

THE CABINET 15/12/20

Present-

Councillors: Dyfrig L. Siencyn, Dafydd Meurig, Craig ab Iago, Gareth Wyn Griffith, Nia Wyn Jeffreys, Gareth Thomas, Ioan Thomas, Catrin Elen Wager and Cemlyn Rees Williams

Dilwyn Williams (Chief Executive), Morwena Edwards (Corporate Director), Iwan Evans (Head of Legal Services), Dafydd Edwards (Head of Finance Department) and Annes Siôn (Democracy Team Leader).

Item 6: Dafydd Gibbard (Head of Housing and Property Department)

Item 7: Dafydd Gibbard (Head of Housing and Property Department), Gareth Jones (Assistant Head of Environment Department), Heledd Fflur Jones (Team Leader - Joint Planning Policy Unit).

Items 8 and 9: Llyr B Jones (Assistant Head of Economy and Community Department) and Esyllt Rhys Jones (Regeneration Programme Manager)

Item 10: Sioned Williams (Head of Economy and Community Department)

Item 11: Garem Jackson (Head of Education Department) and Gwern ap Rhisiart (Dwyfor/Meirion Area Education Officer)

Item 14: Sioned Williams (Head of Economy and Community Department) and Geraint Owen (Head of Corporate Support Department).

Item 16: Dewi Morgan (Assistant Head of Finance - Revenue and Risk)

Item 18: Sioned Williams (Head of Economy and Community Department), Llyr B Jones (Assistant Head of Economy and Community Department) and Esyllt Rhys Jones (Regeneration Programme Manager)

1. APOLOGIES

The Cabinet Members and Officers were welcomed to the meeting.
An apology was received from Cllr. Dilwyn Morgan.

2. DECLARATION OF PERSONAL INTEREST

A declaration of interest was received from Cllr. Dyfrig Siencyn as a close relative of his owned property affected by the Council Tax Premium; this was a prejudicial interest and he left the meeting for the item.

A declaration of interest was received from Cllr Cemlyn Williams as his daughter works for Cwmni'r Frân Wen; it was a prejudicial interest and he left the meeting.

3. URGENT ITEMS

There were no urgent items.

4. MATTERS ARISING FROM OVERVIEW AND SCRUTINY

There were no matters arising from overview and scrutiny.

5. MINUTES OF THE MEETING HELD ON THE 10 AND 24 NOVEMBER

The Chair accepted the minutes of the meetings held on 10 and 23 November 2020 as a true record.

6. HOUSING ACTION PLAN

The report was submitted by Cllr. Craig ab Iago.

DECISION

a) To approve the projects noted in the Housing Action Plan for the period from now to 2026/27.

b) To further approve the allocation recommended for the individual projects, within the financial envelope that had already been approved for this field of work, and up to the total resources already collected.

c) In order to allow for flexibility when responding to changes in the housing market over time, authorise the Head of Housing and Property Department, in consultation with the Cabinet Member for Housing and Property Department and the Head of Finance Department, to vary the exact allocation for individual projects as information about the costs of individual projects, and the demand for various types of support, become firmer over time.

DISCUSSION

The report was submitted noting that the housing field was now in a state of emergency. The Cabinet Member noted that, despite pressing the Welsh Government to address the matter, it was a pleasure to propose the Housing Plan for Gwynedd Council. He explained that the Action Plan highlighted how the Department would implement the vision. He added that the document was being presented and would be in place to inspire people.

The Head of Housing and Property Department noted that Councillors and partners within the Housing sector had been involved in discussions to create the document along the way. He emphasised that it was a composite report, and that a further report on some more detailed business cases would be submitted in the new year. It was noted that the department had worked hard to create a document that would be legible to all. The main fields within the Plan were

outlined, noting that the key objective of the plan would be for the Council to build its own houses to rent at a fair price within the county, and to upgrade empty properties in order to return them to use.

Observations arising from the discussion

- The Housing Plan was welcomed, and attention was drawn to the quality of the work, which was clear and highlighted what the department intended to do. It was emphasised that research had been undertaken to determine the true need within the county. In terms of the plan for the future, an enquiry was made as to how much flexibility there was to adapt the plan as the years went by. It was noted that the plan set a good foundation, but that the department would continue to examine and make changes during the period. It was emphasised that the plan was flexible but that if a major change was foreseen, that it would be brought back to the Cabinet.
- It was noted that there were challenges to be seen in the housing field, and that the plan addressed them in various ways. In terms of grant scheme timetables, it was enquired whether empty housing grants could be backdated. It was noted that certain schemes would be implemented sooner than others, and that the department would look into the idea of back dating grants should this be required to address difficulties residents may be facing.
- It was expressed that the plan was ambitious, and an enquiry was made as to whether they were confident of receiving grants. It was noted that the department had received every grant it had applied for so far, and that the plan stretched over six years so that plans were in place should any grant opportunities arise.
- The members congratulated the department, noting that establishing the department had shown that the Council was taking the housing field seriously. It was noted that the department had already seen success.
- The department was praised for the plan, emphasising that the true achievement would be to realise the plan. It was noted that the foundations were there, praising the department for drawing up equality assessments.
- Attention was drawn to the variety of projects, and that the department had looked for more than one solution to various problems.

7. HOLIDAY HOMES RESEARCH WORK

The report was submitted by Cllr. Gareth Griffith and Cllr. Craig ab Iago.

DECISION

In light of the need to obtain better control of houses being taken out of the supply available for local people, and thus placing the interests of local residents first, the research was approved to submit to the Welsh Government and that we should:

- a) Call on the Government urgently to emulate what was happening in Scotland and amend the Town and Country Planning (Use Classes) Order

to include an additional use class for short-term holiday accommodation. This in turn would allow authorities to identify 'management areas' where it would be required to obtain planning consent in order to change a residential house to be used as short-term holiday accommodation within a specified 'management area'.

- b) In order to assist to maintain control, a call should also be made for a mandatory licensing plan for short-term holiday accommodation where the local authority would be responsible for its implementation.
- c) Whilst the above would assist the Council to obtain better control of housing being used for holiday purposes, it would not be possible to avoid/control houses from being converted into second homes (excluding those let occasionally/permanently). In order to ensure that the Council had the financial means to assist to compensate for the shortcomings in the supply that this would cause, that we call on the Government to change its stance and to act urgently to change the Local Government Finance Act so that any dwelling house that was not the main or sole residence of an individual (whether a second home or a house used for short-term holiday accommodation purposes), was defined as a dwelling house for tax purposes (and thus had to pay any Council Tax premium determined locally). Any short-term holiday accommodation that has received purposeful planning consent for that use would continue to be eligible to pay Non-domestic Business Rates.
- d) To delegate the power to the Head of Environment Department, in consultation with the Cabinet Member, to consider how the research could be used in the context of the local planning policy framework.

DISCUSSION

The report was presented and it was noted that the Cabinet had commissioned a report to examine the impact of holiday homes in Gwynedd's context over a year ago. The staff were thanked for their hard work in producing the report.

It was noted that the report highlighted the main issues in the field, namely the impact on the housing stock, the impact on communities, and the impact on the Welsh language. It was added that the report shared information but also highlighted possible options to tackle these. Attention was drawn to the extremely concerning figures quoted, such as almost 7000 houses in the county being used as holiday homes. It was also noted that during the previous financial year, 38% of the county's houses sold had been bought as second homes. The decision was noted, drawing attention to the fact that the report had received the support of the Communities Scrutiny Committee, which had discussed the matter the previous week.

The Joint Planning Policy Unit Team Leader gave an overview of the report, emphasising that this sector was unregulated at present. A map was shown which highlighted the areas where house prices were higher than the county average, noting that a clear relationship could be seen between these areas and those with a lower number of Welsh speakers. Steps taken in other countries were mentioned, noting that Scotland enforced licensing for holiday accommodation, and that local authorities were able to ask all new holiday accommodation to make a planning application for change of use from residential

accommodation to use as holiday accommodation. The need for a mechanism to control the field was emphasised.

The Assistant Head of Environment Department added that the report noted the facts and provided strong evidence to be able to do something, and to look at local planning policy.

Observations arising from the discussion

- It was noted that the report was shocking and that the current system put the interests of wealthy second home owners before those of Gwynedd residents. It was noted that the work was a step forward in looking at the field.
- It was expressed that the report noted that there were now 227 Airbnb units, showing an increase of 900%, as well as 10% of the county's housing stock being used as holiday homes. It was noted that the report was one that should be presented to the Government to demonstrate how serious the situation was in Gwynedd.
- It was emphasised that the previous report had identified the need for housing for the people of Gwynedd, and that this report noted that holiday homes counted for 10% of the county's housing. The need to look into the field was emphasised, as it currently allowed people to own second homes while others were unable to purchase a house. It was noted that this had been raised 20 years ago but without robust evidence; however, this work had collated all the information and it was now time for action by the Government.
- The department was thanked for producing the document, which would give us a factual base from which to act.

8. HOLDING A VOTE ON THE CAERNARFON BUSINESS IMPROVEMENT DISTRICTS

The report was submitted by Cllr. Gareth Thomas

DECISION

- It was noted that the Business Improvement District (BID) Proposal and supplementary documents from the Caernarfon Business Improvement District Area Company had been received from the Council and that they complied with the Regulations;
- That the Cabinet instructed the Returning Officer to hold the Caernarfon BID vote;
- To approve the financial arrangements and implications noted in Part 3 of the report;
- To delegate the right to the Cabinet Member for the Economy to vote on behalf of the Authority in the BID vote.
- Should the vote be successful in Caernarfon, and in accordance with the Business Improvement District (Wales) Regulations 2005, to delegate rights to the Head of Economy, Environment, Highways and Municipal, Legal and Finance Services to approve the final version of the Practical

Agreement and the Baseline Agreement and ensure that the legal arrangements were completed correctly.

DISCUSSION

The report was submitted, noting that the Caernarfon Business Improvement District charged businesses a levy and the Caernarfon Business Improvement District Area Company then used the income to develop the areas. It was noted that a vote was held every five years to determine whether the businesses wished to continue.

The Assistant Head of Economy and Community noted that the department had received documents from the Caernarfon Business Improvement District Area Company that conformed to the regulations. It was noted that challenges had arisen over the previous five years, but that Hwb Caernarfon had conducted a number of projects to promote Caernarfon, and had used the income to increase investment in the town.

Observations arising from the discussion

- It was noted that Hwb Caernarfon had made a difference to the town, and they had faced many challenges but hoped that businesses would support the application.
- Praise was expressed for the good work that had been accomplished on a small budget, and it was hoped that it would be possible to build on the good work that had been done.

9. HOLDING A VOTE - BANGOR BUSINESS IMPROVEMENT DISTRICTS

The report was submitted by Cllr. Gareth Thomas

DECISION

- To note that the Business Improvement District (BID) Proposal and supplementary documents from the Bangor Business Improvement District Area Company had been received from the Council and that they complied with the Regulations;
- That the Cabinet instructed the Returning Officer to hold the Bangor BID vote;
- To approve the financial arrangements and implications noted in Part 3 of the report;
- To delegate the right to the Cabinet Member for the Economy to vote on behalf of the Authority in the BID vote.
- Should the vote be successful in Bangor, and in accordance with the Business Improvement District (Wales) Regulations 2005, to delegate rights to the Head of Economy, Environment, Highways and Municipal, Legal and Finance Services to approve the final version of the Practical Agreement and the Baseline Agreement and ensure that the legal arrangements were completed correctly.

DISCUSSION

It was noted that this item required the same decision, but that the vote was being held in Bangor.

Observations arising from the discussion

- An enquiry was made regarding the boundary of the Bangor bid; whether Upper Bangor was within the Bangor Business Improvement District and whether they would be included in the vote. It was noted that the documents provided by the Bangor Business Improvement District Company conformed to the regulations and that all businesses within the boundary would have the opportunity to take part in the vote.
- An enquiry was made as to why the documentation was only available in English. It was noted that these were the documents received from the Business Improvement District Companies, but that the documents would be bilingual upon presentation to the businesses.

10. ESTABLISH SPORT NORTH WALES PARTNERSHIP

The report was submitted by Cllr. Gareth Thomas

DECISION

Approved to establish the North Wales Sports Partnership, with Conwy Council acting as host authority and Gwynedd Council committing to the arrangements as one of the regional partners.

DISCUSSION

The report was submitted, and the decision noted. It was noted that the plan to form a partnership was a pilot scheme with Conwy Council acting as host authority, which would allow a number of partners to collaborate. It was emphasised that funds currently received by the Council would go to the Partnership, which would then further distribute the funds. The Head of Economy and Community Department noted that the funding from Sport Wales was not substantial, but that it was hoped that by pooling the funds together it would be possible to achieve more.

Observations arising from the discussion

- It was noted that this pattern of partnership working across North Wales went against devolution. An enquiry was made as to how it was to be managed, and whether there would be a financial risk to distributing funding on a regional level. It was noted that yes, there was an element of risk, but that it was necessary to ensure a clear voice to influence the way in which funding was distributed.
- The importance of providing sports sessions through the medium of Welsh was emphasised, and concern was expressed about the use of the Welsh language on a regional level. It was emphasised that there had been a discussion regarding this matter, and that the Head of Economy and

Community Department would reiterate the matter at the next meeting.

11. NEW SCHOOL IN CRICIETH - INCREASING THE PROJECT'S CAPITAL BUDGET

The report was submitted by Cllr. Cemlyn Williams.

DECISION

It was agreed to:

- Move resources within the capital programme and increase the capital budget for the project to construct a New School in Cricieth in order to address the additional costs that had been identified when planning the school on the new favoured site in Cricieth, and for this to be realised by transferring £380,000 from the Post-16 Project, which was a part of the 21st Century Schools Programme (Band B) in order to cover the additional costs identified when planning the school on a new site in Cricieth.
- To underwrite the capital sum of £220,000 in order to secure an early years and 30 hour child care provision as part of the New School in Cricieth should any other financial sources coinciding with the project's timetable be unavailable from Welsh Government.

DISCUSSION

The report was submitted and it was noted that a decision had been made to consult on increasing the school's capacity and moving to another location. It was noted that after completing land purchase discussions, alterations to the road and planning the school for the site, additional costs had been identified which meant that the project's budget would need to be increased if this additional work was to be realised.

It was noted that the Council had been unsuccessful in its application for capital funding to ensure a childcare and early years resource for Cricieth, but had received agreement in principle from the Government that funding would be provided should a suitable source of finance arise in the future. However, this was far from being a firm pledge. It was expressed that in order to fund the scheme, there was a need to transfer funds from the Post-16 project within the 21st Century Schools Programme to address the additional cost, and there would be no financial implications for the Council.

Also noted was the need to underwrite a sum in order to secure an early years and childcare provision as part of the New School, so that this could be included even if no other financial source was available from the Government to coincide with the timetable.

12. ANNUAL REPORT OF THE NORTH WALES REGIONAL PARTNERSHIP

BOARD

The report was submitted by Cllr. Dafydd Meurig.

DECISION

To note the work and progress in 2019-20 on the areas of work that were brought forward regionally through the North Wales Regional Partnership Board.

DISCUSSION

The annual report was submitted, providing an outline of its contents. It was noted that the report was required to be in a specific format for Welsh Government.

The Corporate Director added that the report was slightly late this year, due to the Covid-19 pandemic. She noted that the board met regularly, and that she believed that it worked better virtually. It was expressed that the Government distributed funding via the partnership. It was emphasised that the partnership was not always easy.

Observations arising from the discussion

- An enquiry was made as to how the partnership had been affected by issues relating to the pandemic. It was noted that funding had been diverted to other places, but that the situation had highlighted what could be done within a short period. It was added that a response had been drawn up via the regional crisis board, and the Board had continued with its usual work programme during the second half of the year.
- It was noted that the More Than Just Words Forum had faced a number of challenges but despite this, there was an additional year and it needed to be prioritised. The need for systems to be bilingual was emphasised, but it was noted that there was good progress to be seen.

13. CARE INSPECTORATE WALES ANNUAL LETTER

The report was submitted by Cllr. Dafydd Meurig.

DECISION

To note and accept the contents of the Care Inspectorate Wales Annual Letter.

DISCUSSION

The report was submitted, and scrutiny of this kind was welcomed. It was noted that the letter was positive, and drew attention to a couple of fields where there was a need for improvement. It was expressed that the main issue was that of recruiting staff to the care field. It was noted that work was being undertaken, and there was more recognition of the field following the Covid-19 pandemic.

The Corporate Director noted that there was nothing unexpected to be seen in the letter, and drew attention to the good work being accomplished in the Social Care field. It was expressed that the letter was in keeping with the Corporate Director's annual report. It was highlighted that the letter confirmed that the priority areas were in keeping with the priorities of Care Inspectorate Wales. The staff were thanked for their hard work, although they had not had much spare time to dedicate to these areas during the year.

Observations arising from the discussion

- Attention was drawn to an issue raised by some staff members, which was that they had not received enough appreciation for their work; this could be due to the large size of the county and possibly individuals not working centrally. It was noted that a newsletter was now produced, and it was hoped that the newsletter and a public show of appreciation in the Cabinet highlighted the gratitude felt towards staff.
- The gratitude due to staff in the care sector was emphasised, also thanking professional staff such as Social Workers for their work during such challenging times.
- It was noted that social staff worked from home and that this could be challenging as there was no way to share the burden following difficult meetings. Despite this, it was emphasised that the good work continued.
- The need to move away from traditional professional boundaries was noted, and this sometimes made individuals feel they were undermining their profession. It was noted that there was a need to follow Ffordd Gwynedd by putting the people of Gwynedd at the centre.

14. COUNCIL'S PREPARATION FOR BREXIT

The report was submitted by Cllr. Dafydd Meurig.

DECISION

To note and accept the contents of the Care Inspectorate Wales Annual Letter.

DISCUSSION

The report was submitted, and scrutiny of this kind was welcomed. It was noted that the letter was positive, and drew attention to a couple of fields where there was a need for improvement. It was expressed that the main issue was that of recruiting staff to the care field. It was noted that work was being undertaken, and there was more recognition of the field following the Covid-19 pandemic.

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15. NORTH WALES CORPORATE JOINT COMMITTEE CONSULTATION

The report was presented by Iwan Evans.

DECISION

- To approve the draft response to the Consultation
- To delegate the right to the Leader, in consultation with the Chief Executive and the Head of Legal Services, to complete and submit a report on behalf of the Council.

DISCUSSION

The report was submitted and it was noted that discussions regarding this matter had taken place over a number of months. It was noted that the consultation was an example of Welsh Government ignoring the voice of Local Government, claiming that it promoted democracy but instead pushing democracy further from the hands of residents. It was emphasised that there was a place for collaboration of this kind, but that it must be voluntary; currently it was forced upon us and highlighted the Government's lack of faith in Local Government.

The Monitoring Officer noted that the Local Governments and Elections (Wales) Act had been passed in the Senedd. It was expressed that this gave the Minister the power to establish the Corporate Joint Committees, which would be operational across the six northern counties. It was emphasised that the act comprised four elements, with the Minister able to enforce in areas including Transportation, Strategic Planning, Education Organisation and Economic Development. It was noted that the consultation looked at forming Corporate Joint Committees for elements of three of these fields.

Some matters raised in the consultation were highlighted, the first of these being establishing a Joint Committee, specifically regarding the requirement in terms of resources and staff expertise. It was noted that there was no clarity in terms of who would lead the establishment. It was noted that the consultation did not highlight the relationship between the Joint Committees and Councils. Attention was drawn to the financial challenges, as it was possible that the Joint Committees would place financial requirements on the Councils, and there was no clear timetable.

The situation in terms of the Welsh language was expanded upon, noting that there were currently collaborative arrangements based on the Joint Committee's consensus. It was expressed that as this was a separate body, it would be necessary for the language standards and framework to be put in place soon to ensure linguistic assurance.

Observations arising from the discussion

- It was expressed that Councils were being forced into this, that it was completely destructive to democracy, and there was no mention of an equality assessment.
- It was emphasised that Gwynedd Council had a strong hold of financial matters, and that it was unfair that they could ask for a financial contribution without any time to prepare.
- It was expressed that this body was not dissimilar to the Fire Authority, where it was possible for them to ask for funds, noting how it was to be spent. It was emphasised that it was not democratic as the majority would take the vote, and as a result the residents of any county could be tied to a matter with which they disagreed. It was noted that this took the decision further away from the people. The need was emphasised to note, at the start of the consultation, that the Council was opposed to the enforcement of establishing these Joint Committees.
- It was noted that there was a need for the Government to give powers to Local Government to make the decisions, rather than to regional joint committees.
- Complete opposition to the Joint Committees and serious concerns regarding their establishment were noted

16. COUNCIL TAX PREMIUM ON SECOND HOMES AND LONG-TERM EMPTY PROPERTIES

The report was submitted by Cllr. Ioan Thomas

DECISION

Agreed to hold a public consultation on the proposal to increase the Premium on Second Homes and Long-term Empty Properties up to 100% for the 2021/22 financial year.

DISCUSSION

The report was submitted and the decision sought was noted. At a meeting of the Full Council on 3 December 2020, the Council deferred the decision about permitting Council Tax discounts and charging a premium, asking the Cabinet to consider the propriety of increasing the level by up to 100%. It was emphasised that a number of people had changed their properties to business properties, which had meant that they did not pay Council Tax or the Council Tax Premium. The financial risk of raising the premium was highlighted, but it was noted that this was only a decision to go to a consultation.

It was emphasised that this consultation would be undertaken fully and thoroughly, and the department would use Powys Council's example as a template. It was highlighted that one change that would need to be made to the questions would be to consider the impact on the Welsh language. It was emphasised that the consultation needed to be undertaken soon so that it could be included as an item on the agenda for the Full Council in March.

Observations arising from the discussion

- It was emphasised that this consultation was essential, and everyone was requested to take the opportunity to participate.
- The need to differentiate between the individuals who were second home owners and those who were not was noted, as the conclusions could possibly be different.

17. EXCLUSION OF PRESS AND PUBLIC

A decision was made to exclude the press and public from the meeting during the discussion on the following item due to the likely disclosure of exempt information as defined in paragraph 14, Schedule 12A of the Local Government Act 1972 - information about the financial or business transactions of any specific person (including the authority that retains that information).

There was an acknowledged public interest in openness in relation to the use of public resources and related financial issues. It was also acknowledged that there were occasions, in order to protect the financial interests of public authorities that matters related to commercial information needed to be discussed without being publicised. The report specifically involved agreements with commercial companies with regard to projects funded through grants. The nature of the information was sensitive for the company, and publishing it could have had an impact on their commercial interests. Publishing commercially sensitive information of this type could also undermine the confidence of the applicants for grants and support to come to the Council. This would be contrary to the public interest of permitting assessments and open and thorough discussion with applicants for financial support.

18. NYTH FRANWEN

The report was submitted by Cllr. Gareth Thomas

DECISION

- Support was given to the 'Y Nyth' Scheme, Frân Wen, to develop a new centre in Bangor
- The right was delegated to the Head of Economy and Community Department in consultation with the Head of Finance Department and Head of Legal Services to agree on a funding agreement with Cwmni'r Frân Wen, including a legal charge or other form of guarantee, if appropriate, to protect the Council's interests.
- Subject to (b), the Head of Finance was authorised, in consultation with the Head of Economy and Community Department, and the Head of Legal Services, to sign-off the financial offer letter from Welsh Government.

DISCUSSION

The report was discussed.

The meeting commenced at 1.00 pm and concluded at 4.30 pm

CHAIRMAN