



Complete Agenda

Democracy Service
Council Offices
CAERNARFON
Gwynedd
LL55 1SH

Meeting

THE COUNCIL

Date and Time

1.00 pm, THURSDAY, 1ST DECEMBER, 2022

*** NOTE ***

This meeting will be webcast

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

Location

**Multi-location Meeting
Siambr Dafydd Orwig, Council Offices, Caernarfon LL55 1SH /
Virtually on Zoom**

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(DISTRIBUTED 24/11/22)

**Ian Jones
Head of Democracy Service**

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THURSDAY, 24 NOVEMBER 2022

Dear Councillor,

MEETING OF CYNGOR GWYNEDD – THURSDAY, 1 DECEMBER 2022

YOU ARE HEREBY SUMMONED to attend a multi-location meeting of **CYNGOR GWYNEDD** which will be held at **1.00 pm** on **THURSDAY, 1ST DECEMBER, 2022** in **SIAMBR DAFYDD ORWIG, COUNCIL OFFICES, CAERNARFON LL55 1SH / VIRTUALLY ON ZOOM**, to consider the matters mentioned in the following agenda.

Yours faithfully,



Head of Democracy Services

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

Plaid Cymru - Siambr Dafydd Orwig
Independent – Siambr Hywel Dda
Lib / Lab – Ystafell Ogwen

AGENDA

1. APOLOGIES

To receive any apologies for absence.

2. MINUTES

6 - 18

The Chair shall propose that the minutes of the previous meeting of the Council held on 6th October, 2022 be signed as a true record.

3. DECLARATION OF PERSONAL INTEREST

To receive any declaration of personal interest.

4. THE CHAIR'S ANNOUNCEMENTS

To receive any Chair's announcements.

5. URGENT ITEMS

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

6. QUESTIONS

- (a) To consider any questions from members of the public, the appropriate notice for which have been given under Section 4.18 of the Constitution.

Question by Mr Paul D. Gill (address provided in accordance with the requirements of the Constitution)

"Why is the Council imposing an increase in the Council Tax Premium in an area which is very dependent on the tourist industry and tourist spending locally without independent research and a report thereon to the Council on the effect of such a policy on the local economy bearing in mind that the imposition of the increase will reduce local tourist expenditure putting local jobs and businesses in jeopardy especially at a time of high inflation and energy bills?"

- (b) To consider any questions from elected members, the appropriate notice for which have been given under Section 4.19 of the Constitution.

7. COUNCIL TAX REDUCTION SCHEME 2023-24

19 - 23

To submit the report of the Cabinet Member for Finance.

8. COUNCIL TAX: DISCRETIONARY POWERS TO ALLOW 24 - 123

DISCOUNTS AND/OR RAISE A PREMIUM 2023-24

To submit the report of the Cabinet Member for Finance.

9. THE LOCAL GOVERNMENT ACT 2021 - GWYNEDD COUNCIL SELF-ASSESSMENT 2021-22 124 - 147

To submit the report of the Council Leader.

10. APPOINTMENT OF MEMBERS TO THE STANDARDS COMMITTEE 148 - 149

To submit the report of the Monitoring Officer.

11. RECOMMENDATION OF THE INTERVIEW PANEL - APPOINTMENT OF LAY MEMBER OF THE GOVERNANCE AND AUDIT COMMITTEE 150 - 151

To submit the report of the Chair of the Interview Panel.

12. LOCAL GOVERNMENT ACT: PETITIONS SCHEME 152 - 167

To submit the report of the Cabinet Member for Corporate Support.

13. SUPPORT FOR COUNCILLORS - REPORT ON THE FINDINGS OF COUNCILLOR SURVEY 168 - 175

To submit the report of the Cabinet Member for Corporate Support.

14. NOTICES OF MOTION

(A) NOTICE OF MOTION BY COUNCILLOR HUW ROWLANDS

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

“I propose that Gwynedd Council writes to the Governments and relevant train companies, expressing dissatisfaction regarding the standard of train service provided by Avanti West Coast and Transport for Wales in Gwynedd, and the negative effect of this on the County’s residents and economy.”

(B) NOTICE OF MOTION BY COUNCILLOR LLIO ELENID OWEN

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

“The Wales Air Ambulance (WAA) is a vital emergency medical service and it is totally essential for the residents of Gwynedd. Closing their existing sites at Dinas Dinlle and Welshpool and centralising it in north-east Wales

will slow down the emergency response to the furthest and most difficult to reach areas. This is extremely concerning for our residents here in Gwynedd. This will also mean that another exceptionally important service is moving from north-west Wales to the north-east, to the detriment of our rural communities.

The rural nature and secluded roads of our areas here in Gwynedd means that saving lives is challenging, and relocating the WAA will make this an even greater challenge.

This invaluable service must be safeguarded.

I therefore propose that Cyngor Gwynedd calls on the Wales Air Ambulance and relevant bodies to keep the centres at Dinas Dinlle and Welshpool, and build on the services in their current locations.”

(C) NOTICE OF MOTION BY COUNCILLOR ELFED WYN AB ELWYN

In accordance with the Notice of Motion received under Section 4.20 of the Constitution, Councillor Elfed Wyn ab Elwyn will propose as follows:-

“That the Council supports the Welsh Government’s aim to re-open the railways of Wales, to create a railway through west Wales, and to call on them for a scoping / feasibility study of the line between Afon Wen and Bangor.”

15. RESPONSES TO PREVIOUS NOTICES OF MOTION

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To submit, for information – letter from the Welsh Government in response to Councillor Elfed Wyn ab Elwyn’s notice of motion to the 6th October, 2022 Council meeting regarding the Prince of Wales title.

THE COUNCIL THURSDAY, 6 OCTOBER 2022

Present: Councillor Elwyn Jones (Chair)
Councillor R. Medwyn Hughes (Vice-chair).

Councillors:- Craig ab Iago, Menna Baines, Beca Brown, Stephen Churchman, Glyn Daniels, Dafydd Owen Davies, Elwyn Edwards, Elfed Wyn ap Elwyn, Dylan Fernley, Delyth Lloyd Griffiths, Jina Gwyrfai, Annwen Hughes, John Brynmor Hughes, Elin Hywel, Nia Jeffreys, Anne Lloyd Jones, Berwyn Parry Jones, Dawn Lynne Jones, Dewi Jones, Elin Walker Jones, Gwilym Jones, Gareth Tudor Jones, Huw Wyn Jones, Kim Jones, Linda A. Jones, June Jones, Menna Jones, Eryl Jones-Williams, Cai Larsen, Dafydd Meurig, Dilwyn Morgan, Dewi Owen, Edgar Wyn Owen, Gwynfor Owen, Llio Elenid Owen, Nigel Pickavance, John Pughe, Rheinallt Puw, Beca Roberts, Elfed P Roberts, Meryl Roberts, Richard Glyn Roberts, Huw Llwyd Rowlands, Paul Rowlinson, Angela Russell, Dyfrig Siencyn, Ioan Thomas, Peter Thomas, Rob Triggs, Rhys Tudur, Einir Wyn Williams, Eirwyn Williams, Elfed Williams, Gareth Williams, Gruffydd Williams and Sasha Williams.

Officers: Dafydd Gibbard (Chief Executive), Geraint Owen (Corporate Director), Dylan Owen (Corporate Director and Statutory Director of Social Services), Dewi Morgan (Statutory Finance Officer), Iwan Evans (Monitoring Officer), Garem Jackson (Head of Education Department), Sion Huws (Propriety and Elections Manager), Hawis Jones (Commissioning, Contracts and Projects Manager), Alun Williams (Senior Business Manager), Vera Jones (Democracy and Language Service Manager), Gwenllian Williams (Language Advisor) and Eirian Roberts (Democracy Services Officer).

Also in attendance:

Dr Einir Young (Chair of the Standards Committee) (for item 9)

1. APOLOGIES

Apologies were received from Councillors Anwen Davies, Alan Jones Evans, Louise Hughes, Iwan Huws, Beth Lawton, Linda Morgan, Gareth Coj Parry, Arwyn Herald Roberts, Gareth A. Roberts, John Pughe Roberts and Hefin Underwood.

2. MINUTES

The Chair signed the minutes of the previous meetings of the Council held on the following dates as a true record:-

- 23 June, 2022
- 25 August, 2022 (Extraordinary Meeting)

3. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received.

4. THE CHAIR'S ANNOUNCEMENTS

Condolences were extended to the following:-

- Councillor Alan Jones Evans and the family following the loss of his grandmother.
- Councillor Menna Jones and the family following the loss of her grandfather.

It was also noted that the Council wished to sympathise with everyone in the county's communities who had recently lost loved ones.

The Council stood in silence as a mark of respect and remembrance.

Dylan Owen was welcomed as Morwena Edwards' successor as a Corporate Director and Statutory Director of Social Services, and he was congratulated on his appointment.

Geraint Owen was also congratulated on his appointment as Corporate Director.

Medi Harris from Borth y Gest was congratulated on winning the bronze medal in the 100m backstroke competition at the Commonwealth Games recently, and it was noted that her Relay Team also came 4th for Wales. As part of the UK Relay Race Team in Rome, it was also noted that Medi had won gold, silver and bronze medals and that she had also competed in the World Championships where she came 7th in the 50m and 100m backstroke competitions.

5. URGENT ITEMS

None to note.

6. QUESTIONS

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

(1) Question from Councillor Elin Hywel

"What steps does this Council take to ensure equality for young people in education as they prepare and complete work outside learning hours, during times of their choice, whatever the ability of their families or guardians to be able to afford the increasing cost of energy to power their necessary information technology equipment, such as laptops?"

Response from the Cabinet Member for Education, Councillor Beca Brown

"This is a very important question as it draws attention to the myriad of challenges faced by families and young people due to the cost of living crisis we face, and the Education Department has put several things in place to address the range of challenges facing us all. However, one thing I am particularly proud of is our Digital Strategy, namely that it is possible for any pupil to get access to a digital device, and that said device - and this is the important part - goes home with the child in the secondary sector in order to address the inequality problems noted in the question. This is Gwynedd's strategy and it is progressive. However, on the issue of energy and charging and the associated cost, devices selected are those that make reasonable use of electricity on reasonable cost, and there will be an opportunity for pupils to charge their devices at the school, and in clubs before and after school clubs and also in libraries. Workshops have also been arranged in schools to discuss charging and the matter raised by the member will also be addressed there."

Supplementary Question from Councillor Elin Hywel

"To protect our communities from the Westminster Government's torturous politics and policies, and to support Gwynedd residents and learners through the climate, energy and cost of living crisis, what are the Council's plans to ensure an investment in the infrastructure of our schools and education centres and public

buildings beyond, such as libraries, in order to enable supply and energy price assurances in the long-term?"

Response from the Cabinet Member for Education, Councillor Beca Brown

"This is also, of course, a matter for the Property Department but of course the Education Department feels strongly that there is a need to address these sorts of things. There are two projects in the pipeline by the Energy Unit and Commercial Services, namely the solar panel project that will be installed on various Council sites, and hopefully this will include a few schools, and a LED lighting project in order to install better controls in schools, to ensure things such as lights being switched off at the end of the day. But clearly, I would support any movement towards reducing our reliance on the grid in this field in the context noted."

(2) Question from Councillor Gruffydd Williams

"Following the Welsh Government's announcement in June 2022, that they will introduce changes to the Planning act by introducing:

- (i) 3 new categories of use class
- (ii) Article 4 that will enable Welsh Local Authorities to set thresholds for the number of holiday homes / holiday units in specified areas
- (iii) Specific Land Tax on second homes

That are all operational from October 2022 onwards.

What preparation work, staff recruitment and identifying data collection methods etc., has the Council undertaken in order to implement these innovative measures as soon as possible?"

Response from the Cabinet Member for the Environment, Councillor Dafydd Meurig

"I greatly welcome the announcement from the Government, which has been made after considerable pressures from this Council over the years along with other organisations - Hawl i Fyw Adra, Cymdeithas yr Iaith, and others, of course. The written response that was circulated is a fairly lengthy response to a fairly brief question and the reason being is that planning legislation is necessarily complicated and cumbersome. The response is there, as it is. What is important to note is that the change that will come into force in a few weeks is the change to use classes. This Council, and I believe that the Cabinet will make the decision, will have to submit an Article 4 instruction, which allows us to control the move between one class use and another. What is disappointing is that we were only recently informed that we would be required to wait 12 months after submitting the application before being able to take action as it is possible that we will have to pay damages as a result of making decisions. This is frustrating but I can assure you that the work of gathering evidence is continuing. The Council has already undertaken major work in 2020 to gather evidence. That work will need to be updated and that work is underway."

Supplementary question from Councillor Gruffydd Williams

"Therefore, is it not premature for the Council to consider charging more Tax Premium by holding a public consultation without firstly allowing an opportunity to see whether the legislative changes introduced by the Welsh Government will have a positive impact on controlling the holiday home / holiday units market and, in turn, protect houses in our communities for homes?"

Response from the Cabinet Member for the Environment, Councillor Dafydd Meurig

"It seems that both of these tools can be used and they stand alone to a large extent. The decision regarding the Premium is a question for the Full Council at its next meeting, if that will be the Cabinet's recommendation. We cannot take action on the change of use until 12 months after submitting Article 4, therefore, considerable time will have gone by before we see the impact of this."

(3) Question from Councillor Gwynfor Owen

"With so much talk of Tourism Tax, what benefits can the Finance / Economy Department see for the county in introducing such a tax, i.e. where do you think the income should be spent if it came from introducing this tax?"

Response by the Cabinet Member for Finance, Councillor Ioan Thomas

"The Welsh Government is currently consulting on establishing a Tourism Levy for Wales. This would mean that visitors staying overnight would pay a levy to this Local Authority here in Gwynedd.

Following the consultation, the Welsh Government will consider legislation and this will take time, a very long time to grant powers to Local Authorities to decide whether they will charge a Levy within a national framework of guidelines and procedures.

As this Council has no power to charge a Levy at present and as this is the beginning of the consultation process, it would not be appropriate for this Council to state how this income should be spent at this point.

For information, it is important to note that the Council is currently developing a Sustainable Visitor Economy Plan in partnership with the Snowdonia National Park Authority, and the Council will respond to the consultation in due course, and by the closing date of 13 December 2022. Can I urge you all to participate in this consultation and it is possible to complete it on-line."

A supplementary question by Councillor Gwynfor Owen

"I must state my disappointment with this response unfortunately. In my opinion, this Council has a clear role to lead and help to educate Gwynedd residents about different matters and a clear response to this question would have assisted those people who question the advantages of introducing this tax. Therefore, can I ask for assurance that the Council will make a clear statement about the advantages once it has responded to the consultation?"

Response by the Cabinet Member for Finance, Councillor Ioan Thomas

"I acknowledge the member's frustration, whilst noting again that this is the Welsh Government's consultation, and it would be inappropriate at present for the Council to state how this income should be spent, and certainly I commit to ensure a statement about the advantages when the Council has responded to the consultation."

(4) Question from Councillor Rhys Tudur

"In theory, the wording of Category 3, as this is defined in the Welsh Government's secondary schools categorisation guidance, allows a large proportion (up to 40%) of children in a particular school to avoid Welsh-medium education fully, or to a large extent. What measures are in place to ensure that such a situation does not exist in any Category 3 school in Gwynedd?"

Response from the Cabinet Member for Education, Councillor Beca Brown

"I will start by detailing what exactly is meant by Category 3. A Category 3 secondary school is when Welsh is the main internal communication language, there is a strong Welsh ethos in all social contexts within and outside the school, every child can speak, read, write and listen in Welsh and English and in accordance with their age and ability, and that a wide range of the areas of learning and experience are offered through the medium of Welsh and at least 60% of learners complete at least 70% of their activities through the medium of Welsh. Therefore, it is difficult for any child to avoid the Welsh language in a Category 3 school as you can see from this definition. I accept the point, and this is what matters, that Gwynedd's situation is unique, of course, in terms of the fact that we have our own language policy, which is common to all schools in the county so that nobody is left behind. As a result, schools are expected to plan linguistically for all types of learners in our county, from the most fluent to the least fluent, and everyone in the middle, which means that bilingual provision is extremely complicated in Gwynedd. However, this complexity of course does not draw away from the need to seriously address this and make a real difference and endeavour to obtain the right, detailed and recent picture of provision in each school at present so that we can then proceed to put detailed schemes in place, so that we can increase provision in each school in accordance with all of our wishes hopefully."

A supplementary question by Councillor Rhys Tudur

"Given that the category provides that at least 60% of children receive Welsh-medium education, does the Cabinet Member agree that policy action needs to be taken to improve the baseline and Welsh-medium provision that is currently available for Gwynedd?"

Response from the Cabinet Member for Education, Councillor Beca Brown

"I think that a large number of Gwynedd schools are already doing better than the baseline of the category. However, of course, from knowing the exact situation in each school, we can then improve on the baseline, and I am completely open to different ideas on how to do this. Some ideas have already been put forward and I would be more than happy to hear all kinds of ideas about this and to receive support. There is a responsibility on governors. Many of us are on governing bodies, but latest data is needed, action plans are needed, scrutiny is needed, support is needed for it, and I can assure you, as one who has campaigned for Welsh-medium education in the past, I have not taken on the portfolio to see things slipping back in Gwynedd."

(5) Question from Councillor Menna Baines

"Given that:

(A) There is a slippage in the number of pupils receiving Welsh-medium education as they move from Primary to Secondary education;

(B) WESP (Welsh in Education Strategic Plan) 2016 has failed with the aim of getting 74.9% of children to study 5 GCSE subjects through the medium of Welsh by 2020;

(C) the number of pupils studying 5 GCSE subjects through the medium of Welsh has reduced rather than increased from 2016 to 2022

Which policy steps are you taking to ensure an increase rather than a slippage in the above indicators over the coming years?"

Response from the Cabinet Member for Education, Councillor Beca Brown

"This is another important question on the issue of Welsh in education, and although it is important to celebrate the position of the Welsh language in Gwynedd, which is totally unique, of course, this position can slip if we do not keep a close eye on things. There has been some slippage, as the question notes, and this of course, does not reflect our aspiration for the children and young people of Gwynedd. However, we are now in a new period and all of us are looking forward to this new WESP, and arrangements are in place to establish the Education Language Forum, in order to monitor progress against WESP targets. Officers and elected members, including the Chair of the Language Committee, will be part of the Forum, and members of the Education and Economy Scrutiny Committee can also be elected to be on the forum, if people wish to do so, in order to report back. A report will be submitted to the Language Committee on an annual basis and the Department will collaborate with schools to encourage and support progress. However, this is team work of course and I mention governors again, because all of us are here together, and there is a role and responsibility in terms of the provision in our individual schools, and we would encourage every elected member who is on a governing board to work with the Department and the Council in order to reach what we would like to see, namely that Gwynedd children receive all of the potential benefits of the Welsh language, and that entails team work."

A supplementary question by Councillor Menna Baines

"As it is important to understand why the slippage has occurred, will research work be carried out on this?"

Response from the Cabinet Member for Education, Councillor Beca Brown

"Slippage in the primary / secondary bridging period is a national pattern of course, and it is something that should cause us concern, and it is important that we address it and discover why that happens. Of course, in terms of language choice, the parents choose, and there is work to be done to win hearts and minds in terms of the Welsh language. Work is undertaken in Ysgol Friars and Our Lady's School that places development officers to work there in terms of the Welsh language, and I believe that the Immersion Scheme will greatly contribute to this. We are talking about Bangor again, as there is a loss there between the primary and secondary, and I believe that this middle period will be addressed to a large extent with the new Immersion Scheme in Bangor. It is very important that we try to understand what happens and why parents choose to change the medium of education in this stage, and I would encourage everyone to speak to parents and to be ambassadors for the Welsh language in that regard."

(6) Question from Councillor Angela Russell

"I would like to ask a question about a former bus service that ended during the Covid pandemic. The bus services in question are those that left Pwllheli at 10pm on a Saturday night, and travelled through a number of villages, including Llanbedrog, across Pen Llŷn. Also, the service to Ederm via Nefyn and Boduan.

These services were very important and busy as a number of people relied on these services to enable them to socialise in several ways, i.e. to visit friends and family, to go to restaurants and public houses and many other events in the areas. We all know here today how important socialising is in our lives, it reduces loneliness, cheers us up and helps with mental health. In rural areas, residents and visitors rely on local buses - not everyone has a car. In addition, many people will be eager to go out during the evenings to somewhere warm, a friend/family's house etc. instead of staying at home and failing to put on the heating as a result of today's serious costs. There is considerable poverty in rural areas as we know.

Therefore, I would like to know what is the intention to re-establish these bus services?

Response from the Cabinet Member for the Environment, Councillor Dafydd Meurig

"A very timely question and I sympathise greatly with those who cannot receive a bus service, and it is essentially important that public transport is available for people without cars, especially when we are trying to deal with the impacts on the environment. Although it is a specific question about one area and one bus route, this is a problem that affects us all - it certainly affects the area where I live. There have been problems between Dyffryn Ogwen and Bangor recently, and I am sure that this is something that has affected the majority of us as members. As mentioned in the response, the problem here, which is similar in several areas, is the shortage of bus drivers, and because the bus companies cannot tender for these routes. I recently heard about a local bus company with a shortage of 6-7 drivers that could not tender. This is a problem and I believe that the route in question is an evening route, and obtaining drivers for evening work is even more difficult. Therefore, that is where we are. The Transport Unit is undertaking reviews in different areas of the county in collaboration with Transport for Wales, therefore, I really hope that we can resolve many of the problems in the coming months through to 2023."

A supplementary question by Councillor Angela Russell

"What are the substantial changes in the pipeline because this bus is very important for people in the Pen Llŷn area?"

Response from the Cabinet Member for the Environment, Councillor Dafydd Meurig

"That is the exact work that is going on. I do not know if the member is aware of the work being undertaken in the Llanberis area where Sherpa'r Wyddfa has been redesigned specifically to meet local needs as well as the needs of tourists? Therefore, we must think slightly different by thinking which buses are the important ones and how we provide, and a bus may not be the answer, but some sort of different transport and that we discuss with local companies and taxi companies. That is, a 50 seater bus that travels everywhere is not the answer any more, but there is a need to think about these creative solutions. This is taking place, but it will take time to go through the county reviewing each area."

(7) Question from Councillor Elwyn Edwards

"I would like to thank the Cabinet for agreeing to fund a St David's Day holiday for the Council's workforce last year.

Whilst very disappointed with an insulting, but not unexpected, response from the Westminster Government, the response across Wales was very positive. A statement of support was made by the Welsh Government and county councils, which highlights the aspiration for our nation to be treated with respect by celebrating our patron saint in a deserving manner.

Will the Leader provide an update of the situation this year and on any steps to realise our aspiration as a nation?"

Response by the Leader, Councillor Dyfrig Siencyn

"Thank you to the member for the question, and particularly about the motion he submitted to this Council, which was passed unanimously almost a year ago now. Yes, we did receive an insulting response from some junior minister who has now, I am sure, disappeared over the political horizon, as they all will soon hopefully. However, things have progressed.

Local government employers' representatives in Wales, England and Northern Ireland have offered a final salary increase for local government employees for 2022/23, which includes adding one day to each employee's annual leave allowance from 1 April, 2023.

This proposal is receiving attention from the three unions with projections that they will formally respond to it around the middle of this month having consulted with their members.

In the meantime, a discussion has been held with the unions' representatives locally and there is room to believe that they would support this additional day of leave to be earmarked for celebrating St David's Day in future.

Should it be possible to realise this agreement, there would be no additional cost to the Council, above what would have to be provided as part of the proposed national agreement.

It would be possible for us to move that discussion forward with unions only in Gwynedd but I am opening a discussion with some of my fellow leaders across other authorities in Wales proposing that there is an opportunity here for us to act on a national level, i.e. that each county designates this additional day of leave for St David's Day.

It would be required to ensure the consent of labour unions of course, before transferring the issue to individual authorities to operate locally.

If that consensus is not reached, it would be intended to proceed to try to ensure a formal agreement locally and then earmark 1 March (or the nearest working day to that date) to celebrate St David's Day within Cyngor Gwynedd in future.

An astounding response was received to the fact that this Council had designated a day of leave for St David's Day, and amazing support was received across the other parties, with the exception of one and, indeed, there were supportive statements everywhere. A statement was made by the Leader of the Welsh Conservative Party at their conference saying that they now supported a bank holiday on St David's Day and I will write to that Leader asking him to pass on the message to whoever they have now in Westminster reminding them that us here in Wales deserve to be recognised as a nation, and that we deserve to have a day to celebrate our patron saint and identity, and I will do that next week."

A supplementary question by Councillor Elwyn Edwards

"What is the timescale in terms of discussing with unions?"

Response by the Leader, Councillor Dyfrig Siencyn

"I referred to the timescale. Should the unions agree to the new conditions, then these would be enforced in April 2023. Therefore, we have the next six months to open the discussion with our fellow leaders across Wales. In terms of writing to leaders of the English Conservative Party in Wales, I will do so during the next week."

7. NORTH WALES MARKET STABILITY REPORT - DRAFT REPORT 2022

The Cabinet Member for Adults, Health and Well-being, Councillor Dilwyn Morgan, submitted a report providing an overview of the North Wales Market Stability Report 2022, drawn up as a requirement under the Social Services and Well-being (Wales) Act 2014. The Full Council's approval to the document was requested.

Members were given an opportunity to make observations and ask questions. The following matters were raised by individual members:-

- Everyone involved in the work of preparing the report in such a short period of time were thanked, and also for the essentially important work in the field that was often invisible.
- It was enquired whether it would be worth challenging the Welsh Government to provide more direct funding to councils to pay for carers. In response, it was explained that mature, and almost daily, conversations were taking place between the Council, the region and Government ministers at present. In terms of payments, reference was made to the direct payment system for carers, and it was noted that work was afoot to promote this further in the next phase.
- In response to an observation, it was confirmed that respite care was a high priority and that the Council was supportive, and very keen, to do as much as possible to support unpaid carers in our communities.
- It was suggested that the Council should re-examine the method of paying travel costs to carers, especially within working hours as they travelled from one location to the other. In response, it was explained that this was part of the work to redesign domiciliary care, and there would be advantages, not only for people receiving care, but also for workers, as the Council would re-examine their employment terms as part of this.
- It was noted that high fuel and car insurance costs prevented young people from working as carers.
- Concern was expressed regarding the lack of nursing beds in Dwyfor and Meirionnydd and there was a call to establish a new nursing home on the Penrhos site in Pwllheli. In response, although the timetable could not yet be confirmed, it was noted that Penrhos was a very exciting and progressive scheme, and it was suggested that a meeting could be held with the local member to alleviate her concerns, and to also generate more publicity to the proposed development.

RESOLVED to approve the North Wales Market Stability Report 2022.

8. AMENDING THE COUNCIL'S WELSH LANGUAGE POLICY

The Cabinet Member for Corporate Support, Councillor Menna Jones submitted a report inviting the Full Council to adopt an amended Welsh Language Policy in order to reflect:

- The significant changes in the way the Council operated and provided services to the public since the current Policy was drawn up in 2016; and
- The Council's current ambition in terms of promoting the use of Welsh in its services.

Members were given an opportunity to make observations and ask questions. The following matters were raised by individual members:-

- Referring to Appendix B of the report - Policy Engagement Summary - the fact that the document in its new guise considered matters that had been raised at the Language Committee meeting on 20 June, 2022 was welcomed, but a request was made for an explanation on the paragraph "*We are concerned about committing in a policy clause to measure the impact of plans directly on the*

number and percentage of speakers, as it is not easy to make a direct link between the Council's policies, projects and strategic plans and a change in the number and percentage of speakers, therefore it will not be easy to prove the impact." It was acknowledged that this was difficult, but it was not believed that this should be a reason for not assessing the impact of policies. In response, it was noted that it was difficult to know how to include it as a principle in the policy itself, but it was confirmed that this was work that was currently underway by the Unit to develop indicators for different projects and policies.

- It was noted that any impact assessment should consider measurable things and that it was essential to know what the indicators were. It was suggested that the percentage of speakers in a particular community was something that was possible to measure, rather than soft things. It was not believed that there was a problem in the field of planning, for example, to measure this, but it was accepted that it could be difficult in some other fields where connecting evidence and policy was difficult.
- The importance of examining things such as the Welsh language and technology was emphasised and that the policy addressed these important matters for the future.
- The Council's aim to refer to itself as 'Cyngor Gwynedd' rather than 'Cyngor Gwynedd Council' from now on was welcomed.

RESOLVED to adopt the revised Welsh Language Policy.

9. THE STANDARDS COMMITTEE'S ANNUAL REPORT 2021-22

Dr Einir Young, Chair of the Standards Committee, was welcomed to the meeting to present the committee's annual report for 2021-22.

Dr Einir Young noted that this would be her last time appearing before the Council to present the annual report as her term on the Committee was coming to an end. She thanked Committee members, the Monitoring Officer, the Propriety and Elections Manager and the Democracy Services Officer for all their work and support over the years. She also thanked the elected members for maintaining standards and for making the committee's work easier.

The Monitoring Officer thanked Dr Einir Young for her service and for chairing and leading the Committee locally and regionally as well. He also thanked her for the support, hard work and the vision, and wished her well for the future.

The words of the Monitoring Officer were reiterated by the Chair, the Leader and the Leader of the Opposition, and Dr Einir Young was thanked for appearing before the Council annually to give a clear, balanced and robust presentation.

RESOLVED to accept the report.

10. URGENT CABINET DECISION

The Monitoring Officer submitted a report, for information, regarding an urgent Cabinet decision on 27 September, 2022 to approve undertaking a public consultation on potential changes to the Council Tax Premium for second homes and empty properties. As a consequence of the deferral of the Cabinet meeting on 13 September following the death of the Queen, it was explained that application of the call in period for decisions would mean that the commencement of the consultation would have slipped substantially. As a result, it had been a requirement to make an urgent decision in accordance with Section 7.25.2 of the Constitution to exempt the matter from the procedure of calling in to scrutiny to ensure that the Council could commence the consultation process on time.

In response to a question by a member, the Head of Finance Department confirmed that paper copies of the Council Tax Premium consultation pack were available by telephoning the Finance Department.

It was enquired what would be the position of members responding to the consultation, as they would have expressed an opinion on the matter before the Full Council would discuss it in December. In response, the Monitoring Officer noted there was no wish to open a discussion on the Premium in this meeting, but the member could contact him directly to obtain advice on that. He added that discussing the Premium was not the purpose of the item in question, but a technical item, reporting on a procedure followed for the decision.

A member expressed his dissatisfaction with the process on the grounds that the Cabinet had requested the right to proceed with a matter that all members had not been given an opportunity to discuss. In response, the Monitoring Officer explained the procedure once again, noting that the Full Council would come to a decision on the matter in due course, but that the Cabinet's role was to make an initial decision to undertake a consultation in order to ensure the propriety of the procedure and to ensure that it would not be open to a challenge.

RESOLVED to accept and note the report.

11. NOTICES OF MOTION

Submitted - the following notice of motion by Councillor Elfed Wyn ab Elwyn in accordance with Section 4.20 of the Constitution, and it was seconded:-

- (i) That this Council expresses its opposition to the continuation of the title of 'Prince of Wales' and asks the relevant authorities to consult formally with the people of Wales on the question of whether the title should be abolished or not.
- (ii) That the Council opposes any investiture being held in Gwynedd, or anywhere on Welsh soil.

The member set out the context to his motion, noting that:-

- The Prince of Wales title had been a sore on our nation for centuries and that it reminded us that we were owned by the system, rather than citizens in our own country. It was noted that the time had come for us a nation to oppose this title, and to object to the undemocratic values represented by the idea of a Prince of Wales.
- He did not consider himself a property of the principality, but rather as someone who was equal to his fellow man.
- The public funding that was spent to keep the Royal Family, including the Prince of Wales post, was wasteful considering the cost of living crisis people were facing.
- Some members remembered the 1969 investiture, and the national divide and animosity that arose as a result, but the animosity and uproar that would arise as a result of any investiture today would be worse.
- Very much had changed since 1969, as Wales now had its own Senedd, with our own Welsh democratic values appearing to be growing as our Government and Senedd received more powers. It was noted that the old perception of Wales as a principality or 'the little principality' was now something that belonged to the previous millennium, and that it was about time for us to be free of this old title that had caused us so much disgrace.

A registered vote was called for on the motion.

A member noted that he would abstain his vote on the issue on the grounds of:-

- He did not consider that the motion was of great importance to our nation in the current situation, as the best way of addressing the energy cost crisis, and any other crisis that we would face, was by ensuring independence for Wales.
- Many people in favour of independence were also in favour of the Royal Family.
- 54 countries were part of the Commonwealth and that he also wished for Wales to be part of them.

The proposal was supported by a number of other members on the grounds of:-

- The alternative aim of political conservatism was respect towards hierarchy and authority, and that anyone who wished to see a society where everyone was equal rejected the idea of monarchy, as the idea of monarchy in itself placed inequality at the heart of our political establishment.
- Monarchy set an infrastructure of inequality and was incompatible with this day and age and that several other countries across the world fully objected to the concept.
- The decision to grant the title to Prince William had been made without consulting with the Welsh Government.
- It was important to hear the voices of Welsh citizens on the matter, and that the motion was a possibility for this to take place openly and democratically.
- The Prince of Wales title had been created to belittle Wales, and to remind us that we were not independent, or would be independent.
- The Prince of Wales did not know anything about our country and language, and did not know anything about the services we use in Wales.
- Supporting independence was not the same as supporting the Prince of Wales title.
- The Prince of Wales title was a symbol of something undemocratic and unequal and completely contrary to the core principles of this Council's Plan.

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

In favour (46) Councillors:- Craig ab Iago, Menna Baines, Beca Brown, Glyn Daniels, Dafydd Owen Davies, Elwyn Edwards, Elfed Wyn ap Elwyn, Dylan Fernley, Delyth Lloyd Griffiths, Jina Gwyrfa, Elin Hywel, Nia Jeffreys, Berwyn Parry Jones, Dawn Lynne Jones, Dewi Jones, Elin Walker Jones, Elwyn Jones, Gwilym Jones, Gareth Tudor Jones, Huw Wyn Jones, Kim Jones, Linda A. Jones, June Jones, Menna Jones, Cai Larsen, Dafydd Meurig, Dilwyn Morgan, Edgar Wyn Owen, Llio Elenid Owen, Rheinallt Puw, Beca Roberts, Elfed P Roberts, Meryl Roberts, Richard Glyn Roberts, Huw Llwyd Rowlands, Paul Rowlinson, Dyfrig Siencyn, Ioan Thomas, Peter Thomas, Rhys Tudur, Einir Wyn Williams, Eirwyn Williams, Elfed Williams, Gareth Williams, Gruffydd Williams and Sasha Williams.

Against (4) Councillors:- Stephen Churchman, Eryl Jones-Williams, John Pughe and Rob Triggs.

Abstentions (4) Councillors:- Annwen Hughes, Richard Medwyn Hughes, Dewi Owen and Gwynfor Owen.

The Chair noted that the motion had been carried.

RESOLVED to adopt the motion, namely:-

- (i) That this Council expresses its opposition to the continuation of the title of 'Prince of Wales' and asks the relevant authorities to consult formally with the people of Wales on the question of whether the title should be abolished or not.**

- (ii) That the Council opposes any investiture being held in Gwynedd, or anywhere on Welsh soil.**

11. RESPONSES TO PREVIOUS NOTICES OF MOTION

Submitted, for information:-

- (a) A letter from the Welsh Government in response to Councillor Rhys Tudur's notice of motion to the 23rd June, 2022 Council meeting regarding consultations on second homes.
- (b) A letter from the Welsh Government in response to Councillor Gwynfor Owen's notice of motion to the 23rd June, 2022 Council meeting regarding the Wales Football Team's success in qualifying for the 2022 World Cup.

The meeting commenced at 1.00 pm and concluded at 3.00 pm

CHAIR

MEETING:	Full Council
DATE:	1 December 2022
CABINET MEMBER:	Councillor Ioan Thomas, Finance Cabinet Member
TITLE:	COUNCIL TAX REDUCTION SCHEME 2023/24
OBJECTIVE:	Confirm the continuation of the current Local Scheme for providing assistance towards paying Council Tax for the year beginning 1 April 2023
CONTACT OFFICER:	Dewi Morgan, Head of Finance

1. INTRODUCTION

- 1.1 It is brought to the attention of Council members that there is a statutory requirement for this report to be presented to a Full Council meeting on an annual basis, even if there has been no change in the scheme since the previous year. That is the case this year – no change is recommended to the scheme approved by full Council on 2 December 2021.
- 1.2 Members are also asked to note that this report is relevant to the Council Tax Reduction Scheme ONLY, a means-tested support scheme that must be formally claimed from the Benefit Service. This scheme, and this report, DO NOT apply to any other Council Tax discount or exemption scheme (e.g. single person discount, empty property replacement exemption, student housing).

2. EXECUTIVE SUMMARY

- 2.1 The purpose of this report is to present arrangements for the implementation of the Council Tax Reduction Scheme and to approve it for 2023/24.
- 2.2 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.
- 2.3 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 2022/23) was adopted by the Full Council on 2 December 2021.
- 2.4 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.
- 2.5 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).

2.6 **The recommendations below are that the Gwynedd Council Local Scheme continues without revisions for 2023/24.** Detailed explanations and reasons behind the subsequent recommendations follow in the body of this report.

3. RECOMMENDATIONS

The full Council is asked to resolve formally:

3.1 **To continue the Council's Local Scheme for the year commencing 1 April 2023 as it was during 2022/23. 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.**

3.2 **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 2023/24, on condition that it will not change the substance of the scheme.**

4. BACKGROUND INFORMATION

4.1 In accordance with the Welfare Reform Act 2012, 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.

4.2 *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.

4.3 The Gwynedd Council Local Scheme for 2022/23 was approved by the Full Council on 2 December 2021. 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.

5. 2023/24 REDUCTION SCHEME

- 5.1 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.
- 5.2 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**.
- 5.3 Therefore, the purpose of this report is to satisfy the requirement for the Council to consider whether to revise its local scheme.
- 5.4 There is limited discretion under the Prescribed Scheme for councils to consider the following 3 specific discretionary elements. Discretion can be used to make these elements more generous than the national scheme, but not less generous.

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

- 5.5 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. As a result, this sum has already been included within the base budget for 2023/24. In November 2022, there were 27 claimants benefitting from this discretion.

It is recommended that this local discretion in Gwynedd continues.

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

- 5.6 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 2022/23 will be approximately £1,100. In 2022/23 up to mid-November, there were 15 cases where "extended payments" had been awarded pursuant to the Prescribed Scheme.

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*)

- 5.7 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 2022/23 is estimated at £22,973, and up to mid-November 112 claims have been backdated to some extent in 2022/23.

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.

- 5.8 The recommendations above for 2023/24 are in line with current arrangements in 2022/23.**

6. CONSULTATION

- 6.1 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”.
- 6.2 In accordance with Regulation 18(6), further consultation is not necessary as there is no intention to change the Local Scheme this year.

7. EQUALITY IMPACT ASSESSMENT

- 7.1 As noted in Part 4 of this report, in the context of the Prescribed Scheme that is in place for Council Tax Reduction across the whole of Wales, the local discretion available to local authorities is very limited apart from three very specific areas.
- 7.2 The Welsh Government has undertaken a detailed regulatory impact assessment, which includes equality impact assessment. A local Equalities Impact Assessment study was conducted in 2013, when the arrangements changed from Council Tax Benefit to the Council Tax Reduction Scheme, and at that time the decision to introduce the local scheme was taken whilst recognising that this is a prescribed scheme with the burden being borne by all groups.
- 7.3 The Council needs to consider, is if the decisions sought in 2.1 a) – c) effect anyone with one or more of the protected equality characteristics in a way that is different to the general population. Other than funding at Council level, the scheme proposed for 2023/24 does not contain any significant changes from the scheme which is operational since 2013. An assessment undertaken when preparing this report suggests that the conclusions of the 2013 assessment remain valid and that these limited decisions that are sought will not effect any of the protected groups in a way that is different to the general population.

8. RESOURCES

- 8.1 On the basis of the end of August 2022 review, it is expected that the Council Tax Reduction Scheme will cost approximately £9.5m during 2022/23 which is within the budget set.
- 8.2 There is no choice other than to face the continuing cost of the Scheme, and the matter will be considered appropriately when drawing up the budget for 2023/24.

Local member's views

Not relevant

Opinion of the Statutory Officers

Monitoring Officer:

No observations to add from a propriety perspective.

Head of Finance:

I have collaborated with the Cabinet Member in the preparation of this report and I confirm the content.

Agenda Item 8

MEETING:	Full Council
DATE:	1 December 2022
CABINET MEMBER:	Councillor Ioan Thomas Cabinet Member for Finance
TITLE:	COUNCIL TAX: DISCRETIONARY POWERS TO ALLOW DISCOUNTS AND/OR RAISE A PREMIUM
OBJECTIVE:	Formal ratification for 2022/23 of previous decisions not to allow any discounts for second homes and to disallow discount on empty properties, and to raise a Premium of 150% or 100% on relevant properties.
CONTACT OFFICER:	Dewi Morgan, Head of Finance

1. EXECUTIVE SUMMARY

- 1.1. 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.
- 1.2. The Council has resolved annually since 1998 to allow NO discounts to second homes.
- 1.3. The Council has resolved annually since 2009 to allow NO discounts in respect of properties that have been empty for 6 months or more.
- 1.4. 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).
- 1.5. 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, to be implemented from 1 April 2018. On 4 March 2021, the Council resolved to increase the Premium 100%, which is the maximum level allowed by legislation, for the 2021/22 financial year.

RECOMMENDATION

It is recommended that for the financial year 2023/24 Gwynedd Council:

- **Allows NO discount on class A second homes, under Section 12 of the Local Government Finance Act 1992 (i.e. no change from 2022/23).**
- **Allows NO discount and RAISES A PREMIUM OF 100% on class B second homes, under Section 12B of the Local Government Finance Act 1992 (i.e. increase from 100% to 150%).**
- **Allows NO discount on homes that have been empty for 6 months or more and RAISES A PREMIUM OF 100% on homes that have been empty for 12 months or more, under Section 12A of the Local Government Finance Act 1992 (i.e. no change from 2022/23).**

2. INTRODUCTION

- 2.1. 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.
- 2.2. The Council has resolved annually since 1998 to allow NO discounts to second homes.
- 2.3. The Council has resolved annually since 2009 to allow NO discounts in respect of properties that have been empty for 6 months or more.
- 2.4. 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).
- 2.5. 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, to be implemented from 1 April 2018. On 4 March 2021, the Council resolved to increase the Premium 100%, which is the maximum level allowed by legislation, for the 2021/22 financial year, and on 2 December 2021 it resolved to maintain the Premium level at 100% for 2022/23.
- 2.6. The *Council Tax (Long-term Empty Dwellings and Dwellings Occupied Periodically) (Wales) Regulations 2022 (SI 2022/370 W.90)* have amended Sections 12A and 12B of the 1992 Act giving billing authorities the power to raise a Premium of up to 300% on the Council Tax of second homes and long-term empty dwellings for the 2023/24 and subsequent financial years.

- 2.7. To enable it to make a recommendation at its meeting on 22 November 2022, Cabinet resolved on 27 September 2022 that it would hold a public consultation in order to obtain public opinion on how the change in the Act should be responded to. The consultation period has concluded, and the purpose of this report is to present the results of the consultation, as well as other relevant considerations, so that Cabinet can weigh up the feedback that has been received before deciding on a recommendation to be presented to the full Council.
- 2.8. The results of the public consultation are included in Part 4 of this report.

3. RELEVANT CONSIDERATIONS

Context

- 3.1. The terminology used in Section 12B is not “second homes” or “holiday homes” but rather “dwellings occupied periodically”. The Act states that the conditions for a property to be subject to a “second home” Council Tax premium is, “***there is no resident of the dwelling, and the dwelling is substantially furnished***”. That is, the property is not anyone’s main home, but it has been furnished. The Act does not include any provision to be able to distinguish on the basis of where the owner lives, or if it is used for the purposes of holidays.
- 3.2. For the purposes of collecting Council Tax, *The Council Tax (Prescribed Classes of Dwellings) (Wales) Regulations 1998 (SI 1998/105)* have categorised 'second homes' into two classes, namely classes A and B. Class C refers to empty properties:
- **Class A** – Second homes which are unoccupied and furnished, with a restriction on occupancy for a period of at least 28 consecutive days in any 12-month period.
 - **Class B** – Second homes which are unoccupied and furnished.
 - **Class C** – empty and unfurnished properties, and have been such for a period of over 6 months.
- 3.3. A “resident” in relation to any dwelling means an individual who has attained the age of 18 years and has his sole or main residence in the dwelling (Section 6(5)) Local Government Finance Act 1992).
- 3.4. As a result of 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.

3.5. 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>

3.6. On 4 March 2021 the Council decided that it would increase the level of premium to 100% on relevant properties. All background papers in relation to this decision can be found on Gwynedd Council's website:

<https://democracy.gwynedd.llyw.cymru/ielistdocuments.aspx?cid=130&mid=4215&ver=4>

3.7. 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.

3.8. The financial strategy for 2022/23, 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 2022/23.

3.9. The regulations for setting the tax base have been written so that a decision to raise a Premium does not affect the Council's grant settlement from the Welsh Government.

3.10. On 9 November 2022 there were:

- **4,564** dwellings subject to the Premium on second homes (Class B)
- **229** of further second homes in Class B but not paying the Premium as they were subject to one of the exemptions outlined in Part 8 below.
- **753** properties within Class A where occupation is prohibited for a consecutive period of at least 28 days in the relevant year.

3.11. At the same time, **1,099** properties were subject to the Premium on a long-term empty dwelling.

3.12. Changes over time can be seen in the table below:

	July 2016	November 2020	November 2022
Class B Second Homes	4,841	4,718	4,564
Annedd gwag hirdymor	1,115	1,130	1,099

* exemption not applicable

Statutory Requirements

- 3.13. When giving councils powers to raise a Premium (originally up to 100% and then up to 300%) on the Council Tax of second homes and long-term empty dwellings, the Welsh Government published statutory guidance, *Guidance on the Implementation of the Council Tax Premiums on Long-Term Empty Homes and Second Homes in Wales*. A copy of the Statutory Guidance is found in Appendix 1.
- 3.14. Paragraphs 20 to 22 of the Guidance outline what a local authority needs to consider when planning to introduce a Premium. These were considered in detail in 2016 when Gwynedd Council decided to introduce a 50% Premium on second homes and long-term empty dwellings, and then every year when coming to a decision on the Premium for the following year. If Cabinet decides to recommend an increase in the level of premium it will need to consider the following again, and how the evidence collected achieves the following.

20. The discretion given to local authorities to charge a premium is intended to be a tool to help local authorities to:

- bring long-term empty homes back into use to provide safe, secure and affordable homes; and
- support local authorities in increasing the supply of affordable housing and enhancing the sustainability of local communities.

21. In considering whether or not to charge a premium, regard should be given to these aims. Authorities should take into account the particular housing need and circumstances in their area.

22. There are a range of factors which could help inform local authorities in deciding whether to charge a premium. Whilst some factors will be specific to either long-term empty homes or second homes, others will be common to both. A list of these factors is set out below to assist local authorities. It is not intended to be exhaustive.

- Numbers and percentages of long-term empty homes or second homes in the area;
- Distribution of long-term empty homes or second homes and other housing throughout the authority and an assessment of their impact on property values in particular areas;
- Potential impact on local economies and the tourism industry;
- Patterns of demand for, and availability of, affordable homes
- Potential impact on local public services;

- **Potential impact on the local community;**
- **Other measures that are available to authorities to increase housing supply;**
- **Other measures that are available to authorities to help bring empty properties back into use.**

3.15. When introducing of the 50% Premium, particular attention was paid to two studies. Firstly, a detailed analysis undertaken in 2013 supported the introduction of a premium, whilst also noting a need for action to control / block the transfer of second homes to being commercial holiday lets subject to non-domestic rates. The document included a detailed analysis supporting the Council's position that it should be given the right to raise a Premium on second homes. The outcome of this analysis was shared with members at the time, and was a key consideration in making the decision to raise a Premium on second homes.

3.16. Similarly, the Housing Strategy 2013-17 addressed empty properties within Gwynedd, and the Empty Homes Strategy's mission statement was: "Gwynedd Council will endeavour to bring empty properties back into use. Our aim is to contribute to the well-being of neighbourhoods, increase the supply of housing, reduce homelessness or the possibility of homelessness, while at the same time reducing the pressure on the Housing Waiting List".

3.17. The Council has now adopted a new Housing Strategy (full Council, 18 July 2019), and three key reports have been addressed by Cabinet in December 2020 and June 2021:

15 December 2020

Holiday Homes Research Work

Housing Action Plan

15 June 2021

Second Homes – Developing New Policies in Wales

3.18. The above is key evidence when considering if there is justification for changing the current level of the Premium.

Second Homes

Holiday Homes Research Work

3.19. The outcome of the Holiday Homes Research Work provides a background of the current situation in Gwynedd in terms of "holiday homes", and the combined effect of second homes and self-catering holiday units on Gwynedd society:

Cabinet Report:

<https://democracy.gwynedd.llyw.cymru/documents/s27960/Item%208%20-%20Report%20Holiday%20Homes.pdf>

Appendix – Research:

<https://democracy.gwynedd.llyw.cymru/documents/s27959/Item%208%20-%20Appendix%20-%20Holiday%20Homes%20Research%20Work.pdf>

3.20. This research was approved by Cabinet for submission to the Welsh Government. The decision was made "in light of the need to obtain better control of houses being taken out of the supply available for local people, and thus benefit local residents first".

3.21. The research considered "holiday homes" as a combination of second homes and self-catering holiday units. The study highlighted the high number of dwellings used within Gwynedd for holiday purposes, with over 4,800 re-homes and around 2,000 self-catering holiday units (November 2020):

	Gwynedd	Cymru
Number of residential units	61,645	988,418
Number of second homes	4,873	18,547
Total holiday accommodation (nondomestic business units)	1,976	6,906
Combined total	6,849	25453
Combined percentage of holiday homes	10.76%	2.56%

Source: Holiday Homes Research Work, December 2020

- 3.22. The conclusion of this report was that research work recognised there are some regions in the UK and countries/cities on the continent that have implemented, or are in the process of implementing, measures in order to attempt to control short-term holiday accommodation. The control methods vary and often depend on contextual factors in terms of the impact of holiday accommodation on the local area and beyond. The research shows without any doubt that high rates of holiday accommodation have a detrimental impact on communities economically, socially and culturally.
- 3.23. Over 1 in 10 residential units in Gwynedd are holiday accommodation with 8% being second homes. Self-catering holiday units are not subject to the Council Tax regime as they have transferred to the non-domestic rating list, and more attention is given to these properties in Part 8 of this report.
- 3.24. As the Holiday Homes Research notes, since the introduction of a council tax premium on second homes in 2018 and the introduction of the rates relief scheme for eligible self-catering holiday accommodation units paying the non-domestic rates, the number of second homes has gradually decreased with the number of properties paying non-domestic rates gradually increasing.
- 3.25. However, legislative changes that will take effect in April 2023 are expected to likely slow this transition. More details on this can be found in Part 6 below.

Second Homes: Developing new policies in Wales

- 3.26. In March 2021 a comprehensive report titled "Second Homes – Developing New Policies in Wales" (author Dr Simon Brooks) was published in response to a commission by the Coleg Cymraeg Cenedlaethol and the Minister for Mental Health, Wellbeing and the Welsh Language in the Welsh Government. A copy of the report can be found here:

[Second Homes: Developing new policies in Wales](#)

3.27. The report is comprehensive, but one of the points raised within it is that *“much current discourse surrounding second homes and their impact on the sustainability of Welsh communities and the Welsh language is anecdotal and not based on detailed research. It is 19 years since the publication of the last comprehensive study of the field. As a result, many assumptions and claims made in public debate in Wales today about second homes require further consideration.”* The report goes on to list four common assumptions:

- Assumption 1: Second homes are responsible for the increase in house prices in specific communities
- Assumption 2: If there were fewer second homes, local people would move to these communities to live
- Assumption 3: Reducing house prices is desirable
- Assumption 4: Second homes harm the Welsh language

3.28. The report goes on to consider these four assumptions in turn, and comes to the following conclusion.

3.29. *“The complete elimination of second homes would not be the best solution for communities where they form a significant part of the housing stock. For the reasons noted, it is probable that suddenly reverting second homes to use as principal residences would lead to a significant increase in permanent population movement to rural Wales which could have a harmful effect on the Welsh language.*

3.30. *“In Welsh-speaking coastal communities in an area such as Dwyfor where 20% and more of the housing stock are second homes, converting second homes into principal residences in an uncontrolled manner could be catastrophic.*

3.31. *“However increasing the percentage of second homes in these communities would also be detrimental as it would reduce the absolute numbers of Welsh speakers locally. The cruelty of the situation facing the Welsh-speaking community is that converting more dwelling houses into second homes is detrimental to the Welsh language, but a large or sudden reduction in the number of second homes would also be detrimental. Both things are true as they are associated with the same phenomenon, which is the inability of local people to compete in the housing market against buyers from outside the community.*

3.32. *“There is an argument therefore for drafting public policy which aims to ensure stability in the number of second homes in affected communities, or which aims to reduce the number of second homes gradually over a number of years”.*

3.33. Dr Brooks' report contains 12 recommendations and on 15 June 2021 Cabinet discussed the Council's response to the report:

[Cyngor Gwynedd's Response to the report "Second Homes: Developing new policies in Wales"](#)

3.34. The Cabinet's decision was as follows:

“To agree the Council's response to the report "Second Homes - Developing New Policies in Wales" as set out in part 9 of this report and in particular highlighting the need to modify recommendation number 7 - Short-term Holiday Accommodation and Business Rates.

The Leader agreed to formally communicate the response to the Welsh Government and call on them to adopt and implement the most effective recommendations as a matter of urgency in order to respond to the housing crisis facing the communities of Gwynedd”.

Empty Dwellings

3.35. Since the Premium was first introduced in 2018 Gwynedd Council has raised the same meeting on second homes and long-term empty properties. One of the reasons for this was the practicality of keeping an overview of the properties that are furnished and those that are not (which is the practical difference between the two types of properties).

3.36. However, some billing authorities in Wales charge a different rate of Premium on long-term empty properties and second homes, and this is also an option in Gwynedd.

3.37. It should also be noted that a total of 1,099 long-term empty properties, while relatively low compared to the number of second homes within Gwynedd, is a high figure when considering the demand for affordable homes within the county and this is recognised in the Housing Strategy. According to Stats Wales, estimates suggest that Gwynedd is 5th out of the 22 local authorities in Wales in terms of a number of long-term empty properties.

3.38. In comparison with the second homes and properties that have transferred, it is seen that the long-term empty properties within Gwynedd tend to be in lower Council Tax bands than Gwynedd properties as a whole; it is particularly seen that over 20% of them are in Band A, compared to less than 15% of the overall stock.

Housing Strategy 2019-2024

3.39. The Council adopted its Housing Strategy 2019-2024, "Homes for People in Gwynedd" in July 2019:

<https://www.gwynedd.llyw.cymru/en/Council/Documents---Council/Strategies-and-policies/Housing/Strategaeth-Tai-v29-Terf-English.pdf>

3.40. The Strategy notes the vision of “Ensure that the people of Gwynedd have access to a suitable Home of a high standard that is affordable and improves their quality of life.”. The Strategy notes the following on empty homes: “*We have identified approximately 1,300 empty houses across the County. These are houses that have been empty for some time and their condition can be very poor. This is a waste of a Resource when you consider that nearly 2,000 people are on the Council's waiting list. We believe that the list of empty houses is not complete, and efforts need to be increased to find them and return them into use as homes for our residents*”.

4. HOUSING ACTION PLAN

4.1. The Housing Action Plan translates the Strategy into specific projects to address the situation.

4.2. In 2019 the Council established the new Housing and Property Department as it had identified the need to achieve more in the field of housing. Gwynedd residents were facing a number of challenges at the time, which means that it was extremely challenging to gain access to suitable housing within our communities. The Council has clearly stated that this is not a sustainable situation, and that we need to respond in every way possible.

Cabinet Report:

<https://democracy.gwynedd.llyw.cymru/documents/s27956/Item%206%20-%20Housing%20Action%20Plan.pdf>

A link to the Housing Action Plan is here:

<https://democracy.gwynedd.llyw.cymru/documents/s27957/Item%206%20-%20Appendix%20A%20-%20Housing%20Action%20Plan.pdf>

- 4.3. When adopting the Plan, the Council knew that a number of measures would be needed, many of which were beyond the direct control of the Council, if we are to be able to achieve genuine fairness for local residents in the field of housing. This Housing Action Plan is one of these measures and allows us to aim to directly act to the best of our abilities in order to attempt to reconcile the current situation.
- 4.4. In order to ensure that the Council takes every opportunity within its direct control in the field of housing, the Housing Action Plan includes 33 various projects tailored in an attempt to respond to each of our objectives in this field, which are:
- No one is homeless in Gwynedd
 - Social housing available to all who need one
 - Everyone's home in Gwynedd is affordable to them
 - Gwynedd Housing are environmentally friendly
 - Homes having a positive influence on the health and well-being of the people of Gwynedd.

5. PUBLIC CONSULTATION

- 5.1. It was explained to the Cabinet in September 2022 that the statutory guidance, *Guidance on the Implementation of the Council Tax Premiums on Long-Term Empty Homes and Second Homes in Wales*, also notes:

23. The determination by a local authority to charge a premium under section 12A or 12B of the 1992 Act must be made by full Council. Prior to doing so, a local authority must give due consideration to its statutory duties to carry out equality impact assessments under the Equality Act 2010 and the Welsh Public Sector Equality Duties 2011 and to all other relevant considerations. A local authority should also give consideration to engagement and consultation with key stakeholders, including the local electorate, before taking a decision as to whether or not to charge one or both of the premiums.

- 5.2. The *LimeSurvey* software usually used by the Council was used to produce a questionnaire. The public consultation was launched on 30 September 2022 and it was open until 28 October 2022. Press releases resulted in a number of press and media articles and items. Messages started to be published on social media at the same time to promote the consultation. A second press release was issued in October in good time before the deadline, and there have been several reminders on the Council's Facebook and Twitter accounts.

Social Media and Mailing

- 5.3. To ensure that awareness of the consultation was as wide as possible, on 29 September a letter was sent to owners of all second home and long-term empty properties informing them of the consultation; where there was a correspondence address on the Council Tax system that differed from the address of the property in question, the correspondence address was used.
- 5.4. We are therefore confident that reasonable efforts have been made to raise awareness amongst the people of Gwynedd and owners of second homes and long-term empty properties to inform them of the consultation so that they can respond, and that this is evidence that a clear effort has been made to engage with key stakeholders.
- 5.5. It is not possible to include a checking facility that would ensure that an individual could only express an opinion once. It is important to note that this exercise is not a public vote or referendum but rather a consultation exercise designed to gather the views of the full-time residents of Gwynedd as well as owners of dwellings occupied periodically and long-term empty dwellings on ongoing issues. That is, a crude account of the solutions for and against increasing the Premium will not be the main factor that will need to be considered, but nevertheless the figures below give Cabinet members a sense of the number and direction of responses.
- 5.6. It is a fundamental principle that any consultation is carried out when the proposals are formulated and that the results of the consultation are taken into account conscientiously in reaching a position. Therefore, in making its recommendation, Cabinet will need to give due consideration to the issues and concerns contained in the consultation responses, so that there is a full picture of the issues that have been drawn to its attention.
- 5.7. The Research and Information Team has made considerable efforts since the consultation closing date on 28 October to analyse the results. The full outcome of their work can be found in Appendix 2.

The Number of Responses

- 5.8. A total of **7,330** responses were received to the questionnaire. There were 7,277 online questionnaire responses and 53 paper responses. This is the largest number of responses the Council has seen to any consultation in recent years.
- 5.9. Of the respondents, 3,518 (48.0%) stated their main home was in Gwynedd, and 2,690 (36.7%) stated their main home was outside Gwynedd.

5.10. Of the respondents:

- 3,646 (49.7%) said that they did not own a second home or a long-term empty dwelling
- 3,447 (47.0%) said they owned a second home
- 201 (2.7%) said they owned a long-term empty dwelling
- 36 (0.5%) said they owned a second home and a long-term empty dwelling

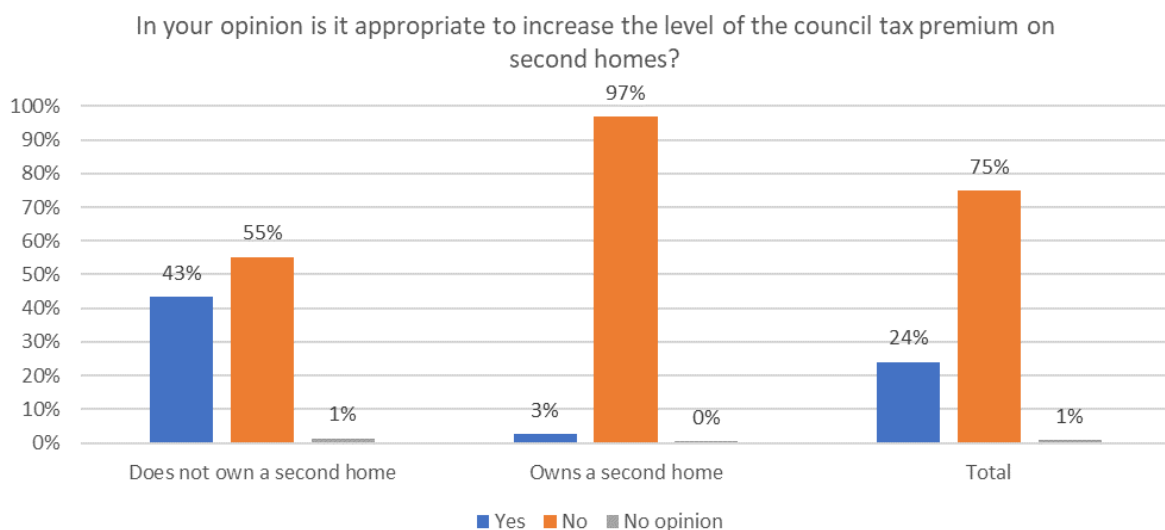
5.11. Just over half of respondents, therefore, (50.3%) owned either a second home or a long-term empty dwelling in Gwynedd (or both).

Analysing the Results – Second Homes

5.12. In total, over half of respondents (58.7%, N=4,304) thought that second homes were currently having a positive impact on local communities, while 27.7% thought they were having a negative impact, with 8.2% thinking they were having no impact. 5.4% of respondents had no opinion on this.

5.13. However, by looking at differences between respondents who own a second home and those who do not, a significant difference in opinion is seen, with 80.5% of respondents who own a second home thinking that second homes currently have a positive effect on local communities, while around 40% of respondents who do not own a second home or long-term vacant property are of this opinion.

5.14. A key question in the consultation was ***Currently the Council Tax Premium on second homes is 100%. The Council is considering whether to increase the level of the Council Tax Premium. Do you think this is appropriate?***



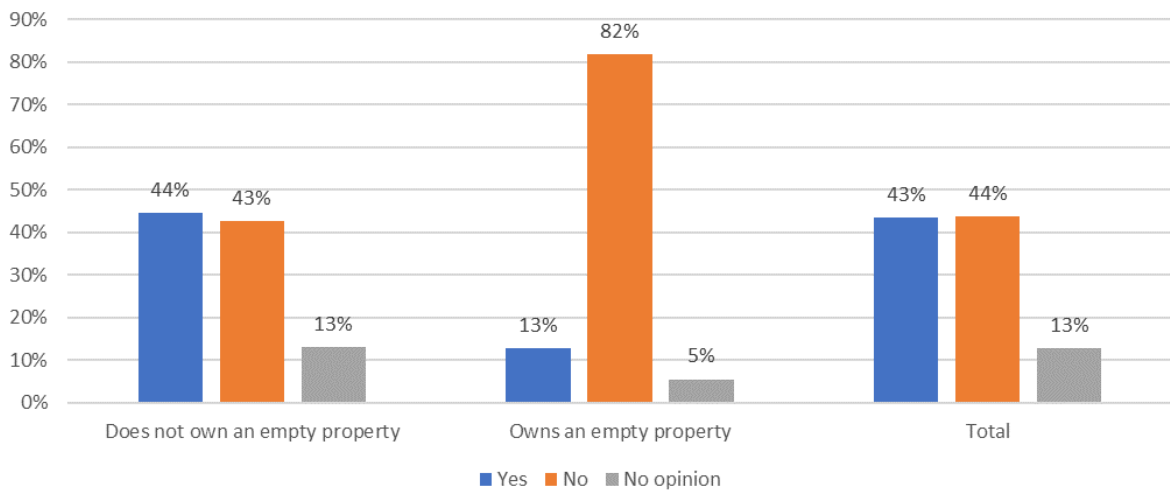
- 5.15. In total, 75% of respondents considered it not appropriate to increase the level of Council Tax Premium on second homes. 24.1% thought it appropriate to increase it, with 0.9% not having an opinion.
- 5.16. However, by separating the answers between respondents who own a second home and those who do not there is some difference of opinion, with the overwhelming majority of respondents who own a second home opposing increasing the premium level. Among respondents who do not own a second home the view was more divided, but with a majority here also (54.1%) of the view that it would not be appropriate to increase the premium.
- 5.17. Of the 24% who supported increasing the Premium, 66% wanted to increase it to 300%, and to do so immediately.
- 5.18. While emphasising again that the process was not a referendum, but a consultation seeking views and comments to assist the authority in reaching a decision, the responses give a sense of public opinion on the proposal.
- 5.19. In total over half of respondents (59.0%,) felt that the level of premium on second homes would have no impact on the Welsh language. 73.9% of respondents who own a second home believe that increasing the level of premium would have no impact on the Welsh language, with 18.7% believing that increasing the premium would have a negative impact. Among respondents who do not own a second home or long-term empty property, opinion is somewhat more divided with 45.6% believing it would not have an impact on the Welsh language, 36.4% believing it would have a positive impact and 13.8% believing it would have a negative impact.
- 5.20. In total a majority of respondents (62.3%) thought that increasing the council tax premium on second homes would have a negative impact on the local community. 23.0% thought increasing the premium would have a positive impact on the local community and 12.3% thought it would not have an impact.
- 5.21. However, the vast majority (81.4%) of respondents who own a second home believe increasing the premium level would have a negative impact on the local community. 13.7% thought increasing the premium would have no impact.
- 5.22. Among respondents who do not own a second home or long-term empty property, opinion is very divided with 44.8% believing increasing the premium would have a negative impact on the local community, 42.4% believing it would have a positive impact and 10.6% believing there would be no impact.

- 5.23. One of the very common arguments in the comments by second home owners was the economic benefit they said they were contributing to Gwynedd, giving work to other local builders and traders, as well as the support given to local shops. In total a majority of respondents (70.9%) thought that increasing the level of the council tax premium on second homes would have a negative impact on the local economy. 16.4% thought increasing the premium would have a positive impact on the local economy and 9.6% thought it would not have an impact.
- 5.24. The vast majority (90.8%) of respondents who own a second home believe increasing the premium level would have a negative impact on the local economy. Among respondents who do not own a second home or long-term empty property, 52.6% believed increasing the premium would have a negative impact on the local economy, 30.7% believed it would have a positive impact and 12.9% believed there would be no impact.

Analysing the Results – Long-term empty dwellings

- 5.25. In total 72.9% of respondents thought that long-term vacant properties were currently having a negative impact on local communities, while 16.2% thought they were not having an impact and 1.3% thought they had a positive effect. 9.6% of respondents had no opinion on the matter. Respondents who own a long-term empty property are more likely than other respondents to think it has no impact on local communities
- 5.26. Overall the views of respondents were very divided on whether it would be appropriate to increase the Premium on long-term empty dwellings, with 43.8% thinking that increasing the premium on long-term empty properties would not be appropriate, and 43.4% thinking it would be appropriate. 12.8% of respondents had no opinion on this. The vast majority (84.1%) of respondents who own long-term empty properties oppose increasing the level of premium on these properties, while among respondents who do not own a second home or long-term vacant property, the majority (55.8%) were in favour of increasing the Premium.

In your opinion is it appropriate to increase the level of the council tax premium on long-term empty properties?



- 5.27. Just over half of respondents (55.1%) thought that increasing the level of premium on long-term empty properties would not have any effect on the Welsh language. 21.7% thought there would be a positive effect and 10.2% thought there would be a negative effect.
- 5.28. In terms of the effect on the local community, opinion was quite divided with 40.0% of respondents thinking that increasing the level of premium on long term empty property would have a positive impact on the local community, 26.0% believing there would be no impact and 22.1% thought there would be a negative impact. 11.9% of respondents had no opinion on this.
- 5.29. Overall there was also considerable difference of opinion on the effect that increasing the Premium on long-term empty properties would have on the local economy. 37.5% of all respondents believe that increasing the premium on long-term vacant properties would have a positive impact on the local economy. 26.8% thought there would be no impact, and 23.7% thought there would be a negative impact. 11.9% (N=874) of respondents had no opinion on this.
- 5.30. However, by looking at differences between respondents who own long-term empty properties and those who do not, a significant difference in opinion is seen. 48.3% of respondents who own long-term empty properties believe increasing the premium level would have a negative impact on the local economy.

Other correspondence

5.31. In addition to the 7,330 responses to the formal questionnaire, the Council's officers and members have received several letters from members of the public expressing their views on the Council Tax Premium. The table below is a summary of the points raised in the letters and which are appropriate to consider when as part of this process.

Properties in an estate that have been purpose-built as holiday homes and unsuitable as homes	25
"Natives" / locally bred / Welsh people / Welsh people / Inherited / Property that has been in the family for years should be excluded	11
The property would have to be sold	8
Oppose Premium in general	8
The local economy will be negatively impacted	7
Owners targeted due to years of lack of suitable housing	2
Those who have purchased the property prior to the entry of the Premium should be excluded	2
It will not be possible to continue to come to the area (some have come for over 60 years)	2
Requests for exemption due to personal circumstances	1
Houses worth less than £200,000 should be excluded	1
There will be a reduction in tourism	1
The Council steals the pensions of the elderly	1
Oppose consultation questions	1
Had to leave the property to give care	1
Wealthier people would buy the property if they had to sell	1
Companion buried in the area	1
The Council is targeting the wrong people	1
Why target people who have come to the area for years?	1
Fairbourne should be excluded because of the circumstances there	1

5.32. It should be noted that holiday home owners in one development in particular have worked together to correspond to express that properties in an estate originally built and marketed as holiday units should not be charged a Premium; the owners say properties like this are not suitable as homes.

5.33. It will also be seen that individuals have corresponded to identify the Premium targeting Welsh people who have moved to live outside Gwynedd due to work but keep properties within the county as they want to return to visit their area in which they were raised as often as possible. They have indicated that forcing them to sell would mean a decline in Welsh in these villages, not strengthen it.

6. TRANSFER OF SELF-CATERING HOLIDAY UNITS

- 6.1. When the original decision to charge a Premium was made, the risk was identified of an increase in the number of properties transferring to being self-catering holiday units, which are subject to non-domestic rates. This would happen because the Valuation Office Agency had ruled that they met the threshold to be able to do so.
- 6.2. The Council has for several years been pressing the Welsh Government to change Section 66 of the Local Government Finance Act 1988 to control the transfer of domestic homes to self-catering holiday units subject to non-domestic rates, with the vast majority avoiding any local taxation because they receive small business rates relief. The Council's Plan states that the Council intends to continue to maintain our pressure in this area over the next few years, using evidence we are continually gathering, in order to get Welsh Ministers to understand the scale of the problem that exists in Gwynedd.
- 6.3. The Welsh Government has introduced a legislative change that will have an impact on April 1 on self-catering holiday units. The effect of *The Non-Domestic Rating (Amendment of Definition of Domestic Property) (Wales) Order 2022 (W. 129)* is that Section 66 of the 1988 Act has been modified so that a dwelling will need to have been available for let for 252 days in the last year, that it is intended to be let for 252 days in the next year, and that property has been truly let for 182 days in the last year (compared to 70 days currently).
- 6.4. In reaching a decision on the Premium in previous years, consideration was given to the risk that increasing the Premium would incentivise more second home owners to let their property and transfer it to the non-domestic rate list. While this risk remains, the significant increase in the number of days in which properties must be let is likely to result in a significant slowdown in the rate of transfer.

6.5. The latest figures (to the end of October 2022) show that a total of 2,908 properties in Gwynedd have transferred from the Council Tax list to the Non-Domestic Rating list, after the Valuation Office Agency designated the property as self-catering holiday units, in accordance with Section 66(2BB) of the Local Government Finance Act 1988. Approximately 90% of the transferring properties receive full Small Business Rates Relief, which means that no local taxation is payable on them:

Financial Year	Number of transfers
2022-23 (to 31/10/2022)	246
2021-22	469
2020-21	506
2019-20	397
2018-19	454
2017-18	282
2016-17	199
2015-16	167
2014-15	188
Total	2,908

6.6. Experiences over the last three years, e.g. in administering Government Covid-19 business grants, have shown that a number of individuals and companies are now buying properties in Gwynedd specifically with the intention of converting them into self-catering holiday units, rather than using them as a second home. As part of this investment they are striving to keep the property within the Council Tax regime for as little as possible before being able to transfer.

7. EXEMPTIONS

7.1. The 1992 Act also contains a provision giving the Welsh Ministers the right to impose certain exceptions (in classes) where a Council Tax premium cannot be imposed. This was done through the [Council Tax \(Exceptions to Higher Amounts\) \(Wales\) Regulations 2015 \(SI 2015/2068\)](#) which came into force on 31 January 2016. The table below outlines the exemptions where a Premium cannot be raised:

Classes of Dwellings	Definition	Type of property that is eligible for an exemption from paying the premium
Class 1	Dwellings being marketed for sale – time-limited for one year	Long-term Empty Properties and Second Homes
Class 2	Dwellings being marketed for let – time-limited for one year	
Class 3	Annexes forming part of, or being treated as part of, the main dwelling	
Class 4	Dwellings which would be someone's sole or main residence if they were not residing in armed forces accommodation	
Class 5	Occupied caravan pitches and boat moorings	Second Homes
Class 6	Seasonal homes where year-round occupation is prohibited	
Class 7	Job-related dwellings	

7.2. Cabinet attention is drawn to two issues in particular when dealing with exceptions. First, the Welsh Government launched a consultation on 11 November 2022 on changes to the 2015 Regulations. The draft regulations recommend amending Class 6 in the above table so that the following properties are exempt from being subject to the Premium where planning restrictions:

- (a) prevent occupancy for a continuous period of at least 28 days in any one-year period;
- (b) specify that the dwelling may be used for short term holiday let only; or
- (c) prevent occupancy as a person's sole or main residence.

- 7.3. Details of the public consultation, which will close on 22 December 2022, are found here: [Draft council tax \(exceptions to higher amounts\) \(Wales\) \(amendment\) Regulations 2023 | GOV.WALES](#)
- 7.4. The second issue that needs to be considered is that Section 13A of the 1992 Act would need to be used to introduce any local, discretionary exemptions. The use of Section 13A is a matter for the Cabinet, it is not a matter that requires the decision of a full Council.
- 7.5. Therefore, exceptions can be dealt with as in a separate Cabinet report before the end of March 2023.

8. USE OF THE PREMIUM

- 8.1. Since the introduction of the Premium at the start of the 2018/19 financial year, the money collected through the Premium has been placed in a dedicated fund, to fund specific projects that have been outlined in the Housing Action Plan.
- 8.2. The Housing Action Plan clearly sets out which individual schemes are to be funded with Premium money.
- 8.3. This is consistent with the aspiration of Council members and the Welsh Government, who set out a watch, but not enforcement, that the money be used in housing.
- 8.4. Many of the projects in the Housing Action Plan are scalable if more resources were available to them. On the other hand, inflation means that construction project costs have increased significantly since the adoption of the Housing Action Plan in 2020.
- 8.5. In recent years, following the Covid-19 pandemic, the end of the Welsh Government's Hardship Grant, the pressure on families as a result of the cost of living crisis and landlords' decision to end tenancies, the pressure on the Council's Homelessness Service has increased dramatically.
- 8.6. Every 50% premium increase would contribute around £3m to the Council Tax Premium Fund.
- 8.7. It was reported to Cabinet on 25 October that spending in dealing with Homelessness is expected to exceed the budget by around £3.2 million this year. This was a net figure, having transferred some budgets for the year. The gross overspend is around £4.7m in 2022/23, and is estimated to be £6m in 2023/24. We believe that temporary factors are responsible for a portion of the overspending, but there is also a long-term budget gap of around £3m.

- 8.8. In considering the level of Premium for 2023/24, members will be asked to consider the possibility of using any additional Premium yield to assist in addressing the significant cost overruns in the homelessness area, or to divert some of the existing product to these purposes. Some of the Premium money could be diverted for this purpose, as it is clearly within the Housing area, but that would be money that would not then be available to fund the Housing Action Plan.
- 8.9. The significant increase in the costs of homelessness is not entirely down to the number of second homes in Gwynedd of course, but they are one contributing factor. If local people are unable to buy houses, they are unable to leave tenancies and that in turn causes pressure on homelessness services when demand for new tenancies rises but housing stock is not available to meet demand.
- 8.10. Second homes do not have to be set at the same Premium rate as long-term empty properties, and although Gwynedd has charged the same rate since the Premium was introduced in 2018, we recognise that the arguments differ between the two, particularly when it comes to properties that are empty and unfit to let without further renovation. There is currently a 100% premium on long-term empty properties, and the purpose of this Premium is to apply pressure to renovate the property when the period of tax relief for renovation has come to an end. There is a risk that raising it higher would likely force a sale and the property then become a second home rather than coming back into the local housing stock.
- 8.11. At the time of its adoption in 2020, the total estimated cost of all schemes in the Housing Action Plan (for the period 2020/21 – 2026/27) was £77.1m, with £22.9m of this funded out of the Council Tax Premium. Since the approval of the Plan, high inflation has increased the approximation of many of these projects.
- 8.12. By November 2022, the Council has spent £15m since the start of the Housing Action Plan, from a variety of sources including the Council Tax Premium and grants.
- Council Tax Premium - £1.5m
 - Grants – £6.8m
 - Asset Management Plan – £6.5m
- 8.13. The Housing Action Plan is a 6 year plan and the Council has been successful in attracting a number of grants that have provided protection for the Premium which will enable us to achieve more in the long run.

8.14. It is therefore noted that spending of the premium has been relatively low do date because the Council has had to prioritise spending these grants which have a deadline to spend. Also note that 2021/22 was the first full financial year of the Housing Action Plan, and research and scoping was taking place at that time, so spending will increase during 2022/23.

8.15. Since the start of the Housing Action Plan:

- At least 350 units have either been purchased, developed, or converted to give people a suitable home
- At least 2700 people have been helped through the schemes.

9. EQUALITY IMPACT ASSESSMENT

9.1. As with all far-reaching decisions, the Council must give due consideration to its statutory duties to carry out equality impact assessments under the Equality Act 2010 and the Welsh Public Sector Equality Duties 2011 and to all other relevant considerations.

9.2. The initial decision to introduce a Premium was made in December 2016, following consideration of an Equality Impact Assessment that had been carried out in accordance with the statutory requirements on the Council.

9.3. A comprehensive Equality Impact Assessment was completed when considering the increase of the Premium in March 2021. Since then, the Public sector duty regarding socio-economic inequalities came into force in Wales on 31 March 2021, which is relevant to Gwynedd Council. The means that the Council, when making “strategic decisions” such as deciding priorities and setting objectives, must consider how its decisions might help to reduce the inequalities associated with socio-economic disadvantage. It would appear that the Premium rate on second homes and long-term empty dwellings is a “strategic decision” in accordance with these duties.

9.4. As noted in “Legislative Background” above, the powers to raise a premium was introduced by the Housing Act, with the fundamental expectation that those who can afford more than one property should assist local authorities financially to deal with housing problems in their areas, in particular the most vulnerable in society who cannot find a home.

- 9.5. When resolving in February 2021 to recommend to the full Council that the Premium level should be increased to 100%, members of the Cabinet noted that there was a housing crisis within the county. The principle that the Council was eager for residents to have homes in their own communities was emphasised, in order to ensure thriving communities. It was added that housing was a priority and that it was a requirement to ensure additional resources in order to implement the Housing Strategy.
- 9.6. We believe, therefore, that the core aim of the Premium is to reduce the inequalities associated with socio-economic disadvantage.
- 9.7. The Equality Impact Assessment has been updated to reflect recent requirements and developments, changing circumstances and the results of the recent consultation. The revised assessment is included in the Appendix.
- 9.8. The result of the Equality Impact Assessment is that there is some evidence that increasing the premium on second homes would be discriminate against a protected group, with data suggesting that second home owners tend to be older people and identify themselves as English. The policy in relation to Council Tax Premium is intended to recognise that long-term empty properties and second homes increase some of Gwynedd's social problems, and the owners should make a financial contribution to alleviate some of the disadvantages they cause.
- 9.9. There is a claim that the policy of raising the Premium is racist because of where second home owners live, but a number of those who have answered the consultation note that Welsh people own a property in Gwynedd while their main home is outside Wales. The Premium will be charged based on the characteristics of the property, not the characteristics of the owner and there is a positive impact if local families can afford to buy a property in their local area rather than having to move away to get a home. There is recognition that there is a negative financial impact on people living outside Gwynedd, with a large number of them identifying themselves as English. In line with the requirements of the Equality Act 2010, increasing the level of the Premium is a proportionate means of achieving a legitimate aim, which is to fund a Housing Action Plan that addresses some of the damage that second homes and empty dwellings cause to the communities of Gwynedd.
- 9.10. The assessment also concludes that there will be a positive impact on the balance of communities as the premium yield funds the Housing Action Plan which supports local families to buy an affordable home. However, it is noted that this is the result of a number of positive and negative factors which affect the Language, which receive attention in several places in the report and appendices.

10. WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

- 10.1. There is a duty to act in accordance with the sustainable development principle, which is to try to ensure that the needs of the present are met without compromising the ability of future generations to meet their needs. When acting in accordance with this general duty the Council needs to consider the importance of the long-term impact, being integrated and inclusive, collaboration and prevention in developing and implementing the proposal.
- 10.2. In accordance with the requirement of the Act, Gwynedd Council (in collaboration with Isle of Anglesey County Council) has developed well-being objectives. These are:
- Communities which thrive and are prosperous in the long-term
 - Healthy and independent residents with a good quality of life
- 10.3. The current Premium funds the Council's Housing Action Plan, which is a proactive attempt to strengthen the sustainability of those communities within Gwynedd with a high number of second and long-term empty homes.
- 10.4. The Council's Housing Strategy sets out the vision of “Ensuring that the people of Gwynedd have access to a suitable Home of a high standard that is affordable and improves their quality of life”.
- 10.5. The Strategy identifies five objectives that had to be sought if the Council was to achieve this vision:
1. No one is homeless in Gwynedd
 2. Social housing available to all who need one
 3. Everyone's home in Gwynedd is affordable to them
 4. Gwynedd Housing are environmentally friendly
 5. Homes having a positive influence on the health and well-being of the people of Gwynedd
- 10.6. The Housing Action Plan includes a number of projects that together set out to deliver these objectives.

11. ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

11.1. The report describes the results of the public consultation.

11.2. This matter has been pre-scrutinised by the Governance and Audit Committee on 17 November before it was considered by the Cabinet on 22 November. The role of the Governance and Audit Committee was not to give an opinion on the Premium level for 2023/24 but rather to take into account the evidence that has gathered and to come to a conclusion if it is sufficient to enable the Cabinet to make a recommendation and the full Council to reach a reasoned decision.

11.3. The decision of the Governance and Audit Committee was to accept that the information in the report and appendices complies with statutory guidance and legislative requirements.

11.4. It also resolved to propose the following comments for Cabinet to consider when deciding on a recommendation for the Full Council to make a final decision on the premium levels:

- That a comprehensive language assessment needs to be completed in accordance with the Council's Language Policy
- That the impact of the premium on the ability of 'natives' to make a living needs to be considered
- That statistics showing the impact of the premium on restoring empty houses need to be seen
- That evidence is needed for the success of the premium. What has been achieved so far?
- That further consultation is needed on the use of the premium.
- What is the justification of using a second home premium to fund homelessness? Accept that the principle is acceptable, but what is the evidence behind the decision?
- That premium considerations need to be intertwined with Welsh Government legislation and measures of managing second houses

11.5. These points were reported verbally to the Cabinet at its meeting on 22 November. The comments have also been considered when preparing this report to the Full Council.

12. OPTIONS

- 12.1. The Council needs to give specific consideration to local factors affecting the housing market and the availability of homes, and in particular the studies and findings referred to in Part 4 of this report. Attention should also be given to the results of the public consultation and the Equality Impact Assessment and the information and conclusions deriving from these elements of the report.
- 12.2. The main conclusions can be summarised as follows.
- 12.3. In keeping the premium at its current level, it will be possible to continue to earmark an annual sum of around £6m to the fund which finances the wide range of projects in the Council's Housing Action Plan. Since that scheme was established, inflation has had an impact on the viability of the business case of several individual projects with construction costs having increased significantly over the past two years. In addition to that, house prices have of course increased in the same way as well. But, as our Scheme's costs are based on when the premium was at a rate of 50%, the additional income from 100% premium should be sufficient to cope with the price increase.
- 12.4. However, as this report outlines, the second home situation (among other factors) is also now having an impact on homelessness creating likely financial pressures in the region of £6m a year. We cannot avoid meeting this cost and we do not have resources available within the Council's basic budgets for it. Keeping the premium at a 100% rate would offer no help towards coping with those financial pressures without us reducing the funding available to greet the other elements of our Housing Action Plan, and therefore delivering fewer schemes.
- 12.5. On the other hand, increasing the premium to a rate of 150% would add around £3m of extra annual income and that would be a contribution towards funding the financial pressures we face in the area of homelessness. That means that it would be possible to continue to earmark the income currently collected for the funding of the Housing Action Plan and achieve all that is in it without having to curtail the Council's ambition in this area.
- 12.6. Currently, there is no way of establishing equivalent justification for increasing the premium above a 150% rate. A number of these further steps such as changes to the planning regime and to business rates have not yet become operational and therefore we have not had an opportunity to assess the impact of these policies in the face of a very significant change in the Premium, or the practical implications.

12.7. It is stated in paragraph 8.10 above that a rational justification exists for keeping the tax on long-term vacant properties unchanged (i.e. at 100%) to enable owners to repair their property if necessary and bring the property back into use.

12.8. Having considered the above options in the context of the information in this report, appendices and studies referred to, the Council needs to reach a decision at the Premium level to be set for 2023/24. The Council's Cabinet, at its meeting on 22 November, resolved:

Recommend to the full Council on 1 December 2022 that the following is the favoured option of the Cabinet with regards to the level of Premium on the Council Tax of Second Homes and Long-Term Empty Dwellings for the 2023/24 financial year:

- **That Gwynedd Council allows NO discount on class A second homes, under Section 12 of the Local Government Finance Act 1992 (i.e. no change).**
- **That Gwynedd Council allows NO discount and RAISES A PREMIUM OF 100% on class B second homes, under Section 12B of the Local Government Finance Act 1992 (i.e. increase from 100% to 150%).**
- **That Gwynedd Council allows NO discount on homes that have been empty for 6 months or more and RAISES A PREMIUM OF 100% on homes that have been empty for 12 months or more, under Section 12A of the Local Government Finance Act 1992 (i.e. no change).**

BACKGROUND DOCUMENTS

1. Holiday Homes Research Work (December 2020)
2. Housing Strategy
3. Housing Action Plan
4. Second Homes – Developing New Policies in Wales (Dr Simon Brooks)
5. Council's response to the Brooks report.
6. Responses to the Consultation (except documents that contain exempted information about individuals).

OPINION OF STATUTORY OFFICERS

Monitoring Officer:

As explained and highlighted in the report there are arrange of factors which need to be assessed in coming to the Cabinet’s recommendation. The report correctly notes that the statutory power to set a council tax premium on “second homes” and long term empty properties was increased to maximum of 300% by amendments to the Local Government Finance Act 1992 which came into force on the 1st of April 2022. In considering a review of the premium and possible increases from the previous statutory maximum of 100% it is important that the Council gives full consideration to the context and challenges in Gwynedd, the results of the consultation and the information and views gathered which were received and the results of the Equalities Impact Assessment. The report explains the matters which are relevant to the decision and the results of the processes and the Cabinet’s recommendation is based on its assessment and weighing up of these factors.

Head of Finance:

I have collaborated with the Cabinet Member in the preparation of this report and I confirm the content.



Llywodraeth Cymru
Welsh Government

Guidance on the Implementation of the Council Tax Premiums on Long-Term Empty Homes and Second Homes in Wales

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Guidance on the Implementation of the Council Tax Premiums on Long-Term Empty Homes and Second Homes in Wales

Introduction

1. From 1 April 2017, local authorities will be able to charge a premium of up to 100% of the standard rate of council tax on long-term empty homes and second homes in their areas. The legislative changes were made by the Housing (Wales) Act 2014 and the powers given to local authorities are discretionary. Whether to charge a premium on long-term empty homes or second homes (or both) is, therefore, a decision to be made by each local authority.
2. The purpose of this guidance is to assist local authorities in their decision whether or not to charge a premium in their area.
3. This guidance has been produced to ensure that there is a fair and consistent implementation of the premiums and their exceptions across Wales.
4. The guidance is statutory and is issued under powers in sections 12A (3) and 12B (4) of the Local Government Finance Act 1992 ("the 1992 Act") as inserted by the Housing (Wales) Act 2014 ("the 2014 Act"). It applies to all local authorities in Wales.
5. This guidance should not be treated as an interpretation of the legislation. The interpretation of legislation is in the first instance a matter for the local authority, with definitive interpretation the responsibility of the courts.

Legal Framework for the Council Tax Premiums

6. Paragraphs 7 - 14 set out the legal framework which is common to both the premium on long-term empty homes and the premium on second homes. Requirements which are specific to long-term empty homes are set out in paragraphs 15 - 17, and those which are specific to second homes are detailed in paragraphs 18 - 19.
7. The 2014 Act amends the 1992 Act by inserting new sections 12A and 12B to enable a billing authority (a county council or county borough council) in Wales to disapply any discount granted to long-term empty dwellings and dwellings occupied periodically and apply a higher amount of council tax (a premium).
8. Local authorities have discretion to decide on the amount of the premium up to a maximum of 100% of the standard rate of council tax that applies to the dwelling.

9. Where a determination to charge a premium is made, a local authority must publish a notice of the determination in at least one newspaper circulating in its area within 21 days of the date of the determination.
10. A determination by a billing authority to charge a premium will also disapply any discount that is granted under section 11(2)(a) of the 1992 Act for dwellings in which there are no residents.
11. A billing authority can make, vary or revoke a determination made under sections 12A and 12B of the 1992 Act, but only before the beginning of the financial year to which the determination applies.
12. The Welsh Ministers also have powers under section 12A(4) and 12A(5), and 12B(5) and 12B(6) of the 1992 Act to prescribe through regulations certain classes of dwelling which may not be subject to a premium. The Council Tax (Exceptions to Higher Amounts Wales) Regulations 2015 have been made under these powers and the exceptions they prescribe are detailed later in this guidance.
13. The council tax system already provides a number of specific exemptions from council tax. The exempt groups are set out in the Council Tax (Exempt Dwellings) Order 1992. There are a number of exemptions in place for unoccupied dwellings, such as, for example:
 - where the resident is in long-term residential care or hospital,
 - where a dwelling is being structurally repaired (for up to one year),
 - where the resident has died (for up to six months after grant of probate or letters of administration).
14. A dwelling that is exempt from council tax is not liable for a premium. However, where a dwelling becomes no longer eligible for an exemption, but remains unoccupied, it will become liable for the premium. In the case of an empty home, it will be liable for a premium after it has been empty for a continuous period of one year.

Section 12A: Higher amount for long-term empty dwellings

15. A long-term empty dwelling is defined as a dwelling which is both unoccupied and substantially unfurnished for a continuous period of at least one year.
16. In determining whether a dwelling has been empty for one year, no account is to be taken of any period before 1 April 2016. In addition, the furnishing or occupation of a dwelling for one or more periods of six weeks or less during the year will not affect its status as a long-term empty dwelling. In other words, a person cannot alter a dwelling's status as a long-term empty dwelling by taking up residence or installing furniture for a short period.

17. Where a local authority makes a determination to charge a premium on long-term empty dwellings, it may specify different percentages (up to a maximum of 100 per cent) for different dwellings based on the length of time for which they have been empty. This will enable local authorities to take a stepped approach with incremental increases applying over time.

Section 12B: Higher amount for second homes

18. A second home is defined as a dwelling which is not a person's sole or main home and is substantially furnished. These dwellings are referred to in the 1992 Act as dwellings occupied periodically but they are commonly referred to as "second homes".

19. In order for a premium to apply to dwellings occupied periodically, a billing authority must make its first determination under section 12B at least one year before the beginning of the financial year to which the premium relates. This means that in order to charge a premium from 1 April 2017, a billing authority must make a determination before 1 April 2016. A determination to charge a premium in 2018 must be made before 1 April 2017 and so on.

Making a Determination to charge the Council Tax Premiums on Long-term Empty Homes and Second Homes

20. The discretion given to local authorities to charge a premium is intended to be a tool to help local authorities to:

- bring long-term empty homes back into use to provide safe, secure and affordable homes; and
- support local authorities in increasing the supply of affordable housing and enhancing the sustainability of local communities.

21. In considering whether or not to charge a premium, regard should be given to these aims. Authorities should take into account the particular housing need and circumstances in their area.

22. There are a range of factors which could help inform local authorities in deciding whether to charge a premium. Whilst some factors will be specific to either long-term empty homes or second homes, others will be common to both. A list of these factors is set out below to assist local authorities. It is not intended to be exhaustive.

- Numbers and percentages of long-term empty homes or second homes in the area;
- Distribution of long-term empty homes or second homes and other housing throughout the authority and an assessment of their impact on property values in particular areas;
- Potential impact on local economies and the tourism industry;
- Patterns of demand for, and availability of, affordable homes;

- Potential impact on local public services;
- Potential impact on the local community;
- Other measures that are available to authorities to increase housing supply;
- Other measures that are available to authorities to help bring empty properties back into use.

23. The determination by a local authority to charge a premium under section 12A or 12B of the 1992 Act must be made by full Council. Prior to doing so, a local authority must give due consideration to its statutory duties to carry out equality impact assessments under the Equality Act 2010 and the Welsh Public Sector Equality Duties 2011 and to all other relevant considerations. A local authority should also give consideration to engagement and consultation with key stakeholders, including the local electorate, before taking a decision as to whether or not to charge one or both of the premiums.

24. Having made a determination to charge a premium, in addition to the requirement to publish a notice in a local newspaper within 21 days, a local authority should give consideration to how its decision is communicated more widely, particularly to those who might be affected. This may be through the publication of press notices, providing information on website pages or other avenues to raise awareness such as, for example, direct communication with council taxpayers who are likely to be liable for the premium. A local authority may also wish to give consideration to how they advise or inform those who may be affected but who normally reside outside the local area.

Exceptions to the Council Tax Premiums on Long-Term Empty Homes and Second Homes

25. Sections 12A and 12B of the 1992 Act provide Welsh Ministers with powers to make regulations to prescribe one or more classes of dwellings in relation to which a billing authority may not make a determination to apply a premium. The Council Tax (Exceptions to Higher Amounts) (Wales) Regulations 2015 are made under these powers – a premium may not be charged on a dwelling that falls within an exception. A local authority must have regard to these exceptions before deciding to implement a premium.

26. The regulations prescribe seven classes of exempt dwellings. Classes 1, 2, 3 and 4 apply to both long-term empty homes and second homes. Classes 5, 6, and 7 only apply to second homes. The classes of dwelling are outlined in the table below and are detailed further in paragraphs 28 - 46.

Classes of Dwellings	Definition	Application
Class 1	Dwellings being marketed for sale – time-limited for one year	Long-Term Empty Homes and Second Homes
Class 2	Dwellings being marketed for let – time-limited for one year	
Class 3	Annexes forming part of, or being treated as part of, the main dwelling	
Class 4	Dwellings which would be someone's sole or main residence if they were not residing in armed forces accommodation	
Class 5	Occupied caravan pitches and boat moorings	Second Homes
Class 6	Seasonal homes where year-round occupation is prohibited	
Class 7	Job-related dwellings	

27. Each exception is described further in the next section. Additional guidance will be provided in relation to assist local authorities in the application of the exceptions for:

- dwellings being marketed for sale;
- dwellings being marketed for let; and
- job-related dwellings.

Class 1: Exception for dwellings being marketed for sale

28. This exception applies to both the premium on long-term empty homes and the premium on second homes. It excepts dwellings that are being marketed for sale. It also covers dwellings where an offer to buy the dwelling has been accepted but the sale has not yet been completed.

29. In order to qualify for this exception a dwelling must be on the market for sale at a reasonable price. In considering whether a price is reasonable, regard should be given to the sale price of comparable dwellings in the area. Additional guidance will be provided to assist local authorities in the application of this exception.

30. The exception period runs for up to one year from the granting of the exception. After an exception has ended, a dwelling being marketed for sale will not be eligible for a further exception period unless it has been sold.

Class 2: Exception for dwellings being marketed for let

31. This exception applies to both the premium on long-term empty homes and the premium on second homes. It excepts dwellings that are being marketed for let. It also covers dwellings where an offer to rent has been accepted but the tenant is not yet entitled to occupy the property because the tenancy has not yet started.
32. In order to be eligible for this exception, a dwelling must be on the market for let at a reasonable rent, that is, the rent the property would be expected to fetch having regard to the rent raised on comparable dwellings. Additional guidance will be provided to assist local authorities in the application of this exception
33. The exception period runs for up to one year from the granting of the exception. After the end of the exception period, a dwelling being marketed for let will not be eligible for a further exception period unless it has been subject to a tenancy that was granted for a term or six months or more.

Class 3: Exception for Annexes forming part of, or being treated as part of, the main dwelling

34. This exception applies to both the long-term empty homes premium and to the second homes premium.
35. This exception applies where an owner has adapted their dwelling to provide an annexe and the annexe is now being used as part of the main dwelling.

Class 4: Exception for Dwellings which would be someone's sole or main residence if they were not residing in armed forces accommodation

36. This exception applies to both the long-term empty homes premium and to the second homes premium.
37. This exception applies to dwellings that would be a person's sole or main residence but which is unoccupied because that person resides in armed forces accommodation.
38. This exception is also intended to cover armed forces personnel whose homes are unoccupied because they are living in armed forces accommodation overseas.

Class 5: Exception for Occupied caravan pitches and boat moorings

39. This exception applies to the second homes premium. It covers dwellings that consist of a pitch occupied by a caravan or a mooring occupied by a boat where the boat or caravan currently has no resident, but when next in use will be a person's sole or main residence.

Class 6: Exception for Seasonal homes where year-round occupation is prohibited

40. This exception applies to the second homes premium. It is applicable to dwellings that are subject to planning conditions that prevent occupancy for a continuous period of at least 28 days in any 12-month period.
41. This exception is intended to cover purpose-built holiday homes or chalets which are subject to planning conditions restricting year-round occupancy. The exception is based on the definition of the existing discretionary discount for seasonal homes (Class A) in The Council Tax (Prescribed Classes of Dwellings) (Wales) Regulations 1998¹.

Class 7: Exception for job-related dwellings

42. This exception applies only in relation to the second homes premium and applies to dwellings occupied by a person who is:
- a qualifying person in relation to the dwelling, but who is resident in another dwelling which is job-related (as defined in Schedule 1 to the Regulations); or
 - a qualifying person in relation to a job-related dwelling.
43. A qualifying person is defined as:
- a person who is liable for council tax in respect of a dwelling on a particular day, whether or not jointly with another person; and
 - a person who would be liable for the council tax in respect of a dwelling on a particular day, whether or not jointly with another person if that dwelling did not fall within:
 - i. Class O of the Council Tax (Exempt Dwellings) Order 1992; or
 - ii. Class E of the Council Tax (Liability for Owners) Regulations 1992.
44. This exception applies where a person is required to reside in a job-related dwelling. It applies to a second home that is occupied periodically because a person is required to live in job-related accommodation elsewhere. It also applies where the job-related accommodation is a person's second home.
45. The definition of a job-related dwelling is given in the Schedule to the Regulations. Although this exception is similar to the job-related discount under the Council Tax (Prescribed Classes of Dwellings) (Wales) Regulations 1998, it differs because the discount only applies if the job-related dwelling is a person's sole or main residence.

¹ SI 1998 No 105

46. Another difference from the job-related dwelling discount is that there is no requirement for the taxpayer to be liable for council tax in respect of two dwellings, meaning that a person who has either a main home abroad or a job-related dwelling abroad can also benefit from the exception. Additional guidance will be provided to assist local authorities in the application of this exception

Reducing Liability for the Council Tax Premiums on Long-Term Empty and Second Homes

47. Under section 13A of the 1992 Act, a billing authority has discretionary powers to reduce council tax liability to such extent as the billing authority thinks fit. The power can be exercised in particular cases or by determining a class or case. The power may be used to reduce council tax liability in circumstances where a local authority may otherwise charge a premium.

48. Some illustrative examples of where a local authority might consider using these powers include:

- where there are reasons why the dwelling could not be lived in;
- where there are reasons why a dwelling could not be sold or let;
- where an offer has been accepted on a property but the sale has not yet been completed and the exception period has run out;
- where charging a premium might cause hardship.

49. The above list is not exhaustive and billing authorities will want to consider all factors they think are relevant.

50. It is a matter for a local authority as to whether the discretionary 13A powers are used to reduce council tax liability in respect of a premium. In the interest of fairness and transparency, a local authority should have a clear policy on whether, and how, these powers will be used. The authority should, however, consider each case on its merits having taken into account the circumstances of the case.

51. It should be noted that deliberations around the use of the discretionary 13A powers are likely to be different when they are considered to reduce council tax liability resulting from a premium compared to reducing liability from the standard rate of council tax. This is because dwellings liable to a premium are already liable for the standard rate of council tax.

Appeals

52. If a person is aggrieved by a calculation by the local authority of the amount of their council tax liability including their liability to pay a premium, they must, in the first instance, make an appeal to their local authority.
53. If they are aggrieved by the decision taken by their local authority or if the local authority does not provide a decision within the required timescales, they can appeal to the Valuation Tribunal for Wales but only after they have exhausted the local authority's appeals process.
54. Further information on the appeals process can be found on the Valuation Tribunal for Wales' website via the link below:
- <http://www.valuation-tribunals-wales.org.uk/home.html>.

Next Steps

Amendments to related legislation

55. In order to ensure that local authorities are able to administer and enforce the premiums the Welsh Government will amend relevant legislation to reflect the introduction of the premiums for example, changes to the calculation of the tax-base and to the appeals process.

Administration and Enforcement

56. In order to assist local authorities with the administration and enforcement of the premiums, in particular the application of the exceptions, additional guidance will be provided.
57. In response to concerns raised by some authorities about administrative difficulties and potential avenues for abuse, this guidance will also provide additional information to assist local authorities in applying the exceptions for:
- dwellings being marketed for sale;
 - dwellings being marketed for let; and
 - job-related dwellings.

Use of additional revenue generated from the Council Tax Premiums

58. A local authority will be able to retain any additional funds generated by implementing the premiums and amendments to the calculation of the tax base will be made to facilitate this. However, authorities are encouraged to use any additional revenue generated to help meet local housing needs, in line with the policy intentions of the premiums.

59. Specific requirements in relation to reporting on additional revenue generated and its subsequent use will be set out in further guidance. Further details on this are provided in the next section.

Monitoring and Reporting

60. In order to monitor the effectiveness of the premiums and to ensure that information on their usage is clearly made available to local council tax payers, the Welsh Government will require local authorities to monitor and report on the implementation of the premiums.

61. The specific requirements in relation to this will be set out in further guidance which will be published prior to April 2017. This is likely to include:

- Number of properties liable for the premiums;
- Additional income raised from implementing the premiums;
- How any additional income has been used;
- Number of empty homes which have been brought back into use.

62. A new module is currently being developed on Datatank for local authorities to use in modelling, monitoring and reporting on the premiums. This will be available to all authorities in the New Year.

Local Taxation Team
Welsh Government
December 2015

Results of Council Tax Premium Consultation on Second Homes and Long-Term Empty Properties – October 2022

Submission Date: 2022-11-04

Authors: Research and Analytics Team

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1. Introduction

The public consultation was launched on 30th September and was open until 28th October. The questionnaire was posted on the Council's website with letters sent to all owners of second homes and long-term empty properties, and reminders posted on the Council's social media pages.

7,330 responses were received to the questionnaire. There were 7,277 online questionnaire responses and 53 paper responses. This is the largest number of responses the Council has seen to any consultation in recent years.

The consultation was split into two sections, one for second homes and the other for long-term empty properties.

2. Consultation responses

There were 7,330 responses to the consultation.

2.1 Your situation?

The first question of the questionnaire asked respondents to select one or more statements describing their situation. Here are the number, and percentage, of respondents who chose the different statements:

Situation	Number	%age
My main home is in Gwynedd	3,518	48.0%
My main home is outside Gwynedd	2,690	36.7%
I have a second home in Gwynedd	3,483	47.5%
I have a long-term empty property in Gwynedd	237	3.2%

Since individual respondents could be in more than one of the above situations, it is easier to categorize the respondents as follows:

Category	Number	%age
With no second home or empty property in Gwynedd*	3,646	49.7%
Own a second home in Gwynedd (but no long-term empty properties)	3,447	47.0%
Owning a long-term empty property in Gwynedd (but no second home)	201	2.7%
Owning a second home and long-term empty property in Gwynedd	36	0.5%
Total respondents	7,330	100.0%

**This category can include respondents who live in and outside Gwynedd, who do not have a second home or long-term empty property in Gwynedd*

Just over half of respondents therefore (50.3%, N=3,684) owned either a second home or a long-term empty dwelling in Gwynedd (or both).

Within this figure 47.0% owned a second home, 2.7% owned a long-term empty dwelling, and 0.5% owned both (i.e. a long-term empty dwelling and a second home in Gwynedd).

49.7% of respondents did not own a second home or long-term empty dwelling in Gwynedd. Within this figure, 8.5% (N=625) also indicated that their main home was outside Gwynedd.

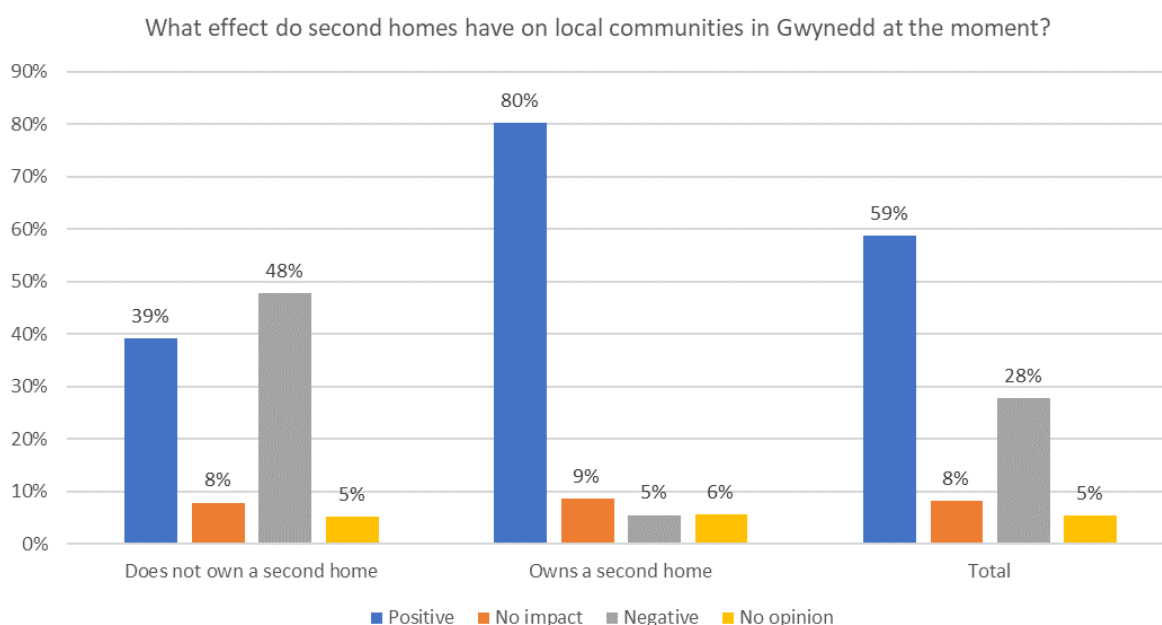
3. Results for Second Homes

This part looks specifically at the consequences of the questions about second homes.

3.1 What effect do second homes have on local communities in Gwynedd at the moment?

In total, over half of respondents (58.7%, N=4,304) thought that second homes were currently having a positive impact on local communities, while 27.7% (N=2,030) thought they were having a negative impact, with 8.2% (N=603) thinking they were having no impact. 5.4% (N=393) of respondents had no opinion on this.

However, by looking at differences between respondents who own a second home and those who do not, a significant difference in opinion is seen as shown in the chart below.



"Do not own a second home" in the chart includes respondents who owned a long-term empty dwelling (but not a second home), as well as respondents who did not own either

"Owning a second home" includes all respondents who owned a second home, whether or not they also owned a long-term empty property

The table below details the responses by category, and shows that 80.5% of respondents who own a second home think second homes currently have a positive effect on local communities, while less than half (39.4%) of respondents who do not own a second home or long-term empty property are of

this opinion. 48.7% of respondents who do not own a second home or long-term empty property think second homes are currently having a negative impact on local communities, while only 5.3% of respondents who own a second home are of this opinion.

The responses of those who own long-term empty properties are found to be quite equal, with slightly more (35.3%) feeling that second homes are currently having a positive impact on local communities.

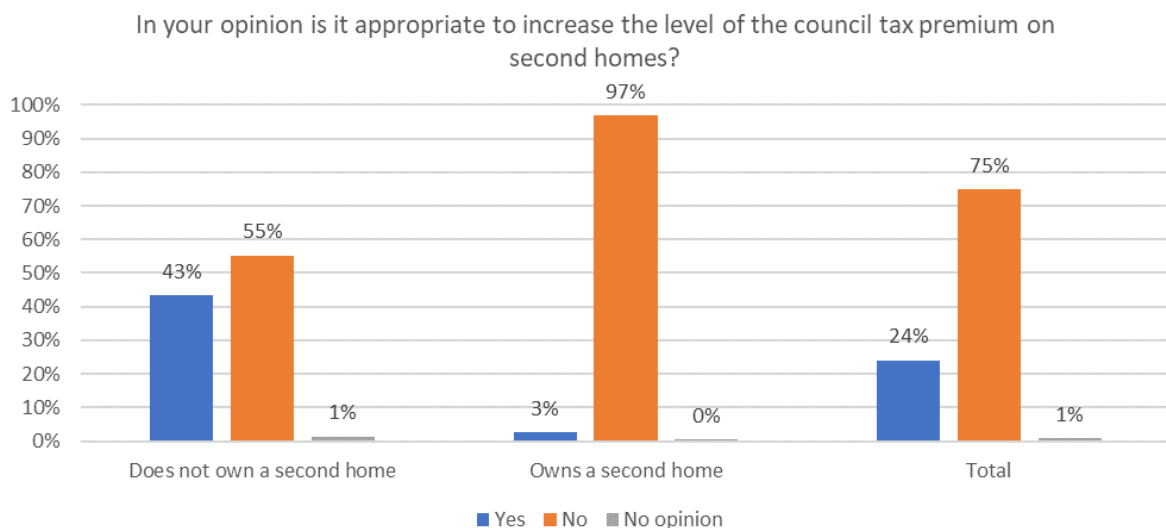
Among the small number of respondents who own long-term empty properties and second homes the view is again more divided but with the majority (55.6%) believing second homes are currently having a positive impact.

	Positive effect		No effect		Negative effect		No opinion		Total	
	No.	%age	No.	%age	No.	%age	No.	%age	No.	%age
Owning neither a second home nor empty property	1,437	39.4%	275	7.5%	1,776	48.7%	158	4.3%	3,646	100.0%
Own a second home	2,776	80.5%	298	8.6%	184	5.3%	189	5.5%	3,447	100.0%
Own a long-term empty property	71	35.3%	27	13.4%	64	31.8%	39	19.4%	201	100.0%
Owning a second home and long-term empty property	20	55.6%	3	8.3%	6	16.7%	7	19.4%	36	100.0%
Total	4,304	58.7%	603	8.2%	2,030	27.7%	393	5.4%	7,330	100.0%

3.2 Currently the Council Tax Premium on second homes is 100%. The Council is considering whether to increase the level of the Council Tax Premium. Do you think this is appropriate?

In total, three-quarters of respondents (75.0%, N=5,497) considered it not appropriate to increase the level of Council Tax Premium on second homes. 24.1% (N=1,764) thought it appropriate to increase it, with 0.9% (N=69) not having an opinion.

However, by separating the answers between respondents who own a second home and those who do not (chart below), there is some difference of opinion with the overwhelming majority of respondents who own a second home opposing increasing the premium level. Among respondents who do not own a second home the view was more divided, but with a majority here also of the view that it would not be appropriate to increase the premium.



"Do not own a second home" in the chart includes respondents who owned a long-term empty dwelling (but not a second home), as well as respondents who did not own either

"Owning a second home" includes all respondents who owned a second home, whether or not they also owned a long-term empty property

The table below details the responses by category, and shows that an overwhelming majority (96.9%) of respondents who own a second home oppose increasing the level of premium on second homes, with a smaller majority (54.1%) of respondents not owning a second home nor a long-term empty property sharing the same view. 44.6% of respondents who do not own a second home or long-term empty property thought increasing the level of premium on second homes would be appropriate, but only 2.7% of second home owners we of this opinion.

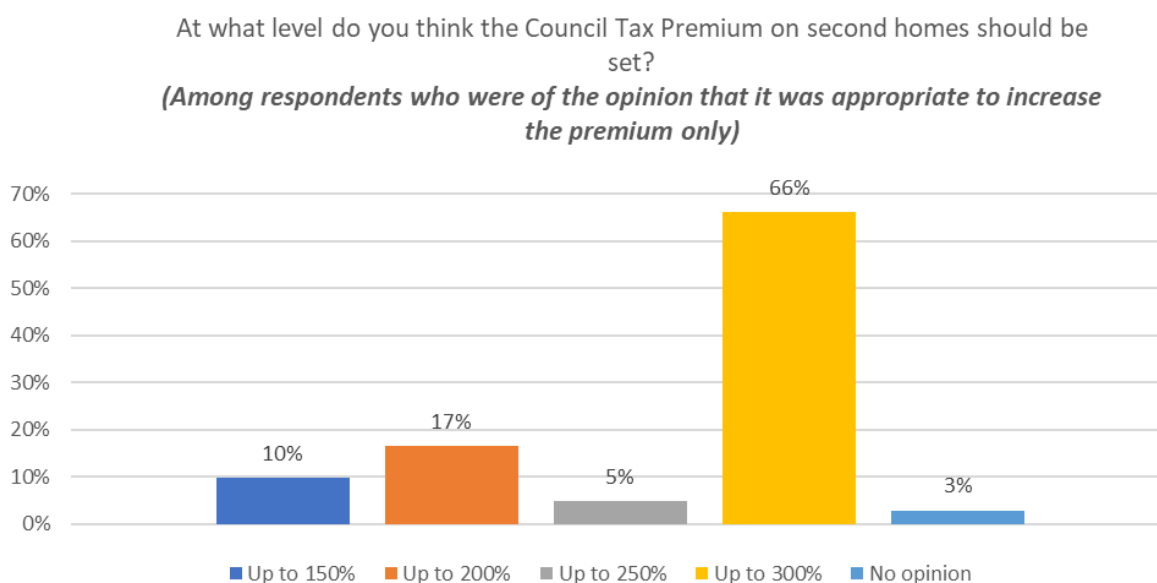
A majority (76.1%) of respondents who own long-term empty properties also opposed increasing the premium on second homes. Among the small number of respondents who own long-term empty properties and second homes, 88.9% opposed increasing the premium on second homes.

	Yes		No		No opinion		Total	
	No.	%age	No.	%age	No.	%age	No.	%age
Owning neither a second home nor empty property	1,626	44.6%	1,973	54.1%	47	1.3%	3,646	100.0%
Own a second home	94	2.7%	3,339	96.9%	14	0.4%	3,447	100.0%
Own a long-term empty property	42	20.9%	153	76.1%	6	3.0%	201	100.0%
Owning a second home and long-term empty property	2	5.6%	32	88.9%	2	5.6%	36	100.0%
Total	1,764	24.1%	5,497	75.0%	69	0.9%	7,330	100.0%

3.3 At what level do you think the Council Tax Premium on second homes should be set?

There was an opportunity for the 1,764 respondents who thought it would be appropriate to increase the council tax premium level on second homes to then give their views on the level at which it should be set.

Among these respondents, about two-thirds (66.1%, N=1,166) believed the premium should be increased by up to 300% with a further 16.6% (N=292) believing it should be set up to 200% (chart below).



The full results by respondent category are shown in the table below but it should be noted that as many respondents who own a second home / long-term empty property were not in favour of increasing the premium at all, the percentages in these categories were based on small numbers.

	Up to 150%		Up to 200%		Up to 250%		Up to 300%		No opinion		Total
	No.	%age	No.	%age	No.	%age	No.	%age	No.	%age	No.
Owning neither a second home nor empty property	124	7.6%	268	16.5%	82	5.0%	1,119	68.8%	33	2.0%	1,626
Own a second home	44	46.8%	19	20.2%	1	1.1%	20	21.3%	10	10.6%	94
Own a long-term empty property	3	7.1%	5	11.9%	2	4.8%	26	61.9%	6	14.3%	42
Owning a second home and long-term empty property	-	-	-	-	-	-	1	50.0%	1	50.0%	2
Total	171	9.7%	292	16.6%	85	4.8%	1,166	66.1%	50	2.8%	1,764

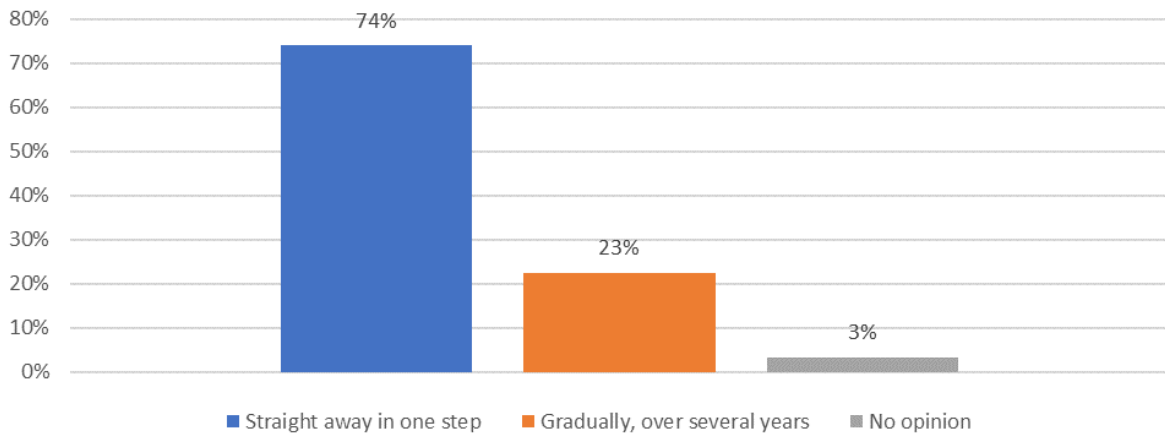
Question only relevant to respondents who supported increasing the premium on second homes

3.4 How should the Council Tax Premium increase for second homes be introduced?

There was also an opportunity for the 1,764 respondents who were in favour of increasing the council tax increase on second homes to give their views on how the increase should be introduced.

Among these respondents, around three-quarters (74.1%, N=1,308) believed the premium should be increased immediately in a single step, with 22.5% (N=397) believing it should be phased in over several years (chart below).

How should the Council Tax Premium on second homes be introduced?
 (Among respondents who were of the opinion that it was appropriate to increase the premium only)



Again, the full results by respondent category are shown below but noting again that since many respondents who own a second home / long-term empty property were not in favour of increasing the premium at all, the percentages within these categories were based on small numbers.

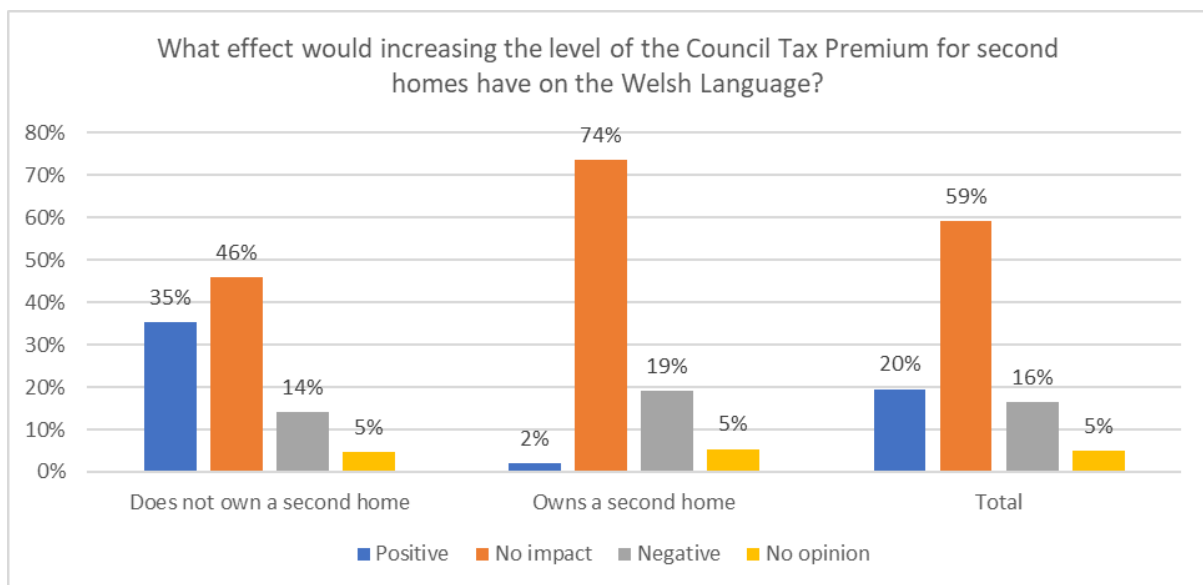
	Immediately, in one step		Gradually, over several year		No opinion		Total	
	No.	%age	No.	%age	No.	%age	No.	%age
Owning neither a second home nor empty property	1,256	77.2%	320	19.7%	50	3.1%	1,626	100.0%
Own a second home	26	27.7%	61	64.9%	7	7.4%	94	100.0%
Own a long-term empty property	25	59.5%	15	35.7%	2	4.8%	42	100.0%
Owning a second home and long-term empty property	1	50.0%	1	50.0%	-	-	2	100.0%
Total	1,308	74.1%	397	22.5%	59	3.3%	1,764	100.0%

Question only relevant to respondents who were in favour of increasing the premium on second homes

3.5 What impact would increasing the level of Council Tax Premium for second homes have on the Welsh language?

In total over half of respondents (59.0%, N=4,327) felt that the level of premium on second homes would have no impact on the Welsh language. The remaining responses were pretty even with 19.5% (N=1,432) thinking it would have a positive impact on the Welsh language and 16.5% (N=1,207) thinking it would have a negative impact.

However, looking at differences between respondents who own a second home and those who do not, there is some difference in opinion as shown in the chart below.



"Do not own a second home" in the chart includes respondents who owned a long-term empty dwelling (but not a second home), as well as respondents who did not own either

"Owning a second home" includes all respondents who owned a second home, whether or not they also owned a long-term empty property

The table below details the response by category, and shows that 73.9% of respondents who own a second home believe that increasing the level of premium would have no impact on the Welsh language, with 18.7% believing that increasing the premium would have a negative impact.

Among respondents who do not own a second home or long-term empty property opinion is somewhat more divided with 45.6% believing it would not have an impact on the Welsh language, 36.4% believing it would have a positive impact and 13.8% believing it would have a negative impact.

Among those who own long-term empty properties the majority (52.2%) felt that increasing the premium would not have an impact on the Welsh language.

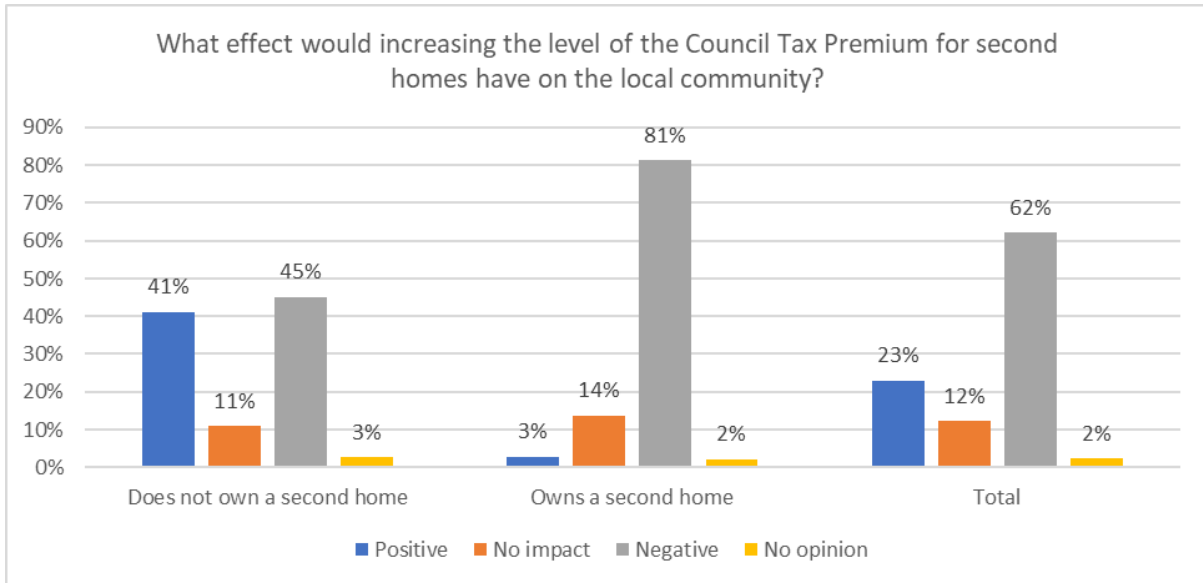
Among the small number of respondents who own long-term empty properties and a second home, half (50.0%) believed increasing the premium would have a negative impact on the Welsh language and a third (33.3%) believed it would have no impact.

	Positive effect		No effect		Negative effect		No opinion		Total	
	No.	%age	No.	%age	No.	%age	No.	%age	No.	%age
Own neither a second home nor empty property	1,328	36.4%	1,661	45.6%	502	13.8%	155	4.3%	3,646	100.0%
Own a second home	68	2.0%	2,549	73.9%	646	18.7%	184	5.3%	3,447	100.0%
Own a long-term empty property	33	16.4%	105	52.2%	41	20.4%	22	10.9%	201	100.0%
Owning a second home and long-term empty property	3	8.3%	12	33.3%	18	50.0%	3	8.3%	36	100.0%
Total	1,432	19.5%	4,327	59.0%	1,207	16.5%	364	5.0%	7,330	100.0%

3.6 What effect would increasing the level of the Council Tax Premium for second homes have on the local community?

In total a majority of respondents (62.3%, N=4,566) thought that increasing the council tax premium on second homes would have a negative impact on the local community. 23.0% (N=1,685) thought increasing the premium would have a positive impact on the local community and 12.3% (N=902) thought it would not have an impact.

However, by looking at differences between respondents who own a second home and those who do not, some difference in opinion is seen as shown in the chart below.



"Do not own a second home" in the chart includes respondents who owned a long-term empty dwelling (but not a second home), as well as respondents who did not own either

"Owning a second home" includes all respondents who owned a second home, whether or not they also owned a long-term empty property

The table below details the response by category, and shows that the vast majority (81.4%) of respondents who own a second home believe increasing the premium level would have a negative impact on the local community. 13.7% thought increasing the premium would have no impact.

Among respondents who do not own a second home or long-term empty property opinion is very divided with 44.8% believing increasing the premium would have a negative impact on the local community, 42.4% believing it would have a positive impact and 10.6% believing there would be no impact.

Among those owning long-term empty properties, the majority (51.2%) felt increasing the premium would have a negative impact on the local community.

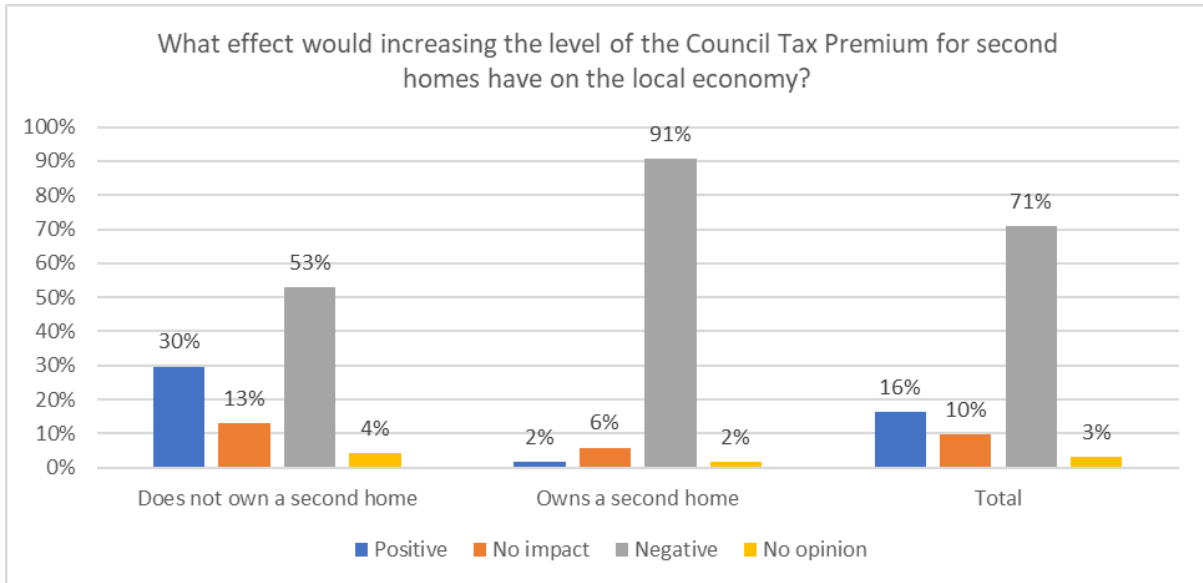
Among the small number of respondents who own long-term empty properties and a second home, the majority (63.9%) believed that increasing the premium would have a negative impact on the local community.

	Positive effect		No effect		Negative effect		No opinion		Total	
	No.	%age	No.	%age	No.	%age	No.	%age	No.	%age
Owning neither a second home nor empty property	1,547	42.4%	386	10.6%	1,634	44.8%	79	2.2%	3,646	100.0%
Own a second home	96	2.8%	472	13.7%	2,806	81.4%	73	2.1%	3,447	100.0%
Own a long-term empty property	39	19.4%	37	18.4%	103	51.2%	22	10.9%	201	100.0%
Owning a second home and long-term empty property	3	8.3%	7	19.4%	23	63.9%	3	8.3%	36	100.0%
Total	1,685	23.0%	902	12.3%	4,566	62.3%	177	2.4%	7,330	100.0%

3.7 What effect would increasing the level of the Council Tax Premium for second homes have on the local economy?

In total a majority of respondents (70.9%, N=5,200) thought that increasing the level of increasing the council tax premium on second homes would have a negative impact on the local economy. 16.4% (N=1,203) thought increasing the premium would have a positive impact on the local economy and 9.6% (N=703) thought it would not have an impact.

By looking at differences between respondents who own a second home and those who do not, some difference is seen in the opinion as shown in the chart below.



"Do not own a second home" in the chart includes respondents who owned a long-term empty dwelling (but not a second home), as well as respondents who did not own either

"Owning a second home" includes all respondents who owned a second home, whether or not they also owned a long-term empty property

The table below details the response by category, and shows that the vast majority (90.8%) of respondents who own a second home believe increasing the premium level would have a negative impact on the local economy. 5.8% believed increasing the premium would have no impact.

Among respondents who do not own a second home or long-term empty property, 52.6% believed increasing the premium would have a negative impact on the local economy, 30.7% believed it would have a positive impact and 12.9% believed there would be no impact.

Among those owning long-term empty properties the majority (61.7%) felt increasing the premium would have a negative impact on the local economy.

Among the small number of respondents who own long-term empty properties and a second home, the majority (75.0%) believed that increasing the premium would have a negative impact on the local economy.

	Positive effect		No effect		Negative effect		No opinion		Total	
	No.	%age	No.	%age	No.	%age	No.	%age	No.	%age
Owning neither a second home nor empty property	1,119	30.7%	469	12.9%	1,918	52.6%	140	3.8%	3,646	100.0%
Own a second home	59	1.7%	201	5.8%	3,131	90.8%	56	1.6%	3,447	100.0%
Own a long-term empty property	24	11.9%	29	14.4%	124	61.7%	24	11.9%	201	100.0%
Owning a second home and long-term empty property	1	2.8%	4	11.1%	27	75.0%	4	11.1%	36	100.0%
Total	1,203	16.4%	703	9.6%	5,200	70.9%	224	3.1%	7,330	100.0%

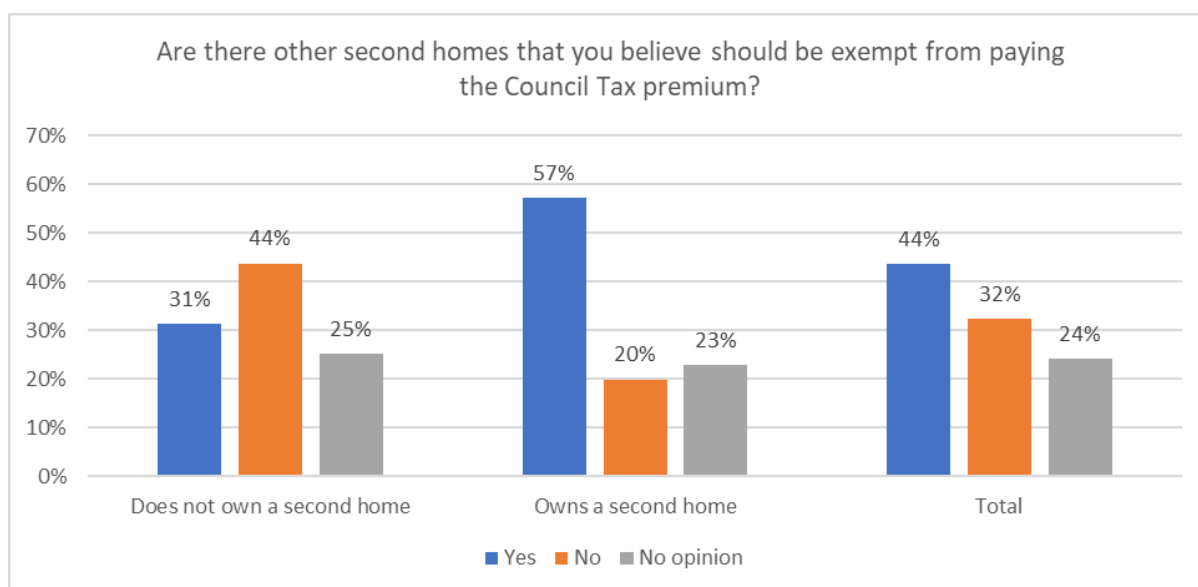
3.8 Are there other second homes that you believe should be exempt from paying the Council Tax Premium?

The following second homes are statutorily exempt from being subject to the Premium:

- Dwellings being marketed for sale – time-limited for one year
- Dwellings being marketed for let – time-limited for one year
- Annexes forming part of, or being treated as part of, the main dwelling
- Dwellings which would be someone's sole or main residence if they were not residing in armed forces accommodation
- Occupied caravan pitches and boat moorings
- Seasonal homes where year-round occupation is prohibited
- Job-related dwellings

Respondents had an opportunity to consider whether any other type of second home needed to be added to the list. 43.6% (N=3,195) of respondents rated this as necessary, with 32.4% (N=2,375) indicating no need to add to the list and 24.0% (N=1,760) not having an opinion.

As shown in the chart below second home owners were more likely than other respondents to suggest premium exemptions, with 57.2% (N=1,994) of all second home owners reporting this compared to 31.2% (N=1,201) of all other respondents.



"Do not own a second home" in the chart includes respondents who owned a long-term empty dwelling (but not a second home), as well as respondents who did not own either

"Owning a second home" includes all respondents who owned a second home, whether or not they also owned a long-term empty property

3.9 Note any other second homes that you believe should be exempt from paying the Council Tax Premium

Those who identified the need to add to the exemption list had a chance to detail this. Of the 3,195 who reported "Yes" 97.7% (N=3,122) detailed that in comments.

Comments	Number of comments	% of those who gave comments
Second homes let for holidays or businesses or for tourism purposes	523	16.8%
Frequently used second homes	373	11.9%
All second homes	366	11.7%
Homes inherited and now used as second homes / inherited and intend to keep / homes that have been 'in the family' for a period	268	8.6%
Second homes that have been owned for a certain period of time or purchased before a specified date	191	6.1%

Properties built as Holiday Homes or where permanent residence is prohibited	152	4.9%
Second homes of individuals with a local connection (e.g. family, have lived in Gwynedd or Wales etc) or whose main home is local	146	4.7%
Dwellings on the same site as permanent residence e.g. annex, farm buildings	108	3.5%
Undesirable location / Remote dwellings / Limited access / Limited facilities / Limited use of Council facilities	105	3.4%
Personal use only or not generating income	101	3.2%
Being renovated or awaiting planning permission	92	2.9%
A property that is not suitable for year-round living due to the size or condition of the house, or is a seasonal home, caravan, holiday cabins etc	88	2.8%
Depending on the owner's circumstances e.g. pensioners, illness, where the owner is in a care home or single person	85	2.7%
Related to a job or university - working elsewhere or living elsewhere and working in Gwynedd	76	2.4%
Properties purchased before premium	70	2.2%
Unsuitable homes for locals or first-time buyers	63	2.0%
Properties that have or to be let for long-term rent	59	1.9%
The second home will become the main residence in the future	58	1.9%
A time to consider after a bereavement and inheriting a home	55	1.8%
Charitable, socially useful or enabling charity work e.g. Ukraine, volunteering while there, carting key workers etc	53	1.7%
Holiday homes	42	1.3%
Properties for sale or will be sold	41	1.3%
A second home that has or will be built, developed or improved by the owner	25	0.8%
Second homes under a lease that prohibits letting or subletting property or restricting for personal use only	22	0.7%
Location - Homes in areas of high demand or in areas with few second homes	22	0.7%
Buildings in poor condition	18	0.6%
Second housing that benefits the economy or local (excluding tourism or other category) e.g. employing staff	17	0.5%
Listed buildings	12	0.4%
Second home which is part of another business (not related to tourism) e.g. farm	9	0.3%
High value homes	7	0.2%
Rarely used second homes	7	0.2%
Low value homes	6	0.2%
Empty property	6	0.2%
Registered to vote in their second houses	5	0.2%

Second houses at their only property in the UK	2	0.1%
Lease property	1	0.0%
Owned by an individual not a property company	1	0.0%
Where one of the two homes is rented by the individual	1	0.0%
Properties that are not empty for a long time	1	0.0%

As multiple respondents have made more than one comment the numbers add up to more than 100%

3.10 Any other comments you have about second homes

7 2.7% (N=5,329) of respondents commented further on second homes.

Comments	Number of comments	% of thoes who gave comments
Second home owners contribute to the local economy / local community. Restricting second homes would damage the economy	2731	51.2%
A higher CT premium would target people with a second home, unfairly / unreasonably	892	16.7%
Second homes are a barrier to an affordable housing market for local people / viable communities	548	10.3%
Unfair on families who have inherited a home (including local people) / Unfair on families who have invested in Gwynedd for decades / Unfair on all those who have saved for years to buy a second house	508	9.5%
Local people don't want to buy the houses / The house unsuitable for a family (condition/location) / The house had been on the market for a while before they bought it / Spent thousands renovating an unsuitable house	459	8.6%
The Council should do more to provide and promote affordable housing	426	8.0%
I / people I know would sell their second home if the premium increased	384	7.2%
A premium increase would not help make housing affordable	371	7.0%
Local people also own a second house / Punishment of local people who have invested due to tourism	235	4.4%
Creating jobs / a viable economy is the answer rather than charging a premium	216	4.1%
Need to increase CT premium on second homes as soon as possible	206	3.9%
Second homeowners with their main house outside Gwynedd / North Wales / Wales only charge a premium - no penalising Gwynedd residents	160	3.0%

Need to close any loopholes in terms of taxation (including holiday accommodation taxation)	157	2.9%
The problem of affordable housing should be dealt with in other ways, e.g. planning regulations / restrictions on purchases	156	2.9%
A premium increase would target English people / racially / against human rights	131	2.5%
Council Tax changes should only be introduced in certain areas, depending on local circumstances	122	2.3%
Not fair to pay more tax, when using fewer services than local residents	121	2.3%
Need restrictions on, and better manage the short-term holiday accommodation market	118	2.2%
The '182 day' rule for holiday accommodation to be counted as a business is unrealistic / unfair and means more will have to pay the premium	110	2.1%
An increase in premium would cause an increase in the number of holiday accommodation	98	1.8%
Not clear how the money from any increase (and/or the previous increase) would be used	77	1.4%
Increasing the premium would lead to a change in the nature of second home ownership, with only investors and wealthy people able to afford them	71	1.3%
Any premium should be limited to new purchases, not to people who had previously bought houses	57	1.1%
Increasing premium would cause a collapse in house prices locally, with significant / harmful consequences	44	0.8%
Second homes have no impact on the Welsh language (or are less harmful than if they went to non-Welsh speaking permanent residents)	27	0.5%
Second homes are a complex problem, and any action needs to be taken with care / based on detailed evidence	26	0.5%
Houses that are in the process of being repaired should be exempt / Houses that are not in condition to be sold or rented	23	0.4%
Some houses have been built specifically as second homes and/or restrictions on the amount of time there can be	19	0.4%
It wouldn't 'look good' for Gwynedd to be increasing CT premiums - unsupportive / introspective image	18	0.3%
Not a good time to make any change, due to the state of the economy	8	0.2%
Increasing the premium would only move the problem to another part of Wales	7	0.1%
Not-for-profit social enterprises that run holiday units should be excluded	1	0.0%

As multiple respondents have made more than one comment the numbers add up to more than 100%

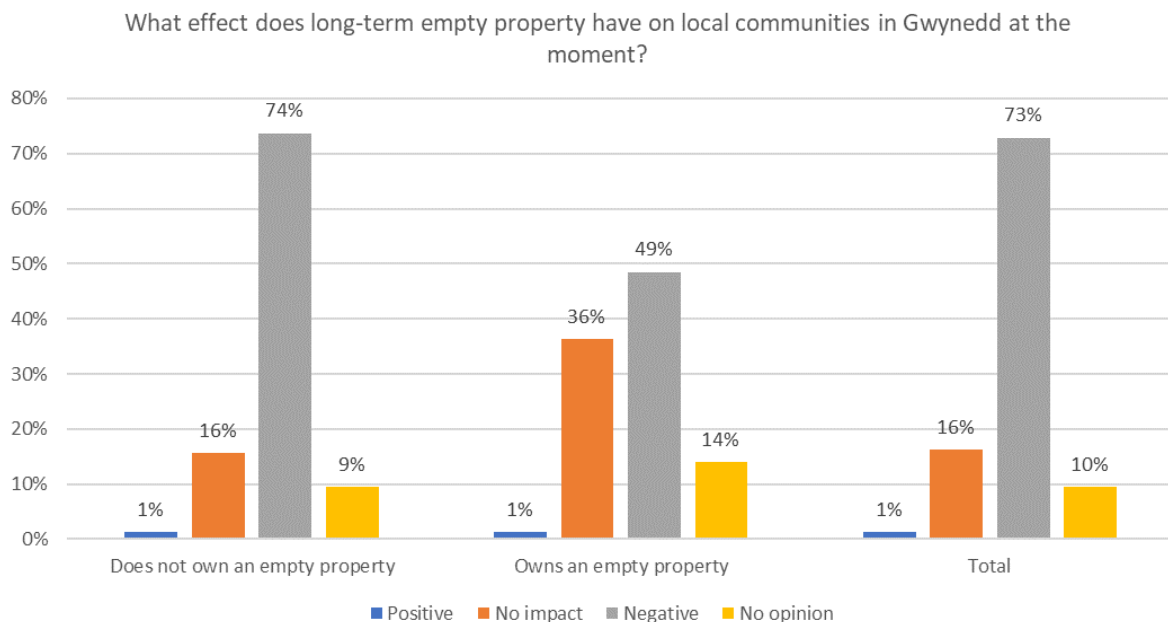
4. Results for Long-Term Empty Properties

This section looks specifically at the results of the questions regarding long-term empty properties.

4.1 What effect does long-term empty property have on local communities in Gwynedd at the moment?

In total the majority of respondents (72.9%, N=5,342) thought long-term empty properties were currently having a negative impact on local communities, while 16.2% (N=1,191) thought they were not having an impact and 1.3% (N=96) thought they had a positive impact. 9.6% (N=701) of respondents had no opinion on this.

However, by looking at differences between respondents who own long-term empty properties and those who do not, there is some difference in the opinion as shown in the chart below.



"Do not own long-term empty property" includes respondents who owned a second home (but not a long-term empty property), as well as respondents who did not own either

"Owning a long-term empty property" includes all respondents who owned long-term empty properties, whether or not they also owned a second home.

The table below details the responses by category of respondents. The main clear difference is that respondents who own a long-term empty property are more likely than other respondents to think it has no impact on local communities: 37.3% of those with long-term empty properties, and 30.6% of those with long-term empty properties and a second home thought there is no impact. This compares to 13.4% of respondents who did not have a long-term empty property or a second home, and 17.9% of respondents who have a second home.

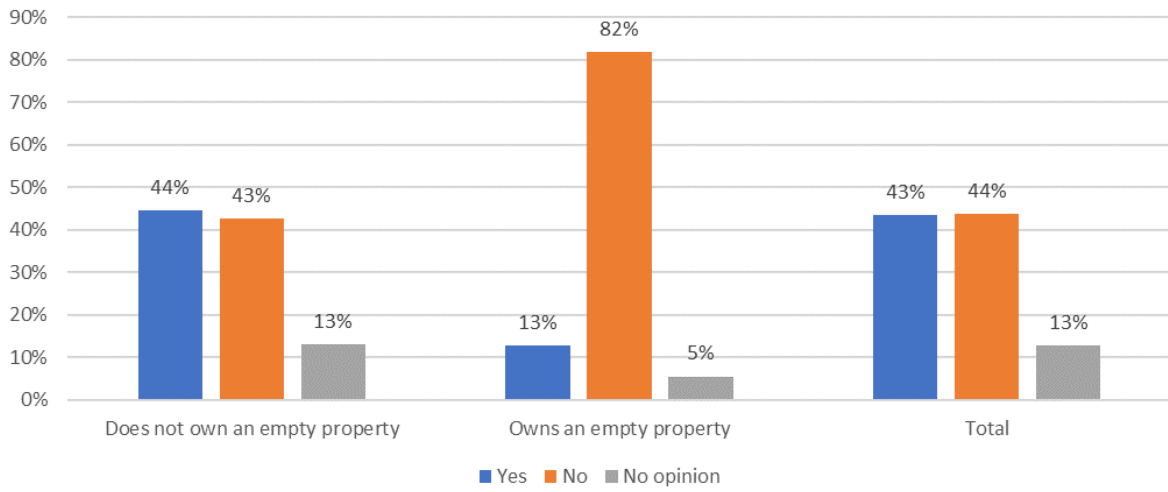
	Positive effect		No effect		Negative effect		No opinion		Total	
	No.	%age	No.	%age	No.	%age	No.	%age	No.	%age
Owning neither a second home nor empty property	45	1.2%	487	13.4%	2,886	79.2%	228	6.3%	3,646	100.0%
Own a second home	48	1.4%	618	17.9%	2,341	67.9%	440	12.8%	3,447	100.0%
Own a long-term empty property	3	1.5%	75	37.3%	95	47.3%	28	13.9%	201	100.0%
Owning a second home and long-term empty property	-	-	11	30.6%	20	55.6%	5	13.9%	36	100.0%
Total	96	1.3%	1,191	16.2%	5,342	72.9%	701	9.6%	7,330	100.0%

4.2 Currently the Council Tax Premium on long-term empty properties is 100%. The Council is considering whether to increase the level of the Council Tax Premium. Do you think this is appropriate?

Overall the views of respondents were very divided with 43.8% (N=3,210) thinking that increasing the premium on long-term empty properties would not be appropriate, and 43.4% (N=3,181) thinking it would be appropriate. 12.8% (N=939) of respondents had no opinion on this.

However, looking at differences between respondents who own long-term empty properties and those who do not, a significant difference in opinion is seen as shown in the chart below.

In your opinion is it appropriate to increase the level of the council tax premium on long-term empty properties?



"Do not own long-term empty property" includes respondents who owned a second home (but not a long-term empty property), as well as respondents who did not own either

"Owning a long-term empty property" includes all respondents who owned long-term empty properties, whether or not they also owned a second home.

The table below details the responses by category, and shows that the vast majority (84.1%) of respondents who own long-term empty properties oppose increasing the level of premium on these properties, while among respondents who do not own a second home or long-term empty property, the majority (55.8%) were in favour of increasing the premium.

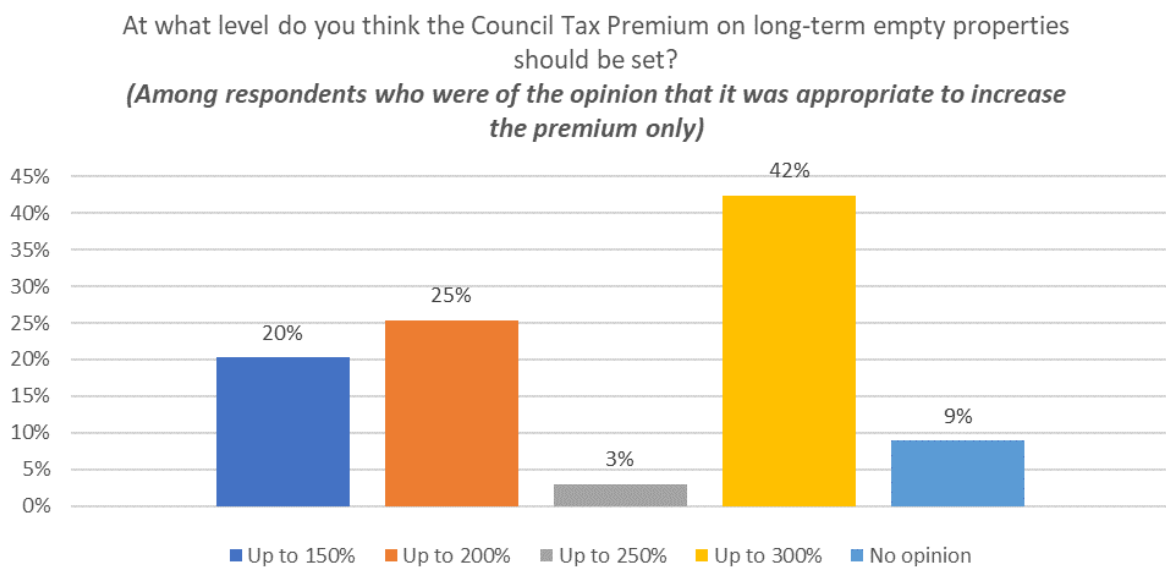
Among second home owners the response was more mixed with 48.9% opposed to increasing the premium on long-term empty properties and 32.4% in favour of increasing it. For the small number of respondents who own long-term empty and second homes, 69.4% opposed increasing the premium on long-term empty properties.

	Yes		No		No opinion		Total	
	No.	%age	No.	%age	No.	%age	No.	%age
Owning neither a second home nor empty property	2,035	55.8%	1,330	36.5%	281	7.7%	3,646	100.0%
Own a second home	1,116	32.4%	1,686	48.9%	645	18.7%	3,447	100.0%
Own a long-term empty property	23	11.4%	169	84.1%	9	4.5%	201	100.0%
Owning a second home and long-term empty property	7	19.4%	25	69.4%	4	11.1%	36	100.0%
Total	3,181	43.4%	3,210	43.8%	939	12.8%	7,330	100.0%

4.3 At what level do you think the Council Tax Premium on long-term empty properties should be set?

The 3,181 respondents who thought increasing the council tax premium level on long-term empty properties was appropriate, had the opportunity to then give their views on the level that should be set.

Among these respondents, 42.4% (N=1,350) believed the premium should be increased by up to 300%, with a further 25.4% (N=808) believing it should be increased by up to 200% and 20.3% (N=645) for increasing it up to 150% (chart below).



The full results by respondent category are shown in the table below but noting that since many respondents who own long-term empty properties were not in favour of increasing the premium at all, the percentages in these categories were based on small numbers.

	Up to 150%		Up to 200%		Up to 250%		Up to 300%		No opinion		Total
	No.	%age	No.	%age	No.	%age	No.	%age	No.	%age	No.
Owning neither a second home nor empty property	320	15.7%	462	22.7%	70	3.44%	1,083	53.2%	100	4.9%	2,035
Own a second home	317	28.4%	338	30.3%	25	2.2%	259	23.2%	177	15.9%	1,116
Own a long-term empty property	6	26.1%	8	34.8%	-	-	7	30.4%	2	8.7%	23
Owning a second home and long-term empty property	2	28.6%	-	-	-	-	1	14.3%	4	57.1%	7
Total	645	20.3%	808	25.4%	95	3.0%	1,350	42.4%	283	8.9%	3,181

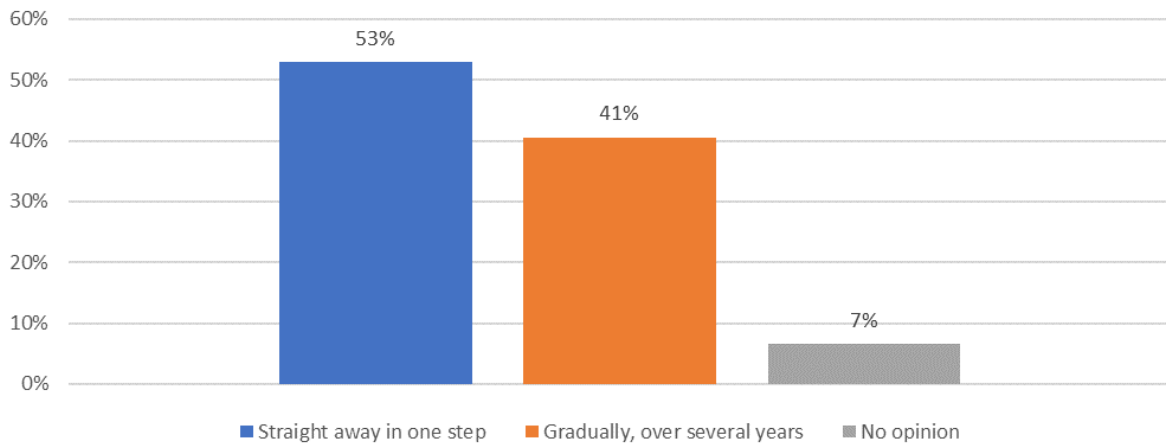
A question only relevant to the respondents who were in favour of increasing the premium on long-term empty properties

4.4 How should the Council Tax Premium on long-term empty properties be introduced?

There was also an opportunity for the 3,181 respondents who thought increasing the council tax premium level on long-term empty properties was appropriate, to give their views on how the increase should be delivered.

Among these respondents, about half (52.9%, N=1,684) believed the premium should be increased immediately in a single step, with 40.6% (N=1,290) believing it should be phased in over several years (chart below).

How should the Council Tax Premium on long-term empty properties be introduced?
 (Among respondents who were of the opinion that it was appropriate to increase the premium only)



Again, the full results by respondent category are shown below but noting again that as many respondents who own long-term empty properties were not in favour of increasing the premium at all, the percentages within these categories were based on small numbers.

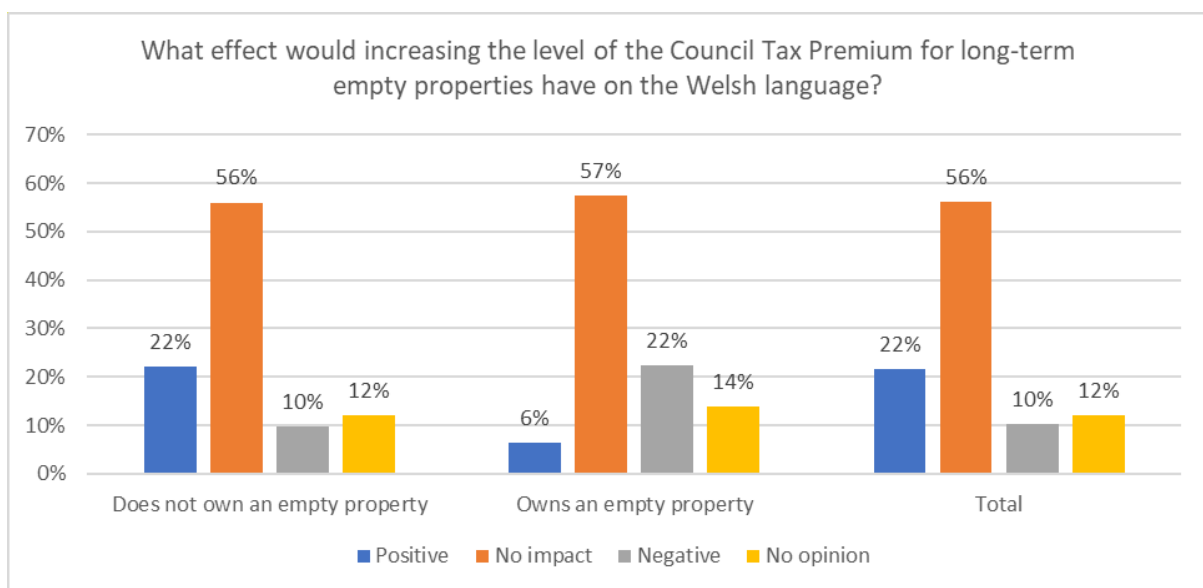
	Immediately, in one step		Gradually, over several years		No opinion		Total	
	No.	%age	No.	%age	No.	%age	No.	%age
Owning neither a second home nor empty property	1,313	64.5%	645	31.7%	77	3.8%	2,035	100.0%
Own a second home	365	32.7%	623	55.8%	128	11.5%	1,116	100.0%
Own a long-term empty property	5	21.7%	17	73.9%	1	4.3%	23	100.0%
Owning a second home and long-term empty property	1	14.3%	5	71.4%	1	14.2%	7	100.0%
Total	1,684	52.9%	1,290	40.6%	207	6.5%	3,181	100.0%

A question only relevant to the respondents who were in favour of increasing the premium on long-term empty properties

4.5 What effect would increasing the level of the Council Tax Premium for long-term empty properties have on the Welsh language?

In total just over half of respondents (55.1%, N=3,433) thought that increasing the level of premium on long-term empty properties would not have any effect on the Welsh language. 21.7% (N=1,588) thought there would be a positive effect and 10.2% (N=748) thought there would be a negative effect.

Looking at differences between respondents who own long-term empty properties and those who do not, it is seen (chart below) that owners of long-term empty properties are somewhat more inclined to believe that the Welsh language would be negatively impacted if the premium was increased (and less inclined to believe that there would be a positive impact).



"Do not own long-term empty property" includes respondents who owned a second home (but not a long-term empty property), as well as respondents who did not own either

"Owning a long-term empty property" includes all respondents who owned long-term empty properties, whether or not they also owned a second home.

The table below details the response by category, and shows that 58.7% of respondents who own long-term empty properties believe that increasing the level of premium would have no impact on the Welsh language, with 21.4% believing that increasing the premium would have a negative impact.

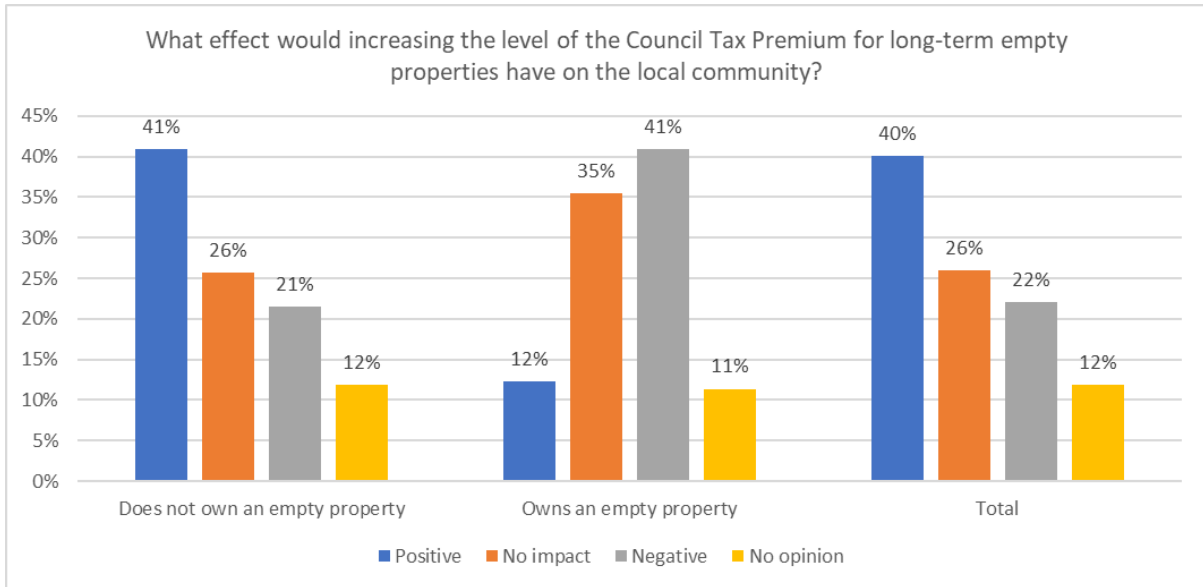
The majority of second home owners (67.3%) felt that increasing the premium on long-term empty properties would have no impact on the Welsh language. But among respondents who do not own a second home or long-term empty property, opinion was somewhat more divided with 45.3% believing it would not have an impact on the Welsh language, 36.7% believing it would have a positive impact and 9.5% believing it would have a negative impact.

	Positive effect		No effect		Negative effect		No opinion		Total	
	No.	%age	No.	%age	No.	%age	No.	%age	No.	%age
Owning neither a second home nor empty property	1,339	36.7%	1,650	45.3%	346	9.5%	311	8.5%	3,646	100.0%
Own a second home	234	6.8%	2,321	67.3%	349	10.1%	543	15.8%	3,447	100.0%
Own a long-term empty property	14	7.0%	118	58.7%	43	21.4%	26	12.9%	201	100.0%
Owning a second home and long-term empty property	1	2.8%	18	50.0%	10	27.8%	7	19.4%	36	100.0%
Total	1,588	21.7%	4,107	56.0%	748	10.2%	887	12.1%	7,330	100.0%

4.6 What effect would increasing the level of the Council Tax Premium for long-term empty properties have on the local community?

In total opinion on this question was quite divided with 40.0% (N=2,935) of respondents thinking that increasing the level of premium on long term empty property would have a positive impact on the local community, 26.0% (N=1,905) believing there would be no impact and 22.1% (N=1,619) thought there would be a negative impact. 11.9% (N=871) of respondents had no opinion on this.

However looking separately at the responses of those who own long-term empty properties and those who do not, a significant difference in opinion is seen as shown in the chart below.



"Do not own long-term empty property" includes respondents who owned a second home (but not a long-term empty property), as well as respondents who did not own either

"Owning a long-term empty property" includes all respondents who owned long-term empty properties, whether or not they also owned a second home

The table below details the response by category, and shows that 42.3% of respondents who own long-term empty properties believe that increasing the level of premium would have a negative impact on the local community, with 34.8% believing it would have no impact.

Among respondents who do not own a second home or long-term empty property, the majority (53.6%) believed increasing the premium would have a positive impact on the local community, 21.5% believed there would be no impact, and 17.7% believed there would be a negative impact.

Among those owning a second home, opinion was sharply divided with 30.1% believing there would be no impact, 27.6% thought there would be a positive impact and 25.4% thought there would be a negative impact.

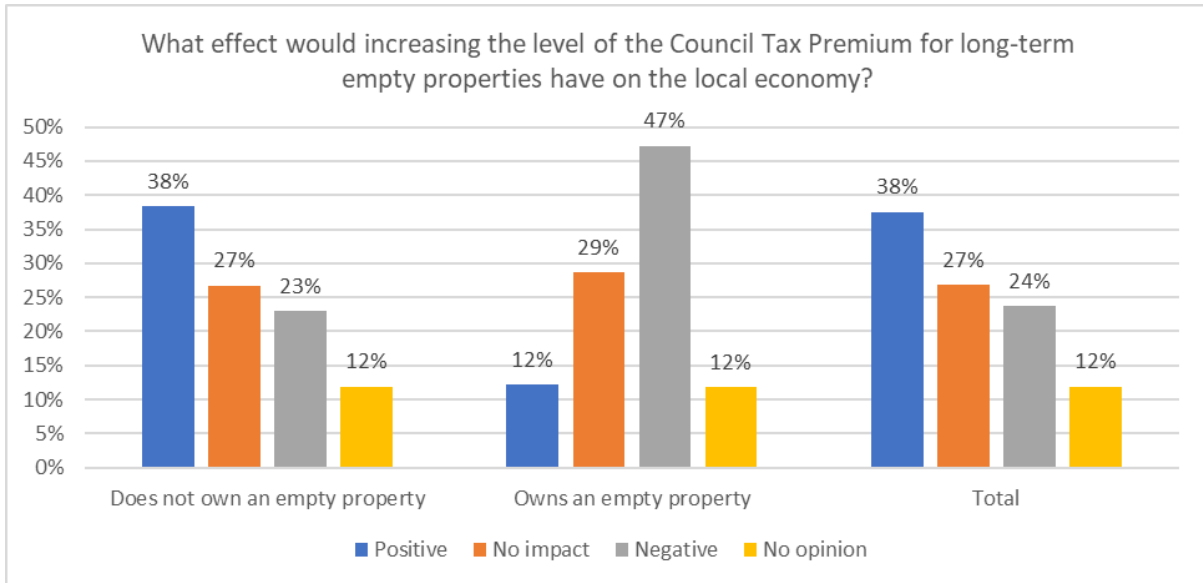
Among the small number of respondents who own long-term empty properties and a second home, 38.9% thought there would be no impact on the local community, and 33.3% thought there would be a negative impact.

	Positive effect		No effect		Negative effect		No opinion		Total	
	No.	%age	No.	%age	No.	%age	No.	%age	No.	%age
Owning neither a second home nor empty property	1,954	53.6%	783	21.5%	645	17.7%	264	7.2%	3,646	100.0%
Own a second home	952	27.6%	1,038	30.1%	877	25.4%	580	16.8%	3,447	100.0%
Own a long-term empty property	27	13.4%	70	34.8%	85	42.3%	19	9.5%	201	100.0%
Owning a second home and long-term empty property	2	5.6%	14	38.9%	12	33.3%	8	22.2%	36	100.0%
Total	2,935	40.0%	1,905	26.0%	1,619	22.1%	871	11.9%	7,330	100.0%

4.7 What effect would increasing the level of the Council Tax Premium for long-term empty properties have on the local economy?

Overall there was also considerable difference of opinion on this question with 37.5% (N=2,752) of all respondents believing that increasing the premium on long-term empty properties would have a positive impact on the local economy. 26.8% (N=1,964) thought there would be no impact, and 23.7% (N=1,740) thought there would be a negative impact. 11.9% (N=874) of respondents had no opinion on this.

However, by looking at differences between respondents who own long-term empty properties and those who do not, a significant difference in opinion is seen as shown in the chart below.



"Do not own long-term empty property" includes respondents who owned a second home (but not a long-term empty property), as well as respondents who did not own either

"Owning a long-term empty property" includes all respondents who owned long-term empty properties, whether or not they also owned a second home

The table below details the response by category, and shows that 48.3% of respondents who own long-term empty properties believe increasing the premium level would have a negative impact on the local economy. 29.4% thought increasing the premium would have no effect.

Among respondents who do not own a second home or long-term empty property, 49.3% believed increasing the premium would have a positive impact on the local economy, 23.4% believed it would have no impact and 19.6% believed it would have a negative impact.

Among those owning a second home, opinion was split with 30.2% feeling that increasing the premium on long-term empty properties would have no impact on the local economy, 26.8% thinking there would be a positive impact and 26.5% believing there would be a negative impact .

Among the small number of respondents who own long-term empty properties and a second home, 41.7% believed that increasing the premium would have a negative impact on the local economy, while 25.0% believed it would have no impact.

	Positive effect		No effect		Negative effect		No opinion		Total	
	No.	%age	No.	%age	No.	%age	No.	%age	No.	%age
Owning neither a second home nor empty property	1,799	49.3%	854	23.4%	714	19.6%	279	7.7%	3,646	100.0%
Own a second home	924	26.8%	1,042	30.2%	914	26.5%	567	16.4%	3,447	100.0%
Own a long-term empty property	24	11.9%	59	29.4%	97	48.3%	21	10.4%	201	100.0%
Owning a second home and long-term empty property	5	13.9%	9	25.0%	15	41.7%	7	19.4%	36	100.0%
Total	2,752	37.5%	1,964	26.8%	1,740	23.7%	874	11.9%	7,330	100.0%

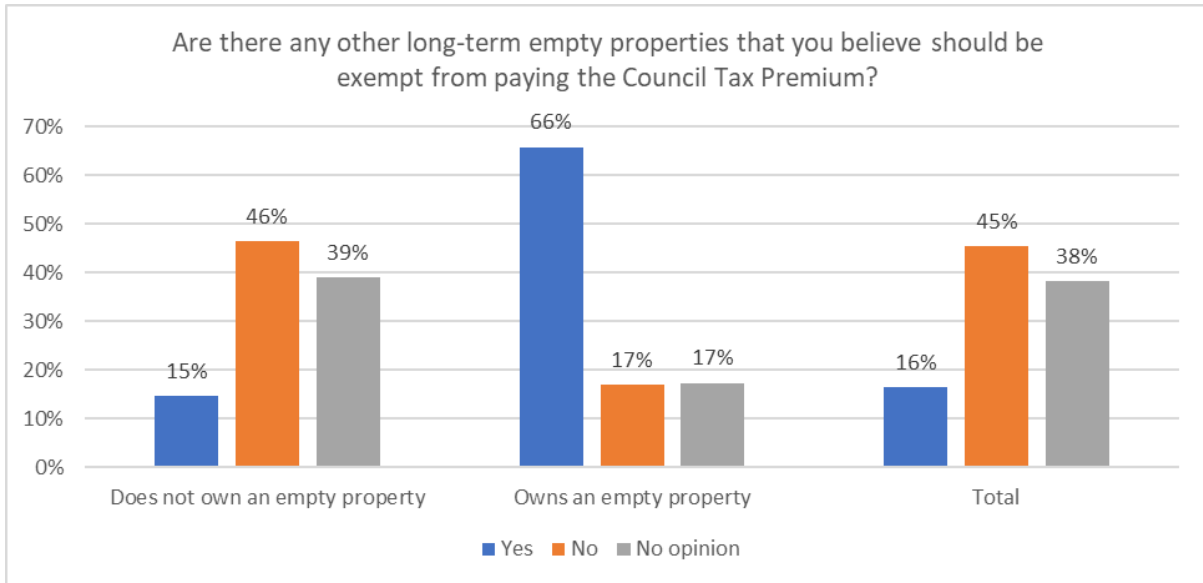
4.8 Are there other long-term empty properties that you believe should be exempt from paying the Council Tax Premium?

The following long-term empty properties are statutorily exempt from being subject to the Premium:

- Dwellings being marketed for sale – time-limited for one year
- Dwellings being marketed for let – time-limited for one year
- Annexes forming part of, or being treated as part of, the main dwelling
- Dwellings which would be someone's sole or main residence if they were not residing in armed forces accommodation

Respondents had an opportunity to consider whether any type of other long-term empty property needed to be added to the list. 16.3% (N=1,196) of respondents rated this as necessary, with 45.4% (N=3,329) indicating no need to add to the list and 38.3% (N=2,805) not having an opinion.

As shown in the chart below respondents owning long-term empty properties were more likely than other respondents to suggest premium exemptions, with 65.8% (N=156) of all long-term empty property owners reporting this compared to 14.7% (N=1,040) of all other respondents.



"Do not own long-term empty property" includes respondents who owned a second home (but not a long-term empty property), as well as respondents who did not own either

"Owning a long-term empty property" includes all respondents who owned long-term empty properties, whether or not they also owned a second home

4.9 Note any other long-term empty properties that you believe should be exempt from paying the Council Tax Premium

Those who identified the need to add to the exemption list had a chance to detail this. Of the 1,196 who reported "Yes", 92.7% (N=1,109) detailed that in comments.

Comment	Number of comments	% of number who gave comments
Properties undergoing major renovations (difficult to get workers)	230	20.7%
Inherited/"probate" properties	188	17.0%
Empty due to having to go to care/hospital	111	10.0%
Properties that have been for sale/for rent for a long time	95	8.6%
Need to increase the exemption period to more than 12months	89	8.0%
Properties that are not fit for habitation	79	7.1%
All long-term empty properties	78	7.0%
Holiday accommodation	49	4.4%
Second homes in use	48	4.3%
Agree with list	39	3.5%

Empty properties that are part of the main home and difficult to separate for sale/rent e.g. farm properties	36	3.2%
Property has been owned by the family for generations	34	3.1%
Property awaiting planning permission/change of use / through the courts	32	2.9%
Welsh owned property/local person	30	2.7%
Properties where the owner has had to go away to work but plans to return in the future	26	2.3%
Properties with historic/listed value	26	2.3%
Empty property with business involved	16	1.4%
Properties not receiving services from the Council	15	1.4%
No more tax should be levied on any property whether empty or not	14	1.3%
Need better definition of "long term"	12	1.1%
Eto it void where the owner intends to come to live permanently in the future	12	1.1%
Empty property owned by charity/community	10	0.9%
Powers for the Council to compel someone to sell the property to them if it has been empty for a certain period	9	0.8%
Property with restrictions or deeds of covenant	9	0.8%
Empty property owned by pensioners	8	0.7%
Property where a holiday home was the original purpose	7	0.6%
Static caravans / chalet/annex	5	0.5%
Empty property because the owner is in jail	3	0.3%
Empty houses in multiple occupation (HMO)	3	0.3%
Need to look at each request individually	3	0.3%
Properties that have been empty for less than 5 years	2	0.2%
Properties where people have owned them for years e.g. 10 years	2	0.2%
Property owner with disability or long-term illness	1	0.1%
Commercial properties	1	0.1%
Need to charge premium on empty commercial buildings	1	0.1%
Don't agree with the list - annex shouldn't be excluded	1	0.1%

4.10 Please provide any other comments you have about long-term empty properties

Of the respondents, 32.9% (N=2,415) gave further comments about long term empty dwellings.

Comment	Number of comments	% of number who gave comments
With such a shortage of housing in the area needing to encourage/motivate owners of long-term empty properties to sell/rent to local people	477	19.8%
Compulsory Purchase by the Council after a certain period of property being empty - developing into homes for local people	306	12.7%
Has the Council spoken to owners of empty properties to understand why it is empty rather than raising the premium - need to decide the premium level case by case	274	11.3%
Long term empty properties can be messy and have an impact on neighbouring properties/image of the area/vandalism	260	10.8%
Long-term empty properties much more of a problem for communities than second homes	259	10.7%
Premium is a good idea but there must be exceptions e.g. when someone has to go into a care home/go through "probate"/major renovations	238	9.9%
Long-term empty properties no help to local economy	200	8.3%
The premium should force owners to do something with them	152	6.3%
Need to increase the exemption period - more than 12 months	127	5.3%
Grants for local people to develop empty properties	122	5.1%
Council's lazy way to raise money instead of looking at their spending	98	4.1%
Need a better definition of "long term" and the difference between a second home/holiday accommodation and an empty property	97	4.0%
Long-term empty properties have impact on local community and Welsh language	93	3.9%
Figures on the number of empty properties in Gwynedd would have been useful in answering the consultation	80	3.3%
This will lead to more empty properties being put on the market	78	3.2%
Now is not the time to raise council tax - the cost of living high enough already	77	3.2%
Empty properties become harder to sell/rent due to economic situation	71	2.9%
It will have a negative impact on tourism	69	2.9%
Raising the premium may have the opposite effect to what it intends to have	64	2.7%
Premium would be a barrier to investment/expenditure in the area	59	2.4%

Many of these empty properties are not going to be suitable for housing needs in the community, including young families	56	2.3%
Need to ensure that some do not take advantage of the exemptions to avoid paying extra tax	49	2.0%
Gwynedd Council needs to focus on creating more jobs in the area	46	1.9%
Long-term empty properties where there are no improvement or sale plans should pay the premium	45	1.9%
The Council should have built far more affordable homes than they have done	42	1.7%
Is there evidence that the 100% premium is invested in the communities?	41	1.7%
Need to look at planning rules - making it easier to bring empty properties back into use / regulations that only allow local people	40	1.7%
The premium should remain 100%	39	1.6%
Questionnaire biased and narrow and not unbiased	34	1.4%
Further legislations are needed to protect property for the benefit of local communities and individuals and not punish them	33	1.4%
Some empty properties have been in family ownership for centuries	31	1.3%
Premium goes against human rights /racist	31	1.3%
People should be helped to renovate ruins	29	1.2%
Need to focus on empty commercial properties first	27	1.1%
Some empty properties bought for future living	26	1.1%
Empty properties should pay less council tax and not more - receive no services	20	0.8%
The Council should help owners bring properties into use rather than penalise them: co-operation	20	0.8%
Empty properties could not be faulted for a decline in the Welsh language	17	0.7%
Premium not fair if it's not used the same throughout the country	16	0.7%
Need to make clear/sufficient notice when the changes will happen	15	0.6%
Premium should be payable by locals identically	13	0.5%
Strict rules for landlords stop them renting the houses to people	12	0.5%
Properties furnished despite being uninhabited should not be included	11	0.5%
Raising the premium would have a negative impact on the economy	10	0.4%
Council tax should be levied on caravans that are re-homes	7	0.3%
This will lead to more empty properties turning into holiday accommodation	7	0.3%
Raising the premium would not have much impact in itself on the use of empty properties	6	0.2%
Raising the premium will create more work for Council staff e.g. going after non-paying	4	0.2%

Empty properties not a huge problem in the area	4	0.2%
Offer a different premium percentage	2	0.1%
No one from outside Gwynedd should be allowed to consult on Council Tax policy	1	0.0%
Changing property names to English names should not be allowed	1	0.0%
The premium should be dependent on income testing	1	0.0%

Appendix: Equality Questions

1. Sex

Category	Number	Percentage
Woman / Female	3,162	43.1%
Man / Male	3,491	47.6%
I identify in a different way:	25	0.3%
I prefer not to say	652	8.9%
Total Responses	7,330	100.0%

2. Age

Category	Number	Percentage
15 years old or younger	1	0.0%
16 - 24 years old	106	1.4%
25 - 34 years old	428	5.8%
35 - 44 years old	772	10.5%
45 - 54 years old	1,474	20.1%
55 - 64 years old	1,806	24.6%
65 - 74 years old	1,405	19.2%
75 - 84 years old	626	8.5%
85+ years old	101	1.4%
I prefer not to say	611	8.3%
Total Responses	7,330	100.0%

3. Nationality or national identity

Category	Number	Percentage
Scottish	41	0.6%
Welsh	2,556	34.9%
Northern Irish	20	0.3%
British	2,111	28.8%
English	1,702	23.2%
Other	249	3.4%
I prefer not to say	651	8.9%
Total Responses	7,330	100.0%

4. Race

Category	Number	Percentage
Asian	15	0.2%
Mixed / several ethnic groups	50	0.7%
Black / African Caribbean	7	0.1%
White	6,319	86.2%
Gypsy / Irish Traveller	1	0.0%
Other	52	0.7%
I prefer not to say	886	12.1%
Total Responses	7,330	100.0%

5. Religion

Category	Number	Percentage
Buddhist	15	0.2%
Christian	3,744	51.1%
Hindu	3	0.0%
Jewish	9	0.1%
Muslim	8	0.1%
Sikh	2	0.0%
No religion	2,249	30.7%
Other	115	1.6%
I prefer not to say	1,185	16.2%
Total Responses	7,330	100.0%

6. Sexuality

Category	Number	Percentage
Bisexual	49	0.7%
Gay man	61	0.8%
Gay woman / lesbian	28	0.4%
Heterosexual / Straight	5,660	77.2%
Other	109	1.5%
I prefer not to say	1,377	18.8%
Did not answer	46	0.6%
Total Responses	7,330	100.0%

7. Has your gender identification changed from that assigned to you at birth?

Category	Number	Percentage
No	6,086	83.0%
Yes	89	1.2%
I prefer not to say	1,076	14.7%
Did not answer	79	1.1%
Total Responses	7,330	100.0%

8. Disability

Category	Number	Percentage
No	5,989	81.7%
Yes	366	5.0%
I prefer not to say	975	13.3%
Total Responses	7,330	100.0%

9. Welsh Language skills

Category*	Number	Percentage
Speak Welsh	2,593	35.4%
Understand spoken Welsh	2,591	35.3%
Read Welsh	2,024	27.6%
Write in Welsh	1,670	22.8%
I can't understand Welsh	1,741	23.8%
I prefer not to say	1,580	21.6%
Other	229	3.1%

*could choose more than one category

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Assessing the Impact on Protected Characteristics, the Welsh Language and Socio-Economic Disadvantage

For help to complete this form see the *How to Undertake an Equality Impact Assessment* leaflet. You are also welcome to contact Delyth Gadlys Williams, Policy and Equality Officer on ext. 32708 or DelythGadlysWilliams@gwynedd.llyw.cymru for further assistance.

The Council's is required (under the Equality Act 2010) to consider the effect any change in policy or procedure (or the creation of a new policy or procedure), has on people with protected equality characteristics. The Council also has a general duty to ensure fairness and foster good relations. A timely Equality Impact Assessment must be undertaken before making any decision on any relevant change (i.e. which has an effect on people with protected characteristics).

The Council is also required, under the requirements of the Welsh Language Standards (Section 44 of the Welsh Language (Wales) Measure 2011) to consider the effect of a change in any policy or procedure (or the creation of a new policy or procedure), in its opportunities for people to use Welsh and to ensure that Welsh is not treated less favourably than English. This document therefore ensures that these decisions protect and promote the use of the Welsh language.

From April 1st 2021 the Council has a duty to have due regard to tackling socio-economic disadvantage in strategic decisions.

1) Details

1.1. What is the name of the policy / service in question?

Council Tax Premium on Long-term Empty Dwellings and Second Homes

1.2 What is the purpose of the policy / service that is being created or amended? What changes are being considered?

Between April 2018 and March 2021 the Council charged a premium of 50% on the Council Tax of second homes and long-term empty dwellings, and since 1 April 2021 the Premium level has increased to 100%. From 1 April 2023 the legislation will change and the Council will have the right to increase the Premium to 300%.

The full Council will need to make its decision at the Premium level for the 2023/24 financial year at its meeting on 1 December 2022 based on a recommendation to be decided by Cabinet at its meeting on 22 November.

At its meeting on 27 September 2022, Cabinet agreed to hold a public consultation on how it should respond to the change of legislation enabling the Council to increase the level of Premium beyond the current 100%.

I.3 Who is responsible for this assessment?

Dewi Morgan, Head of Finance

I.4 When did you commence the assessment? Which version is this?

15 December 2020. This assessment began after Cabinet decided that it would undertake a public consultation to ascertain public opinion on the proposal to change the Premium rate.

The assessment has been reviewed and updated in November 2021 to take account of the duty to have due regard to tackling socio-economic disadvantage in strategic decisions.

It has been modified and updated again in October / November 2022 to take into account the results of the public consultation launched in September 2022.

2) Action

2.1 Who are the stakeholders or partners you need to work with to undertake this assessment?

The Council has the power under the Local Government Finance Act 1992 (as amended) to adjust the Level of Premium by up to 300% from 1 April 2023 onwards, after the Act was amended by *The Council Tax (Long-term Empty Dwellings and Dwellings Occupied Periodically) (Wales) Regulations 2022 (SI 2022/370 W.90)*. The previous maximum was 100%. However, it is an explicit expectation that we should consult with the public and key stakeholders. A public consultation was held, with attention given in the local press and on social websites, and the Council wrote to owners of properties subject to the Premium.

The partners and key stakeholders were:

Gwynedd Residents
Taxpayers on empty properties and second homes

There was collaboration with several internal partners, e.g.:

Finance Department
Corporate Support Department
Gwynedd Council Cabinet Members
Full Council

2.2 What measures have you taken to engage with people with equality characteristics, regarding the Welsh language or with communities (either of place or of need) that live with socio-economic disadvantage?

We have endeavoured to identify individuals with protected characteristics as the public consultation asks respondents to inform us of any protected characteristics so that these can be taken into account in the development of the policy.

The consultation was public and the questionnaire was available to anyone to complete online. Two press releases raising awareness of it were issued, and social media was used to raise awareness.

The Council wrote to all households subject to the Premium with a letter drawing their attention to the consultation. Where the different correspondence address was recorded in the Council Tax system, this was used. The letter referred to the Council's website and the opportunity to complete the questionnaire there, but the Council's website stated that anyone could contact the Council if they wished to receive a paper copy of the consultation.

2.3 What was the result of the engagement?

A public consultation was held between 30 September and 28 October 2022. 7,330 responses were received on the formal questionnaire, as well as around 100 separate letters and messages expressing dissatisfaction with the proposal. 7,330 responses were received to the questionnaire. There were 7,277 online questionnaire responses and 53 paper responses. This is the largest number of responses the Council has seen to any consultation in recent years.

Just over half of respondents (50.3%, N=3,684) owned either a second home or a long-term empty dwelling in Gwynedd (or both).

In total, three-quarters of respondents (75.0%, N=5,497) considered it not appropriate to increase the level of Council Tax Premium on second homes. 24.1% (N=1,764) thought it appropriate to increase it, with 0.9% (N=69) not having an opinion. However by separating the answers between respondents who own a second home and those who do not, there is some difference of opinion with the overwhelming majority of respondents who own a second home opposing increasing the premium level. Among respondents who do not own a second home the view was more divided, but with this majority also of the opinion that it would not be appropriate to increase the premium.

Respondents' comments were sought on the impact of the Premium on a number of aspects of social issues. A number of those who opposed the increase indicated that they had owned their property in Gwynedd for several years, and were very fond of the area. On the other hand, some of those responding claimed that there was a racist motive behind the intention to increase the Premium as the Council is against people from outside Gwynedd and that it is racist. No evidence was submitted to support this view.

There are two different categories of properties subject to the Premium, namely second homes and long-term empty properties.

Very few people want to pay more tax, and there was vehement opposition from second home owners in particular. It stands to reason that increasing the level of premium would have a financial impact on these individuals, but there was no evidence that any protected group would be affected. However, a number of those who have responded to the enquiry claim that the policy of raising the Premium is racist, anti-English, although no discrimination exists when setting the premium.

The consultation included an equality questionnaire. This suggested that a higher proportion of second home owners than the general population are older people.

2.4 On the basis of what other evidence are you operating?

The Equality Act 2010 allows the Council to act positively towards some cohorts if there is evidence of need ("take action to meet the needs of people from protected groups where

these differ from the needs of others"). Several studies by the Council have identified that there is a problem with the availability of housing for young families in Gwynedd, so we have identified a problem and are taking steps to deal with that. Young people have been priced out of the local housing market.

On 9 November 2022 there were

- **4,564** dwellings subject to the Premium on second homes (Class B)
- **229** of further second homes in Class B but not paying the Premium as they were subject to one of the exemptions outlined in Part 8 below.
- **753** properties within Class A where occupation is prohibited for a consecutive period of at least 28 days in the relevant year.

At the same time, **1,099** properties were subject to the Premium on a long-term empty dwelling.

Study on the Effect of Holiday Homes

A key consideration by the Council when setting the Premium for 2023/24 will be the detailed report Holiday Homes Research Work that was submitted to the Cabinet meeting on 15 December 2020:

<https://democracy.gwynedd.llyw.cymru/documents/s27960/Item%208%20-%20Report%20Holiday%20Homes.pdf>

This follows a similar study carried out in 2013.

This report shows that the total number of holiday homes (second homes and self-catering holiday units) within Gwynedd continues to increase, and asks for the Cabinet's commitment to take decisive action to address the situation.

The study is the result of detailed research that has been undertaken over recent months, and highlights that there are a number of factors that influence Gwynedd's housing stock. It builds on studies that have been undertaken in the past and highlights that there are pressing issues that continue to need attention, and that the situation within Gwynedd communities, particularly those that attract visitors, is intensifying.

Whilst the scope of the study also extends to planning issues, leading attention is given to the financial incentive that exists of owning a holiday home as well as the taxation advantage that exists of meeting the legal thresholds for transferring property to the non-domestic rates regime (these properties are not subject to the premium).

Property Values

Second home Council Tax bands are generally higher than Gwynedd properties as a whole. In October 2022, 32.1% of Gwynedd's second homes were in Council Tax Band E or above,

compared with 22.1% of Gwynedd properties overall. On the other hand, long-term empty property bands are lower. Only 17.6% of these properties are in band E or above.

One of the themes emerging from the consultation was that a number of second homes were a family home that had been inherited and retained by the family, or that the property had been owned by the family as a second home for a number of years.

2.5 Are there any gaps in the evidence that needs to be collected?

Apart from the sense of some respondents that Gwynedd Council is generally racist by considering raising the Premium and then increasing it, no evidence has been received to support that as studies have been undertaken suggesting that action is needed to address housing problems in rural areas of Gwynedd.

3) Identifying the Impact

3.1 The Council must give due regard to the effect any changes will have on people with the equality characteristics noted below. What impact will the new policy/service or the proposed changes in the policy or service have on people with these characteristics?

Characteristics	What type of impact?*	In what way? What is the evidence?
Race (including nationality)	Positive	The policy of charging a premium is intended to address the situation that housing is not available to local people, and the impact is positive on this cohort.
	Negative	<p>The policy will affect people from outside Gwynedd and some respondents to the public consultation claim that the Policy would be racist as it targets people from outside Wales. However, there is no consideration of the race of the property owners when a premium is charged on second homes and long-term empty properties.</p> <p>The Premium is charged on all second homes and long-term empty properties without in any way discriminating on where the owners live or what their race or nationality is. However, we recognise that the public consultation shows that a significant proportion of second home owners identify themselves as English and therefore it is likely that the policy will have a negative financial impact on this cohort. However, the money will be used to develop the housing market for local People, which is a positive outcome.</p>
Disability	Insignificant	There is a small possibility of differentiation indirectly on the grounds of disability if a disabled person keeps an

		adapted property in Gwynedd as they cannot have a holiday elsewhere.
Sex	None	No impact has been identified
Age	Positive	<p>A 2013 study showed that the demographic makeup of communities with high proportions of second homes was different; in general, the resident population is 'older'. This affects the balance of communities and will have an impact on the future resilience and sustainability of these areas.</p> <p>It went on to note that the profiles of second home owners themselves suggested that they were generally middle-aged or retired, and richer than the national average. Shelter (2011) (<i>Taking Stock, an assessment of under-utilisation of housing stock in England</i>) estimated that 60% of second home owners nationally were aged between 45 and 60 compared with 40% across all owner-occupied in this age group. The responses from the current public consultation have suggested the same.</p> <p>Therefore, there is evidence that the financial losers are older, but it is expected that older people living in the relevant areas throughout the year will benefit as local society will be more resilient and sustainable.</p> <p>However, there is strong evidence that care providers face serious recruitment difficulties. Achieving community balance is vital to getting enough younger people to protect and care for older people, and the policy of raising a Premium is intended to help young people stay in the local area by being able to provide them with homes locally. Overall, therefore, the policy will have a positive impact as it helps young families to have a home. This will then have a more positive than negative impact on community balance.</p>
Sexual orientation	None	No impact has been identified
Religion or belief (or non-belief)	None	No impact has been identified
Gender reassignment	None	No impact has been identified
Pregnancy and maternity	None	No impact has been identified

Marriage and civil partnership	None	No impact has been identified
The Welsh language	Positive	<p>There will be an indirect impact on the language as the purpose of charging a premium is to encourage owners of long-term empty properties and second homes to return the property to the local housing stock, or to pay additional Council Tax. Premium yield to date has been used to meet local housing needs. Supporting the Welsh language is, therefore, a core part of this policy.</p> <p>In particular, there will be a positive impact on the balance of communities as premium products fund the Housing Action Plan which supports local families to buy an affordable home.</p>
Socio-Economic Disadvantage	Positive	<p>When resolving in February 2021 to recommend to the full Council that the Premium level should be increased to 100%, members of the Cabinet noted that there was a housing crisis within the county. The principle that the Council was eager for residents to have homes in their own communities was emphasised, in order to ensure thriving communities. It was added that housing was a priority and that it was a requirement to ensure additional resources in order to implement the Housing Strategy.</p> <p>The powers to raise a premium was introduced through the Housing (Wales) Act and the statutory guidelines note:</p> <p><i>The discretion given to local authorities to charge a premium is intended to be a tool to help local authorities to:</i></p> <ul style="list-style-type: none"> • <i>bring long-term empty homes back into use to provide safe, secure and affordable homes; and</i> • <i>support local authorities in increasing the supply of affordable housing and enhancing the sustainability of local communities.</i>

3.2 The Council has a duty under the 2010 Equality Act to contribute positively to a fairer society by promoting equality and good relations in its activities regarding the following characteristics – age, gender, sexual orientation, religion, race, gender reassignment, disability and pregnancy and maternity. The Council must give due attention to the way any change affects these duties.

General Duties of the Equality Act	Does it have an impact?*	In what way? What is the evidence?
Abolishing illegal discrimination, harassment and victimisation	No	
Promoting equal opportunities	Yes	This will provide equal opportunity for local people who are currently unable to afford a home. The current housing situation is unequal and the decision is intended to stabilise and rectify this situation.
Encouraging good relationships	Yes	<p>The policy of charging a Premium can promote good relationships with people within the communities of Gwynedd if the Policy gives them the opportunity to have a better home, or a first home, as the number of holiday homes and empty dwellings is found to have a detrimental effect on the ability of local people to have a place to live. A policy of charging a Council Tax Premium on second homes and empty dwellings can improve relationships if Gwynedd residents feel that the policy helps them to have a better chance of having a home in their local area.</p> <p>Some second home owners have claimed in their consultation response that increasing the level of the Premium will cause community ill feeling, but there is no evidence to support this claim. The current disparity is more likely to create resentment.</p>

3.3 How does your proposal ensure that you work in accordance with the requirements of the Welsh Language Standards (Welsh Language (Wales) Measure 2011), to ensure that the Welsh language is not treated less favourably than English and that you seize every opportunity to promote the Welsh language (beyond providing services bilingually) and increase opportunities to use and learn the language in the community?

As noted in 3.1 above, there will be a positive impact on the balance of communities as the premium yield funds the Housing Action Plan which supports local families to buy an affordable home.

3.4 What other measures or changes could you include to strengthen or change the policy / practice in order to have a positive impact on people's opportunities to use the Welsh language, and to reduce or prevent any adverse effects that the policy / practice may have on the Welsh language?

This is a taxation policy, and we believe that the current policy goes to the best of our legal and statutory ability in that regard in terms of a positive impact on the language.

3.5 How does the proposal show that you have had due regard to the need to address inequality caused by socio-economic disadvantage? (Note that this is about closing inequality gaps rather than just improving outcomes for everyone)?

The Council has adopted a Housing Action Plan in December 2020 which includes a range of projects in place to make use of Premium products to tackle socio-economic disadvantage. The underlying principle is that those who can afford several properties help the most vulnerable in society who cannot get homes at all. The projects in the Housing Action Plan that make use of Premium funding are:

- Supported housing for the homeless schemes
- Supported housing for homeless young people
- Self-contained units for individuals with intensive social needs
- Support packages for private landlords
- Accommodation and extra support in Arfon
- Build more social housing than what can be funded through the social housing grant
- Develop our own housing in order to increase the opportunities for Gwynedd residents to compete in the housing market.
- Consult with communities to establish their housing needs
- Self-build plots

- First Time Buyers' Grants to renovate empty houses
- Council Tax Exemption on empty houses for first time buyers
- Homebuy scheme
- Finding and purchasing land for building in the future
- Residential element in community regeneration schemes
- Set up a new Energy Conservation service for home-owners in order to contribute towards our aspiration to address the climate crisis.
- Innovative Housing Pilot Scheme
- Funding the financial deficit in business cases for innovative housing
- Supported housing – youth
- Extra care housing for the elderly
- Supported Housing – adults with profound needs
- Suitable homes for children with severe physical needs
- Frondeg, Caernarfon
- Interest-free loans to improve housing conditions
- One-stop shop for Housing matters

3.6 What other measures or changes might you include to strengthen or change the policy / practice to show that you have had due regard to the need to reduce disproportionate outcomes as a result of socio-economic disadvantage, in accordance with the Socio-Economic Act?

We believe that the policy already shows a total commitment to giving due regard to the need to reduce unequal outcomes as a result of socio-economic disadvantage and that other measures or changes are not needed.

4) Analysing the Results

4.1 Is the policy therefore likely to have a significant, positive impact on any of the above and what is the reason for this?

One of the main outcomes of the Premium is the funding of the Housing Action Plan. This scheme will address social disparity within Gwynedd. The Equality Impact Assessment completed during the preparation of the Housing Action Plan sets out the very positive steps that will result from the implementation of the Scheme, with the financial support of the Premium:

<https://democracy.gwynedd.llyw.cymru/documents/s27958/Item%206%20-%20Appendix%20B%20-%20Equality%20Impact%20Reprt.pdf>

The Premium is intended to aim to reduce inequality within the communities of Gwynedd, and contributes to that by funding specific projects.

Details of an assessment of the Well-being of Future Generations Act can be found in the body of the Cabinet report.

4.2 Is the policy therefore likely to have a significant, negative impact on any of the above and what is the reason for this?

Two specific cohorts of the population will be subject to the Premium, namely second home owners, and owners of long-term empty homes.

It should be noted that consultation responses, together with national studies strongly suggest that second home owners tend to be older people. A number of the consultation responses suggest that some of these older owners are "asset rich / cash poor". That is, they have bought the property for several years or inherited it, but their income is not necessarily high. This ultimately raises a very small amount of doubt if the Council is fulfilling its statutory duties, but that must be weighed against the poverty, unemployment and homelessness in rural Gwynedd. According to the Housing Action Plan, 59% of Gwynedd residents have been priced out of the market in Gwynedd.

A number of the responses to the public consultation have stated that this Policy is racist as it targets individuals living outside Wales. However, the Premium is charged to all properties that are second or long-term empty properties without considering ownership. A significant proportion of second home owners identify themselves as English, and increasing the Premium would have a negative financial impact on this cohort.

Case law has established that indirect discrimination shall be taken to occur where an apparently neutral provision, criterion or practice would put persons of a racial or ethnic origin at a particular disadvantage compared with other persons, unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

In making a decision on the Premium, therefore, one must be aware of the possibility that indirect discrimination exists. Although it is property use that means if a Premium is payable on it or not, not its ownership, the outcome of the consultation suggests that owners of such properties tend to be English and older people and it is necessary to be aware of the risk of indirect discrimination against these cohorts. However, the Equality Act 2010 states that this is legal if the policy is a proportionate means of achieving a legitimate aim, and in this case it is a means of realising a positive action, namely tackling the housing crisis for local people.

4.3 What should be done?

Choose one of the following:

Continue with the policy / service as it is robust	
Adapt the policy to delete any barriers	
Suspend and delete the policy as the detrimental impacts are too big	
Continue with the policy as any detrimental impact can be justified	✓
No further action at this time because it is too soon to decide, or there is insufficient evidence	

4.4 If continuing with the project, what steps will you take to reduce or mitigate any negative impacts?

There is some evidence that increasing the premium on second homes would be discriminate against a protected group, with data suggesting that second home owners tend to be older people and identify themselves as English. The policy in relation to Council Tax Premium is intended to recognise that long-term empty properties and second homes increase some of Gwynedd's social problems, and the owners should make a financial contribution to alleviate some of the disadvantages they cause.

There is a claim that the policy of raising the Premium is racist because of where second home owners live, but a number of those who have answered the consultation note that Welsh people own a property in Gwynedd while their main home is outside Wales. The Premium will be charged based on the characteristics of the property, not the characteristics of the owner and there is a positive impact if local families can afford to buy a property in their local area rather than having to move away to get a home. There is recognition that there is a negative financial impact on people living outside Gwynedd, with a large number of them identifying themselves as English. In line with the requirements of the Equality Act 2010, increasing the level of the Premium is a proportionate means of achieving a legitimate aim, which is to fund a Housing Action Plan that addresses some of the damage that second homes and empty dwellings cause to the communities of Gwynedd.

4.5 If you are not taking any further action to delete or reduce the negative impacts, explain why here.

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The level of premium is ultimately a political issue, taken on the basis of the evidence available. Elected members will reach a decision on the appropriate balance between the additional cost to owners of second homes and long-term empty properties and the associated incentive of bringing properties back into use, against the social well-being that would result from the ability to realise specific schemes to address social disparity.

5) Monitoring

5.1 What steps will you take to monitor the impact and effectiveness of the policy or service (action plan)?

The setting of the Premium level will require an annual decision by the full Council. The Finance Department will continue to keep track of changes to the status of long-term empty properties and second homes, and act as necessary to assess if there are equality issues behind transfer to non-domestic rating.

Agenda Item 9

MEETING	Full Council
DATE	1st December 2022
TITLE	The Local Government Act 2021 – Gwynedd Council Self-Assessment 2021/22
PURPOSE	To approve and adopt Gwynedd Council Self-Assessment for 2021/22
CABINET MEMBER	Cllr Dyfrig Siencyn
CONTACT OFFICER	Dewi W. Jones, Council Business Support Service Manager

1 Introduction

- 1.1. This is a report presenting the council's first Performance Self-Assessment looking back at 2021/22. The report is identified as a new statutory request under the **Local Government and Elections (Wales) Act 2021**.
- 1.2. The Act provides for a new and reformed legislative framework for local government elections, democracy, governance and performance. It replaces the duties of the Local Government Measure (Wales) 2009.
- 1.3. The Act requires that a council must produce a self-assessment report in respect of each financial year. The report must set out its conclusions on the extent to which it met the performance requirements during that financial year, and any actions it intends to take, or has already taken, to increase the extent to which it is meeting the performance requirements. The performance requirements are the extent to which:
 - it exercises its functions effectively;
 - it uses its resources economically, efficiently and effectively;
 - whose governance is effective to achieve the above.
- 1.4. At its simplest level, a self-assessment relates to how the council meets the performance requirements and responds to the following questions:
 - How well are we doing?
 - How do we know that?
 - What can we do better and how?
- 1.5. There is a duty to publish a report setting out the conclusions of the self-assessment once in relation to each financial year and to complete the work "as soon as reasonably practicable after the end of the financial year in which it relates."
- 1.6. A duty to consult at least once in a financial year with local people, local businesses, council staff and trade unions is also stated. These consultations should be used to obtain feedback on the extent to which the authority is fulfilling the performance requirements.
- 1.7. The council already collects much of the evidence and publishes

documents containing the type of information that we're expected to include within the self-assessment. This includes documents such as (but not limited to) annual reports for Performance, Equality, Director of Social Services, Annual Statement of Accounts and Governance Statement. As a result, we have tried to keep the self-assessment document relatively concise with reference towards a number of the documents where further information can be obtained to try to avoid duplication.

- 1.8. The Governance Group has led/taken an overview of the process within the council to ensure that the work is owned and led at a strategic level.
- 1.9. The guidance issued by the Government suggests that the seven corporate areas common to the corporate governance arrangements of public bodies (as set out in the Well-being of Future Generations (Wales) Act 2015) should be used as a framework for the self-assessment, namely:
 - Corporate planning
 - Financial planning
 - Workforce planning (people)
 - Procurement
 - Assets
 - Risk management
 - Performance management
- 1.10. A draft of the self-assessment report needs to be submitted to the Audit and Governance Committee before it is finally published to give them an opportunity to submit any comments and recommendations. If the council does not make a change recommended by the committee, it must set out the recommendation and the reasons why the council did not make the change in the final self-assessment report.
- 1.11. At its meeting on the 17th of November the Council's Governance and Audit Committee proposed the following recommendation:
 - i. Consider including a reference to the support and training given to Elected Members under the heading Corporate Planning?

The Cabinet agreed to this suggestion at their meeting on the 22nd of November and therefore the following statement is contained on page 4 of the self-assessment which you are asked to adopt:

A programme to present information and training to all Councillors was undertaken at the start of the term following the election. The programme was prioritised to include general information about the Council and its services along with the main training sessions necessary for any Councillor to take on their role e.g. code of conduct, corporate parent. In addition, there were specific sessions for Councillors before they took on roles on different committees e.g. Cabinet Members, training for all scrutiny members as part of the workshops before members began their scrutiny work, and a number of other committees such as Planning, Licensing and

Audit and Governance. The training programme will continue in 2023/24 based on the priorities being identified by members of the Democracy Services Committee. In addition, there will be an opportunity for a personal development interview for each Councillor to identify specific developmental areas.

- 1.12. As we've already outlined this year is the first time we have conducted the self-assessment and this time it will be published as a stand-alone document. For the future we intend to integrate the work with the Council's performance challenge arrangements and include the self-assessment within the Annual Performance Report so that all information is within the same document. This document is normally prepared during April/May for submission to a meeting of the Full Council for approval at the beginning of July.
- 1.13. Failure to publish a Self-Assessment would likely result in statutory recommendations from Audit Wales, which would have implications for the reputation of the Council

2 Reasons for Recommending the Decision

- 2.1 In accordance with the requirements of the Local Government and Elections (Wales) Act 2021 The Council's Governance and Audit Committee has discussed Gwynedd Council's Self-Assessment report for 2021/22 and has had an opportunity to submit comments and recommendations. The Council Cabinet has discussed the report, seen in **Appendix 1** at its meeting on the 22nd of November, and recommended that the Council adopts the report.

3. Next steps and timetable

- 3.1 In accordance with the requirements of the Local Government and Elections (Wales) Act 2021 the document will be circulated to the following list of recipients within a four-week period following this meeting:
 - i. Auditor General for Wales
 - ii. Her Majesty's Chief Inspector for Education and Training in Wales
 - iii. Welsh Ministers.

4. Recommendation

- 4.1 The Council is requested to approve and adopt Gwynedd Council's Self-Assessment report for 2021/22

5. Views of the Statutory Officers

5.1 Views of the Monitoring Officer

The report emphasises that the performance assessment process is comparatively new and that incorporating these statutory arrangements into performance management arrangement continues. There are elements of the statutory requirements which still need to be developed and strengthened and I acknowledge the intention to ensure that these requirements are addressed in full for the next assessment.

5.2 Views of the Head of Finance Department

This is the first year of preparing Gwynedd Council's Self-Assessment in accordance with the requirements of the 2021 Act. I am satisfied that the contents of the self-assessment are a fair reflection of the Council's position, whilst recognising that the arrangements for the preparation of self-assessment will develop over the next few years. This includes the aspects of assessing the effective, efficient and economic use of resources, and the services within the Finance Department will contribute as appropriate to this work.

Appendices

Appendix 1 - Gwynedd Council Self-Assessment Report 2021/22.

The Local Government Act 2021 – Gwynedd Council Self-Assessment (Draft) 2021/22

Background

This report reflects Gwynedd Council's first self-assessment as expected under the Local Government and Elections (Wales) Act 2021. At its simplest level, the self-assessment is concerned with the way the Council meets the performance requirements, i.e. How well is it doing? How do you know that? And, what can it do to improve and how?

The Act requires each council in Wales to keep under review the extent to which it is meeting the 'performance requirements', namely the extent to which:

- it is exercising its functions effectively;
- it is using its resources economically, efficiently and effectively;
- its governance is effective for securing the above.

The intention of the self-assessment process is to encourage honesty, objectivity and transparency about the Council's performance and governance, including its key relationships between political leaders and officers and the way they are managed. An effective approach would be owned and led at a strategic level, but would also involve members and officers at all levels of the organisation and a variety of people across communities and partners.

Although this duty is new, it should be noted that the Council is already preparing a number of documents that contain the type of information we are expected to include within the self-assessment. This includes documents such as Performance, Equality, Director of Social Services' annual reports, Annual Statement of Accounts and the Governance Statement.

In the past, our performance reporting arrangements have focused on the progress of projects under our improvement priorities, namely:

- Create a viable and prosperous economy
- Give every pupil the opportunity to achieve their potential
- Reduce inequality within the county
- Ensure access to a suitable home
- Help people to live their lives through the medium of Welsh
- Help people who need support to live their lives as they wish
- Place the people of Gwynedd at the heart of everything we do
- Respond to the Climate Change emergency

A copy of the Council's Annual Performance Report for 2021/22 is available [here](#). The self-assessment will mean that we also consider our performance against corporate governance areas.

This document is a high-level summary of a strategic self-assessment of the Council's performance during 2021/22 with the results based on evidence from the documents listed above. Performance challenge meetings are held at a Departmental level every other month, looking at the progress of priority projects, service performance and the response to the main

risks within the Corporate Risk Register. The information then informs the regular performance reports presented by each Cabinet Member during the year together with an Annual Performance Report at the end of the financial year.

In the future, these reports will also address the progress against the issues requiring attention that will be identified within the self-assessment. These are the documents that provide information on how we have performed against our priorities in 2021/22, including progress against our well-being objectives. This year is the first time we have carried out the self-assessment and this time it will be published as a stand-alone document. The intention is to integrate the work with the Council's performance challenge arrangements and to include the self-assessment within the Annual Performance Report so that all the information is within the same document in the future.

The document includes an assessment of our governance arrangements using the seven corporate areas that are common to the corporate governance arrangements of public bodies, as suggested within the statutory guidelines of the Local Government and Elections (Wales) Act 2021, as a framework for the self-assessment, namely:

1. Corporate planning
2. Financial planning
3. Workforce planning (people)
4. Procurement
5. Assets
6. Risk management
7. Performance management

It was also decided to include a specific heading about the engagement work that takes place with residents, staff, stakeholders and Trade Unions.

We have already noted that much of the evidence for the self-assessment derives from the Annual Governance Statement and the table below outlines the link between the areas of governance risks that have been identified within that document and the themes for the self-assessment.

Self-assessment Themes	Areas of Governance Risk
Corporate Planning	Direction and vision Sustainability Lawfulness Being open Leadership Culture Conduct Decisions Stakeholders Planning operations

	Reviewing outcomes
Financial Planning	Finance Planning operations
Workforce Planning (people)	Workforce planning
Procurement	
Assets	Property assets Information Technology assets Information
Risk Management	Risk management Internal management Reviewing Outcomes Health, Safety and Well-being
Performance Management	Performance Accountability Reviewing outcomes
Engagement	Engagement

1. Corporate Planning

Gwynedd Council sets out its vision and priorities clearly, through its Corporate Plan – [Council Plan 2018-2023](#). The Plan was published five years ago in 2018, and every subsequent year an annual Plan is published which includes a review of all the priority projects. This happens through discussions between the Cabinet Members, the Departments and the Management Team. Further engagement with the rest of the Members is also part of review arrangements and in November 2021 two virtual sessions were held in order to give them the opportunity to comment on the priorities and secure political ownership of the Plan. There is a system in place to review the priority projects regularly to ensure they deliver, and to identify any obstacle that can cause slippage. Performance reports are presented by individual members to the Cabinet twice a year as well as a very brief update of the progress of all the Council Plan projects three times a year (July/September, December and March). The [annual Performance Report for 2021/22](#) is published in July and it can be seen that the majority of projects have been completed. This is a balanced report which also draws attention to any failure when it was not possible to deliver within the timeframe, as seen with the post-16 education provision project in Arfon.

A programme to present information and training to all Councillors was undertaken at the start of the term following the election. The programme was prioritised to include general information about the Council and its services along with the main training sessions necessary for any Councillor to take on their role e.g. code of conduct, corporate parent. In addition, there were specific sessions for Councillors before they took on roles on different committees e.g. Cabinet Members, training for all scrutiny members as part of the workshops before members began their scrutiny work, and a number of other committees such as Planning, Licensing and Audit and Governance. The training programme will continue in 2023/24 based on the priorities being identified by members of the Democracy Services Committee. In addition, there will be an opportunity for a personal development interview for each Councillor to identify specific developmental areas.

There is room to improve and strengthen the role of Scrutiny Members in the Corporate Planning work, ensuring a link between the Scrutiny programme and the realisation of the Council Plan priorities and also to hold the Cabinet to account in relation to performance. At the beginning of 2022/23, a new performance challenge procedure was introduced which strengthens in a practical way the role of scrutiny members in the performance challenge meetings, and consequently their link with the Corporate Plan (see the 'Performance Management' section in the self-assessment for more details).

It is also noted that the Governance and Scrutiny Committee has found it difficult to attract suitable lay members onto the committee as required within the Local Government and

Elections Act 2021 which means that we do not have the expected number of lay members at present.

Our corporate plans comply with statutory requirements/guidelines or relevant legislation but there is room to strengthen this link. While a document such as the Council Plan 2022/23 in general addresses the specific statutory requirements of the Well-being of Future Generations (Wales) Act 2015 and refers to the objectives and the five ways of working, there is little evidence that it has permeated to become a basic element of direction setting and been mainstreamed. Further work is needed to ensure that the Well-being Act and other statutory requirements are fully integrated within our corporate planning frameworks, rather than doing so in a way that is reactive and fragmentary in nature. The role of Statutory Officers needs to be more essential when setting a path, and at present, they tend to be involved too late in matters.

Work is already underway to look at how to create a better structure and arrangements for the Council Plan 2023-28. It is also intended to look at how the statutory requirements of the Act are in line with the principles of Ffordd Gwynedd, namely the working culture the Council has adopted, to ensure that it is a core consideration when planning but also that we are able to testify how we contribute to the principles.

No formal procedure exists for self-assessment using current information (e.g. Audit reports, customer feedback, achievements) to guide Department Plans. By now, the majority of Services have established purposes that are relevant to the residents of the county and have quantitative measures that indicate contribution to the purpose. It is noted, however, that the arrangements vary across the Council with some Departments having more mature arrangements than others. *(The Council's performance management framework is developing well although implementation is currently variable, and reporting is difficult to navigate - Review of Performance Management - Gwynedd Council: Audit Wales - January 2022.)*

In general, the Council has a suitable governance procedure in place. The Council's Constitution is a public document which sets out the governance arrangements and guidance is provided to reinforce this. The Governance Arrangements Assessment Group retains an overview of governance issues within the Council. The Group comprises the Corporate Director, Monitoring Officer, Section 151 Officer, Head of Corporate Support, Assistant Head of Corporate Support, the Risk and Insurance Manager and the Council's Business Support Service Manager.

In addition, the Council publishes an annual Governance Statement which outlines our governance arrangements and their effectiveness by following the principles of the CIPFA/Solace Delivering Good Governance in Local Government Framework. A copy of the [Governance Statement 2021/22 can be found here](#).

What is good?

- A clear vision and priorities set out within the Council Plan.
- A procedure in place to review the priorities of the Council Plan consistently and regularly.
- Political ownership of the Council Plan, with the Cabinet Members and other Members involved in the process of its development and review.

What needs to be improved?

Improvement	Responsibility
We will:	
<ul style="list-style-type: none"> • strengthen the role of Scrutiny Members in the corporate planning work, ensuring a better link with the scrutiny programme and ensure that they hold the Cabinet Members to account. 	Leadership Team/Democracy and Language Service
<ul style="list-style-type: none"> • We will look to strengthen our internal arrangements to ensure that statutory requirements/guidelines or legislation are a core element and are better integrated with our corporate planning work. 	Leadership Team/Statutory Officers
<ul style="list-style-type: none"> • Review our self-assessment arrangements based on the experiences of the first year and also look at good practice within other Councils. 	Governance Arrangements Group/Council Business Support Service

2. Financial Planning

Gwynedd Council is responsible for ensuring that it conducts its business in accordance with the law and appropriate standards and that public money is safeguarded, properly accounted for, and used economically, efficiently and effectively.

Despite the COVID-19 crisis and the ongoing requirements to achieve challenging savings, the final financial position of the Council's departments for 2021/22 confirms that there has been effective financial management. In 2021/22, the Council was underspending, and Cabinet members approved a net underspend of services of £791,000 for the year. However, significant pressure remains in the Highways and Municipal Department, meaning they have overspent during the year. This situation is under continuous review.

The Council has effective arrangements for financial planning and management to ensure continuation of service, including accountants and internal auditors, led by the chief finance officer. Internal auditors have a focus on effective arrangements and controls in financial systems, while the accountants work closely with the departments and encourage managers' ownership of their systems, performance, and financial propriety.

Every year, the Council prepares its [Financial Strategy](#) which ensures a balanced Budget to ensure continuation of service. The Council also publishes a [Statement of Accounts](#) at the end of each financial year, which shows how annual expenditure is spent. The work of reviewing expenditure against budgets, and monitoring that savings have been achieved by all the Council's departments, ensures that the services operate efficiently. In September 2021, Audit Wales published a report confirming that the Council's financial management was good. The report can be seen [here](#).

However, one recommendation was that it was necessary to look more to the future in order to anticipate the organisation's financial situation for the years to come. Gwynedd Council's Medium-Term Financial Plan has been under ongoing review since the start of the financial year, as the financial gap facing the Council (like all other local authorities) increases rapidly as the impact of unprecedented levels of inflation affects the Council's ability to fund its services. Saving programmes will be one of the Council's top priorities in responding to this financial situation, and we will report to members, staff and the public regularly about the situation. As a result, a modified Medium-Term Financial Strategy will be presented to Cabinet when the 2023/24 financial settlement, indicative for 2024/25, becomes clearer in December 2022. This will help the Council to look at how to interweave its Financial Planning arrangements with the requirements of the Well-being of Future Generations Act.

The Council also needs to give further consideration to how it can involve residents in significant financial decisions. In the past the Council has consulted occasionally on its plans to achieve savings, for example, through the Gwynedd Challenge exercise in 2016 and the Financial Strategy consultation in 2019. It also holds workshops with Members at Council tax level and engages on Non-domestic Rates annually. The Council recognises that there is a need to be more open about financial decisions and engage more often, in order to ensure that the people of Gwynedd have an input on decisions.

What is good?

- The Council underspent during 2021/22.
- The Council has effective arrangements for financial planning and management and external auditors confirm that the Council's financial management is good.

What needs to be improved?

Improvement	Responsibility
We will:	
<ul style="list-style-type: none"> • Look to the future in order to anticipate the Council's long-term financial situation by preparing a Medium-term Financial Strategy. 	Head of Finance
<ul style="list-style-type: none"> • Consider the greatest ways to engage and involve residents in significant financial decisions and action 	Head of Finance/Communication and Engagement Service

3. Workforce Planning (people)

The feedback from staff members shows that the Council is, on the whole, a 'good place to work', and compared to a survey carried out in 2019, the results for 2021 showed an increase in this statement's score. There is further work to be done, however, in the areas of staff appreciation and fair wages. (See the Engagement chapter for more information on the Staff Voice Survey.)

To ensure that the Council is in a position to provide services that always place the residents of Gwynedd at the heart, we must ensure that we have the right staff in place with the correct skills. Although COVID-19 has highlighted an effective and committed workforce, this period has also highlighted the challenges of attracting and retaining staff across the Council, with working from home and hybrid working arrangements having meant that working for organisations beyond the area has become more attractive to officers.

By now, planning a suitable workforce for the future is one of the main priorities within the Council Plan and receives attention corporately rather than solely in the Adults and Children field, where problems existed in the past. During 2021/22, 13 new Apprentices and seven Professional Trainees (through the Managers of Tomorrow and Specialists of Tomorrow schemes) were appointed to areas identified as a priority across the Council. There are also examples of the success of the Scheme, with individuals who have started the Apprenticeship Scheme receiving promotions and permanent positions within the Council.

The People Plan prioritises improving arrangements for nurturing talent within the Council, and ensuring that our learning and development arrangements focus on the necessary elements, e.g. through the Developing Potential Scheme. As part of the priority project 'Women in Leadership', a specific Development Plan was established for women, as they have been identified as a cohort that is reluctant to apply for higher positions. This is seen in the low percentage of women who perform a managerial function within the Council, which is disproportionate to the number within the workforce as a whole, i.e. 70% women and 30% men.

While the workforce planning project brings several departments together to collaborate in order to tackle the problems of attracting and retaining staff, the Council tends to be reactive in nature rather than planning for the long-term. One weakness of Managers (on the whole) is the failure to look ahead 5-10 years considering the age of current staff and the specialisations needed for the future, which has the potential to have a significant impact on continuation of service. The Council also intends to update and review its People Plan Strategy during the year.

What is good?

- On the whole, staff feel that the Council is a good place to work, and this has increased between 2019 and 2021.
-

- The success of the Apprenticeships Scheme, Specialists of Tomorrow and Managers of Tomorrow schemes, Developing Potential Scheme as part of the Grow our Own Talent Development Scheme.
- 'Workforce Planning' has been identified as a cross-departmental priority project within the Council Plan for 2022/23.

What needs improving?

Improvement	Responsibility
We will:	
<ul style="list-style-type: none"> • Implement a project to address the current staff recruitment problems the Council is experiencing. 	Human Resources Advisory Service
<ul style="list-style-type: none"> • Provide guidance and advice to services in order to establish long-term workforce planning practices, so that recruitment and retention problems can possibly be avoided for the future. 	Human Resources Advisory Service

4. Procurement

Procurement is the process that enables the Council to manage the acquisition of all its goods, Services and work. The purpose of the Procurement Rules is to ensure that the Council receives value for money and the necessary level of quality and performance and that all procurement activity is carried out in an open, correct and accountable manner.

The Council has already adopted the [Sustainable Procurement Policy](#) which complies with the principles of the Well-being of Future Generations (Wales) Act 2015. By adopting the Policy, the intention is to consider the possible social, economic and environmental impact that our procurement decisions can have and what steps can be taken to make the best possible use of the council's expenditure, for the good of the county.

The Council's procurement activities show that 60% of this expenditure remains within Gwynedd, and through the 'Keeping the Benefit Local' project, the Council is endeavouring to find new ways of supporting local businesses to compete and win contracts. One aspect of the work is to move to a tender assessment approach based on social value, rather than just price and quality. The piloting of this approach was carried out during 2021/22 and a further analysis will be carried out during 2022/23 to see if it is necessary to introduce changes to the procedure in order to ensure that as much of the Council's expenditure as possible remains in Gwynedd.

The Council published its [Climate and Nature Emergency Plan](#) in March 2021 which includes a section on the work of calculating the carbon emissions deriving from procurement activities. While continuing to implement the Sustainable Procurement Policy, over the next few years the Council will also be looking to provide support to the market, particularly to local providers, to be able to measure the impact of their operations on their carbon footprint and will continue to assess its internal processes of setting criteria to measure tenders in order to ensure that it measures the environmental impact of contracts.

The Procurement Team provides advice and support to services, and ensures that the organisation adheres to its Procurement Regulations. The team's aim is to strengthen and develop the procurement specialisation within the Council, adopt best practice in the field and support the local market. There are also Category Management arrangements (Environment, Corporate and People) in place in order to look at procurement strategically and put more emphasis on conducting a thorough analysis of the market, encouraging more collaboration. We have little evidence as to how effective and efficient our internal procurement arrangements are and this is something we will address in the future.

What is good?

- The Council's procurement activities show that 60% of this expenditure remains within Gwynedd.

- Further projects are underway as part of the Climate and Nature Emergency Plan, in order to calculate and reduce the carbon emissions deriving from procurement activities.

What needs to be improved?

Improvement	Responsibility
We will:	
<ul style="list-style-type: none"> • Develop a set of measures to establish how effective and efficient our procurement category management arrangements are. 	Procurement Service

5. Assets

In order to achieve the objectives and improvement priorities in the Council's Corporate Plan, services have to use a number of various assets. In order to set out its assets vision, the Council has published its Corporate Asset Plan 2019/20-2029, and this is available for residents to read on the Council's website [here](#).

In order to create the Plan, discussions were held with departments so as to identify their likely asset needs over the next 10 years. A number of the plans involved preventive work, and looked at the long term in accordance with the requirements of the Well-being of Future Generations Act (Wales) 2015. Each Member of the Council had the opportunity to play a part in the process of prioritising those plans by identifying the priority he or she considered should be given to an individual plan. The Asset Plan and the Corporate Plan and the Council's Capital Plan are closely linked.

The Council's assets can be divided under two headings, namely Land and Property Assets and Information Technology Assets. One potential risk identified in the [Council's Annual Governance Statement](#) is that the Property Assets are not used to their full potential. At the moment, however, this risk score is low as a number of buildings that were no longer needed have been disposed of in accordance with the results of the work to create the Asset Plan 2019/20-2029. In terms of Council vehicles, there is a plan implemented to try and make better use of the Council's fleet that has already presented some financial savings and is likely to achieve more in the future.

The risk that the Council's Information Technology Assets are not used to their full potential is slightly higher. Using technology in an effective way is a crucial tool to ensure that services are provided in a manner that meets with the requirements of our residents, doing this in a cost-effective way. The Information Technology Strategy places particular emphasis on bringing digital services closer to the people of Gwynedd by introducing a range of new services such as apGwynedd, "My account" and the increased option of submitting requests for services online, as well as face to face or on the phone. However, there is a risk that this is not happening quickly enough and we face further risks in terms of security and cyber resilience.

The Council is currently reviewing the Asset Plan in order to provide an opportunity to reconsider and re-prioritise following the COVID-19 period, to ensure that it reflects wider changes such as Information Technology and Data. It will also be necessary to consider the challenge of adapting our buildings for the new way of working, including hybrid working arrangements for the future.

The Council does not engage more widely when creating the Asset Plan, however, specific engagement work is carried out when developing some of the individual plans. One recent example is the engagement on the development of plans for Canolfan Dolfeurig, a day centre in Dolgellau for people with learning disabilities. This takes place at a departmental rather than corporate level.

What is good?

-
- A long-term Asset Plan in place which includes priorities up to 2029/30.
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What needs to be improved?

Improvement	Responsibility
We will:	
<ul style="list-style-type: none"> • Review the Council's Asset Plan to ensure that the priorities remain up to date due to the experiences and developments of recent years. 	Chief Executive

6. Risk Management

There are robust arrangements to monitor our compliance with some specific types of operational risks. A new Corporate Risk Register was launched in March 2021 and the system has proven to be a convenient facility for users in all Departments. It is now much easier to make a link between the risks as Departments consider their priorities and identify what needs to be done in response, and it also helps Members to challenge performance and ensure that the expected measures have been taken to reduce the risk.

The Head of Finance will prepare and promote the Authority's policy statement and risk management strategy. The risk management strategy is owned at a corporate level through the Governance Group referred to above and the Governance and Audit Committee which is responsible for challenging the governance risk scores. The Senior Audit and Risk Manager will ensure that a procedure exists to measure the efficiency of the risk management process, and that all findings from the monitoring procedure will be fed back to the risk management cycle.

When dealing with the COVID-19 crisis, the Council had not planned for a national lockdown period. However, work had already been carried out in order to categorise Services from 1 to 4 on the basis of 'essential' work. This enabled the organisation to prioritise, ensuring the continuation of 'essential' services back in March 2020. It is also important to acknowledge that the lessons learned in dealing with the COVID-19 crisis have been valuable in subsequent crises, e.g. the war in Ukraine, with a specific team quickly established to support the refugees in Gwynedd.

Although the risk management procedure and strategies for the future are generally improving and strengthening, the Governance and Audit Committee needs to satisfy itself that arrangements are in place to deal with risks in an appropriate manner.

What is good?

- A new Corporate Risk Register was launched in March 2021 and the system has proven to be a convenient facility for users in all departments.
- Lessons learned in dealing with the COVID-19 crisis have been valuable in dealing with subsequent crises, e.g. the war in Ukraine.

What needs to be improved?

Improvement	Responsibility
We will:	
<ul style="list-style-type: none"> • Review our arrangements to ensure that the Governance and Scrutiny Committee can satisfy itself that arrangements are in place to deal with risks in an appropriate manner. 	<ul style="list-style-type: none"> • Head of Finance/Governance Arrangements Group

7. Performance Management

At the beginning of 2022/23, a new procedure was introduced for challenging the Council's performance. In accordance with the new procedure, all Council Departments hold an internal performance challenge meeting every other month, and report to the Cabinet twice a year. The internal meetings bring together the Head of Department, Cabinet Member, Chief Executive or Corporate Directors and Service Managers on a regular basis, and there is an opportunity to challenge the progress of improvement priority projects and the performance measures of the Department's services (i.e. the day-to-day work).

The Members have an essential role within the new performance system. As well as a Cabinet Member who will attend every performance meeting in their department, a shadow Cabinet Member and Members of the Scrutiny Committees also attend two meetings a year, and the Leader of the Council once, to ensure an appropriate challenge procedure and identify whether performance improvement is needed. As already stated in chapter 1, a procedure is also in place to review the performance of priority projects, with all Cabinet Members receiving a very concise update three times a year which provides an overview of the progress of all the Council Plan projects.

There is concern about the ability to respond to concerns in a timely manner, and while the issues that arise are addressed centrally, this may not be so true at Departmental level. It is also true that some Departments have adapted to the system and have 'bought into' and adapted to the change faster than others. The Heads, Cabinet Members and Scrutiny Members have received a guide explaining the new performance system and it will be necessary to give all the Departments and Members time to adapt over the coming months.

Each Cabinet Member reports to the Cabinet twice a year in public. However, at the moment, the performance challenge reports and monthly data are not available to Gwynedd residents. The [recent Audit Wales report \(January 2021\)](#) on our performance management arrangements notes that '...the Council's performance management framework is developing well although implementation is currently variable, and reporting is difficult to navigate'.

The report also draws attention to numerous and lengthy performance reports, which do not contain important information and therefore make it difficult to get an unbiased overall picture of the Council's performance. Measures have now been put in place in order to respond to the recommendations in the report, including presenting a template and guidance to be circulated to all Heads of Department. The hope is that this will simplify the performance challenge documents, and make it possible for residents to browse through the data in due course. Our measures look at our performance against purposes that have been developed to reflect what is important to the residents of Gwynedd. As a result, little comparison is made with other local authorities when looking at Gwynedd Council's performance, unless there is a real value in doing so.

In the past, Public Accountability Measures (PAMs) were published annually to enable authorities to benchmark against a series of key measures across a number of different areas.

This information has not been collated in full (due to the pandemic) since 2018/19, therefore it is not possible to compare with other authorities for measures in a number of areas.

While the Council engages with residents on its decisions and priorities (see the Engagement chapter below), at the moment we do not engage specifically on performance. Further work is required in conjunction with the Council's Communication and Engagement Service in order to look at how we can consult with stakeholders on our performance, but we will need to be wary of consultation fatigue as we are already seeking the views of our residents on several topics and various schemes.

The Corporate Complaints Procedure continues to work well. The Service Improvement Officer ensures that we learn lessons from any complaints, and avoid repeating mistakes. The Complaints and Service Improvement Service has been able to continue to operate to deal with public concerns and to support services throughout the pandemic period.

What is good?

- A new performance challenge system in place for 2022/23, which in time hopefully ensures a more transparent and comprehensible system.
- The role of Members within the Performance system has been highlighted and current guidelines have been circulated to Cabinet Members and Scrutiny Members.

What needs to be improved?

Improvement	Responsibility
We will:	
<ul style="list-style-type: none"> • Act on the measures that have already been put in place in response to an audit of performance challenge arrangements conducted by Audit Wales in 2021/22 and continue to monitor the success of those arrangements, reviewing if necessary. 	Leadership Team/The Council's Business Support Service
<ul style="list-style-type: none"> • Develop and improve our arrangements for reporting to the public on the performance of our services. 	Each Department/The Council's Business Support Service

8. Engagement

The People of Gwynedd

A range of corporate engagement procedures have been carried out to ensure that the Council receives the public's views on its priorities and on significant decisions. In 2020/21, around 8,000 responses were received to the Council's public consultations on various topics.

One of the main corporate consultations in 2021/22-2022/23 was 'Our Area 2035', namely the engagement linked to the Regeneration Framework work and departmental engagement work such as the Housing Strategy. The purpose of the exercise was to collaborate with residents, groups and organisations to help communities to identify those priorities that would need to be addressed over the next 10-15 years and to create and realise community regeneration schemes. For this work, Gwynedd was split into 13 smaller regeneration areas in order to hold the conversations on a very local level. This exercise was undertaken in two parts:

1. September - December 2021: Holding interviews over the phone or virtual meetings via Microsoft Teams with 157 community groups and initiatives, Councillors, Community, Town and City Councils. The purpose of this was to gather qualitative data and initial messages that are important for Gwynedd communities.
2. February - June 2022: Wider engagement with the residents of Gwynedd, by experimenting with a dashboard on 'Have your Say Gwynedd' using the Engagement HQ software. It was also organised to ensure that the engagement exercises reached groups and cohorts such as young people, LGBT+ people, older people and adults with learning disabilities.

More than 3,000 people responded to the exercise and over the next few months the Council will work with communities to create 13 individual Area Plans. The work has also informed Gwynedd and Anglesey Public Services Board's Well-being Assessment, and is an important basis for the new Well-being Plan which will be published in 2023.

The Council also has a Citizens Panel to ensure representation from a cross-section of Gwynedd residents, and that their voice is central as the Council plans, provides and reviews local services for the future.

The Communication and Engagement Service leads on corporate engagement exercises and it also supports individual services to engage in the most appropriate way.

Staff

It is important that the Council is aware of the views of its staff and gives them the opportunity to provide feedback on what sort of employer the organisation is. To this end, Voice of the Staff Questionnaires are circulated to a sample of 25% of staff in each

department on a regular basis. The survey requires a score from 1 to 5 per statement and therefore it is possible to 'track' answers from cycle to cycle. The work had to be delayed during the COVID-19 period, but it is now possible to compare a survey carried out in 2019 with the results for 2021. The survey asks about areas related to their job, their service and also the Council as an organisation. It looks at issues such as continuous evaluation, managers' support, workload and resources needed to carry out a job. The survey is completely anonymous and the results are shared by Department with the Heads, so that they have the opportunity to respond to the main messages or any specific challenge relating to the Department. The results are also shared with the entire workforce via the intranet, the weekly bulletin and staff's self-service.

In addition to the corporate survey, some departments have undertaken further work to ascertain the opinion of staff on a regular basis. The Corporate Support Department and YGC Department have been accredited with 'Investors in People' in recent years and in October 2021, the Corporate Support Department was awarded a Gold Standard level for the Investors in People Health and Well-being Assessment. Further work has also been done internally by the Environment Department and the Adults Department to ensure that staff have the opportunity to provide feedback or give input on health and well-being issues.

The Council acknowledges that there is an additional challenge when engaging and communicating with front-line staff such as carers or refuse workers. Before the COVID-19 period, the Communication and Engagement Service worked with the Learning and Development Service to hold roadshows in locations such as Refuse Centre depots, in order to provide staff with information and give them the opportunity to have their say. Although there was a recent effort to do this virtually with the Trunk Roads Department, it has been difficult to engage face-to-face with front-line staff during the COVID-19 period.

Stakeholders

The Council has several stakeholders and partners that it works with on a regular basis. The willingness of public sector bodies, including Gwynedd Council, other neighbouring unitary councils, the Police, the Health Board, the third sector and others to collaborate in order to deliver public services jointly may have a substantial and visible effect on the people of Gwynedd.

The Council engages with several partners through the Public Services Board. Work is taking place to create a new Well-being Plan, and the relationship between the organisations has matured over the five years since the Board was established following the Well-being of Future Generations (Wales) Act 2015.

The Council's relationship with the Third Sector also continues to evolve. The Third Sector Liaison Group is a forum to make the most of the key connections in order to engage with county organisations, and ensures that the relationship maximises the benefit that may derive from this for the people of Gwynedd.

Trade Unions

The Council has arrangements to regularly engage with the recognised trade unions. There is a joint meeting between human resources officers, health and safety officers and officers of the three unions, Unison, GMB and Unite, on a monthly basis, where there is an opportunity to share information and discuss corporate employment issues, and any corporate decisions that may impact on the organisation's employees. There is also a monthly meeting between an officer from each union and the human resources manager, when there is an opportunity to discuss issues that are relevant to the individual union only. In addition to this, an annual meeting is held between union officers, Council officers and a committee of elected members, when there is an opportunity to discuss the high-level challenges facing the Council as an employer. This committee is known as the Local Joint Consultative Committee.

The unions are supportive of these arrangements and have not voiced any concern about shortcomings in the Council's ability to share information in relation to this.

What is good?

- During 2021/22, Our Area 2035 engagement work was carried out to look at the priorities of the County's residents for the future, doing so in a cohesive manner with the intention of avoiding duplication of work. The results of this work have been used to guide future priorities in a number of areas such as Housing, Adults and Highways and Municipal and have also fed into the development of the Services Board's Well-being Plan for Gwynedd and Anglesey.
- Effective arrangements in place to engage with different cohorts.

What needs to be improved?

Improvement	Responsibility
We will:	
<ul style="list-style-type: none"> • Review our engagement arrangements to ensure that we receive regular input from different cohorts on performance and governance issues. 	Communication and Engagement Service/The Council's Business Support Service

Agenda Item 10

Meeting	Full Council
Date	1 December 2022
Subject	Appointment of Members to the Standards Committee
Aelod Cabinet	Cllr. Menna Jones
Awdur	Iwan Evans, Monitoring Officer
Decision Sought	Approval for the appointment of an Independent Member to the Standards Committee

Background

1. The Gwynedd Standards Committee comprises five independent members, three Gwynedd councillors and one community councillor
2. The term of office of two of the independent members have or are about to come to an end. As both have served two terms they are not eligible to be appointed for a further term.
3. The appointment of members of the Standards Committee is governed by the Standards Committees (Wales) Regulations 2001 ("the Regulations"). The Regulations require the Council to carry out a public recruitment exercise as specified in the Regulations and to establish an appointments panel (comprised of up to five panel members, and including one lay panel member and one community councillor), to assess applications against the criteria established by the Council for the post, and to make a recommendation on appointment to full Council.
4. The decision on appointment must be made by full Council, having regard to the recommendation of the Appointments Panel.
5. The vacancies were advertised in accordance with the statutory provisions and one application was received.
6. An Appointments Panel was established, which comprised Dr Einir Young, Chair of the Standards Committee, Community Councillor Richard Parry Hughes (Community Member of the Standards Committee), Gwynedd Councillors Dewi Owen and Annwen Hughes and Mr Griffith Jones as lay member.
7. The Panel, supported and advised by the Monitoring Officer, interviewed the candidate on 9th November 2022. Having regard to the criteria set out in the person specification for the role, the Panel recommended the appointment of Mark Jones.
8. Mark lives in Bangor and is a former police Chief Superintendent with 30 years experience in a variety roles, including as Head of Professional Standards for North Wales Police. He served as a Community Governor and Vice Chair at Ysgol Glanadda for 20 years. He is also a former Chair of Adra, where he continues to serve as a Board member.

9. The Regulations provide that the independent members' terms of office must be set at between four and six years.

10. Efforts will continue to recruit another member to fill the remaining vacancy.

Recommendation

11. The Council is recommended to approve the appointment of Mark Jones as Independent Member of the Standards Committee, for a term of 6 years.

Views of Statutory Officers

Monitoring Officer

Responsible Officer

Chief Finance Officer

No objections from the perspective of financial propriety

Agenda Item 11

Meeting	Full Council
Date	1 December 2022
Subject	Recommendation of the Interview Panel – Appointment of Lay Member of the Governance and Audit Committee
Chair of the Panel	Councillor Ioan Thomas
Author	Head of Finance

1. The Local Government and Elections (Wales) Act 2021 has modified the Local Government Measure 2011 in relation to the governance and audit committees of Welsh local authorities.
2. Where previously, there had to be one lay member on the Committee, by May 2022 at least a third of the Committee's members must be lay members (and the Chair must be one of those lay members).
3. At its meeting on 2 December 2021, full Council decided that the Governance and Audit Committee will have 18 members, with 12 members being members of Gwynedd Council and 6 lay members from May 2022.
4. The relevant report can be found here:
[Item 11 - Local Government and Elections Wales Act 2021 - Audit and Governance Committee.pdf \(llyw.cymru\)](#)
5. The Council's Constitution states that lay members of the Governance and Audit Committee must be appointed by the full Council on the recommendation of and appointment panel.
6. At its meeting on 3 March 2022, the full Council appointed the following as Lay Members of the Governance and Audit Committee for a period of 5 years:
 - Mr Hywel Eifion Jones
 - Mrs Sharon Warnes
 - Mr Rhys Parry
 - Mrs Clare Hitchcock
7. This means that two lay member seats remained vacant. After initial advertising over the summer failed to attract interested parties, there was a third round of advertising which closed on 16 November.
8. On 24 November, a candidate was interviewed by a panel comprising the Chair of the Council (Councillor Elwyn Jones), the Chair of the Democracy Services Committee (Councillor Dewi Owen), and the Cabinet Member for Finance (Councillor Ioan Thomas). The panel was advised by the Statutory Finance Officer (Dewi Morgan) and the Monitoring Officer (Iwan Evans).

9. Following careful and thorough consideration of the application, the Panel determined that the applicant met the criteria, and it should be recommended to the full Council that **Carys Edwards** is appointed as a lay member of the Committee.
10. Carys Edwards is the current Chair of the Board of Grŵp Cynefin and is former chair of the Association's Governance Committee. Carys also sits on various panels at Grŵp Cynefin and contributes to the strategic work of the Association including guiding Board members in discussions, policy scrutiny and key plans. Prior to this, Carys held senior positions at Cyngor Sir Ynys Môn and Welsh Government. Between 1991 and 1999 Carys was an officer at Cyngor Gwynedd's Social Services Department.
11. This means that one lay member seat remains vacant and we will move forward to try to fill this vacancy without delay.

Recommendation

To appoint Mrs Carys Edwards as a Lay Member of the Governance and Audit Committee for a period of 5 years.

Views of the local member

Not a local issue

Views of statutory officers

Monitoring Officer:

I can confirm that the Panel has carried out its functions appropriately and in accordance with the arrangements which were established by the Council for appointing lay members of the Governance and Audit Committee.

Head of Finance:

Author of the report

GWYNEDD COUNCIL



Report to a meeting of Gwynedd Council

Date of meeting:	1 December 2022
Title of Item:	Petitions Scheme
Cabinet Member:	Councillor Menna Jones
Contact Officer:	Iwan Evans, Monitoring Officer and Ian Jones, Head of Democratic Services

1. THE DECISION SOUGHT

The Full Council is asked to adopt the Petitions Scheme.

2. THE REASON FOR THE NEED FOR A DECISION

Part 3 of the Local Government and Elections (Wales) Act 2021 notes the need for Local Authorities to adopt a Petitions Scheme. The Cabinet is asked to approve it and recommend it to the full Council.

3. INTRODUCTION

A statutory requirement is placed on the Council to adopt a Petitions Scheme which notes how the Council will deal with petitions.

The Scheme must note:

- (a) How to submit a petition
- (b) How and by when the receipt of the petition will be acknowledged
- (c) Steps that can be taken in response
- (d) Circumstances when the Council can choose not to take any further steps in response
- (e) How and by when will the Council ensure that a response to the petition is available.

Petitions are one way for individuals, community groups and organisations to participate in the democratic process, by raising matters that are of concern to the public with the Council, and allowing Elected Members to consider the need for change.

This Scheme sets out the steps the Council will take when it receives a petition from individuals, community groups and organisations. It puts a process in place which addresses the requirement in the act, highlights how to proceed to submit

the petition and what can be expected in response.

The requirements in terms of submitting a valid petition is outlined and it is highlighted who may sign the petition and how the Council will confirm a valid petition. Valid petitions received will be published on the Council's website, including the subsequent actions.

It is highlighted that legal and statutory requirements of holding a consultation cycle or statutory response periods are operational in a few specific fields, such as Schools' Restructuring and the Planning fields and it is emphasised that no petition will be accepted outside those statutory arrangements.

4. Equality Act 2010

In accordance with the legal duties under the Equality Act 2010, when making decisions, due attention must be given to the need (1) to eliminate unlawful discrimination (2) advance equality of opportunity and (3) encourage good relations based on the protected characteristics. As a Petitions Scheme falls within the decisions that could be considered strategic, there is a duty to give due attention to act in a way that has been designed to reduce the inequalities that derive from "socio-economic" disadvantage. The attached impact assessment confirms that there are no specific impacts that would support any diversion from the recommendation.

5. The Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 involves improving the social, economic, environmental and cultural well-being of Wales. The act places a well-being duty on public bodies which is aimed at delivering the seven well-being goals, namely a prosperous, resilient, healthier, more equal Wales with cohesive communities and a vibrant culture and thriving Welsh language which is globally responsible. Given the context, the recommendations are in accordance with these duties.

6. ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION

This Scheme was discussed by the Democratic Services Committee on the 15th of November, changes were made to the Scheme following their comments.

The Cabinet decided to recommend that the Full Council adopt this Petitions Scheme for the meeting that took place on the 22nd of November.

The Statutory Officers' observations

Monitoring Officer:

The recommendation is the outcome of the work of a Project Team of which I am a member. I am satisfied with the propriety of the recommendations and confirm the Legal context.

Head of Finance Department:

Introducing a Petition Scheme is one of the new requirements placed on the Council by the Local Government and Elections (Wales) Act 2021. I am satisfied that no financial commitment would directly arise from the decision sought and I have no objection to it.

Appendices:

Appendix 1 – Petitions Scheme

Appendix 2 – Equality Assessment

Petitions Scheme

Overview

Petitions are one way for individuals, community groups and organisations to participate in the democratic process, by raising matters that are of concern to the public with the Council, and allowing Elected Members to consider the need for change.

Petitions can have positive outcomes that lead to change or steer discussion.

Before considering whether a petition should be raised, it is suggested that you discuss the matter with your Local Councillor who could assist you with the matter or explain how to submit observations on a specific subject to the correct person within the Council.

Who can raise a petition?

Anyone who lives, works, owns a business, a landowner / taxpayer or studies in Gwynedd can sign or submit a petition, including those over 16 years of age. Anyone who lives in the area of a nearby Council can also sign or submit a petition IF there is a reasonable reason for the subject of the petition to affect them directly.

Petitions can be submitted on paper or electronically, using an on-line petitioning system that satisfies the requirements of a valid petition, or a combination of both.

Considering a Petition

A petition can be considered by the relevant member of the Cabinet, a report to the Cabinet, report to the relevant Scutiny Committee or a meeting of the Council.

Note that statutory arrangements exist in a few specific fields (e.g. Schools Restructuring and the Planning Field). A petition will not be accepted outside those statutory arrangements.

The Head of Democracy Services and the Monitoring Officer will consider the petitions submitted, decide whether the petition is acceptable based on the following criteria for a valid petition, and will advise on which appropriate body will consider it. Confirmation will be needed regarding the validity of the petition before it is published on the Council's website.

Requirements for a Valid Petition

Main Petitioner

Every petition requires a lead petitioner to be noted, who will act as a contact point for the petition. Here are the requirements that are necessary for the main petitioner:

1. The name of the main petitioner could be an individual who lives, works or studies within Gwynedd, a landowner / taxpayer or organisation located in Gwynedd.
2. The main petitioner must note the home / work / organisation address in full, and an e-mail address (if you have one) or contact information where any correspondence relating to the petition can be sent.

The Petition

The Council will consider every petition with more than 100 signatories that falls within the scope of this Scheme. The Council can use its discretion where fewer than 100 signatories are received in cases where there is clear local support for action (e.g., where the residents of a small community have petitioned for traffic calming measures).

Petitions can be submitted either on paper or electronically.

The petition must:

1. include a clear, concise statement dealing with the subject of the petition. The petition may be returned if it is ambiguous;
2. relate to a matter for which the Council is responsible.
3. call on Cyngor Gwynedd to take specific steps, for example: "We call on Cyngor Gwynedd to..." or "We call on the Cabinet to..." It must be repeated on every page of a paper petition.
4. provide the names and postal addresses of those who are signing the petition, including postcodes.
5. The suggested petition template is shown in Appendix A

Petitions should not include:

1. Offensive, derisive or provocative language. This not only includes swearing and obvious insults, but any language that a reasonable person would consider to be offensive.
2. False or defamatory statements.
3. Information that has been prohibited from publication by a court order or a body or person with similar powers.
4. Material that may be confidential, commercially sensitive, or may cause distress or personal loss.

5. Any commercial approval, promotion of any product, service or publication or statements that are tantamount to advertisements.
6. Names individuals, or gives information where they can be easily identified, e.g. individual officers of public bodies.
7. Matters where a petition is not the appropriate channel for them (for example, correspondence about a personal matter or a matter that is the subject of a court case).
8. Petitions on matters that are already the subject of an Ombudsman's decision (or a person with similar powers)
9. Petitions that are essentially freedom of information requests, observations, praise or complaints, that will be forwarded to the appropriate department for a suitable response.
10. Petitions that raise matters relating to potential misconduct by councillors or local government employees are taken as complaints that arise under the Local Government Act 2000 and they will be reported to the Monitoring Officer instead of being considered under this petitions scheme.
11. The petition will not be accepted if it is substantially similar to a petition that was submitted to one of the Council's Committees during the past six months.
12. If a petition is about an issue that is subject to consultation or a statutory response period then the petition will be dealt with in accordance with the arrangements and timetable that has been designated for the process.

Petition Signatories

An appropriate signatory is an individual who lives, works, owns a business or studies in Gwynedd; a landowner / taxpayer or who lives in an area of a nearby county and where it can be reasonably expected for them to be affected by the subject of the petition.

An individual can only sign a petition once. People must not sign the same on-line and paper petition, and duplication can be removed if it is found that a petitioner has signed twice.

Submitting a Petition

Paper or electronic petitions, that are to be considered by the Council, must be submitted to:

Democratic Services

Cyngor Gwynedd
Shirehall Street
Caernarfon
Gwynedd
LL55 1SH

Or electronically to: GwasanaethauDemocratiaeth@gwynedd.llyw.cymru

How and by when will the Council acknowledge the receipt of a petition?

Acknowledgement of the receipt or information about a paper petition, or the submission of an electronic petition to the Democratic Services, will be provided within 5 working days, subject to the contact details of the main petitioner being supplied at the same time.

Confirming a Valid Petition

Initial checks to confirm that a submitted petition meets the requirements of the Scheme will be carried out by the Monitoring Officer and Democratic Services Officers.

If a number of petitions are received on a similar subject, which seek similar outcomes, only one main petitioner will be able to submit their petition to the Council. The Main Petitioner for each petition will be informed by the Democratic Services and they will be asked to contact each other to consider options to combine the petitions and decide which lead petitioner will submit the petition to the Council. If no agreement can be reached, the petition with the greatest number of signatories will be allowed to be submitted to the Council.

Any concerns regarding the validity of the petition will be raised with the Monitoring Officer before any petition is invalidated.

If your petition is invalid, the main petitioner will be informed within 5 working days of receiving the petition.

The steps that the Council can take in response to any petition received.

Petitions will be accepted via e-mail or by hand and as a first step they will be checked and if acceptable, they will be displayed on the Council's website for a period of two months.

The petition will need to be signed by over 100 signatories before it is accepted by the Council. The Council can use its discretion where fewer than 100 signatories are received in cases where there is clear local support for action (e.g. where the residents of a small community have petitioned for traffic calming measures).

All petitions on the Council's website will be open for a period determined by the main petitioner, but no more than 2 months.

If valid, the petition will be forwarded to the Cabinet Member with a copy sent to the Chair of the relevant Scrutiny Committee.

Following a discussion and consultation between the Cabinet Member, Scrutiny Chair, Monitoring Officer and the Head of Democracy Service the Cabinet Member will draw up a response to the petition within 20 working days, noting the actions. Actions will depend on the nature of the petition and may include the following:

1. Response from the relevant member of the Cabinet
2. Report to the Cabinet
3. Report to relevant Scrutiny committee
4. Report to the Full Council

The actions will also be noted on the website within 5 working days of the response being sent to the Main Petitioner.

Exceptions

In the period immediately before an election or referendum, we may need to deal differently with your petition. If so, we will explain the reasons for this and discuss any amended timetable that may apply.

Alternatives to Petitions

After reading the Petitions Scheme, the individual or organisation may be of the opinion that a petition is not the most appropriate way to achieve the desired outcome. The alternative options that enable members of the public to have their say include:

- a. Writing to the Cabinet Member or Appropriate Senior Officer
- b. Contacting your Local Councillor
- c. Responding to a consultation
- d. Raising your concerns with the Scrutiny service
- e. Making a suggestion via the Council's website
- f. Asking a question in the Council.

Data Protection Act 2018 and GDPR

All personal data will be treated in accordance with data protection acts and our Privacy Policy. We will keep a hard copy and electronic information about petitions for 12 months and after this period elapses, it will be securely destroyed.

SUGGESTED PAPER PETITION TEMPLATE – CYNGOR GWYNEDD

LEAD PETITIONER DETAILS:	
Name:	
Full Postal Address:	
E-mail:	
Phone No (Optional)	
Age	I can confirm that I am over the age of 16 <input type="checkbox"/>

PETITION DETAILS:	
A clear, short statement covering the subject of the petition. The petition will be returned if it is unclear;	
Call for Cyngor Gwynedd to take some specific action, for example: "We call on Cyngor Gwynedd to..."	<p><i>We call on...</i></p> <p>*Note this will need to be repeated on every page of a paper petition</p>

PETITION SIGNATORIES:

We call on....(copied from petition details)

No.	Name	Full Postal Address	Postcode	Signature
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
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20.				

Equality Impact Assessment

Please see the sheet *How to Make an Equality Impact Assessment* for assistance to complete this form. You are also welcome to contact Delyth Williams, Policy and Equality Officer on ext. 32708, or DelythGadlysWilliams@gwynedd.llyw.cymru, for further assistance.

The Council is required (under the Equality Act 2010) to consider the impact that any change in any policy or procedure (or the creation of a new policy or procedure) will have on people with protected equality characteristics. The Council also has additional general duties to ensure fairness and to foster good relationships. Therefore, a timely Equality Impact Assessment should be completed before a decision is taken on any relevant change (i.e. that affects people with protected equality characteristics).

I Details

I.1 What is the name of the policy / service in question?

Petitions Scheme.

Part 3 of the Local Government and Elections (Wales) Act 2021 notes the need for Local Authorities to adopt a Petitions Scheme.

I.2 What is the purpose of the policy / service that is being created or amended? What changes are being considered?

A statutory requirement is placed on the Council to adopt a Petitions Scheme which notes how the Council will deal with petitions.

The Scheme must note:

1. How to submit a petition
2. How and by when the receipt of the petition will be acknowledged
3. The steps that could be taken in response
4. Circumstances when the Council can choose not to take any further steps in response
5. How and by when the Council will ensure that a response to the petition is available.

Petitions are one way for individuals, community groups and organisations to participate in the democratic process, by raising matters that are of concern to the public with the Council, and allowing Elected Members to consider the need for change.

This Scheme sets out the steps the Council will take when it receives a petition from

individuals, community groups and organisations. It puts a process in place which addresses the requirement in the act, highlights how to proceed to submit the petition and what can be expected in response.

The requirements in terms of submitting a valid petition is outlined and it is highlighted who may sign the petition and how the Council will confirm a valid petition. Valid petitions received will be published on the Council's website, including the subsequent actions.

It is highlighted that legal and statutory requirements regarding holding a consultation cycle or statutory response periods are operational in a few specific fields, such as Schools' Restructuring and the Planning fields and it is emphasised that no petition will be accepted outside those statutory arrangements.

1.3 Who is responsible for this assessment?

Annes Sion, Democracy Team Leader - on behalf of the Executive Board, Local Government and Elections (Wales) Act 2021.

1.4 When did you commence the assessment? Which version is this?

This is the first assessment following the first draft of the Petitions Scheme.

2) Action

2.1 Who are the partners it will be necessary to work with to undertake this assessment?

Councillors and Staff

2.2 What steps have you taken to engage with people with protected characteristics?

No specific steps have been taken to engage with people with protected characteristics, as the Petitions Scheme is open to anyone over 16 and living, working, owning a business, landowners / ratepayers or studying in Gwynedd.

2.3 What was the outcome of the engagement?

None to note.

2.4 On the basis of what other evidence are you acting?

We will operate in accordance with the requirements of the Act.

2.5 Are there any gaps in the evidence that needs to be gathered?

Since what is in question highlights the Council's arrangements in terms of the process and arrangements following the submission of a petition, there are currently no gaps.

The availability of the petition will be a matter for the Principal Petitioner.

3) Identifying the Impact

3.1 The Council must give due attention to the impact any changes will have on people with the following equality characteristics. What impact will the new policy/service or the proposed changes have on people with these characteristics? You are welcome to add other characteristics if you wish.

Characteristics	What type of impact? *	In what way? What is the evidence?
Race (including nationality)	None	No impact identified.
The Welsh language	Positive	We enable and encourage individuals who wish to submit a petition to do so in Welsh or English.
Disability	Positive / negative /	Positive - it gives an opportunity for Gwynedd residents (as noted above) to submit a petition for the Council's attention, within the limitations to submit a petition. Negative - can cause frustration to some residents should the petition not be accepted.

Gender	None	No impact identified.
Age	None	No impact identified.
Sexual orientation	None	No impact identified.
Religion or belief (or non-belief)	None	No impact identified.
Gender reassignment	None	No impact identified.
Pregnancy and maternity	None	No impact identified.
Marriage and civil partnership	None	No impact identified.

3.2 The Council, under the Equality Act 2010, has a duty to contribute positively to a fairer society through promoting equality and good relationships in its activities in the areas of age, gender, sexual orientation, religion, race, gender reassignment, disability and pregnancy and maternity. The Council must duly address the way any change impacts on these duties.

General Duties of the Equality Act	Does it have an impact?*	In what way? What is the evidence?
Eliminate unlawful discrimination, harassment and victimisation	No	
Promote equal opportunities	Yes	Opportunity for any individual to raise matters of importance with the Council.
Foster good relations	Yes	Yes, as above

4) Analysing the results

4.1 Is the policy therefore likely to have a significantly positive impact on any of the equality characteristics or the General Duty? What is the reason for this?

See the positive impact outlined above by giving an equal opportunity for everyone to submit a petition (within the scheme's restrictions).

4.2 Is the policy therefore likely to have a significantly negative impact on any of the equality characteristics or the General Duty? What is the reason for this?

In accordance with the legal duties under the Equality Act 2010, when making decisions, due attention must be given to the need (1) to eliminate unlawful discrimination (2) advance equality of opportunity and (3) encourage good relations based on the protected characteristics. As a Petitions Scheme falls within the decisions that could be considered strategic, there is a duty to give due attention to act in a way that has been designed to reduce the inequalities that derive from "socio-economic" disadvantage. The assessment confirms that there are no specific impacts that would support any diversion from the recommendation.

4.3 What should be done?

Select one of the following:

Continue with the policy/service as it is robust	√
Revise the policy to remove any barriers	
Suspend and abolish the policy as the harmful impacts are too great	
Continue with the policy as any harmful impact can be justified	

4.4 If you continue with the plan, what steps will you take to reduce or mitigate any negative impacts?

We will review the work 12 months following the adoption of the Petitions Scheme.

4.5 If you are not taking any further action to remove or reduce the negative impacts, please explain why here.

5) Monitoring

5.1 What steps will you take to monitor the impact and effectiveness of the policy or service (action plan)?

We will review the work 12 months following the adoption of the Petitions Scheme.

GWYNEDD COUNCIL



Report to a meeting of Gwynedd Council

Date of Meeting:	1 December 2022
Title of Item:	Support for Councillors – report on the findings of Councillor Survey.
Cabinet Member	Councillor Menna Jones
Contact Officer:	Ian Jones, Head of Democracy Services

1. THE DECISION SOUGHT

The Council is asked to accept the information and ask the Head of Democracy Services to use the results as a basis to form the Committee's Calendar for 2023/24 in accordance with the relevant Statutory Guidance.

BACKGROUND AND RATIONALE

2. SURVEY FOR COUNCILLORS

2.1 The purpose of today's report is to report back on the results of a survey sent to all Councillors in October 2022. There were three elements to the questionnaire, as follows:

- The timing of Council meetings
- Councillors' satisfaction with the Democracy Team Service
- Communication with Councillors

2.2 The report outlines the response to some of the matters raised, but the main purpose of today's report is to present the results of the questionnaire to you for information.

Timing of Council Meetings

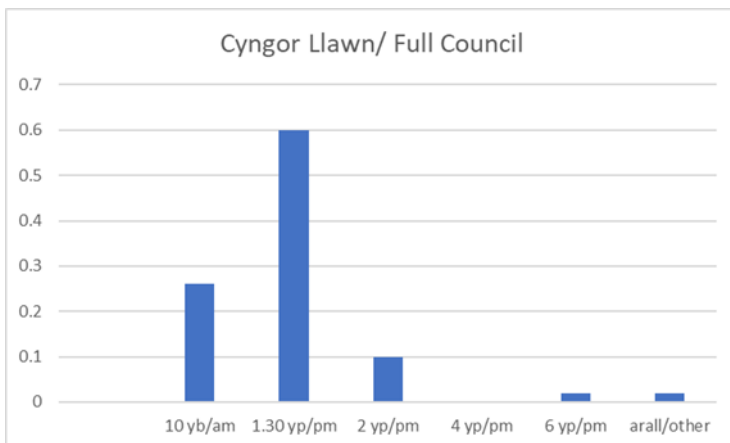
2.3 Statutory guidance (currently in draft form) have been published under section 6 of the Local Government (Wales) Measure 2011 on the timing of Council meetings. Councils are required to conduct a survey at least once soon after every Election to assess the choices of Councillors and to commit to act on the

conclusions. The survey should be held no later than six months after the general elections. The guidance also places an emphasis on responding to the results of the survey.

2.4 In order to comply with the statutory guidance, we sent a questionnaire to all Councillors during October. One of the elements in question was to seek views on the timing of the Council's meetings.

2.5 42 members answered the questionnaire in full. See below an analysis of the responses received, along with an outline of the next steps.

2.6 Full Council

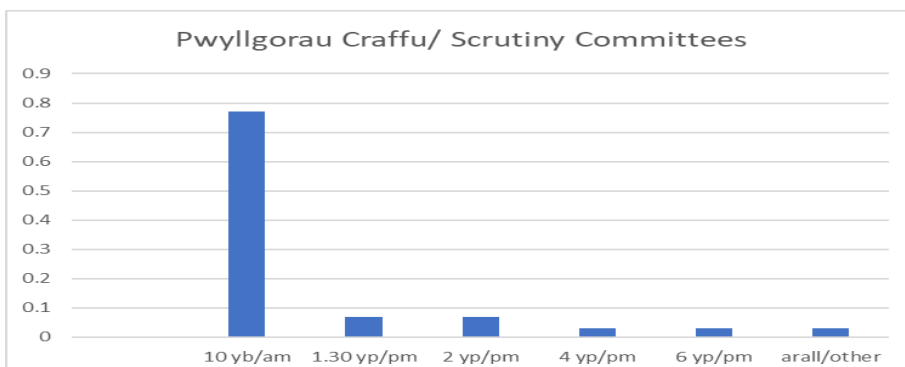


60% noted the desire for the meeting to be held at **1:30pm**, with 26% noting 10am, 10% noting 2pm and 2% noting 6pm or another time. Comments were received which outlined the need to start in the afternoon as the political groups needed to be able to meet during the morning and have an opportunity to discuss the agenda.

2.7 Cabinet

75% of the Cabinet members who submitted a response noted the desire for the meeting to commence at **1:30pm**, with 25% noting 10am. The timing of its meetings is a matter for the Cabinet itself; however, this is reported here for information.

2.8 Scrutiny



In terms of the timing of the Scrutiny committees, **77%** noted that they were eager for them to commence at **10am**, with 7% noting 1:30pm, 7% noting 2pm and 3% noting 4pm, 6pm or another time.

Comments were received noting that scrutiny committees should continue to be held in the morning as it was then possible to do ward work in the afternoon, or if it was a lengthy meeting, starting in the morning meant that it was possible to have a lunch break before reconvening for an afternoon session.

2.9 Planning

56% noted the desire for the Planning Committee to commence at **10am**, with 28% noting 1:30pm, 11% noting another time, and 5% noting 6pm. One individual noted that they had chosen 10am as the most favourable time, but that they realised that site visits were held on the morning of the meeting on occasions, and that this would work against this arrangement. Further consideration will be required to consider the result along with the practical implications of changing the time as the meetings calendar for next year is prepared.

2.10 Other Committees

In terms of the other committees being held, it was noted by **68%** that they wished for these committees to commence at **10am**, with 12% noting 1:30pm, 8% noting 2pm, and 3% noting either 4pm or 6pm or other.

2.11 The following selection of comments on the timing of committees represents the main messages presented:

"As a Councillor who also has a full-time job, it is not possible for me to attend every meeting that is held during the day. The meetings that are held at 16:00 work much better for me personally."

"For other committees, if they are held in the morning then this provides flexibility to continue into the afternoon, if more time is needed. I prefer to avoid evening meetings as many meetings in the community are held at this time, e.g. school governors, community councils, voluntary groups, political groups"

"meetings during the day work better - many other demands during the evening"

"No specific reason to be honest, I just feel that it is important to commit to the Council's work in the morning (the Full Council is the exception due to the Group meetings)! I WOULD NOT like the meetings to be held in the evening, only as an exception."

"I would be glad if committees were held in the morning if possible; I would also be glad if committees, training and Council meetings would be held on specific days, such as Tuesdays, Wednesdays and Thursdays, instead of

things being spread across the whole week. This would enable me to arrange and plan things better.”

- 2.12 In addition, comments were presented about the length of committees. There were clear messages about the need to ensure a break for a sensible length of time if any Committee meeting ran for a long time. This was required in order to allow individuals (both Councillors and staff) to have some time to eat, do some light exercise/move and take a break from the screen at a virtual meeting or when joining remotely during a multi-location meeting.
- 2.13 Obviously, it is not possible to meet everyone's needs, however in accordance to the statutory guidance under the provisions of the Local Government (Wales) Measure 2011 we must respond to the results, acting on the recommendations of the majority. The next step is to use the above information as a basis to discussions in order to create the Committees Calendar for 2023/24.

Councillor Satisfaction with the service from the Democracy Team

- 2.14 We are eager to improve our service on a continuous basis and to provide the support that is needed for Councillors. Therefore, following the Post-Election welcome period for Members, it was timely to ask for feedback on the service being offered by the democracy team specifically.
- 2.15 A range of questions were asked, including the satisfaction with the work of the team and any developments the team could make in the future. Again, 41 Councillors responded to the questionnaire in full and noted their views about the team's service.
- 2.16 **95%** noted that the service was **very good, or good**, with 2 councillors noting that the service was acceptable.
- 2.17 A number of additional responses were received, which included the following:
“The team has been welcoming since I commenced in the post and are very supportive to any enquiry”

“The team has been supportive, active and has always been there to help and enable me as a new councillor.”

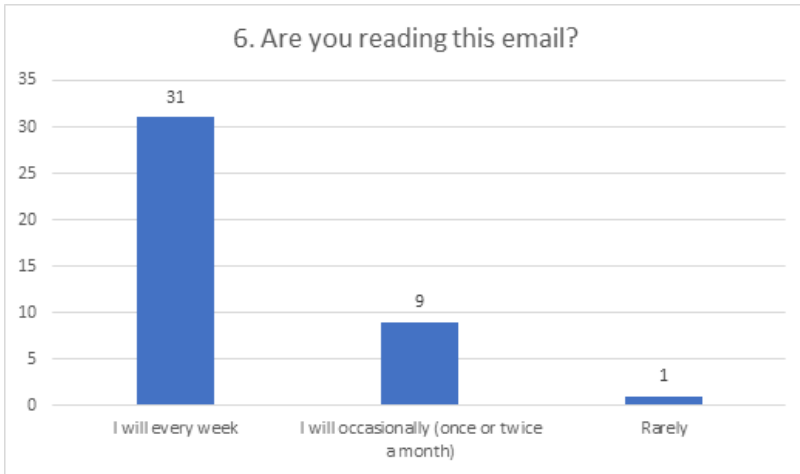
“Effective communication, courteous, conscientious and friendly.”

“In eighteen years, I don't think I've ever experienced any problems and have always found the team members to be very helpful.”
- 2.18 Members were asked if there were any developments or changes the team could implement to further support Councillors in their role. Amongst the observations, frustration was expressed regarding the democratic/ political actions in the Council. This was a political issue.

- 2.19 Amongst the other comments were the following. One member made a request for an informal 'mentor', and a weekly list of the training available. The request has already been forwarded to the Learning and Development Team so that direct discussions can be held with the individual.
- 2.20 An enquiry was made about which documents are available on the Members' Intranet. As a result of the comment, we will be sending information over the coming weeks to outline the content of the members' intranet so that everyone is aware of the very useful information contained.
- 2.21 One member expressed discontent at the way that attendance at meetings was currently noted, and we will arrange a meeting with the individual over the coming weeks to discuss the matter.
- 2.22 One member requested a confirmation email when the democracy team receive an apology from a member unable to attend a meeting. The team will move to act on sending a message of acknowledgement in the near future; however, this will only be actioned for apologies that are received in good time.
- 2.23 We are eager to improve our service and continuously state and try and respond to requirements. In addition to the electronic questionnaire that is sent to Councillors twice a year, we have reinstated our arrangements to hold a conversation with 2 or 3 Councillors per month to discuss the support being offered in order to gain a better understanding of the barriers.

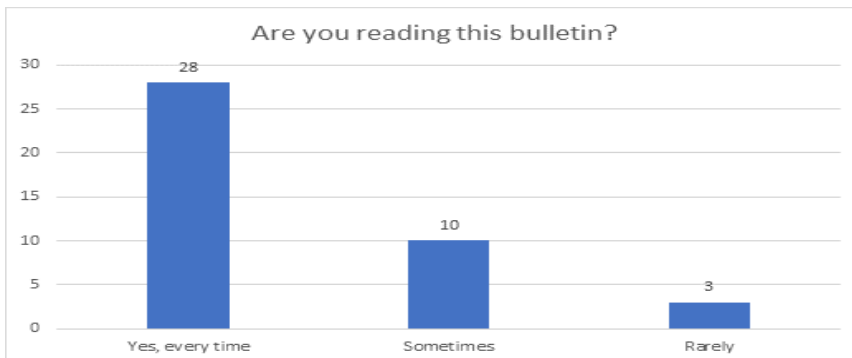
Communicating with Councillors

- 2.24 The exercise was also an opportunity to ask Members' opinions about the methods the Council's Communication and Engagement Service uses to share news / useful information with Councillors and how the service can be improved, so as to help Members with their work.
- 2.25 Questions were asked about four general areas – the Weekly Bulletin for Members; Council Leader and Deputy Leader Bulletin; Members' Intranet; the intention of organising briefing meetings and/or briefing notes on key issues.
- 2.26 There was positive and constructive feedback about these points, which will help the Service to continue to meet the needs of Elected Members. Here is an outline of the responses received:
- i) **Members' Bulletin**, which is sent weekly to all councillors via e-mail, containing links to news items on the intranet and some other relevant items:
- **76%** (31) said that they **read it every week**;
 - **22%** (9) said they read it **occasionally** (once or twice a month);
 - **2%** (1) said that they **rarely** read it.



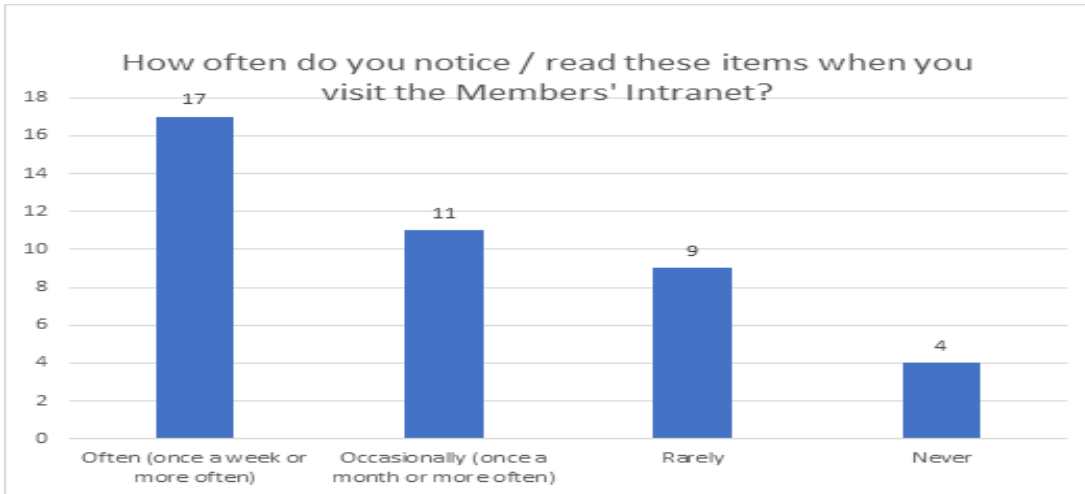
ii) **The Leader's and Deputy Leader's Bulletin**, which is sent to all councillors every other week – usually as part of the weekly Members' Bulletin:

- **68%** (28) said they **always** read it;
- **24%** (10) said they read it **occasionally**;
- **7%** (3) said that they **rarely** read it.



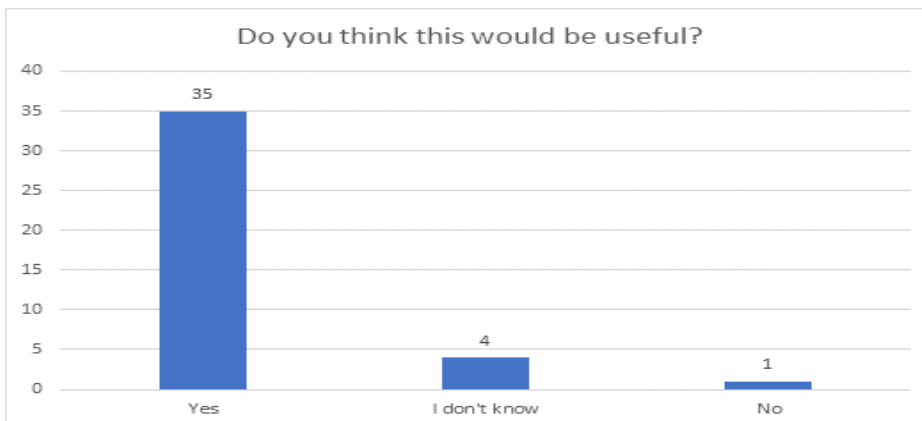
iii) **The news section on the Members' Intranet**, where news items and snippets of information are regularly published for councillors:

- **27%** (17) said they notice/read these items **often** (once a week or more often);
- **41%** (11) said they notice/read these items **occasionally** (once a month or more often);
- **22%** (9) said that they **rarely** notice/read these items;
- **10%** (4) said they **never** notice/read these items.



iv) **Briefing Sessions and Notes.** There are plans to start holding briefing sessions and providing briefing notes for members regarding key issues that are likely to attract the attention of constituents or in the press. The aim will be to provide background information on a specific subject so that Members have time to understand more about the context before being asked questions about it:

- **88% (35)** said they thought **this would be useful**;
- **10% (4)** said they **didn't know** if this would be useful;
- **3% (1)** said this **would not be useful**.



2.27 There was an opportunity for Members to give written comments and suggestions for each question. The Service is grateful to all who took advantage of the opportunity to share their ideas and experiences. Based on this feedback, improvements will be introduced which will include:

- Regular items in the Weekly Bulletin which will signpost readers to useful information available on the Members’ Intranet, for example:
 - Members' Training Calendar;
 - Directory of key officers in all service areas;
 - Council Committees calendar;
 - Details of the Council’s consultations and engagement exercises, and those of our partners;
- Feature articles about Council staff members and their work;
- Articles to highlight the work of committees and working groups other than the Cabinet;
 - Establish a system of holding Briefing Meetings and providing Briefing Notes for Members about key issues, similar to the virtual meeting held recently with the Chief Executive about the Council's budget and the financial situation

3 ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION

3.1 The results of the questionnaire have already been reported to the Democratic Services Committee on 15/11/2022 for information purposes.

3.2 THE STATUTORY OFFICERS’ OBSERVATIONS:

Monitoring Officer:

Reviewing the timing of the Councils meeting is subject to Statutory Guidance prepared under the provisions of the Local Government (Wales) Measure 2011. This Guidance has been the subject to a recent consultation although it is not anticipated that there will be wider ranging changes. However, they do place an emphasis on responding to the results. It is appropriate therefore that the Council considers these results as part of the process of establishing the meeting calendar and meeting arrangements accepting that there will be a need as well to weigh up the practical issues.

Statutory Finance Officer:

“Nothing to add from the perspective of financial propriety”

23rd November, 2022

Dear Eirian

Thank you for your e-mail dated 31st October, 2022 sent to Mark Drakeford MS, First Minister of Wales attaching a letter from the Chair of Gwynedd Council to the Cabinet Office regarding the Prince of Wales title. I have been asked to reply.

The First Minister has said in recent interviews that it is very likely that, in time, there will be a public discussion with regard to the Prince of Wales title in this new period. He has also noted that the development of such a discussion is a matter for Buckingham Palace.

Perhaps you will be aware that the Prince of Wales visited the Senedd on 17th November where it is believed he had intended to discuss the investiture. Since then, the media have reported that Kensington Palace has confirmed that there are no plans for an investiture.

Yours faithfully,

Tobi Adeshokan
Wales Justice and Tribunals Division