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Gwasanaeth Democraidd
Democratic Service
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Cyfarfod / Meeting

PWYLLGOR CRAFFU CYMUNEDAU
COMMUNITIES SCRUTINY COMMITTEE

Dyddiad ac Amser / Date and Time

10:30am, DYDD MAWRTH, 13 MAI, 2014

10.30am, TUESDAY, 13 MAY, 2014

Lleoliad / Location

SIAMBR DAFYDD ORWIG

SWYDDFEYDD Y CYNGOR / COUNCIL OFFICES

CAERNARFON

***Nodyn atgoffa / Reminder:**

GWEITHDY BLYNYDDOL
PWYLLGOR CRAFFU CYMUNEDAU

13.5.2014 2:00pm SIAMBR HYWEL DDA

ANNUAL WORKSHOP
COMMUNITIES SCRUTINY COMMITTEE

Pwynt Cyswllt / Contact Point

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Dosbarthwyd / Distributed 7-05-2014

Aelodaeth/Membership (18)

Plaid Cymru (9)

Y Cynghorwyr/Councillors

Craig ap Iago	Annwen Hughes	Gethin Glyn Williams
Dilwyn Morgan	Linda Morgan	Tudor Owen
Caerwyn Roberts	Mandy Williams-Davies	Eurig Wyn

Annibynnol/Independent (4)

Y Cynghorwyr / Councillors

Eric M. Jones	Nigel Pickavance	Angela Russell	Mike Stevens
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Llais Gwynedd (3)

Y Cynghorwyr/Councillors

Louise Hughes	Gruffydd Williams	Robert J. Wright
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Llafur/Labour (1)

Y Cynghorydd/Councillor

Gwynfor Edwards

Democratiaid Rhyddfrydol / Liberal Democrats (1)

Y Cynghorydd/Councillor

Stephen Churchman

Aelodau Ex-officio / Ex-officio Members

Cadeirydd y Cyngor / Chairman of the Council

AGENDA

1. **CHAIRMAN**
To elect a Chairman for 2014/15
2. **VICE-CHAIRMAN**
To elect a Vice-chairman for 2014/15
3. **WELCOME AND APOLOGIES**
To accept any apologies for absence.
4. **DECLARATION OF PERSONAL INTEREST**
To receive any declaration of personal interest.
5. **URGENT ITEMS**
To note any items that are a matter of urgency in the view of the Chairman for consideration.
6. **MINUTES**
The Chairman shall propose that the minutes of the last meeting of this committee, held on 4 March, 2014, be signed as a true record.

(copy herewith – **yellow** paper).
7. **THE EFFECT OF SECTION 106 AGREEMENTS ON THE VIABILITY OF COMMUNITIES**
Consider the Head of Regulatory Department report

(copy herewith – **pink** paper).
8. **CONTROL OF CARAVANS PARKING ON COUNCIL PROPERTY, SNOWDONIA NATIONAL PARK AND NATURAL RESOURCES WALES, OR IN A LAY BAY WITHOUT PERMISSION.**

Receive information verbally
9. **THE COMMITTEE'S FORWARD WORK PROGRAMME**

(copy herewith – **blue** paper)

PLEASE NOTE: THE COMMUNITIES SCRUTINY COMMITTEE ANNUAL WORKSHOP WILL FOLLOW ON FROM THIS MEETING – RESUME AT 2:00pm in SIAMBR HYWEL DDA

COMMUNITIES SCRUTINY COMMITTEE 04.03.2014

PRESENT - Councillor Eric M. Jones, (Chairman)
Councillor Angela Russell (Vice-chair).

Councillors:- Annwen Hughes, Linda Morgan, Dilwyn Morgan, Nigel Pickavance, Caerwyn Roberts, Mike Stevens, Gethin Glyn Williams, Gruffydd Williams and Eurig Wyn

OFFICERS: Debbie Anne Williams Jones (Democratic Services Manager), Lowri Haf Evans (Member Support and Scrutiny Officer).

ALSO PRESENT:

- i) In relation to item 5 on the agenda – Catherine Eirlys Roberts (Delivery Manager - Gwynedd and Anglesey Community Safety), Geraint Hughes (Community Safety Manager – Gwynedd and Anglesey, Fire and Rescue Service).
- ii) In relation to item 6 on the agenda – Mr Winston Roddick (North Wales Police Commissioner) and Mr Julian Sandham, Deputy Commissioner and Police Inspector Neil Thomas.
- iii) In relation to item 7 on the agenda – Mr Alex Goss (Temporary Superintendent Police Force Control Centre), Mr Paul Shea (Call Centre Manager, St Asaph)
- iv) In relation to item 8 on the agenda – Councillor W. Gareth Roberts – Cabinet Member for the Environment, Aled Davies (Head of Regulatory Department) and Bethan Rowlands (Acting Integrated Transport Unit Manager).
- v) In relation to item 9 – Gareth James (Member Support and Scrutiny Manager), Ann Elizabeth Roberts (Assistant Performance Improvement Scrutiny Officer).
- vi) In relation to item 10 – Councillor Sian Gwenllian – Cabinet Member for Education

APOLOGIES: Councillors Louise Hughes, Mandy Williams-Davies and Robert J. Wright.

1. **WELCOME:** The Chairman welcomed everyone to the meeting.

2. **DECLARATION OF PERSONAL INTEREST**
No declarations of personal interest were received.

3. **URGENT ITEMS**
Nothing to note

4. **MINUTES**
The Chairman signed the minutes of the previous meeting held on 10 December 2013 as a true record.

5. ANNUAL UPDATE OF THE COMMUNITY SAFETY PARTNERSHIP

Catherine Roberts (Delivery Manager – Gwynedd and Anglesey Community Safety) and Geraint Hughes (Community Safety Manager – Gwynedd and Anglesey, Fire and Rescue Service) were welcomed to the meeting.

An update was provided on the work of the Community Safety Partnership. It was explained that the Partnership was required to report formally to the Committee every year providing an overview of the year's main activities. This ensured that the Partnership met its obligations in accordance with the sections of the Police & Criminal Justice Act 2006. It was emphasised that the committee's duty was to scrutinise the Partnership's work, rather than the work of individual officers.

The main points of the Report:

- The Partnership's statutory duties
- Rationalisation of Gwynedd and Anglesey Partnerships
- A 14% reduction in recorded crimes between April and December 2010/11 and 2012/13.
- The priorities of the Community Safety Partnership's Strategic Plan – which was now a regional plan.
- Establishing the North Wales Safer Communities Board
- Main activities to respond to the priorities
- Key milestones and actions

Reference was made to some of the projects being held in the community that were good examples of effective collaboration between agencies.

- Integrated Offender (high risk) Management Plan
- Phoenix Plan – a Fire Service plan for young people.
- A plan by the Fire and Rescue Service and Police to deal with empty buildings, businesses and vulnerable people.
- MARAC (Multi Agency Risk Assessment Conference) Plan specifically for domestic violence.
- Youth Offending Team Service

In response to a question regarding the validity of the crime reduction figure, it was confirmed that the figures were collated by the Police and that they compared well with the British Crime Survey figures.

In relation to the Home Office's changes to the procedure for recording crimes, the Commissioner reiterated that those changes were being scrutinised in detail. Reference was made to the Crime Recording Group which scrutinised the procedure for analysing and gathering information on crime. National Survey also scrutinised elements of the procedure.

In response to a question regarding the Partnership's concerns of transforming the substances fund to a regional grant rather than a county grant and the assumption that Substance Misuse Action Teams would not be needed, the importance of effective collaboration was emphasised and identifying ways of ensuring that the Partnership continued to deliver good preventative work.

The information was appreciated.

The report was accepted.

6. PRESENTATION BY THE POLICE COMMISSIONER

Mr Winston Roddick (North Wales Police Commissioner) and Mr Julian Sandham (Deputy Police Commissioner) and Police Inspector Neil Thomas were welcomed to the meeting.

Submitted – the Police and Crime Plan for North Wales (consultation draft) – it was noted that the consultation period for the proposed plan had come to an end on 3.3.2014 and that the final version would be submitted on 17.3.2014.

A letter from Councillor John Wyn Williams with Gwynedd Council's response to the plan was read out and it was noted that the Council's priorities were in keeping with the Commissioner's vision.

Reference was made to the contents of the report and the following points were highlighted:

- Establishing four new main objectives
- The challenge and vision of maintaining north Wales as one of the safest places in the county. It had been reported in January 2014 that Gwynedd was the safest county in Wales and England.

Question and answer session:

What were the Commissioner's plans to strengthen the Police's relationship with countryside communities?

There was a need to strengthen effective networking with communities.

It was noted that the Countryside Policing Procedure Plan had been developed using Police Officers who had background and expertise in the culture of the countryside. The plan had been in existence for 12 months – the Farmers' Unions had welcomed the Plan.

What were the Commissioner's plans to increase the number of police officers on the street – this was core to the relationship between the Police and the community?

It was noted that different programmes were being created for different areas. The Police's main objective was to prevent crime and therefore it was essential to have more Police presence in areas where the crime rate was at its highest. There had been an increase in Police Community Support Officers – Offices had opened in Penygroes, Bethesda and Llanberis.

Organised crime and drug trafficking. How did the Commissioner go about dealing with people who dealt in / sold drugs?

Accepted that there was a drug problem in north Wales. Collaboration with neighbouring counties was essential.

Dog Fouling. A request to renew the protocol for Police Community Support Officers to issue fixed penalty notices to dog owners who did not clean up after their dogs.

Inspector Neil Thomas was willing to consider the request.

How could problems such as 'neknominator' be solved?

A national problem. No local incidents had been recorded to date. The Police Community Support Officers used social media to communicate with young people.

The Committee was grateful for the presentation.

7. PRESENTATION BY THE MANAGER OF THE NORTH WALES POLICE COMMUNICATIONS CENTRE

Mr Alex Goss (Temporary Superintendent Police Force Control Centre) and Mr Paul Shea (Call Centre Manager, St Asaph) were welcomed to the meeting.

In response to Superintendent Alex Goss's request to share information with communities and to raise awareness of the Communications Centre's work, he had been invited, along with the Manager of the Emergency Call Centre at St Asaph to give presentations on their day to day work. The requirement for the police to respond to cases was discussed and case studies were presented of the type of inappropriate calls they received.

A small team from the Committee were invited to visit the Call Centre should they wish to do so.

The Committee thanked them for their comprehensive and interesting presentation.

8. PUBLIC TRANSPORT MATRIX

Gareth Roberts, Cabinet Member for the Environment, Aled Davies (Head of Regulatory Department) and Bethan Rowlands (Acting Integrated Transport Unit Manager) were welcomed to the meeting.

The Cabinet Member explained that the matrix had been developed some years ago by a Task Group (on behalf of the Environment Scrutiny Committee) to seek to establish a logical basis for comparing services which received a subsidy. Since its development, the matrix had not been used to influence the Council's investment in the transport services. Retendering contracts had now become a priority and this process had been completed.

Bethan Rowlands submitted details on Assessing Public Transport Services and noted the appropriate elements within the matrix and the weighting given to each of those elements.

The Committee was asked to consider the propriety of the relevant elements along with the different weightings applied to them. It was also noted that the Cabinet Member wished to ask the Committee whether or not the matrix was an appropriate tool for evaluating the value for money provided by the transport services.

Members' Observations:

- The matrix was welcomed and it was noted that it could be developed as an effective tool – it could apply logic to difficult decisions.
- It was expressed that examples of journeys would provide a better indication of the situation.
- There was concern that essential journeys were likely to receive a low scoring in the matrix and that this could lead to the isolation of residents in the countryside.
- Shopping and work category – needed to highlight that it had been included under 'access to services.'
- Transport to education and work had been considered under peak time journeys.
- There was a need to include Care and Residential Homes within one of the access to service elements.
- There was a need for the matrix to consider when and where the greatest need was located (specific attention to Ysbyty Gwynedd visiting hours). There was a need for the journeys to respond to people's needs.

In response to a question on amending the matrix for the holiday season, it was noted that there would be an opportunity to analyse the data received from the companies every season once the first year of the contracts period had come to an end.

The amendments / observations proposed by the Members would be considered by the Cabinet Member. It would be the Cabinet Member who would determine the final matrix and whether or not he wished to use it as a tool for developing options for shaping the future of the transport services provided in Gwynedd.

Everyone was thanked for their contribution.

9. BANGOR PRIDE SCRUTINY INVESTIGATION REPORT

(This item was chaired by the Vice-chair as the Chairman had been part of the investigation)

Gareth James (Member Support and Scrutiny Manager) and Ann Elizabeth Roberts (Assistant Performance Improvement Scrutiny Officer) were welcomed to the meeting.

Councillor Dilwyn Morgan was introduced as the Chairman of the investigation along with Councillor Gareth Roberts, the Cabinet Member for the Environment.

It was reported that the investigation had been undertaken with the intention of assessing the success of the plan to improve the local environment and to identify good practice to be shared across the County. It had become apparent very early on that the work encompassed much more than the environment and they had obtained valuable messages in terms of the element of partnership working and collaboration.

As a consequence of those broader messages, it had been recommended that the report should be shared with all Cabinet members as a number of the areas in question were common to all departments. It was felt that maintaining the quality of services and improving them for users was at the heart of Gwynedd Council's work and therefore there was a need to maintain focus on local service users when planning and providing services.

Main points from the discussion:

- Strong evidence of working together in the citizen's interest
- Evidence of departmental collaboration (mixed messages)
- Wales Audit Office's requirements of evidence of engaging with the public had caused the investigation timetable to slip – an extension had been approved to create a questionnaire.
- In relation to applying the plan to other areas in Gwynedd, it was noted that the will to improve the community had to come from the community. The Council did not have the capacity to lead.
- A request was made for the Cabinet Member to provide a progress report in six months.

Attention was drawn to the recommendations of the investigation, specifically for the Bangor area and also further recommendations relating to Gwynedd as a whole.

The Cabinet Member accepted the report and the recommendations. It was agreed to prepare a progress report within six months.

Specific comments were made on the work, commitment and instinct of the Street Services Manager to maintain the services in Bangor. The Councillors and officers were also thanked for their work and their time.

10. POST-16 EDUCATION TRANSPORT SCRUTINY INVESTIGATION BRIEF

The Cabinet Member for Education – Councillor Sian Gwenllian was welcomed to the meeting.

The Cabinet Member outlined that concern regarding Post-16 Education transport had been highlighted at a meeting in August 2013. In September 2013, in response to those concerns, it had been agreed to undertake an investigation in the post-16 transport field.

The Committee was reminded,

- That there was no additional funding available to improve the service.
- That a plan responding to the obstacles would be welcomed
- That providing Post-16 Transport was not a statutory service.

Debbie Anne Williams Jones (Democratic Service Manager and the investigation's lead officer) submitted the investigation brief. The Committee was asked to agree to the brief and confirm the membership. Recent correspondence had been received by Councillor Craig ap Iago noting that it would not be possible for him to commit his time to the investigation. Consequently, the committee would nominate another member to serve the investigation (and to consider the possibility of electing a member from Arfon to ensure a balanced representation).

Councillor Eurig Wyn was proposed.
The proposal was accepted.

Observations were made that there was a need to consider the Welsh Government's guidance on post-16 education transport. It was agreed to include the observation in the brief.

The first meeting of the investigation would be held on 13.3.2014.

The brief was accepted.

11. SCRUTINY FORWARD WORK PROGRAMME 2013-2014

The Work Programme (latest version) was circulated for information. The programme would be developed over the next three months by holding a workshop with the Members to discuss the main areas of priority and the contents of the revised programme for 2014-2015.

Everyone was thanked for their contribution.

The meeting commenced at 10am and concluded at 1.50pm.

NAME OF SCRUTINY COMMITTEE	COMMUNITIES
DATE OF MEETING	13th May, 2014
TITLE	Section 106 agreements for affordable housing
AUTHOR	Aled Davies, Head of Regulatory Department
CABINET MEMBER	Cllr John Wyn Williams
PURPOSE	To provide some context relating to the possible effect of Section 106 Agreements on the viability of communities.

Background

1. The preparatory meeting for the Communities Scrutiny Committee was held on 8th April 2014. One of the items that the committee was keen to scrutinise were matter relating to the use of Section 106 agreements and their possible effect on the viability of communities. This item has been on the Scrutiny Committee's forward programme since 2013
2. During the preparatory meeting a series of questions were identified which the members wanted to be considered at the Scrutiny Committee on the 13th May 2014. These questions vary from the numbers of planning applications made which were subject to Section 106 agreements, how many affordable houses with Section 106 Agreements had been built, along with questions relating to the advantages and disadvantages of using section 106 agreements in Gwynedd.
3. The committee was also keen to gather information from the Cabinet Member in relation to other potential arrangements which could be made to enable local people to stay and live within their local communities and the possible effect that the changes to the planning system in Wales could have on the provision of affordable housing and using section 106 agreements in the future.
4. The questions were very varied in their nature and it was not an easy task to provide a full written response in a committee report without overcomplicating the issue.
5. There are a number of various elements relating to the provision of affordable housing in Gwynedd and the use of section 106 agreements to ensure that they are affordable in the future.

6. It is the intention of the Cabinet Member to respond to the questions asked along with any supplementary questions asked by the Committee verbally at the Scrutiny Committee on 13th May.

Section 106 agreements and self-build

7. Many of the questions asked in relation to section 106 agreements relate to the self-build sector. It appears that section 106 agreements with registered social landlords and housing associations work reasonably well but that the obstacles which have been raised with members and in the press regarding the provision of affordable housing and primarily relating to individual self-build projects across the County. However, from the evidence available, the numbers of applications falling into this category are very low.
8. Earlier this year, a research report was prepared on behalf of the Cabinet Member to report to the Planning and Housing Achievement Panel. This work was undertaken in the context of the task identified in the Strategic Plan which notes the need to consider other possible models for delivering affordable housing in the County in the future and if it is possible to overcome any obstacles relating to section 106 agreements
9. This work was undertaken by the Strategic Housing Unit and the report prepared by them based on their research has been appended. It should be noted that this report was prepared a few months ago and the context has changed somewhat since then. However, it does provide answers to a number of the questions raised by the Scrutiny Committee.
10. The Cabinet Member and relevant officers will be available to verbally respond to questions raised by the Scrutiny Committee at their meeting on the 13th of May.

Investigation into the obstacles created by 106 conditions and self-builds

Introduction

The Gwynedd Council Strategic Plan acknowledges that consideration needs to be given to whether there are other models which could be implemented in order to provide affordable housing in the County for the future, a part of which is to overcome the obstacles created by 106 conditions.

The Housing Strategic Unit has undertaken research to discover whether obstacles exist with 106 agreements and if so, is this the reason which prevents self-build units from being erected.

A brief was created at the beginning of the research and five hypotheses had been made, namely:

1. It is the 106 agreements and the wording which create obstacles and mean that the banks are unwilling to lend
2. It is self-build units which are affected mostly rather than large developments
3. It might be the financial/personal situation of the individual which prevents them from being able to obtain a mortgage
4. The number of self-build units which have been completed is low (over a specific period)
5. The time to complete a self-build unit from receipt of planning permission is long

This report will seek to confirm or refute the abovementioned hypotheses and will make recommendations to the Delivery Panel on how to overcome any obstacles.

The wording of the 106 agreement

No lenders offer mortgages to self-build units that are subject to a 106 agreement as the panels which act on mortgages do not interact with the panels which act on self-build plans and it is not possible to combine the two.

Gwynedd Council and Principality have worked together on the wording of the agreements in recent years and at the time Principality agreed to the wording. The legal department has noted that the agreements seem to work on developments which are not self-builds.

Principality has provided observations on what it wishes to see as a minimum in an agreement; however many of the points noted by them are not relevant to Gwynedd. The main observations made by Principality which are relevant to Gwynedd are as follows:

- That the first charge goes to the lender i.e. if the borrower defaults on the payments the lender gets the first charge on the property.
There is no 'charge' under the Gwynedd 106 at present.
- That the local condition is three years where possible.
The Gwynedd agreement is five years at present.
- Changing the wording of the 'Mortgage in Possession' clause.

- **The Gwynedd agreement notes that if a bank takes possession they must offer the property to Gwynedd first and if we don't need it, it is then sold on the open market. But they must pay an amount to Gwynedd when this happens, namely the difference between the open market price and the affordable price.**

No mortgages are offered to self-build units subject to 106 condition however it appears that there are issues arising when looking at the wording of the agreement. It would be an idea to have a further discussion on the above with the Council's Legal Department.

It is also important to note that lenders do lend for self-build units without a 106 agreement. The Principality is not one of those.

Joint meeting with Mortgage companies

A meeting was arranged with Principality, 75 Point 3, a mortgage company from Pwllheli, Snowdonia National Park Authority, Gwynedd Council Officers, Anglesey Council Officers and Tai Eryri Housing Association in order to discuss the obstacles arising from the 106 agreements. The main observations made during the meeting are as follows:

- The Park and Gwynedd 106 Agreements have been amended by now and are clearer and more reasonable. There is no major problem with the 106 condition itself but as they vary it is not worth the companies looking at each one individually. Work is being undertaken by the North Wales Authorities' Legal Services now looking into reconciling elements of 106 agreements. It is possible that this will assist with the matter noted above. We will need to be ensured that we are kept up to date on this work.
- The 106 condition is acceptable on the whole to lenders; however, there are difficulties with these agreements when owners wish to sell.
- The Principality does not offer staged payments but they have considered a bridging loan. Before looking into this in detail the credit rating of the applicants must be ensured in order to reduce the risk.
- Affordable housing will continue in Gwynedd given also that the Joint Local Development Plan encourages it. Self-build is important in rural areas.
- Obtaining a mortgage certificate can be a problem as the company does not know what the property will be when offering the mortgage, and then the offer can change when the applicant finds a property.
- The main obstacle to individuals not able to obtain a mortgage would be the condition, but in the context of self-build with a 106 these mortgages do not exist in any case. It can also be because of the individual's financial situation, therefore there are other circumstances which can cause problems also.

As has already been noted, no lenders offer mortgages on self-build units subject to a 106 condition. However, what does become apparent from the above in looking at the agreement alone is that there are other circumstances which prevent an individual from accessing mortgages and therefore it is not fair to put the whole burden on the condition.

Other Councils' Procedures

Conwy Council

- Looking at creating a more standard version of a 106 template; however, they have not faced many problems with the agreements.
- Intend to look at the problem with self-build and the work of preparing their Affordable Housing SPG will provide the link with the national policy and will then give clarity to everyone.

Flintshire County Council

- In the past they have removed the 106 condition in order to help individuals to access a mortgage; however the individual is required to pay a commuted sum to the Council for this.
- This has not happened often and the individual receives a detailed assessment before a decision is made.
- The commuted sum is then recycled to be able to help individuals who are trying to buy an affordable house. They acknowledge that they lose a unit but they can help someone else.

Anglesey County Council

- Offer a short-term loan to self-builders on Council land
- One applicant has submitted an application and the loan is for £20K up to a maximum of £60K, with a fee of £250 to be paid in the first month and then fixed interest on the loan.
- A mortgage certificate must be presented at the beginning which shows that they can obtain a mortgage in principle (and have had the credit checks).
- The Council keeps land ownership until the builder obtains the mortgage
- The unit is not seen as a self-build unit once it has been completed and therefore it is possible to obtain a general mortgage at this point.

The experiences of applicants / self-builders

Contact has been made with an individual who had difficulties accessing a self-build mortgage with a 106 condition. This person's experience was that a self-build mortgage including a 106 clause as part of the planning conditions was available at the start of the process. However, by the time he had signed the agreement the lenders did not offer this type of mortgage and therefore it has not been possible to proceed with the development. In addition, with a self-build unit there are initial costs such as architects' costs and planning fees and the individual has spent a considerable amount on these aspects. As he was unable to obtain a mortgage he now rents a house and it is impossible for him to save money to be able to build because his money goes on rent.

This individual said:

"If the intention of a 106 restriction is to encourage young people to remain in their areas, it does not make sense that no establishment is willing to offer us a mortgage."

Information from the Gwynedd and the Park planning area

Planning permission for self-build residential units with an affordable 106 agreement in the Gwynedd planning area

- Five planning applications had been received in 2012/2013 and one of these was for change of use.
- Ten applications had been received in 2011/2012 and two of these were for converting a building and three for external building changes/adaptations.

Planning permission for self-build residential units with an affordable 106 agreement in the Park planning area

- Two applications had been received in 2012/2013
- Two applications had been received in 2011/2012 – one for a conversion and one change of use

Of the abovementioned figures, it appears that the number of individuals coming forward to apply for planning permission for self-build units is low.

The number of self-build residential units that have come through, and the length of time it has taken to complete a unit from receipt of planning permission in Gwynedd

Where the development is one unit only it has been presumed that this is a self-build unit. It is these units that have been included in the figures below.

- Six self-build units had been completed in 2012/2013 and three had signed the agreement in 2011 and three in 2012
- Five self-build units had been completed in 2011/2012 and the timing of signing the agreements varies between 2007 and 2011.

The number of self-build residential units that have come through, and the length of time it has taken to complete a unit from receipt of planning permission in the Park

Where the development is one unit only it has been presumed that this is a self-build unit. It is these units that have been included in the figures below.

- Two self-build units had been completed in 2012/2013 and one had signed the agreement in 2011 and one in 2012
- One self-build unit had been completed in 2011/2012 and the agreement was signed in 2007

Of the abovementioned figures, it appears that there is no specific pattern for the time it takes to complete a self-build unit; however, some of the units which were completed in 2011/2012 have taken more time to complete. In addition, the number of units completed is low; namely 11 in Gwynedd and three in the Park.

Conclusions

- It is not the wording of the 106 which prevents individuals from obtaining a mortgage on self-build units but the fact that no lenders offer such mortgages. The reason for

this is that the panels which act on mortgages do not interact with the panels which act on self-build plans and it is not possible to combine the two. However, once a self-build unit which is subject to a 106 condition is completed it is not then seen as a 'self-build unit' and therefore it is possible to obtain a general mortgage at this point.

- In terms of the agreement itself it appears from the observations which have been received that they work on the whole and that they have improved, although points have been highlighted by the Principality within the Gwynedd agreement.
- The old agreements can cause difficulties when the owner comes to selling the property and also because they vary across north Wales it is not worth the companies looking at each one individually.
- Self-builders have been affected because there are no mortgages available rather than the large developments
- The agreement is not the only reason that prevents someone from obtaining a mortgage, it can also be the individual's financial situation
- Between 2011 and 2013, 15 planning permissions had been granted in Gwynedd and four in the Park for self-build residential units subject to a 106 agreement
- There is no specific pattern for the time it takes to complete a self-build unit; however, some of the units which were completed in 2011/2012 have taken more time to complete.
- Between 2011 and 2013 the number of self-build units that have been completed is low. In 2011-2012 in the Gwynedd planning area, 23% of the units which had been completed were self-build ones subject to a 106 condition. In 2012-2013 in the Gwynedd planning area, 17% of the units which had been completed were self-build ones subject to a 106 condition. The accumulative total in Gwynedd between 2011-2013 was 22%.

Options for consideration

- It will not be possible to reconcile the agreements across north Wales as everyone's affordable housing policies are different; however there is a piece of work being undertaken at present with the North Wales Authorities' Legal Services to try to reconcile elements of the agreement. The Housing Strategic Unit will ensure that we are kept up to date on this work.
- Further discussion is needed with Gwynedd Council's Legal Department to try to resolve the matters that Principality has highlighted.
- Consider removing the 106 condition and the self-build planning applications and that a commuted sum is paid to the Council in order to do this.
- Look at establishing a pilot scheme in order to offer a loan to individuals who are trying to erect a self-build unit subject to a 106 condition. As initial figures, we will be looking at a target of 10 units and a sum of £800,000 (namely a loan of a maximum of £80,000 per unit). We will also require interest every month on the loan. The Cabinet Member has by now submitted this type of model to the Members in order to receive their initial observations.

Decision

- Reduce the period noted in the mortgage in possession clause within Gwynedd Council's 106 agreement from 12 weeks to 6 weeks.

Communities Scrutiny Work Programme September 2013 – August 2014

	Title	Brief Description
1.	Parking fees	Update of review
2.	Apprenticeship Plan	
3.	Caravan monitoring arrangements and enforcement	Consider the efficiency of the Regulatory Department in relation to monitoring if people are living in caravan parks or if they are on holiday
4.	Attract and retain businesses in the County	How effective is the Council in attracting businesses and employment to the County?
5.	Improve the one – bedroom housing stock	The benefits system penalises people with spare bedrooms. There is a need to encourage housing associations to build a one-bedroom housing stock.
6.	Management of Hafan Pwllheli	Consider the possibility of returning the management to a private company.
7.	Use of bike and walking paths	
8	Parc Glynllifon and Parc Padarn	
9	Tourism	To consider the effect of the tourist industry on the economy of Gwynedd.
10.	Homelessness – Noddfa Hostel, Deiniolen	Preparatory notes for Scrutiny Investigation have been prepared