



Complete Agenda

Corporate Leadership Team
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

THE COUNCIL

Date and Time

1.00 pm, THURSDAY, 6TH DECEMBER, 2018

*** NOTE ***

This meeting will be webcast

https://gwynedd.public-i.tv/core//en_GB/portal/home

Location

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

Contact Point

Eirian Roberts

01286 679018

eirianroberts3@gwynedd.llyw.cymru

(DISTRIBUTED 28/11/18)

**Dilwyn Williams
Chief Executive**

www.gwynedd.llyw.cymru

WEDNESDAY, 28 NOVEMBER 2018

Dear Councillor,

MEETING OF GWYNEDD COUNCIL – THURSDAY, 6 DECEMBER 2018

YOU ARE HEREBY SUMMONED to attend a meeting of **GWYNEDD COUNCIL** which will be held at **1.00 pm** on **THURSDAY, 6TH DECEMBER, 2018** in **SIAMBR DAFYDD ORWIG, COUNCIL OFFICES, CAERNARFON, GWYNEDD, LL55 1SH**, to consider the matters mentioned in the following agenda.

Yours faithfully,

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

Chief Executive

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

Plaid Cymru - Siambr Dafydd Orwig
Independent – Siambr Hywel Dda
Llais Gwynedd – Ystafell Gwyrfai
United Independent Group for Gwynedd - Ystafell Daron

AGENDA

1. APOLOGIES

To receive any apologies for absence

2. MINUTES

7 - 22

The Chairman shall propose that the minutes of the meetings of the Council held on the following dates be signed as true records:-

- (a) 4th October, 2018 (attached)
- (b) 25th October, 2018 – Extraordinary Meeting (attached).

3. DECLARATION OF PERSONAL INTEREST

To receive any declaration of personal interest.

4. THE CHAIRMAN'S ANNOUNCEMENTS

To receive any Chairman's announcements.

5. CORRESPONDENCE, COMMUNICATIONS OR OTHER BUSINESS

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

6. URGENT ITEMS

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

7. QUESTIONS

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

8. COUNCIL TAX REDUCTION SCHEME 2019-20

23 - 27

To submit the report of the Cabinet Member for Finance (attached).

9. COUNCIL TAX: DISCRETIONARY POWERS TO ALLOW DISCOUNTS AND / OR RAISE A PREMIUM

28 - 31

To submit the report of the Deputy Leader (attached).

10. LOCAL DEMOCRACY AND BOUNDARY COMMISSION - FINAL RECOMMENDATIONS REPORT

32 - 40

To submit the report of the Leader (attached).

11. URGENT CABINET DECISION

41

To submit the report of the Cabinet Member for Corporate Support (attached).

12. NOTICES OF MOTION

(A) NOTICE OF MOTION BY COUNCILLOR PAUL ROWLINSON

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

The Council expresses concern about the Welsh Government's proposals, "Brexit and our land: Securing the future of Welsh farming".

The Council welcomes the Welsh Government's commitment, outlined in its consultation document, to support farm businesses to be more competitive. The Council also supports the intention to provide financial support in recognition of the incalculable additional value that farming provides to rural areas and to Wales as a whole.

However, the Council opposes the Welsh Government's current proposals, that could undermine the viability of our rural communities and damage the landscape, society and linguistic profile of Wales.

The Council therefore supports the Leader's response to the consultation on behalf of the Council setting forth the following requirements:

- to provide a stable environment for farm businesses as they adapt to the inevitable changes in market conditions post Brexit by maintaining the current structure of direct funding to farms for as long as appropriate, with the exception of measures to simplify the administration of the current system;
- to only proceed with any changes after this period on the basis of detailed research and modelling at a sufficiently small spatial level to ensure that they result in positive outcomes for farmers, the rural economy and communities and the Welsh language, with due consideration of differing land uses;
- to include support to maintain food production as a core component of any future system of payments and ensure that any funding provided in recognition of the wider value farming provides is additional and broadly defined to reflect the economic, social and cultural value of farming as well as its role in protecting and enhancing the natural environment.
- to guarantee that support is only provided to those who actively work on and manage the land, with a focus on small and medium family farms;

- to provide ring-fenced money for investment in rural development, especially to support projects responding to the economic challenges facing rural Wales. This funding should be directed to those areas where the economic impact of peripherality is greatest.

(B) NOTICE OF MOTION BY COUNCILLOR JUDITH HUMPHREYS

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

People's Vote

The Council Notes that

- That a substantial majority of the population of Gwynedd voted to Remain in the EU.
- In Gwynedd and in Wales, jobs, wages and future prospects are at risk as a result of the UK's exit from the European Union
- The potential of the UK not reaching a deal with the European Union on the terms of its exit risks immediate and irreparable economic and social damage, with regards to issues including, but not limited to, the rights of European citizens in the UK and UK citizens in the European Union, the supply of food and access to medicines
- Westminster is failing to protect Welsh jobs, wages and future prospects by negotiating continued membership of the European Single Market or Customs Union following any exit from the European Union
- Since the original vote to leave the European Union there has been greater clarity on how our exit from the bloc would affect the people of Wales
- Proper democratic process requires the people of Wales to have the opportunity to cast an informed vote regarding our future relationship with the European Union following the negotiations on the matter

The Council proposes that:

- **A UK-wide referendum should be held on the UK's future relationship with the European Union following any deal on the UK's exit, or in the event of negotiations not leading to an agreement on the terms of the UK's exit from the European Union**
- **The referendum should include the option to stay in the European Union**

13. RESPONSES TO PREVIOUS NOTICES OF MOTION

RESPONSE TO COUNCILLOR CATRIN WAGER'S PREVIOUS NOTICE OF MOTION

To submit, for information, a letter from the Home Office in response to Councillor Catrin Wager's notice of motion to the 4th October, 2018 meeting regarding immigration detention (attached).

THE COUNCIL 4/10/18

Present: Councillor Annwen Hughes (Chair);
Councillor Edgar Wyn Owen (Vice-chair).

Councillors: Craig ab Iago, Menna Baines, Freya Hannah Bentham, Stephen Churchman, Steve Collings, R.Glyn Daniels, Anwen Davies, Elwyn Edwards, Alan Jones Evans, Aled Evans, Dylan Fernley, Peter Antony Garlick, Simon Glyn, Gareth Wyn Griffith, Selwyn Griffiths, Alwyn Gruffydd, R.Medwyn Hughes, Judith Humphreys, Nia Jeffreys, Peredur Jenkins, Aeron M.Jones, Aled Wyn Jones, Berwyn Parry Jones, Charles W.Jones, Elin Walker Jones, Elwyn Jones, Eric Merfyn Jones, Huw Wyn Jones, Keith Jones, Kevin Morris Jones, Sion Wyn Jones, Eryl Jones-Williams, Cai Larsen, Beth Lawton, Dilwyn Lloyd, Dafydd Meurig, Dilwyn Morgan, Linda Morgan, Dafydd Owen, Dewi Owen, Nigel Pickavance, Rheinalt Puw, Peter Read, Dewi Wyn Roberts, Elfed P.Roberts, Gareth A.Roberts, John Pughe Roberts, Mair Rowlands, Paul Rowlinson, Angela Russell, Dyfrig Siencyn, Mike Stevens, Gareth Thomas, Ioan Thomas, Hefin Underwood, Catrin Wager, Eirwyn Williams, Elfed Williams, Gareth Williams and Owain Williams.

Also in attendance: Dilwyn Williams (Chief Executive), Morwenna Edwards and Iwan Trefor Jones (Corporate Directors), Dafydd Edwards (Head of Finance Department), Iwan Evans (Head of Legal Services / Monitoring Officer), Rhun ap Gareth (Senior Solicitor / Deputy Monitoring Officer), Vera Jones (Democracy Manager), Gwenllian Williams (Gwynedd Language Development Officer - Workplace) and Eirian Roberts (Member Support Officer).

1. APOLOGIES

Councillors Dylan Bullard, Annwen Daniels, John Brynmor Hughes, Louise Hughes, Sian Hughes, Anne Lloyd Jones, Linda Ann Jones, Roy Owen, Jason Parry, W.Gareth Roberts, Cemlyn Williams, Gethin Glyn Williams and Gruffydd Williams.

2. MINUTES

The Chair signed the minutes of the previous meeting of the Council held on 12 July 2018 as a true record.

3. DECLARATION OF PERSONAL INTEREST

Councillors Dilwyn Lloyd and Simon Glyn declared a personal interest in item 8 on the agenda - North Wales Fire and Rescue Authority: Financial Update and Consultation 2019/20, since they were members of this Authority. Councillor Nia Jeffreys also declared a personal interest in the same item as her husband was a fireman.

Members were not of the opinion that it was a prejudicial interest, and they did not withdraw from the meeting during the discussion on the item.

4. CHAIR'S ANNOUNCEMENTS

Best wishes were extended to:- Gwyn Morris Jones, Head of Highways and Municipal on his retirement at the end of August.

The following were congratulated:-

- Manon Steffan Ros, Gruffudd Owen a Rhydian Gwyn Lewis, and everyone else from Gwynedd who had been successful at this year's National Eisteddfod in Cardiff.
- Edmund Bailey, Lord Lieutenant for Gwynedd on his appointment as Constable of Caernarfon Castle.
- The group of Councillors, led by Dilwyn Lloyd, Jason Parry and Roy Owen, who had arranged the "Trôns dy Dad" event recently to raise money for the Prostate Appeal. £3,500 had thus far been raised, and it was understood that Santander would double the final sum.

It was noted that a special meeting of the Council would have to be convened to discuss the North Wales Growth Deal at 10.00am on Thursday, 25 October. A formal invitation would be sent to everyone after this meeting.

5. CORRESPONDENCE, COMMUNICATIONS, OR ANY OTHER BUSINESS

None to note.

6. URGENT ITEMS

None to note.

7. QUESTIONS

(The Cabinet Members' written responses to the questions had been distributed to the members in advance).

(1) A question by Councillor Sion Jones

"What powers do community councils and councillors have to determine which tenants get social housing in our community?"

Response - Cabinet Member for Housing, Leisure and Culture, Councillor Craig ab Iago

"I believe that this is one of the subjects that creates the most frustration for councillors. We are all aware of cases in our wards where people need houses and we find that the house, or houses, have gone to someone from outside our communities. Personally, I would like to see a housing system being designed here, by us, which is founded on our priorities. There are several examples across the world and in Europe where the housing systems let houses on the grounds of things such as ethnic group, language, local connections - none of which is racist. The United Nations and the European Union have confirmed this. However, in order to achieve this, we need the power and we lack that power on the say so of the governments in Cardiff and London. We are, therefore, in this perverse situation now where Cornwall is able to achieve far more than we can with their housing system. But, this is the status quo and we can only do what we can."

A Supplementary Question by Councillor Sion Jones

"Will the Cabinet Member, with me, write to the Assembly and Westminster to try to reopen discussions in order to get a more robust and better system within our community and the Council?"

Response - Cabinet Member for Housing, Leisure and Culture, Councillor Craig ab Iago

"The truth of the matter is that most people who get houses have a local connection, but what does a local connection mean? What is the definition of local connection? This is our problem, we don't get to define it. Although we would like to have an overhaul of the whole system, I would say that the Labour Government in Cardiff has shown no interest in this, neither through planning nor through housing, and if we genuinely want a new housing system, the solution is in voting for a different party in our Government. I will, however, do my best to make sure we are able to do all we can and put pressure on whoever to change the system."

(2) A question by Councillor Owain Williams

"Why have some of the Council's senior officers been refusing a notice of motion from a Councillor time and again, using lame excuses such as, the notice had gone to the wrong department in July, and in September, stating that it was "illegal"?"

Response from the Chair of the Council, Councillor Annwen Hughes

"The Council's Constitution gives members the right to submit motions on the proviso that they are about matters for which the Council has a responsibility or which affect the well-being of the administrative area of the Council.

The Council adopted a formal process to ensure the propriety of notices of motions at its meeting in December 2017. In accordance with the arrangements if the Monitoring Officer is of the opinion that a notice is not in accordance with the Constitution or improper for other reasons he will refer the notice together with his opinion to the Chairman and Chief Executive to decide whether or not to include it in the agenda.

Rejecting a notice is highly unusual and certainly not a "time and time again" event. As might be appreciated careful consideration is given to this step. On the other hand decisions of the Council can have legal implications as well as the need to observe the Constitution. This is why these arrangements are in place. The member who presented the motion will be given a written explanation of the decision and the reasoning.

Each notice of motion has to be submitted within a time limit of 10 clear days before the meeting. If a notice is received outside this limit the member will be informed and it will be considered for the next Council meeting. As far as is understood no notice of motion has gone astray in the manner suggested. A notice was received out of time for the July meeting. The notice on subsequent consideration was deemed not to meet the requirements of the Constitution and the member was informed in August.

A supplementary question by Councillor Owain Williams

"Where did the notice of motion go if the Monitoring Officer claims that it did not go missing?"

Response from the Chair of the Council, Councillor Annwen Hughes

"We will investigate this and get back to you."

(3) A question by Councillor Dewi Owen

"Does the Council Leader intend to write to Lesley Griffiths, Cabinet Secretary for Energy, Planning and Rural Affairs, objecting to any proposals to change agricultural and rural policies which exist under the Common Agricultural Policy

without a comprehensive and detailed assessment of their possible effects on jobs and the economy in the county of Gwynedd and trial them on volunteered farms?"

Response by the Leader, Councillor Dyfrig Siencyn

"This question is an opportunity for me to explain to all Council members our intentions on this consultation paper, the implications of which are far-reaching and very substantial, not only for the farming industry, but for the entire rural economy. I have led a discussion with the officers and intend to respond to this paper. I have held discussions with both unions and have had further subsequent discussions with the officers in preparing the response. We have also discussed the matter at the Gwynedd and Anglesey Public Services Board and the response will also be provided from that Board.

As is the way with this most ineffectual Government that ever was, namely Welsh Government, it is clear that the Minister has neither discussed the implications for Future Generations nor has she discussed its implications with her fellow Minister for the Economy. It appears to me as though this is just the way it is, Welsh Government silos are clear for all to see. It is evidence of Welsh Government's disinterest in rural matters and ignorance thereof, and this has manifested itself many times during the discussions I have had over the years.

This matter will be discussed at the Welsh Local Government Rural Forum held in the final week of October and a response will be sent on behalf of all rural counties in Wales from that forum also. I can, therefore, assure you that strong responses will be put forward.

No work has been carried out to model the impact this would have on the countryside, and without considering those impacts, we have to respond as firmly as we can. I would almost go as far as to tell the Labour ministers that the possible repercussions from this are as bad as what happened to the South Wales coalmines many years ago. It is that far-reaching in my view, and if they do not take seriously that statement, they ought to be held accountable for their indifference to rural Wales. Thus, we have a responsibility. In addition, I feel very strongly, not because of the diminutive sum of money I receive - being the small-scale farmer that I am - but because of its consequences on the structure of the farming industry, and subsequent impact on the whole fabric of rural society, including the economy, social aspects, and the Welsh language, of course.

It is, therefore, one of the most important papers we should consider. I am aware of the pitfalls, and if I see Lesley Griffiths anywhere, I will tell her, with frankness, my thoughts on this paper in its current form. What we have here, of course, is the complete transfer of the European agricultural policy from Europe to Cardiff. We are now responsible for Wales' agricultural policy and its rural policies. We may yet remain in Europe if we get another referendum, but we shall not go chasing that rainbow! Welsh Government has an opportunity to grasp rural policies and agricultural policies and consider them in detail and declare, "these are our plans for agriculture." We believe that food production is important. The environment is important but we must have producers on the land to protect that environment. However, I'm afraid that Welsh Government is capable of nothing, but of putting forward a proposal to which little thought has been given. Therefore, rest assured that this Council will issue a staunch response, and so will any other organisation to which I belong."

8. NORTH WALES FIRE AND RESCUE SERVICE: FINANCIAL UPDATE AND CONSULTATION 2019/20

The following officers from the Fire and Rescue Service were welcomed to the meeting to give a presentation and answer members' questions:

- Richard Fairhead (Assistant Chief Fire Officer, Fire Service) (*responsible for operational aspects*)
- Shân Morris (Assistant Chief Officer) (*responsible for policy and corporate planning*)
- Helen MacArthur (Assistant Chief Officer) (*responsible for finance and resources*)

Following the presentation, the following points by individual members were noted:-

- The service was thanked for its work on behalf of the residents of Gwynedd and it was noted that the presentation, which showed the importance of the service and the difficulty of operating in this difficult financial climate, was very powerful)
- It was noted that any increase in levy in 2018/19 would mean that every Council would have to make further cuts to their services and it was asked whether the Fire and Rescue service was moving forward with the cost saving plan by 2019/20. In response, it was noted that all managers had to review their budgets and that they were aware of the need to reduce their basic costs. The aim was to manage the costs without changing the front line services. As part of the work of planning for 2019/20, a meeting was held with the Authority's Members at which many cost-reducing options were considered, including closing part-time stations, changing 24-hour stations to daytime stations and changing daytime stations to part-time stations. However, the decision made by Members in June of this year was not to change the service delivery model in North Wales at present.
- Confirmation was sought about the situation of the Caernarfon Fire Station and the service to rural areas of Gwynedd. In response, it was noted that Caernarfon was a daytime station (staff present between noon and 10pm, which are the busiest times) and that the service was staffed by part-time and full-time workers, on duty at home outside those hours. It was confirmed that the aim was to keep the station at that level this year. It was also confirmed that the new high volume pump located in Caernarfon would be used for large fires and floods across the whole of Gwynedd.
- The need to fill the deputy post was questioned, since the post had been vacant for a whole year. In response, it was explained that the current post did not correspond exactly with the old post. The practicality of the role and internal skill set was considered, but a Certified Accountant was needed to complete the work.
- It was suggested that the service could save £250,000 (which corresponded to 7.5% of their administrative costs) through reverting to the old arrangement where the firefighters themselves would clean the stations between fires. In response, it was explained that the workers used to receive additional pay for this work, so there was a cost to the service anyway. It was further noted that much of the preventative work was now being carried out by ancillary staff, rather than the firefighters themselves, and that this was more cost effective for the service.
- Appreciation for the perseverance and the highly professional, inventive and effective way the Fire Authority dealt with all the challenges it faced was noted. Over recent years, the Authority had extended its services to include dealing with the effects of climate change and preventative work, which not only made the service more effective, but had also saved hundreds of lives across north Wales.
- The service was thanked for its work in dealing with the severe fire on Mynydd y Cilgwyn in July and it was noted that there was no desire for them to receive less funding from the Council.
- In response to an enquiry, it was confirmed that the Fire and Rescue Service shared several hubs with the Ambulance Service across north Wales and that it was considering similar arrangements with North Wales Police and other partners.

- An enquiry was made into what the service did to convince people that the practice of lighting fires on the uplands was entirely antisocial and how could the Council and Members assist with this. In response, it was explained that the service worked closely with the farming community to advise it about controlled fires. Discussions had been held with the National Park Authority to ensure the appropriate advice was given to visitors and regular discussions were also taking place with the schools. Additionally, it was noted that the service would appreciate all the help it could get to spread the message.
- In response to an enquiry, it was noted that the phone number for contacting the service in a non-emergency was 0800 169 1234. It was also possible to contact the service via Facebook, Twitter, etc.
- In response to an enquiry, it was noted that recruiting part-time firefighters was difficult in all parts of the UK. There had been success with recruitment in some areas, but the challenge continued.
- It was enquired as to how prepared businesses were to release people to be fire fighters. In response, it was noted that the pressure on businesses was understandable but that the service worked closely with them to promote the benefits of having a fire fighter work for them, e.g. experience with first aid, fire safety and health and safety.
- Concern was expressed that narrow streets and parking problems could create barriers to a fire engine responding to an emergency call. In response, it was noted that the service had special vehicles for narrow accesses and that they had identified those areas where access was difficult. A request was made that any member who was concerned about somewhere in his/her ward contact the service so that the service could attend to make an assessment.

The Chair thanked the officers of the Authority for their fascinating presentation and added that copies of the presentation slides would be sent to the members.

9. WELSH LANGUAGE PROMOTION PLAN FOR GWYNEDD 2018-2023

The Cabinet Member for Corporate Support, Councillor Nia Jeffreys, presented a report recommending that the Council accept the Welsh Language Promotion Plan for Gwynedd 2018-2023 and the associated action plan and to approve commencing the action.

The following points by individual members were raised:-

- It was noted that it was this Council that led and pioneered in terms of the Welsh language and that pride should be taken in this strategy which was one of the Council's priorities.
- Though the Council pioneered in terms of the Primary Language Charter and the Secondary Sector Language Strategy, that there was a gap in terms of the post-compulsory education and that it was important that the Council collaborated with its partners in that respect also.
- Given the substantial contribution of some of the Council's partners to the success of specific elements of the strategy, it was asked what part those partners played in the consultation and how it was intended to collaborate with them to deliver the strategy. In response, it was noted that the Local Services Board was an important part of this and that the Leader and Chief Executive were bound to push this forward. It was also noted that conversations had already been held with some of the partners who had responded directly to the consultation in order to see what to include on the work programme. Further discussions would be held with some partners and the aim was to establish one group which would bring all partners together as a starting point to discuss the strategy and the work programme in its entirety and then break it down to the thematic fields and bring the specific partners in.

- It was noted that the document was mediocre, which met the Council's requirement to provide such a plan and noting what was expected by a council operating in the most naturally Welsh area in the world. However, due to the demographic certainty that Gwynedd enjoyed, it was easy to fall into a condition of self-righteousness which, unfortunately, filled the pages of the document and that passion, desire and aspiration were needed to get things done. It was added that the changes in the Council over the recent years had not always given priority to the Welsh language, e.g. during the last year, the Council had adopted planning policies which, if implemented, would undermine our Welsh-speaking communities. It had also closed youth clubs, transferred the leisure centres to an arm's length company and adopted an economic plan, key fields which should be central to this plan if the Welsh language was to be normalised in this county. It was further noted that, of the £52m allocated recently by Welsh Government towards Welsh education, only a little over £1m had come to Gwynedd, which was approximately 2% of the total, and that was because the bid submitted to the Government was for only 2%. If the Council had the desire and vision to make the Welsh language essential in Gwynedd, we would have submitted bids worth £20m at least, and though many of those plans would likely have been refused, the action in itself would have sent a message to the Government that Gwynedd did not want to avoid giving the priority to our language that it deserved. An opportunity which we could little afford to lose had been lost due to a lack of desire, a lack of aspiration and a lack of ambition. It was also believed that the plan missed an opportunity. Time after time, there was reference to giving language choice to school pupils, but that wasn't what was happening in the Basque Country, Catalonia or parts of Ireland. Unfortunately, at present, a third of Welsh-speaking pupils in Gwynedd were sitting their GCSEs through the medium of English and that had a direct impact on the county's bilingual education policy. Though Welsh education was growing in several parts of Wales, this did not appear to be true of Gwynedd. It was understood that not one secondary school in Gwynedd had received any of the Welsh text books provided by the Government, though these books were being used extensively in several other areas. The Language Committee should be central to implementing the content of this plan, but this was the most powerless committee ever seen. It received and discussed reports, but knew nothing of the outcomes of those discussions and the committee could not even discuss language complaints from the public. This plan identified the challenges, recognised the opportunities and identified some solutions, but much more than this was needed.
- Great disappointment was expressed regarding the negative attitude of the previous speaker towards what the Council was doing for the language. It was stressed that the accusation of a lack of passion and a lack of aspiration for the Welsh language was incorrect and that the Welsh language was a priority for this Council. The development of the Welsh-medium education policy from 1974 onwards had taken strength and determination and it was an ongoing process, and our role in Gwynedd was to prove to the world and his wife that we were proud of using the Welsh language and encouraged everyone else to do so. It was not accepted that the plan was full of self-satisfaction. It was recognised that there was room for improvement and that we would be looking at ourselves, but not in a self-fulfilling way by any means.
- Though the success of the Education Department's Language Strategy was recognised, there was work to do to educate at home, before children started at school, and also after they left. In response, it was agreed that there was a need to focus on parents as well and try to encourage children leaving school to have the confidence in their ability to speak Welsh. Years of work had gone in to developing our language policies, and statistics showed that the education system in Gwynedd was succeeding, with 92% of the county's children and young people able to speak Welsh.
- The importance of celebrating success was stressed, and it was noted that the Welsh language had survived better in Gwynedd than anywhere else. It was also

suggested that peddling the idea that the language was on its deathbed played to the hands of those who opposed the language.

- The importance of teaching Welsh history more thoroughly in the schools was stressed, as people saw no purpose in learning the language if they were not aware of their history and culture.
- It was noted that the language in Gwynedd would be in a much worse position without the Council's language policies, and as a result of the observations at this meeting, any opportunity to strengthen some of these policies should be sought. Despite the difference of opinion in the Chamber, it was clear that everyone was in agreement in terms of their desire to see the Welsh language prospering in Gwynedd, and everyone should work together in order to ensure the best possible policies.

RESOLVED to accept the Welsh Language Promotion Plan for Gwynedd 2018-23 and the associated action plan and to approve commencing the action.

10. GWYNEDD COUNCIL ANNUAL IMPROVEMENT REPORT 2017/18

The following officers from the Wales Audit Office were welcomed to the meeting to give a presentation first and then answer members' questions.

- Jeremy Evans (Local Government Performance Audit Manager)
- Non Jenkins (Local Government Performance Audit Manager) - *who would be succeeding Jeremy Evans as the new manager for Gwynedd from then on.*

The following points by individual members were raised:-

- It was asked what would happen as a result of the second recommendation on page 61 of the agenda, namely that public bodies would review their procurement strategies and policies during 2017-18 and annually thereafter to ensure that they reflected the broader changes to policies and legislation and support continuous improvement. In response, it was explained that the national reports contained a series of recommendations and that it was a matter for the Council to decide whether this was relevant to them and whether any processes needed to be changed as a result.
- It was noted that there was great praise for the Council's financial work in the report and the Department's staff, under the leadership of the Head of Finance, were thanked for their thorough and conscientious work.
- The fact that the report acknowledged the improvements to the overview and scrutiny arrangements was welcomed, but it was enquired what evidence there was of that. In response, it was explained that the Council had reviewed its scrutiny arrangements through a self-evaluation and that scrutiny had now been clearly defined within the Constitution in terms of the roles of members and officers. Some scrutiny work happened outside formal committees, though this needed to be developed further in order to ensure a more comprehensive and complete approach, and planning work had improved, though there was room for further improvement in this regard by doing things in more innovative ways. There was also a need for clarification regarding the role of members at the performance challenge meetings.
- In response to an enquiry regarding the cost of producing the Annual Improvement Report, it was explained the total cost of all audit work across the finance and performance fields was £400,000. The report was a summary of the work only and far more detailed individual reports were available should the members wish to read them. The fees had been maintained at the same level over the past seven years and this appeared to be a continuing commitment.

The Leader thanked the auditors for their work and noted that the report's recommendations had either been addressed already or that work was afoot to do so.

Non Jenkins introduced herself to the members, as the new manager for Gwynedd from then on, and gave an outline of her work programme for this year. It was noted that this would be Jeremy Evans' last time appearing before the Council and he was wished well for the future.

RESOLVED to accept the Annual Improvement Report 2017/18.

11. THE ANNUAL REPORT OF THE STANDARDS COMMITTEE 2017/18

Dr Einir Young, Chair of the Standards Committee, was welcomed to the meeting to present the committee's annual report for 2017/18.

In presenting the report, Dr Einir Young thanked the Monitoring Officer and his team for their guidance and their ongoing work with the County Council and the Community Councils.

In response to a concern expressed by a member regarding maintaining the system in view of the lower level of investigations by the Ombudsman, the Monitoring Officer explained that the Ombudsman now operated a public interest test which was based on prioritising resources between complaints on matters including health and other public authorities. The threshold for investigating Code of Conduct complaints was now much higher and it was reasonable to expect that the Ombudsman would prioritise e.g. a death in a hospital versus conflict in a community council. Nevertheless, the fact that an investigation was carried out or not did not mean that those people about whom complaints were made were free from the Code of Conduct and there was work to do to communicate and uphold the Code of Conduct.

It was noted that the Welsh and English versions of Appendix 1 to the report - The Standards Committee's Work Programme 2017-18 did not correspond. The Monitoring Officer noted that he would standardise both versions prior to publishing the final report.

Dr Einir Young was thanked for her presentation.

12. MEMBER OFFICER RELATIONS PROTOCOL

The Monitoring Officer submitted a report, on behalf of the Standards Committee, recommending that the Council adopt a series of amendments to the Member Officer Relations Protocol.

The following points by individual members were raised:-

- In light of some of the earlier discussions at this meeting, attention was drawn to 21.9.1 of the protocol which stressed the importance of maintaining the Council's reputation and making an effort not to criticise fellow members.
- The timetable for responding to correspondence from a member within 5 working days was welcomed, though it was understood that this would not always be possible.
- It was noted that it was important that officers informed local members of anything happening in their wards.

RESOLVED to adopt the amendments to the Protocol for Member Officer Relations included in Appendix 1 to the report.

13. NOTICE OF MOTION

Submitted - the following notice of motion by Councillor Catrin Wager, in accordance with Section 4.20 of the Constitution, and it was seconded:-

“This Council notes that:

- According to Census data from 2011, 3,724 Gwynedd residents (or 3.1% of the population) have been born outside the UK. In some areas of Bangor, this rises to 20.9% of the population.
- Just under 30,000 people a year are detained in the UK under immigration laws; with around 3,000 in detention at any given time.
- The UK is the only country in Western Europe that detains individuals indefinitely under immigration powers.
- It costs, on average, more than £31,000 to detain a person for one year. The total annual cost was £164.4 million in the year 2013/14. In the years 2011-2014, the government spent £13.8 million compensating former detainees for unlawful detention.
- There are, at present, 10 detention centres in the UK, including short term holding facilities.
- Over 50% of those held in immigration detention will be released into the community in the UK.
- Immigration detention is for administrative purposes.
- In 2016, as part of the Shaw Review, Professor Mary Bosworth conducted a systematic review of studies investigating the impact of detention on the mental health of those detained. The studies showed that the critical point for a negative impact on mental health was 30 days.
- In July 2018, Stephen Shaw produced his Assessment of the government’s action following his 2016 Report. In this, he underlines the urgent need for detention reform.

This Council further notes that:

- In March 2015, the Joint Inquiry on the APPG on Refugees and APPG on Migration into the use of Immigration Detention in the UK (the first-ever parliamentary inquiry into the use of immigration detention in the UK) recommended that the government introduce a maximum time limit of 28 days on the length of time anyone can be detained in immigration detention
- In March 2016, the House of Lords voted to introduce a 28 day time limit for immigration detention though this was not extended to those persons with a prison sentence of 12 months or more.
- The 2016-2017 Annual Report HM Inspectorate of Prisons 2017a states “there remains a pressing need for a maximum time limit on immigration detention”

This Council believes:

- That the Westminster government should bring the indefinite detention of migrants, asylum seekers and refugees to an end.
- That a time limit of 28 days should be introduced for detention under immigration powers.

- That necessitation of a new Immigration Act as part of Brexit provides an opportunity to introduce a time limit.

This Council resolves to:

- Write to the Home Office stating that we, as Gwynedd Council, wish to see an end to the indefinite detention of migrants under immigration powers, and ask that a 28 day time limit is introduced as part of the new Immigration Act"

Members expressed their enthusiastic support to the motion.

RESOLVED to adopt the motion.

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

CHAIR

EXTRAORDINARY COUNCIL MEETING 25/10/18

Present: Councillor Annwen Hughes (Chair);
Councillor Edgar Wyn Owen (Vice-chair).

Councillors: Menna Baines, Freya Hannah Bentham, Stephen Churchman, Steve Collings, Annwen Daniels, R.Glyn Daniels, Elwyn Edwards, Alan Jones Evans, Peter Antony Garlick, Gareth Wyn Griffith, Alwyn Gruffydd, John Brynmor Hughes, Louise Hughes, R.Medwyn Hughes, Nia Jeffreys, Peredur Jenkins, Aled Wyn Jones, Anne Lloyd Jones, Berwyn Parry Jones, Charles W.Jones, Elin Walker Jones, Elwyn Jones, Huw Wyn Jones, Keith Jones, Kevin Morris Jones, Sion Wyn Jones, Cai Larsen, Beth Lawton, Dilwyn Lloyd, Dafydd Meurig, Linda Morgan, Dafydd Owen, Dewi Owen, W.Roy Owen, Jason Parry, Dewi Wyn Roberts, Elfed P.Roberts, Mair Rowlands, Angela Russell, Dyfrig Siencyn, Gareth Thomas, Ioan Thomas, Cemlyn Williams, Eirwyn Williams, Elfed Williams, Gareth Williams, Gethin Glyn Williams and Owain Williams.

Also in attendance: Dilwyn Williams (Chief Executive), Iwan Trefor Jones (Corporate Director), Dafydd Edwards (Head of Finance Department), Iwan Evans (Head of Legal Services / Monitoring Officer), Rhun ap Gareth (Senior Solicitor / Deputy Monitoring Officer), Vera Jones (Democracy Manager) and Eirian Roberts (Member Support Officer).

1. APOLOGIES

Councillors Craig ab Iago, Dylan Bullard, Anwen Davies, Aled Evans, Dylan Fernley, Simon Glyn, Selwyn Griffiths, Sian Hughes, Judith Humphreys, Aeron Maldwyn Jones, Eric Merfyn Jones, Linda Ann Jones, Eryl Jones-Williams, Dilwyn Morgan, Rheinallt Puw, Peter Read, John Pughe Roberts, W.Gareth Roberts, Paul Rowlinson, Mike Stevens, Hefin Underwood, Catrin Wager and Gruffydd Williams.

2. DECLARATION OF PERSONAL INTEREST

None to note.

3. CHAIR'S ANNOUNCEMENTS

Condolences were expressed to Aled Davies (Head of Adults, Health and Well-being Department) at the recent loss of his mother.

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

The Council stood as a mark of respect.

It was noted that Councillor Anwen Davies' son had been seriously ill recently and he was wished a full and speedy recovery.

The Young Farmers were congratulated on a successful Eisteddfod in Porthmadog recently, and particularly the Rhiw branch for their success, and one of whom, Sian Heulwen Roberts from the Environment Department, who won the chair.

It was noted that an announcement had been made on Tuesday that the Slate Areas would be the next nomination to be submitted to Unesco. This was excellent news for Gwynedd as a whole as an opportunity to celebrate our unique cultural heritage.

THE COUNCIL

It was noted that a short public service would be held at Caernarfon Castle at 2.30pm on Remembrance Sunday, 11 November 2018, to commemorate a hundred years since the end of the Great War. During the service, the ashes of the Poppy Crosses placed in the Great War Memorial Garden opened at the Castle on 7 July 2016, would be scattered in the exact location of the Memorial Garden.

It was noted that a Coffee Morning would be held by Liz Saville Roberts MP at Tŷ Siamas, Eldon Square, Dolgellau at 10.30am, Friday 2 November with the Red Cross and the Royal Voluntary Service in order to assist the charities to recruit volunteers. It was explained that they were collaborating on a project called Positive Steps and that Ann Griffith, Deputy Police Commissioner would be present to give a brief address on volunteering.

Also, it was noted that Liz Saville Roberts MP had arranged an event to commemorate the First World War Conscientious Objectors, at Capel Bowydd, Blaenau Ffestiniog, on Saturday 17 November from 9.30am.

4. CORRESPONDENCE, COMMUNICATIONS, OR ANY OTHER BUSINESS

None to note.

5. URGENT ITEMS

None to note.

6. GROWTH DEAL FOR THE ECONOMY OF NORTH WALES: THE PROPOSITION DOCUMENT

The Leader submitted a report inviting the Council to endorse the Proposition Document in order to give a mandate to the leaders to commit to a Heads of Terms Agreement with both Governments.

The Leader set the political context and the Corporate Director elaborated on the purpose of the document, the main considerations and the next steps.

Members were given an opportunity to ask questions and make observations.

During the discussion, strong support to the document was expressed by several members on the following grounds:-

- That this deal offered an excellent and unique opportunity for Gwynedd and that the document should be supported and trust placed in the Leader to battle on our behalf.
- That this deal would help young people to seek work in their local areas and create the environment for the county's private sector to prosper in the future.
- That in forming this deal, the two counties furthest East had set their sights back towards the counties in the West so that the six North Wales authorities spoke with one voice.
- That the status quo was not an option and this deal, which could transform the North Wales economy, must be taken advantage of.
- That the fact that this deal would place industrial buildings on strategic sites such as Parc Bryn Cegin, Bangor, which had been vacant for 15 years, was welcomed, and the potential promise of 250 jobs, a stone's throw from the city centre, was very encouraging news.

On the contrary, concern was expressed about the deal by others on the following grounds:-

THE COUNCIL

- That there were reservations that the deal did not do enough to support rural Gwynedd.
- That Gwynedd was small and feeble compared with the populous counties of the North-East and Merseyside and that we could live to regret being drawn in to such a deal.
- That the inequality between the GVA of the north-east and the north-west was striking, with Wrexham reaching nearly 80% of the average GVA of England and Wales (excluding London and the South-East) whilst Anglesey was at 50% of the average. It was assumed that the GVA of Gwynedd, as one of the poorest areas in Europe, would also be low, though the public sector jobs in the Bangor and Caernarfon areas would skew that figure somewhat.
- That the document did not refer to the effect of the influx of exiles back to the country as a result of Brexit.
- That, in terms of nuclear energy and specifically the Sellafield nuclear energy waste tip, there was a risk for us to be drawn into the principle that, if it was good enough for Cumbria, it was good enough for Gwynedd and Anglesey too.
- That the document referred to European grants, but that there would not be a European Union by the time this deal was delivered.
- That there was much mention of businesses and the money that private businesses would pump in, but there were no businesses in Gwynedd that could contribute, as it was micro businesses that we had here, employing up to 10 workers only.
- That the talk about disseminating prosperity was merely pulling the wool over people's eyes and that the principle of trickle down economy had never worked.
- That it was commented that the report '*noted*' that there was a risk to our national entity, rather than '*insisted*' that we retained our national entity.
- That Westminster Government would not support this deal if the report did not mention the assimilation between the Northern Powerhouse and us.
- That it had been given to understand by the Cabinet Member for Corporate Support that £2m had been allocated to promote the Arfor project, which was the idea of establishing one authority for the counties of West Wales. That offer should be grasped rather than supporting the Growth Deal.
- That the third recommendation in the report gave absolute power to the Leader to make political decisions on the county's economy.
- That there was a risk that the higher-level apprenticeships would all be in the East and out of reach of young people in Gwynedd due to the travelling costs and having to stay overnight in some cases.
- That there was a risk that some of the decisions would be made in the interests of the region at the expense of the West and that certainty was needed that this Council would have its voice in the decisions.
- That there were basic shortcomings which undermined the entire package, namely the lack of planning for the possibility of a hard border at Holyhead Port as a result of Brexit and the over-reliance on nuclear energy.
- That it was unclear how this deal would prevent the decline of town centres.
- That, though the Education and Economy Scrutiny Committee had been supportive of the strategic direction and had shown its support to proceed with the Proposition Document, it had also highlighted several risks which needed to be addressed.

In response to the concern voiced, the Leader noted:-

- That he was confident that every effort had been made to extend the deal across all areas of Gwynedd and that he would monitor the situation in the future and would stand firm in support of the rural areas.
- That the North Wales counties were stronger together. The alternative would be to do nothing, and that would certainly leave Gwynedd in a weaker position.

THE COUNCIL

- That the Eastern counties could well have created an economic entity with parts of North-West England, but rather, they decided to choose to work with the counties of the West.
- That the Arfor funding was £2m for four counties over two years to undertake innovative work in relation to the language and the economy, and though this was to be welcomed, the £500,000 for Gwynedd would not touch the problem.
- That he did not have absolute power and that he, like the leaders of the five other local authorities, needed to seek the permission of their Council members to act.
- That the Gwynedd GVA was 65% of the national average, which was low, and it would be irresponsible to reject any opportunity to seek to improve the situation.
- That it was a matter of sadness to him that we, the Welsh people, were afraid of venturing and he referred to an example of a Welsh-speaker who had established a successful business in Gwynedd.
- That the Board would have to be in agreement on all decisions. Also, as four of the six North Wales counties (namely Conwy, Denbigh, Gwynedd and Anglesey) were rural counties and shared the same vision as us in terms of disseminating growth, it would be the counties of the East in the minority in these discussions.
- That only two of the 16 projects involved the nuclear industry in any way - one was a project by Bangor University to undertake research and the other was a project to improve the infrastructure at Trawsfynydd, whatever the future use of the site would be. The Wylfa development was not part of the Growth Deal.
- That the Holyhead Project answered the Brexit question and also created far more opportunities for Holyhead.
- That he recognised that there were risks involved with this deal, but that very detailed discussions would be held again regarding the financial side prior to making any final decisions for the future and the risks needed to be measured against the benefits it was hoped that the deal would bring.
- While sympathising with some of the points raised by the objectors, he encouraged the members to reject the negative attitude and look forward to a positive future. As the saying goes - nothing ventured nothing gained.

In response to the concern regarding the higher-level apprenticeships, the Corporate Director noted that £8m would be sought from both governments to develop the skills agenda in North Wales, with the vast majority of this money going to support young people for apprenticeships, and particularly higher-level apprenticeships, and keeping young people in their communities.

The following additional points were noted:-

- That the Communities Scrutiny Committee should have had an opportunity to look at this matter also, as the proposal would affect every community across the county.
- That it was disappointing that a third of the Council members were absent from this important meeting.
- That certainty was desired that Bangor city centre would not lose out, as investment was needed in the city as had already happened, or was going to happen in other towns across North Wales.

In response to the comment regarding Bangor, the Leader noted:-

- That consideration would soon be given to allocating £250,000 from the Targeted Regeneration Investment Programme to the Bangor High Street regeneration scheme, which would draw down an additional sum of £600,000 from Welsh Government.

THE COUNCIL

- That the strong message among North Wales leaders was that we should not be parochial and that it must be borne in mind that some councils would not benefit greatly from the deal, but were fully supportive of it nonetheless.

The Leader, Corporate Director and everyone else who had worked on this deal were thanked for their input.

A registered vote was called for on the proposal (as noted in paragraph 1 of the report) to endorse the Proposition Document in order to give a mandate to the leaders to commit to a Heads of Terms Agreement with both Governments, subject to the conditions noted. Over a quarter of the Members present voted in favour of a registered vote.

According to Procedural Rules, the following vote on the motion was recorded:-

In favour (45)

Councillors Menna Baines, Freya Hannah Bentham, Steve Collings, Annwen Daniels, R.Glyn Daniels, Elwyn Edwards, Alan Jones Evans, Peter Antony Garlick, Gareth Wyn Griffith, Annwen Hughes, John Brynmor Hughes, Louise Hughes, R.Medwyn Hughes, Nia Jeffreys, Peredur Jenkins, Anne Lloyd Jones, Berwyn Parry Jones, Charles W.Jones, Elin Walker Jones, Elwyn Jones, Huw Wyn Jones, Keith Jones, Kevin Morris Jones, Sion Wyn Jones, Cai Larsen, Beth Lawton, Dilwyn Lloyd, Dafydd Meurig, Linda Morgan, Dafydd Owen, Dewi Owen, Edgar Owen, W.Roy Owen, Jason Parry, Dewi Wyn Roberts, Elfed P.Roberts, Mair Rowlands, Dyfrig Siencyn, Gareth Thomas, Ioan Thomas, Cemlyn Williams, Eirwyn Williams, Elfed Williams, Gareth Williams and Gethin Glyn Williams.

Against (4)

Councillors Stephen Churchman, Alwyn Gruffydd, Angela Russell and Owain Williams.

Abstaining (1)

Councillor Aled Wyn Jones.

The Chairman reported that the proposal had been carried.

RESOLVED subject to the decision not committing the Council to financial investment at this stage and that the financial risks and benefits will be considered in full when the final Deal is submitted to the Council for approval:-

- To adopt the Proposition Document as (1) the basis of a longer-term regional strategy for economic growth and (2) the regional bid for the priority programmes and projects from which the content of a Growth Deal will be drawn at the Heads of Terms Agreement stage with Governments.**
- To authorise the Leader to commit the Council to Heads of Terms with the Governments alongside the political and professional leaders from the nine other statutory partners represented on the North Wales Economic Ambition Board, and the North Wales Mersey Dee Business Council, with the Proposition Document forming the boundaries for the Heads of Terms agreement.**

The meeting commenced at 10.00am and concluded at 11.45am.

CHAIR

The meeting commenced at 10.00 am and concluded at 11.45 am

CHAIRMAN

MEETING:	Full Council
DATE:	6 December 2018
CABINET MEMBER:	Councillor Peredur Jenkins, Finance Cabinet Member
TITLE:	COUNCIL TAX REDUCTION SCHEME 2019/20
OBJECTIVE:	Confirm the continuation of the current Local Scheme for providing assistance towards paying Council Tax for the year beginning 1 April 2019
CONTACT OFFICER:	Dafydd L Edwards, Head of Finance

1. EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to present arrangements for the implementation of the Council Tax Reduction Scheme and to approve it for 2019/20.
- 1.2 On 1 April 2013, as part of the UK Government's welfare reform programme, Council Tax Benefit was abolished and replaced by the Council Tax Reduction Scheme.
- 1.3 In accordance with the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (2013/3029), every local authority must make a scheme in order to determine which reductions will be available as support towards paying the Council Tax. Gwynedd Council's current local scheme (i.e. for 2018/19) was adopted by the Full Council on 14 December 2017.
- 1.4 The Regulations insist that the Full Council must adopt the local Scheme every year, and must do so by 31 January before the start of the relevant financial year.
- 1.5 Under the local scheme, qualifying taxpayers may continue to receive a reduction up to 100% of their Council Tax bill (where in receipt of certain benefits).
- 1.6 **The recommendations below are that the Gwynedd Council Local Scheme continues without revisions for 2018/19.** Detailed explanations and reasons behind the subsequent recommendations follow in the body of this report.

2. RECOMMENDATIONS

The full Council is asked to resolve formally:

- 2.1 To continue the Council's Local Scheme for the year commencing 1 April 2019 as it was during 2018/19. Therefore, the following conditions (a – c below) regarding the discretionary elements will continue:**
- a) To apply a 100% disregard for war disablement pensions, war widows' pensions and war widowers' pensions, for both pensioners and working age claimants.**
 - b) Not to increase the extended reduction periods for pensioners and working age claimants from the standard four weeks in the Prescribed Scheme.**
 - c) Not to increase the backdate period for pensioners and working age claimants from the standard three months contained within the Prescribed Scheme.**
- 2.2 Where appropriate, to delegate powers to the Head of Finance, in consultation with the Cabinet Member for Finance, to make minor amendments to the scheme for 2019/20, on condition that it will not change the substance of the scheme.**

3. BACKGROUND INFORMATION

- 3.1** In accordance with the Welfare Reform Act 2013, since 1 April 2013, the responsibility for arranging support towards paying Council Tax, and the associated funding, has transferred from the DWP to local authorities in England, and to the Scottish Government and the Welsh Government.
- 3.2** The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (SI 2013/3029) allow support up to 100% for claimants and the financing of some of the relevant cost.
- 3.3** The Gwynedd Council Local Scheme for 2018/19 was approved by the Full Council on 14 December 2017. The Regulations control the implementation of reduction schemes across the whole of Wales and are designed to ensure that each local authority consistently provides support for Welsh taxpayers.

4. 2019/20 REDUCTION SCHEME

- 4.1 The Regulations (Regulation 18) state that **for each financial year, an authority must consider whether to revise its scheme** or to replace it with another scheme; the authority must make any revision to its scheme, or any replacement scheme, **no later than 31 January** in the financial year preceding that for which the revision or replacement scheme is to have effect.
- 4.2 The Regulations (Regulation 12) state that the function of making the scheme cannot be delegated to the Cabinet, and it **must be decided by the full Council**.
- 4.3 Therefore, the purpose of this report is to satisfy the requirement for the Council to consider whether to revise its local scheme.
- 4.4 There is limited discretion under the Prescribed Scheme for councils to consider the following 3 specific discretionary elements. These discretionary elements are more generous than the national scheme.

War disablement pensions, war widows' pensions and war widowers' pensions
(*recommendation 2.1(a) above*)

- 4.5 There is discretion to increase the disregard for war disablement pensions, war widows' pensions and war widowers' pensions, for both pensioners and working age.

Presently, regulations provide that the first £10 of a weekly war disablement pension, war widows' pension and war widowers' pension are disregarded. However, local authorities have discretion to disregard up to 100% of the actual amount above the first £10. Since 1 April 1996 Gwynedd Council, as have the majority of other Welsh Authorities, resolved to disregard 100% of the war pensions above the £10. It is estimated in 2019/20 that this disregard of war pensions will cost the Authority approximately £39,000 in Council Tax reductions. As this is the position in 2018/19, this sum has already been included within the base budget and in the 2019/20 Financial Strategy.

It is recommended that this local discretion in Gwynedd continues.

Extended payment period for working age persons
(*recommendation 2.1(b) above*)

- 4.6 There is discretion to increase the standard extended payment period of 4 weeks given to people after they return to work, when they have been in receipt of a relevant qualifying benefit for at least 26 weeks.

There is no limit on the maximum period they may be extended to, but to extend this period would have financial implications. The estimated expenditure in respect of the standard 4 week extended payments in 2018/19 will be approximately £19,000.

It is recommended that the standard four week extended payment period contained within the Prescribed Scheme remains unaltered.

Backdating late applications
(*recommendation 2.1(c) above*)

- 4.7 There is discretion to increase backdates for late applications beyond the standard three months. There is no limit on the maximum period they may be extended to. The cost of granting backdated claims (3 months) for 2018/19 is estimated at £17,000.

The current Council Tax Reduction Scheme only allows backdating for a maximum period of 3 months. Extending this period would increase the cost of the Scheme.

It is recommended that there should be no increase in the backdate period from the standard 3 months contained within the Prescribed Scheme.

- 4.8 The recommendations above for 2019/20 are in line with current arrangements in 2018/19.**

5. CONSULTATION

- 5.1 Should the Council wish to revise its local scheme – in effect to amend the 3 areas of discretion described in paragraphs 4.5 to 4.7 – it would need to consult with “any persons who would have an interest”.
- 5.2 There was a particularly thorough and inclusive consultation exercise in December 2012 / January 2013 for the 2013/14 scheme, and a further consultation for the period 29/11/13 to 10/01/14 for the 2014/15 scheme.
- 5.3 In accordance with Regulation 18(6), further consultation is not necessary as there is no intention to change the Local Scheme this year.

6. EQUALITY IMPACT ASSESSMENT

- 6.1 Other than funding at Council level, the scheme proposed for 2019/20 does not contain any significant changes from the scheme which is currently operational. Therefore, Gwynedd Council did not conduct a local Equalities Impact Assessment Study this year. This was done for 2013/14, when the arrangements changed from Council Tax Benefit to the Council Tax Reduction Scheme.
- 6.2 There is very limited local discretion for amending the national scheme. The Welsh Government has undertaken a detailed regulatory impact assessment, which includes equality impact assessment, and I understand that the findings were in line with their expectations.

7. RESOURCES

- 7.1 The costs of the Council Tax Reduction Scheme have been included in the local government 'settlement' grant by the Welsh Government, but it should be noted that this settlement does not paying the Reduction Scheme in full.
- 7.2 The Council must fund any Scheme costs not included in the settlement, as well as inflation, which is not funded by the Government. In terms of inflation, the cost of support will increase in proportion with the increase in Council Tax.
- 7.3 Local authorities receive a contribution towards the costs of the scheme within the annual settlement, but since the establishment of the scheme in 2013, the settlement has not reflected the full actual cost. The notional cost of Council Tax Reductions in Gwynedd in 2018/19 (according to notional allocation of the total Standard Spending Assessment (SSA) between services in the conditional settlement's tables) is £8.926m, but it is estimated that the actual expenditure will be approximately £9.6m. The notional cost of Council Tax Reductions in Gwynedd in the draft 2019/20 settlement is £8.829m, a further decrease. There is no choice other than to face this, and the matter will be considered appropriately and factored into the Financial Strategy that identifies the budgetary gap for 2019/20.

Agenda Item 9

MEETING:	Full Council
DATE:	6 December 2018
CABINET MEMBER:	Councillor Dafydd Meurig Deputy Council Leader
TITLE:	COUNCIL TAX: DISCRETIONARY POWERS TO ALLOW DISCOUNTS AND/OR RAISE A PREMIUM
OBJECTIVE:	Formal ratification for 2019/20 of previous decisions not to allow any discounts for second homes and to disallow discount on empty properties, and to raise a Premium of 50% on relevant properties.
AUTHOR:	Dafydd L Edwards, Head of Finance

EXECUTIVE SUMMARY

1. The Local Government Finance Act 1992 provides the Council with the discretion to charge full Council Tax, allow a discount of up to 50%, or to charge a premium of up to an additional 100% on the Council Tax of certain classes of **second homes** and **long-term empty properties**.
2. The Council has resolved annually since 1998 to allow NO discounts to second homes.
3. The Council has resolved annually since 2009 to allow NO discounts in respect of properties that have been empty for 6 months or more.
4. Section 139 of the Housing (Wales) Act 2014 added Sections 12A and 12B to the Local Government Finance Act 1992 to include a discretionary right for Councils to raise an additional "premium" of no more than 100% on dwellings that have been empty for 12 months or more (Section 12A) and relevant second homes (Section 12B).
5. On 8 December 2016, the Council resolved to raise a Premium of 50% on the Council Tax of relevant second homes and long-term empty dwellings for the 2018/19 financial year. The Council had to make its first determination to raise a "second homes premium" at least one year before the start of the financial year to which it relates, but any subsequent determination only needs to be made before the start of the relevant financial year.

RECOMMENDATIONS

6. It is recommended that the Council makes no change to the scheme for 2019/20. That is, for 2019/20:
 - That Gwynedd Council allows NO discount on class A second homes, under Section 12 of the Local Government Finance Act 1992.
 - That Gwynedd Council allows NO discount and RAISES A PREMIUM OF 50% on class B second homes, under Section 12B of the Local Government Finance Act 1992.
 - That Gwynedd Council allows NO discount on homes that have been empty for 6 months or more and RAISES A PREMIUM OF 50% on homes that have been empty for 12 months or more, under Section 12A of the Local Government Finance Act 1992.

LEGISLATIVE BACKGROUND

7. Councils have a discretion under Section 12 of the Local Government Finance Act 1992 to grant discount, or not, to two classes of second homes (classes A and B) and to long term empty dwellings (class C). The discount can be 50%, a reduced percentage or no discount.
8. Section 139 of the Housing (Wales) Act added Sections 12A and 12B to the 1992 Act to include a discretionary right for Councils to raise an additional “premium” of no more than 100% on dwellings that have been empty for 12 months or more (Section 12A) and second homes (Section 12B).
9. In the Council Tax (Prescribed Classes of Dwellings) (Wales) Regulations 1998 (SI 1998/105), 'second homes' have been categorised into two classes, A and B, while class C refers to empty properties:
 - ❑ **Class A** – A dwelling of which there is no resident, which is substantially furnished and the occupation of which is prohibited by law for a continuous period of at least 28 days in the relevant year;
 - ❑ **Class B** – A dwelling of which there is no resident, which is substantially furnished, and there is no limit on occupation by law.
 - ❑ **Class C** – A dwelling which is unoccupied and which is substantially unfurnished.
10. A “resident” in relation to any dwelling means an individual who has attained the age of 18 years and has their sole or main residence in the dwelling (Section 6(5) of the Local Government Finance Act 1992).
11. These regulations the amended by the Council Tax (Prescribed Classes of Dwellings) (Wales) (Amendment) Regulations 2017 (SI 2017/42) which came into force on 18 February 2017.
12. The Council Tax (Exceptions to Higher Amounts) (Wales) Regulations 2015/2068 (SI 2015/2068) exempts Class A second homes from paying the premium.

CURRENT POLICY AND INTENTION

13. The Council had resolved to allow NO discounts to second homes (classes A and B) in every year since receiving discretionary powers for these classes under the 1998 Regulations, and had also resolved to allow NO discounts for class C (empty properties) in every year since those regulations were amended for 2009/10.
14. Due to the changes that came into force as a result of the Housing (Wales) Act 2014, the matter was considered by the Full Council on 8 December 2016, which resolved to raise a premium of 50% on class B second homes and on class C long-term empty properties (empty for 12 months or more) in 2018/19.
15. All background papers in relation to the first determination to raise a premium are to be found on the Gwynedd Council website:

<https://democracy.cyngor.gwynedd.gov.uk/ielistdocuments.aspx?cid=130&mid=1656&ver=4>

16. The Local Government Finance Act 1992 states that any determination with regards to Section 12, 12A and 12B must be made annually, by the full Council.
17. The Council had to make its first determination to raise a "second homes premium" (class B) at least one year before the start of the financial year to which it relates. The “year’s notice” clause does not relate to long-term empty dwellings, nor to any determination on the second home premium after the first determination.

18. The financial strategy for 2019/20, and the Council's grant settlement from the Welsh Government, is based on continuation of the policy to allow NO discounts, and any change to that policy would need to be funded by the Council in 2019/20.
19. The regulations for setting the tax base have been written so that a decision to raise a premium does not effect the Council's grant settlement from the Welsh Government.
20. A public consultation was undertaken in 2016 before making the first determination to raise a premium. Since there is no intention to change the arrangements for 2019/20, a further consultation at this stage is not necessary.

SECOND HOMES

21. When resolving in December 2016 to raise a premium of the Council Tax of second homes in 2018/19, attention was given to detailed studies that had been undertaken on the effect of second homes on Gwynedd's communities. The result of that work was that second homes were having an adverse effect on communities. There is no evidence that the situation has changed since then.
22. The Gwynedd and Anglesey Joint Local Development Plan 2011-2026 notes (in part 6.4.96) that "*affordability is an issue across the Plan area*" and that "*evidence suggests that affordable need is greater in coastal villages particularly within the AONBs and along the Meirionnydd coast*". These are the areas with the greatest concentration of second homes.
23. There is no evidence either that raising the Premium has had any effect on the tourist industry in 2018.
24. When the initial determination to raise the premium was made, the risk was identified of an acceleration in the number of properties transferring to being self-catering units, that are subject to non-domestic rates, because the Valuation Office Agency has judged that they reached the necessary criteria. The transfer has accelerated, and the majority of properties that are transferring receive full Small Business Rates Relief, meaning that no tax is payable on them.
25. Since 1 April 2014, a total of **1,033** Gwynedd properties have been transferred from the Council Tax list to Non-Domestic Rates by virtue of being classified by the Valuation Office Agency as being Self-Catering Accommodation pursuant to Section 66(2BB) of the Local Government Finance Act 1988.
26. The number of these transfers has increased year-on-year:

Financial Year	Number of transfers
2018-19 (to 30/9/2018)	197
2017-18	282
2016-17	199
2015-16	167
2014-15	188
Total	1033

27. Council members and officers have corresponded regularly with ministers and officials at Welsh Government to press the case for acting to change to arrangements, since this is eroding the public purse substantially. Since these properties have already transferred, abolishing the premium would not bring them back into the Council Tax base since no rates are being paid on them, which means that there is an incentive for owners to endeavour to keep them on the non-domestic list.

EMPTY PROPERTY

28. In terms of empty houses, the Council states "*Houses that stand empty can cause nuisance and damage to neighbouring houses. They are also a waste because they could be used as homes*".
29. Since April 2009, long term empty dwellings have been charged 100% council tax, following either an exempt period of 6 months, or an extended 12 month period of exemption if undergoing major renovation. Since April 2018, this has increased to 150% council tax for properties that have been empty for 12 months or more. Revoking the premium, or allowing a discount, would provide an unfortunate incentive for owners to keep dwellings empty. The Empty Property Strategy includes the Council exercising its discretion to charge at least 100% council tax on long term empty dwellings, as an incentive for these dwellings to be reoccupied.
30. One of the Council's main priorities (Improvement Priority 4) is to "Ensure a greater supply of suitable housing is available to our residents". This includes a programme within the Council's Plan 2018-23 to improve the provision of suitable and affordable housing.

USE OF THE PREMIUM YIELD

31. The Budget for 2018/19 was approved by the full Council on 8 March 2018. This included two 'first demands' on the yield of the premium (in the areas of Housing and Council Tax collection). It was estimated that there would be around £2m of additional income to be prioritised. The Council resolved that the total sum remaining of the 2018/19 Council Tax Premium would be earmarked in a specific fund to be used on the Council's priorities, including providing housing for young people.
32. It was decided to wait in order to identify the true tax yield from the Premium, and the threat of financial cuts for services by 2019/20, before attributing the tax yield from the Premium in 2019/20 and following years. It was agreed that it would be prudent for members to retain flexibility for the future, in case the Council needs to make difficult financial choices in 12 months.
33. The full Council will consider the 2019/20 Budget on 7 March 2019, which will include further information on the use of this Council Tax Premium Fund.

Agenda Item 10

MEETING OF	The Full Council
DATE	6 December, 2018
CABINET MEMBER	Councillor Dyfrig Siencyn
CONTACT OFFICER	Vera Jones, Democratic Services Manager
TITLE OF ITEM	Local Democracy and Boundary Commission - Final Recommendations Report
PURPOSE	To ask the Council to approve the recommendation to make further representations to Welsh Government, as noted in Appendix A.

BACKGROUND

1. All Council members will be aware that the Local Democracy and Boundary Commission has published its "Final Recommendations Report" for the review of the electoral arrangements for Gwynedd Council on 6 November, 2018.
2. The recommendations of the Commission were submitted to Welsh Government. The work of Welsh Government will now involve the implementation of these recommendations, either as submitted or with amendments.
3. Any further representations regarding the matters of the report may be submitted to Welsh Government within six weeks of publishing the report (by 18 December, 2018). It is noted that anyone may directly submit representations on the recommendations to Welsh Government for consideration by the Minister.

THE COUNCIL'S CORE PRINCIPLES

4. Since the Boundary Commission review commenced in March 2017, as a Council we have emphasised some basic principles, and we continue to emphasise them.
 - Respect towards the need for an electoral member:elector ratio, but emphasis on the rural nature of the county and what is sensible in terms of natural community links.
 - Object to electoral wards with two or more members in order to ensure that each councillor has an equal electoral ratio.
 - The need to focus on the requirements of effective local representation and the impact of the population not on the electoral register at specific points in time (specifically the impact of students and visitors).

The core principles are elaborated upon further in points 4 - 13 of the draft response - see Appendix A.

SUMMARY OF THE FINAL RECOMMENDATIONS REPORT - THE SITUATION IN GWYNEDD

5. At present, the Council has 71 electoral wards with four of them electing two members, which is a total of 75 Council members. The final recommendations report by the Boundary Commission recommends a Council with 65 electoral wards with four of them electing two members, leading to a total of 69 Council members.
6. I am pleased to note that the report is based on the Council's proposals in a number of wards, and this should be welcomed.
7. The Commission recommends that there is no change to 27 of the existing wards. This corresponds with the Council's opinion.
8. The Council's recommendations on proposed changes for 20 of the wards have been accepted. They are based on a combination of the Council's original proposals or further consultation. The Council submitted proposals for the boundary adaptation of a number of wards in order to create wards that corresponded with the Commission's primary consideration, namely to ensure an average of 1,243 electors for every member in Gwynedd.
9. There are 18 wards where the recommendations of the Boundary Commission are different to the Council's proposals. We continue to stand by the original proposals given by the Council, which were based on meeting the average need per member, and also on a strong awareness of the local area and the best solution for local people. However, by now we must accept that we will not be able to change the recommendations that are not consistent with the Council's opinion and must focus our effort on those elements which continue to make no sense.
10. Details of the above information can be seen in [Appendix B](#).

SPECIFIC ISSUES

11. However, whilst considering the report, there are some areas where use of multi-member seats needs to be questioned and it is considered that this needs to be brought to the Minister's attention, specifically the Bangor Area and the Bethel / Felinheli Area.

BANGOR AREA

12. The draft proposals by the Boundary Commission accepted the Council's original proposals regarding changing boundaries within the Bangor area, with the impact on the existing areas of Deiniol, Hiraol, Hendre, Garth and Menai, but disagreement about the number of members for those wards.

13. In its final report, the recommendations by the Boundary Commission are different to those noted in any consultation. Merging the wards of Marchog, Hiracl and a part of Deiniol with two members representing the ward would be contrary to the basic principle of ensuring a consistent electors to member ratio, and it would create confusion for electors as they attempted to identify their elected representative. Furthermore, it does not consider factors regarding the underprivileged nature of the Marchog ward and the additional requirements on councillors who represent that ward.
14. Merging the wards of Garth, Menai, Hendre and a part of Deiniol with two members representing this proposed ward would again be contrary to the basic principle of ensuring a consistent electors to member ratio, and it would create confusion for electors as they attempted to identify their elected representative. Furthermore, it does not consider the additional pressures and responsibility on local members that derive from the increase in student population for several months of the year.
15. Therefore, it is recommended that the Council states to Welsh Government that we disagree with recommendations in the final report and recommend adherence to the Council's original proposals for the area as noted in point 19 of Appendix A. Should Welsh Government not deem the Council's original proposals as the best option for the situation of the Bangor area, the Council wishes to state the opinion that it considers the draft recommendations of the Boundary Commission as a better solution for the area than the recommendations noted in its final report.

BETHEL AND FELINHELI AREA

16. The recommendations in the final report by the Boundary Commission continue to recommend the merging of the Bethel and Felinheli wards in order to create one ward with two members.
17. The Council has consistently responded by objecting to this opinion in accordance with the Council's basic principle of objecting to multi-member wards. In addition, the Council has outlined the cultural and community nature of these wards, and this is elaborated further upon in points 20 – 24 of the Council's response in Appendix A.
18. Therefore, it is also recommended that the Council states to Welsh Government that we disagree with recommendations in the final report and recommend adherence to the Council's original proposals for the area of Bethel and Felinheli, as noted in point 25 of Appendix A.

RECOMMENDATION

19. The Full Council is asked to fully approve Gwynedd Council's response to the final recommendations report of the Local Democracy and Boundary Commission for Wales (November 2018) as noted in Appendix A.



GWYNEDD COUNCIL'S RESPONSE TO THE "FINAL RECOMMENDATIONS REPORT" BY THE LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES (NOVEMBER 2018)

BACKGROUND.

1. Gwynedd Council is pleased of the opportunity to respond to the final recommendations report of the Local Democracy and Boundary Commission for Wales, dated November 2018 (published 6 November, 2018). The response is submitted to Welsh Government within six weeks of publishing the report.
2. The Council submitted draft proposals and responses to the draft proposals of the Boundary Commission and we are pleased that the Council's observations have been incorporated in a number of observations.
3. We continue to stand by the original proposals given by the Council, which were based on meeting the average need per member, and also on a strong awareness of the local area and the best solution for local people.

BASIC PRINCIPLES

4. There are some basic principles we wish to emphasise.
5. Whilst accepting that the Commission has to aim towards the electoral member:elector ratio of approximately 1:1200, or as close as possible to this, Gwynedd Council emphasises the rural nature of the County and what is sensible in terms of natural community links in order to ensure an effective representation for the people of Gwynedd. This could mean deviating from the visual appearance on a map that would lead to the best ratio, to a slightly less balanced ratio but a much more sensible democratic representation for the community.
6. As a basic principle, we have already noted that we are against electoral wards with two or more members as it is not consistent with the Commission's basic principle of ensuring that each Councillor has an equal electoral ratio, nor the objective of ensuring an effective and convenient local government, as is required for them to address.

7. We note that the Commission had stated in its policy and practice document 2016 that it is required to endeavour to ensure an equal ratio of local government electors to the number of Council members to be elected in each electoral ward.
8. We presume that the purpose of this requirement is to ensure a somewhat equal workload and representation across the area of the Council.
9. The Council is of a strong opinion that creating constituencies with more than one member would be contrary to this principle.
10. As members cannot arrange at the time of an election for one member to represent half of the constituency and another member to represent the other half, a constituency is created where two members have to represent double the number of electors.
11. In areas where there is a significant political difference, it can also lead to votes from individuals meaning less as they are not reflected in the Council's member constitution.
12. For example, if we take two constituencies with 1,000 electors each: Constituency A has 800 electors for Party X and 200 electors for Party Z; and Constituency B has 400 electors for Party X and 600 electors for Party Z - by keeping them separate, Party X would gain one member and Party Z would gain one member. However, by creating a two member constituency, Party X would gain two members and Party Z would not be represented at all.
13. In addition, we continue to reinforce the opinion noted originally that there is a need to consider the requirements of effective local representation and the impact of the population not on the electoral register at a specific point in time, when forming proposals. Specifically, the demands and workload which arise as a result of the presence of students, tourists, second home owners and others who are not on the local electoral register mean that this must be addressed when determining the size of constituencies.

SPECIFIC REPRESENTATIONS

BANGOR AREA

14. The draft proposals by the Boundary Commission accepted the Council's original proposals regarding changing boundaries within the Bangor area, with the impact on the existing areas of Deiniol, Hiracl, Hendre, Garth and Menai, but disagreement about the number of members for those wards.

15. In its final report, the recommendations of the Boundary Commission are different to what was noted in any consultation.
16. Merging the wards of Marchog, Hiracl and a part of Deiniol with two members representing the ward would be contrary to the basic principle of ensuring a consistent electors to member ratio, and would create confusion for electors as they attempted to identify their elected representative. Furthermore, it does not consider factors regarding the underprivileged nature of the Marchog ward and the additional requirements on councillors who represent that ward.
17. Merging the wards of Garth, Menai, Hendre and a part of Deiniol with two members representing this proposed ward would again be contrary to the basic principle of ensuring a consistent electors to member ratio, and it would create confusion for electors as they attempted to identify their elected representative.
18. In addition, we believe that consideration to the student population in the wards of Menai and Garth is essential, as the population more than doubles during the academic year. There are additional pressures on services and problems arise due to the higher numbers as a result of student population, and therefore, it is inevitable that the responsibility of the local member(s) increases. Whilst we are aware that a number of students do not register, it is noted that the University could provide current information regarding the number of students who live in Bangor. It is noted that the Boundary Commission refers to, and addresses, the likelihood of a population increase in the Penrhosgarnedd/Pentir area as a result of Redrow's new housing development. Those individuals are yet to arrive in the area, and they certainly have not registered as electors. If it is possible to consider this likely population, we note that we believe that the unregistered student population should also be considered.
19. The Council wishes to state to Welsh Government that we disagree with recommendations in the final report and recommend the Council's original proposals for the area. The reasoning has been noted in points 14 - 18 above. Should Welsh Government not deem the Council's original proposals as the best option for the Bangor area, the Council wishes to state the opinion that it considers the draft recommendations by the Boundary Commission as a better solution for the area instead of the recommendations noted in its final report.

BETHEL AND FELINHELI AREA

20. The Bethel and Felinheli area is two separate wards within an adjacent area. There are 1,007 electors (projection of 995) in the Bethel ward, which is 17% below the current average. The Felinheli ward has 1,694 electors (projection of 1,736), which is 40% above average. The Boundary Commission has recommended combining both wards to create one new electoral ward named Bethel and Felinheli, which would

consist of 2,701 electors (projection of 2,731) which is 12% above average, which would be represented by two members.

21. In accordance with the previous observations, we object to multi-member wards for the reasons already noted. We continue to stand by our original proposal, namely to keep both wards separate, as they currently are. There are no community links that bring both areas together, albeit the proximity of the two areas on a map.
22. Though comparatively small according to the Commission's guidelines, the Bethel ward is a village which has its own identity as a unit and is a natural community which grows and develops and it makes cultural and community sense. There are community links with the Llanddeiniolen and Llanrug area. On the other hand, the Felinheli ward has its own identity as a unit - it is a self-sufficient community, both on a cultural and community level.
23. Accepting that the Felinheli constituency is 40% above average, not everything can be boiled down to a mathematical measure and, in this case, we are of a strong opinion that we must accept one larger than normal constituency as the option recommended by the Commission makes no sense on a community level.
24. Furthermore, in accordance with our arguments for multi-member constituencies, we would not be creating a representative balance, but a situation where both members would have to represent a constituency that is 123% above average.
25. The Council wishes to state to Welsh Government that we disagree with recommendations in the final report and recommend the Council's original proposals for keeping the Bethel and Felinheli wards separate.

RETAINED ELECTORAL WARDS = total of 27

Arfon	Deiniolen, Groeslon, Llanberis, Llanrug, Penygroes, Dewi (Bangor), Glyder (Bangor), Tregarth and Mynydd Llandygai [8]
Dwyfor	Abererch, Cricieth, Dolbenmaen, Efailnewydd/Buan, Llanystumdwy, Nefyn, Porthmadog (East), Porthmadog (West), Pwllheli (South), Pwllheli (North), Llaanelhaearn [11]
Meirionnydd	Aberdyfi, Dyffryn Ardudwy, Trawsfynydd, Barmouth, Brithdir, Bowydd and Rhiw, Corris and Mawddwy, Bala [8]

WARDS WHERE THE RECOMMENDATIONS OF THE COMMISSION CORRESPOND WITH THE RECOMMENDATIONS OF THE COUNCIL = total of 20

Boundaries were adapted in order to create wards that corresponded with the Boundary Commission's primary consideration, namely the number of electors per elected member, with the Commission noting that there would be an average of 1,243 electors for every member in Gwynedd.

Arfon	Cwm y glo, Penisarwaun, Caernarfon (wards of Cadnant, Menai, Peblig, Seiont, Town Centre), Llanllyfni. Also the wards of Rachub, Gerlan and Ogwen in the Bethesda area instead of one ward with three members as noted in the Commission's draft proposals. [11]
Dwyfor	Clynnog, Morfa Nefyn and Tudweiliog, Aberdaron and Botwnnog [3]
Meirionnydd	Bro Dysynni (Bryncrug and Llanfihangel), Arthog and Llangelynnin, Morfa Tywyn, Tywyn (West). Also, the wards of Dolgellau (North) and Dolgellau (South) that were adapted from the Commission's draft proposals following the Council's observations. [6]

WARDS WHERE THE RECOMMENDATIONS OF THE COMMISSION ARE DIFFERENT TO THE RECOMMENDATIONS OF THE COUNCIL = total of 18

The Council has responded to the draft consultation and has emphasised that we continue to stand by the original proposals given by the Council, which were based on meeting the average need per member, and also on a strong awareness of the local area and the best solution for local people.

Arfon	Arllechwedd, Pentir, Bontnewydd, Waunfawr, Llanwnda, Talysarn(Tryfan), Bethel and Felinheli *, Bangor Area* (2 new wards in accordance with the final report) [9]
Dwyfor	Abersoch and Llanengan, Llanbedrog and Mynytho, Porthmadog-Tremadog [3]
Meirionnydd	Penrhyndeudraeth, Llandderfel, Llanuwchllyn, Teigl, Diffwys and Maenofferen, Harlech and Llanbedr (1 ward, 2 members) [6]

* SEE MAIN REPORT FOR RECOMMENDATIONS

MEETING	Council
DATE	6 December 2018
CABINET MEMBER	Councillor Nia Jeffreys
TEITL	Urgent Cabinet Decision
PURPOSE	For Information
AUTHOR	Monitoring Officer

BACKGROUND

1. A report on the draft Local Impact Statement for the Wylfa Newydd DCO inquiry was presented to Cabinet on 27th of November 2018. The aim of the report was to secure the approval of the Cabinet for the contents. The statement had to be filed with the inquiry by the 4th of December 2018. Because of the restricted timetable and the importance of the matter it was necessary for the decision to come into effect immediately

URGENT DECISION

2. As a result an urgent decision had to be made in accordance with Section 7.25.2 of the Constitution so that the call-in to scrutiny procedure would not apply. This allows for a Cabinet decision to come into immediate effect and specifically without having to wait for 5 working days before it can be acted on. This procedure is contingent upon the Councils Chair's Consent and reporting on the matter to the next Full Council,
3. Agreement was received from the Chair of the Council that the decision was an urgent matter and was reasonable under the circumstances.

RECOMMENDATION

To accept and note the contents of the report.

Agenda Item 13a



Direct Communications Unit
2 Marsham Street
London
SW1P 4DF

Tel: 020 7035 4848
Fax: 020 7035 4745
www.gov.uk/home-office

Councillor Annwen Hughes
Council Chairman
Swyddfa'r Cyngor
Caernarfon
Gwynedd
LL55 1SH

Reference: TRO/0016054/18

21 November 2018

Dear Councillor Hughes,

Thank you for your letter of 25 October to the Minister of State for Immigration about immigration detention. Your letter has been passed to me to reply.

The Government is committed to delivering an immigration system which encourages and supports migrants to comply with our immigration rules; this includes leaving the UK voluntarily where they do not have the right to be here. For those who refuse to comply with our rules, enforcement action, including detention where necessary, remains appropriate. However, the law does not allow for indefinite detention. Any decision to detain, or maintain detention of, an individual requires there to be a realistic prospect of the person's removal from the UK within a reasonable period of time. Current published policy in the UK already requires that detention is only used sparingly and for the shortest period necessary. Regular reviews of an individual's detention are undertaken to ensure that it remains lawful.

More broadly, the Home Secretary made a statement to Parliament on 24 July about immigration detention and the publication of the Stephen Shaw's follow-up review of welfare in detention of vulnerable persons, which you mention in your letter. In that statement, the Home Secretary made clear that he is committed to going further and faster with the reforms to immigration detention. The statement highlighted four main priorities: to encourage and support voluntary returns, including doing more to explore alternatives to detention; to increase transparency around immigration detention; to further improve the support available for vulnerable detainees; and to initiate a new drive on detainee dignity.

The Home Office is taking forward a wide range of activities in response to Mr Shaw's recommendations. A cross-Government programme board is overseeing work to implement the commitments made in the Home Secretary's statement and the Home Office is already implementing changes.

An Adults at Risk in Immigration Detention policy was introduced in September 2016, as part of the Government's response to Mr Shaw's previous review, to strengthen the pre-existing presumption against the detention of those who are particularly vulnerable to harm in immigration detention. In his more recent review, Mr Shaw recommended that the Independent Chief Inspector for Borders and Immigration should be invited to report annually on the implementation of policy. The Home Secretary has committed to do so and the Home Office is in discussion with the Chief Inspector about the scope and timing of the annual reviews.

Yours sincerely



Sheri Yusuf

Border, Immigration and Citizenship System Policy

Email: Public.Enquiries@homeoffice.gov.uk