report.'* be removed from the minutes as the statement was incorrect; Councillor Schofield noted that he expressed that not all the details has been presented to the Committee to make a decision.
- Ŷ that the name of Councillor Rhian Medi be included to the statement made by Councillor Fflur Hughes *"..... her disappointment that the Minister of Social Justice and Local Government has appointed a person who is a non-Welsh speaker. She emphasised that this will have an effect on the Translation Section, with the requirement of translation of all documentation for Mr. Bowles and every meeting he attends."*
- Ŷ that it be recorded that the Committee's unanimously supported the resolution *' to defer consideration of the report until this Committee has been afforded sight of the completed deliberations by way of an agreed contract, job description and costing of the appointment before recommendations can be forwarded to the fully County Council.'*

3 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED to adopt the following :-

"Under Section 100(A)(4) of the Local Government Act 1972, to exclude the press and public from the meeting during the discussion on the following items as it involves the likely disclosure of exempt information as defined in Paragraph 12 of the said Act and in the attached Public Interest Test."

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4 APPOINTMENT OF NEW INTERIM MANAGING DIRECTOR AND DESIGNATION AS HEAD OF PAID SERVICE

Submitted - a report by the Head of Service (Corporate Services) in relation to the above

It was reported that in light of issues raised, aspects with Mr. David Bowles who has confirmed the following :-

- Ŷ In undertaking his work at the County Council, it is his intention, so far as it possible, to undertake the full duties and responsibilities of the post of Managing Director and Head of Paid Service (as described in the outline job description for the substantive post. (Copy was attached to the report).
- Ŷ there will be occasions where he will require Corporate Directors to act on his behalf and in this respect he acknowledges that the proposals outlined in paragraph 17 and recommendation 6 of the original report discussed at the last meeting would be of value, but at the present time, he does not anticipate any delegation of significance to the extent that would require any additional recompense to one or more the Corporate Directors.
- Ŷ at the present time, Mr. Bowles acknowledged the significance of bilingual provision within the County Council's administration and the wider community, but he does not at present anticipate any exceptional demands being placed on translation services or in relation to Welsh language support.

The terms of Mr. Bowles engagement is via. Solace enterprises; details of the negotiations with the Head of Corporate Services was afforded to the Committee. The agreed contract period will be 12 months commencing 13 August, 2009 with an initial fact finding period of 5-10 days mainly during August and September and the main contract work commencing on or about 12 October, 2009 - 3 / 4 days per week on a flexible basis. The contract period will be subject to review prior to 13 August 2010 and may be subject to extension.

The duties and responsibilities of Head of Paid Service will be undertaken concurrently with the Solace contract period. Any proposal in relation to the mentoring, following the appointment of a future Managing Director would be subject of a separate contract.

Members sought clarification on a number of issues concerning the proposed contract, including the nature and frequency of exceptional travelling time, the expected length of the working week, where he would work from, the nature of accountability between Mr. Bowles, SOLACE, WAG and the authority, the adjustment required to JNC terms and conditions, the question of undertaking duties outside the main employment, and the necessary identity checks. Officers responded to these questions.

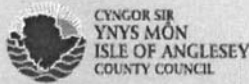
The Officers confirmed that Mr. Bowles' contract would be for an initial 12 months and that there was no contractual commitment at this stage to the proposed 'mentoring'. The documentation as outlined in the report would, if confirmed by the Committee and the County Council, form the final package. In response to a question, it was also confirmed that Corporate Directors do not receive additional payment for 'acting up' for occasional days.

Councillor Rhian Medi referred to 2(c) in report which states *'that he does not at present anticipate any exceptional demands being place on translation services or in relation to Welsh language support'*; she noted that she wants to see a translation service from English to Welsh as she did not want to see the ethos and of the Council turning to English. She considered that when somebody start speaking English then everybody else seems to be turning to the English language. Councillor Medi expressed strongly that she wanted linguistic rights and this would have financial implications to the authority. Councillor Fflur M. Hughes noted that she raised this issue at the last meeting that there would be financial implications as Mr. Bowles is a non-Welsh speaker; she referred to the Management Team and the requirement for translation service at such a meeting. The Chairman noted that he was in a quarterly meeting recently and translation service was at that meeting as one of the Officers was a non-Welsh speaker. Councillor Hughes responded that she considered that translation services would be required on a more regular basis.

Councillor Rhian Medi stated that she would be making an official request for translation service from English to Welsh and this will have financial and staffing implications to the authority. The Corporate Director (Finance) responded that the Management Team do not ordinarily have a translation service but when a non-Welsh speaker attended the meeting translation services have been arranged, and that this was the case when Mr. Bowles recently attended. He noted that he agreed that when Mr. Bowles attends meeting it will increase the requirement for translation service but it does depend who is at such meetings and the language needs of the individual. It was impossible to estimate the extent to which Mr. Bowles position would change this. However, if there was a demand for translation from English to Welsh, that would be a separate matter.

RESOLVED to recommend to the County Council :-

- 4.1 the acceptance of the package and terms and conditions concluded with SOLACE Enterprises as the basis for engagement of Mr. Bowles as Interim Managing Director.
- 4.2 the employment package concluded with Mr. Bowles in respect of his designation as Head of Paid Service concurrently with engagement as Interim Managing Director.
- 4.3 that the Head of Corporate Services acts as signatory and the Council's contact officer for purposes of the SOLACE contract.
- 4.4 that any residual or consequential issues arising in relation to or as a result of the engagement of Mr. Bowles be referred for consideration to a meeting of the County Council.
- 4.5 that the advice on confidentiality contained in Paragraph 19 of the report to the Committee on 4 September, 2009 be commended to the County Council.



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Councillor G.W. Roberts OBE wished it to be recorded that he abstained from voting in respect of this item.

5 FINANCIAL IMPLICATIONS OF THE APPOINTMENT OF THE NEW INTERIM MANAGING DIRECTOR AND DESIGNATION AS HEAD OF PAID SERVICE

Submitted - report by the Corporate Director (Finance) in relation to a requested at the last meeting for confirmation of the proposed working arrangements of the new Interim Managing Director and the resulting costs to enable it to agree a recommendation to the County Council. He noted that the authority are committing itself to costs without complete control over; costs relating to the working arrangements of 3 or 4 days per week and when the work will come to an end. The Minister of Social Justice and Local Government and the Recovery Board will decide when Mr. Bowles contract will come to an end. He noted that the figures contained in the report are based on Mr. Bowles working 4 days a week which is the higher end of the options which have been outlined so far. Councillor Keith Evans responded that it should be minuted that the authority has no control over the employment. Councillor Schofield noted that this could be the situation but the Council knows exactly by the recommendation given where they are at the worst senario within the figure in the report.

The Corporate Director (Finance) further reported that adequate funding is available up to 31 March, 2010 as there was no full time Managing Director i.e. the Corporate Director (Education and Leisure) has 'acted up' to the post of Acting Managing Director and paid an honorarium. For the period 1 April, 2010 to 31 March, 2011 it depends for how long Mr. Bowles will be in the post; these figures were reported to the meeting.

Councillor Eric Jones noted that in a letter attached to the report by WAG noting that Mr. Bowles has indicated that he is willing to act as 'mentor' for any appointee of Managing Director; Councillor Jones questioned if the figures quoted in the report contain any 'mentoring' fees. The Corporate Director (Finance) responded that if any 'mentoring' took place then the matter would have to be discussed at that time at a future meeting.

Councillor G.W. Roberts OBE expressed his concern that if the authority appoints a Managing Director and asking Mr. Bowles to 'mentor' him/her; in normal situations this would not happen. He considered that 'mentoring' should not be in the package at all as it is up to the authority to appoint a suitable candidate for the post of Managing Director. Councillor Roberts also questioned if the information of how much Mr. Bowles was costing to the authority was to be made publicly. The Chairman expressed strongly that confidentiality was paramount in this matter. The Corporate Director (Finance) noted there is public interest how much more this person is going to cost the authority; information will be released in the Financial Accounts of the Council for 2010. He noted that the authority may wish to consider releasing how much more this person was to cost the authority but negotiation with Mr. Bowles and his representatives would have to be sought before release of such figures.

Councillor Keith Evans proposed that the figure of the costs of the employment should be disclosed. Councillor E. Schofield proposed that the Corporate Director (Finance) consult with the appropriate persons to discuss the right to disclose the cost of the employment before the County Council meeting to be held on 6 October, 2009.

RESOLVED to recommend to the County Council :-

- Ŷ that it authorise the additional costs over and above existing budgets.
- Ŷ to authorise the Corporate Director (Finance) to make enquiries with the appropriate bodies to ascertain the rights of the Council to disclose the cost of the employment of the New Interim Managing Director.

COUNCILLOR T.H. JONES
CHAIRMAN

PRAWF BUDD Y CYHOEDD PUBLIC INTEREST TEST

(Teitl yr Adroddiad/Title of Report)

GOBLYGIADAU ARIANNOL PENODI'R RHEOLWR-GYFARWYDDWR NEWYDD A THROS
DRO A'I DDYNODI YN BENNAETH Y GWASANAETH TÂL

FINANCIAL IMPLICATIONS OF THE APPOINTMENT OF THE NEW INTERIM MANAGING
DIRECTOR AND DESIGNATION AS HEAD OF PAID SERVICE

Paragraff(au) Paragraph(s)	Atodlen 12A Deddf Llywodraeth Leol 1972 Schedule 12A Local Government Act 1972
[un neu fwy o/one or more of 12,13,14,15,16,17,18,18A,18B,18C]	
Y PRAWF - THE TEST	
Mae yna fudd y cyhoedd wrth ddatgelu oherwydd / There is a public interest in disclosure as:-	Y budd y cyhoedd wrth beidio datgelu yw / The public interest in not disclosing is:-
Credir bod darpariaeth ar gyfer y prawf yn yr is-baragraffau a ganlyn dan Restr 12A Deddf 1972 :	It is considered that the test is covered by the following sub paragraphs under Schedule 12A of the 1972 Act :
12,14,15,16	12,14,15,16
Mae yn yr adroddiad wybodaeth eithredig ynghylch gweithiwr a swyddog arfaethedig i'r Cyngor Sir.	The report comprises exempt information regarding a proposed employee and office holder of the County Council.
Hefyd mae yn yr adroddiad wybodaeth sensitif yng nghyswllt trafodaethau masnachol sy'n destun cyfrinachedd fasnachol - onid yw'r gyfrinachedd yn cael ei chadw yna gellid cymryd camau yn erbyn yr awdurdod.	It also provides sensitive information which relates to commercial negotiations and is subject to commercial confidentiality - where a failure to maintain that confidentiality could be actionable against the authority.
<p>Argymhellid - Mae budd y cyhoedd wrth gadw'r eithriad o bwys mwy na/hai na* budd y cyhoedd wrth ddatgelu'r wybodaeth. [* - dilwch y geiriau amherthnasol]</p> <p>Recommendation - The public interest in maintaining the exemption outweighs/does not the public interest in disclosing the information. [* - delete as appropriate]</p>	

CYNGOR SIR YNYS MÔN	
PWYLLGOR:	PWYLLGOR PENODI
DYDDIAD:	25 MEDI 2009
TEITL YR ADRODDIAD:	GOBLYGIADAU ARIANNOL PENODI'R RHEOLWR-GYFARWYDDWR NEWYDD A THROS DRO A'I DDYNODI YN BENNAETH Y GWASANAETH TÂL
PWRPAS YR ADRODDIAD:	YMATEB I GAIS AM RAGOR O WYBODAETH
ADRODDIAD GAN:	CYFARWYDDWR CORFFORAETHOL (CYLLID)
GWEITHREDU:	CYFLWYNO ARGYMHELLIAD I'R CYNGOR SIR

CYFRINACHOL

1. CEFNDIR

- 1.1 Yn ei gyfarfod ar 4 Medi gofynnodd y Pwyllgor am gadarnhad ynghylch trefniadau gweithio y Rheolwr-gyfarwyddwr Dros Dro newydd a hefyd beth fydd y costau fel bod modd cytuno ar argymhelliad i'r Cyngor Sir.

2. CYLLIDBAU

- 2.1 Mae'r wybodaeth ychwanegol a roddwyd gan y Pennaeth Gwasanaeth (Gwasanaethau Corfforaethol) yn ei adroddiad dan Eitem 4 wedi golygu bod modd i ni ddiweddarau'r costau a roddwyd o'r blaen. Felly bydd y costau a ragwelir yn £4.0k i £5.3k yr wythnos.
- 2.2 Mae'r gyllideb bresennol ar gyfer swydd y Rheolwr-gyfarwyddwr yn £184k (neu £3.5k yr wythnos) gan gynnwys cyflog a gorbenion. Am y flwyddyn bresennol mae £168k ar ôl a hynny ar ôl talu cyflog y cyn Reolwr-gyfarwyddwr hyd at Ebrill ac ar ôl darparu cydnabyddiaeth i'r Rheolwr-gyfarwyddwr Gweithredol hyd at 13 Hydref. Yr angen cyllideb yw £95k i £130k ac felly mae mwy na digon o gyllideb am eleni.
- 2.3 Am 2010/11, mae diffyg rhagamcanedig o hyd at £1.8k yn erbyn y gyllideb sydd ar gael. Mae hyn yn golygu y bydd raid wrth gyllideb ychwanegol ar gyfer y penodiad cychwynnol hyd at 12 Hydref 2010. Bydd angen rhagor o gyllidebau os ydyw'r penodiad yn cael ei ymestyn am flwyddyn arall a hynny fel a ganlyn:-

ISLE OF ANGLESEY COUNTY COUNCIL	
COMMITTEE:	APPOINTMENTS COMMITTEE
DATE:	25 SEPTEMBER 2009
TITLE OF REPORT:	FINANCIAL IMPLICATIONS OF THE APPOINTMENT OF THE NEW INTERIM MANAGING DIRECTOR AND DESIGNATION AS HEAD OF PAID SERVICE
PURPOSE OF REPORT:	RESPOND TO REQUEST FOR FURTHER INFORMATION
REPORT BY:	CORPORATE DIRECTOR (FINANCE)
ACTION:	MAKE RECOMMENDATION TO COUNTY COUNCIL

CONFIDENTIAL

1. BACKGROUND

- 1.1 At its meeting on 4 September the Committee requested confirmation of the proposed working arrangements of the new Interim Managing Director and the resulting costs to enable it to agree a recommendation to the County Council.

2. BUDGETS

- 2.1 The additional information provided by the Head of Service (Corporate Services) in his report at Item 4 has enabled me to update the costings provided previously. The anticipated costs are therefore £4.0k to £5.3k per week.
- 2.2 The existing budget for the Managing Director's post is £184k (or £3.5k per week) including pay and overheads. For the current year £168k remains having covered the pay of the previous Managing Director to April and the honorarium for the Acting Managing Director to 13 October. The budget required is £95k to £130k so there is more than enough budget this year.
- 2.3 For 2010/11, there is a projected deficit of up to £1.8k per week against the available budget. This means that the initial appointment to 12 October 2010 will require additional budget. Further budgets are required if the appointment is extended for a further year, as follows :-

	CYLLIDEB AR GAEL *	COSTAU RHAGAMCANEDIG	DIFFYG
2010/11 Hyd at 12/10/10 o 13/10/10	£85k £99k	£127k £148k	£42k £49k
CYFANSWM 2010/11	£184k	£275k	£91k
2011/12 Hyd at 12/10/11	£85k	£127k	£42k
CYFANSWM 2011/12	£85k	£127k	£42k

* Yn ôl prisiau 2009/10

3 ARGYMHELLIAD

Bod y Pwyllgor yn argymhell i'r Cyngor Sir y dylai roddi'r awdurdod yng nghyswilt y costau ychwanegol – y rhai y tu draw i'r cyllidebau presennol - fel yr amlinellir y costau hynny yn y tabl.

DAVID ELIS-WILLIAMS
CYFARWYDDWR CORFFORAETHOL (CYLLID) 24 MEDI 2009

	BUDGET AVAILABLE *	PROJECTED COSTS	DEFICIT
2010/11			
To 12/10/10	£85k	£127k	£42k
From 13/10/10	£99k	£148k	£49k
TOTAL 2010/11	£184k	£275k	£91k
2011/12			
To 12/10/11	£85k	£127k	£42k
TOTAL 2011/12	£85k	£127k	£42k

* At 2009/10 prices

3. RECOMMENDATION

That the Committee recommends to the Council that it authorises the additional costs over and above existing budgets as outlined in the table.

DAVID ELIS-WILLIAMS
CORPORATE DIRECTOR (FINANCE)

24 SEPTEMBER 2009

37. EMOLUMENTS

The number of employees (including head teachers and senior school staff) whose remuneration paid in 2008/09, excluding pension contributions but including severance pay, was £60,000 or more.

Remuneration Band	Including Severance Pay		Excluding Severance Pay	
	2008/09 No. of Employees	2007/08 No. of Employees	2008/09 No. of Employees	2007/08 No. of Employees
£60,000 - £69,999	7	5	7	5
£70,000 - £79,999	5	2	5	2
£80,000 - £89,999	1	0	1	0
£90,000 - £99,999	0	0	0	0
£100,000 - £109,999	1	0	0	0
£110,000 - £119,999	0	1	0	1
£120,000 - £129,999	0	0	0	0
£130,000 - £139,999	1	0	1	0

38. PENSIONS

As part of the terms and conditions of employment of its employees, the Council offers retirement benefits. Although these benefits will not actually be payable until employees retire, the Council has a commitment to make payments that needs to be disclosed at the time that employees earn their future entitlements.

The costs incurred by the Council are through two different pension schemes, all of which provide defined benefits based on final salary.

Teachers

This is an unfunded scheme administered by the Department for Education and Skills, who set the contribution rates supported by five yearly actuarial reviews of a notional fund.

Employers' contributions of £3.058 million (£2.968m in 2007/08) were made in 2008/09 at the rate of 14.1% of pensionable pay (14.1% in 2007/08). In addition, payments relating to enhancements for early retirements etc. made on a pay-as-you-go basis amounted to £0.592 million (£0.544m in 2007/08) or 2.81% of pensionable pay (2.65% in 2007/08).

Other Employees

A fund is maintained by the Gwynedd Council under the Local Government Pension Scheme regulations. Periodic actuarial valuations are carried out. The last valuation of the fund was undertaken on 31 March 2007 and the estimate of scheme assets and liabilities given below is based on that valuation with the Actuary taking account of contributions, retirements and fund performance between that date and 31 March 2009.

During 2008/09 employers contributions of £6.833 million (£5.989m in 2007/08) were made, at the rate of 21.0% (19.3% in 2007/08) of pensionable pay. The increase follows an actuarial valuation, as at 31 March 2007, (which was implemented in 2008/09) which identified that the funding level of the Fund at that date was 84% (from 74% in 2004) and that a common rate of 20.1% was necessary to return the fund to 100% funding over a period of 20 years. The Council's rate was higher than this and it was decided to increase the rate immediately. Payments relating to enhancements for early retirements amounted to £0.924 million (£0.888m in 2007/08). An Annual Report on the Pension Fund is available from the Pensions Section, Gwynedd Council.

The capital cost of discretionary increases in pension payments agreed by the Authority during 2008/09 is estimated at £8,000 (Nil in 2007/08).