

**CABINET DECISION NOTICE
CYNGOR GWYNEDD**

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| Date of Cabinet Meeting: | 13 June 2023 |
| Date decision will come into force and be implemented, unless the decision is called in, in accordance with section 7.25 of the Cyngor Gwynedd Constitution | 28 June 2023 |
| SUBJECT Item 6: GOVERNANCE ARRANGEMENT FOR THE NEW LOCAL DEVELOPMENT PLAN AND PLANNING POLICY MATTERS | |
| DECISION Approve the Model of Governance in Appendix 1 for the preparation of the Local Development Plan for inclusion in the Draft Delivery Agreement. Agree to establish a 15-member Planning Policy Working Group with the Terms of Reference (Appendix 2) to support the preparation of the New Local Development Plan. To delegate authority to the Head of Environment Department in consultation with the Head of Legal Services to make linguistic adjustments and minor editorial corrections to the Terms of Reference. | |
| REASONS FOR THE DECISION Following the decisions to bring the formal joint working arrangements with Anglesey County Council on planning policy matters including the preparation of a Joint Local Development Plan (JLDP) to an end, a new governance arrangement needs to be established for the preparation of the New Local Development Plan (LDP) and planning policy issues for Cyngor Gwynedd's Planning authority to commence the process. | |
| DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE No declarations of personal interest or relevant dispensations were received. | |
| ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION The Statutory Officers were consulted to seek their views, which are included in the report. | |

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SUBJECT

Item 7: INTRODUCING THE ARTICLE 4 DIRECTION TO ENABLE THE MANAGEMENT OF THE TRANSFER IN USE FROM RESIDENTIAL DWELLINGS TO HOLIDAY USE (SECOND HOMES AND HOLIDAY ACCOMMODATION).

DECISION

1. Approve the report justifying the Introduction of Article 4 Direction in Appendix 1.
2. Approve the making of an Article 4 Direction which does not come into effect immediately but after 12 months (Annex 2) for the Gwynedd Local Planning Authority Area in order to revoke the permitted development rights for the following uses:
 - a. Change of use from C3 (primary residence) to C5 (second home) or C6 (short-term holiday let) and specific mixed uses;
 - b. Change of use form C5 (second homes) to C6 (short-term holiday let) and specific mixed uses;
 - c. Change of use from C6 (short-term holiday let) to C5 (second home) and specific mixed uses.
3. That the Article 4 Direction notice as is presented in Appendix 3 be published and served in accordance with the requirements, (accepting that it is not practicable to present individually to each owner and occupier within the area because of its size) for a period of not less than six weeks to allow the public to submit responses to the intention.
4. Receive a further report to consider any responses received (following the public engagement period) in order to make the decision to confirm the Article 4 Direction.
5. Delegate the rights to the Head of Environment Department in consultation with the Head of Legal Services to make editorial adjustments to the notice prior to publication.

REASONS FOR THE DECISION

Amendments to the Town and Country Planning Order (Use Classes) 1987 have

created 3 new use classes for Primary Residence (C3), Second Homes (C5) and Short-Term Holiday Let (C6). If considered appropriate, in order to prevent and gain control of the unrestricted change of use between the new use classes, Local Planning Authorities have the power to introduce an Article 4 Direction for a particular area. Cabinet decision on the appropriateness of using this right is required.

DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE

No declarations of personal interest or relevant dispensations were received.

ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

The Statutory Officers were consulted to seek their views, which were included in the report.

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| SUBJECT Item 8: RESPONDING TO A WELSH GOVERNMENT CONSULTATION - PROPOSALS FOR A WELSH LANGUAGE EDUCATION BILL | |
| DECISION To approve the Council's response to the White Paper consultation – Proposals for A Welsh Language Bill, Welsh Government. | |
| REASONS FOR THE DECISION The Welsh Government is consulting on a White Paper for the proposed Welsh Language Education Bill. The Council's response to the consultation needed to be decided. | |
| DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE No declarations of personal interest or relevant dispensations were received. | |
| ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION The Statutory Officers were consulted to seek their views, which were included in the report. | |

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SUBJECT

Item 9: FINAL ACCOUNTS 2022/23 – REVENUE OUT-TURN

DECISION

1.1 To note the final financial position of the Council's departments for 2022/23.

1.2 To approve the amounts to be carried forward (the "Revised Over/ (Under) Spend" column of the summary in Appendix 1), namely:

| DEPARTMENT | £'000 |
|-------------------------------------|--------------|
| Adults, Health and Well-being | 100 |
| Children and Families | 76 |
| Education | (96) |
| Economy and Community | 0 |
| Highways and Municipal | 100 |
| Environment | 6 |
| Gwynedd Consultancy | 0 |
| Housing and Property | 0 |
| Corporate Management Team and Legal | (17) |
| Finance | (10) |
| Corporate Support | (16) |

1.3 To approve the following recommendations and financial virements (as outlined in Appendix 2):

- In the Education Department, that £1,304k of additional electricity inflation and salaries of school assistants and administrative staff costs that is above the budget is funded from the balances of individual schools.
- In the Housing and Property Department, that £2,482k of the Council Tax Premium Fund is used to fund the additional pressure in the Homelessness field.
- Financial assistance of £550k to the Economy and Community Department as the effects of Covid have affected the income levels of Cwmni Byw'n Iach.
- The following departments that are over-spending to receive one-off partial

financial assistance to limit the overspend that will be carried forward by the Department to £100k:

- a. £3,785K - Adults, Health and Well-being
- b. £2,434k – Highways and Municipal

- On Corporate budgets:
 - a. Use (£2,851k) of the Corporate net underspend to assist the departments that have overspent in 2022/23.
 - b. That (£3,899k) relating to capital costs allocated to a capital programme fund.
 - c. With the remainder of the net underspend of (£952k) on Corporate budgets being transferred to the Transformational Fund to fund the Council's priorities.

1.4 Approve the financial virements from specific funds as outlined in Appendix 3 following a review of the reserves, harvesting (£3,918k) from reserves to be used in its entirety to assist the departments that have overspent in 2022/23.

REASONS FOR THE DECISION

It is the Cabinet's responsibility to take action, as necessary, to secure appropriate control over the Council's budgets (e.g. approval of significant virements or supplementary budgets) and to allow the formal final accounts to be completed.

DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE

No declarations of personal interest or relevant dispensations were received.

ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

The Statutory Officers and the Local Member were consulted to seek their views, which had been included in the report.

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SUBJECT

Item 10: CAPITAL PROGRAMME 2022/23 - END OF YEAR REVIEW (POSITION AS AT 31 MARCH 2023)

DECISION

1. Accept the report on the end of year review (31 March 2023 position) of the capital programme.
2. To note the £37,131,000 spend on the capital programme during the 2022/23 financial year, which has been included in the statutory financial statements for 2022/23.
3. To approve the revised financing as shown in part 4 of the report, namely:
 - £68,000 increase in the use of grants and contributions
 - £30,000 increase in the use of capital receipts
 -
 - £701,000 increase in the use of revenue contributions
 -
 - £797,000 increase in the use of renewal funds and others

REASONS FOR THE DECISION

It is the Cabinet's responsibility to take action, as necessary, in order to secure appropriate control over the Council's budgets (e.g. approval of significant virements or supplementary budgets) and in order to allow the formal final accounts to be completed

It is necessary to ensure appropriate financing arrangements for the Council's plans to spend on capital, and the Cabinet is required to approve the capital programme and its sources of funding.

Incorporating funding via grant was a point of order, but it was also necessary to deal with situations where there had been a change in expenditure profiles between years and a change in the value of capital receipts and contributions.

Recommendations are made to ensure definite sources of funding for the 2022/23 –

2024/25 capital schemes.

**DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT
DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE**

No declarations of personal interest or relevant dispensations were received.

ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

The Statutory Officers were consulted to seek their views, which were included in the report.

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| SUBJECT Item 11: REVIEW OF THE CYNGOR GWYNEDD HOUSING ACTION PLAN | |
| DECISION <ol style="list-style-type: none">1. To approve the financial additions to individual projects within the Housing Action Plan as noted in the table in paragraph 6.4 of the Report.2. To approve the amendment to the original business case for borrowing in order to buy houses to let to local residents, approved by the Cabinet at its meeting on 16 February, 2021, by making use of £5.6m from the Council Tax Premium. | |
| REASONS FOR THE DECISION No formal decision has been made to date on how to use the additional finance from the Council Tax Premium on Second Homes and Long-term Empty Dwellings when a decision was made to increase the Premium from 50% to 100%, operational from April 2022. Guidance was shared that would enable the department to proceed to carry out further work before submitting a report for Cabinet approval at the first opportunity. | |
| DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE No declarations of personal interest or relevant dispensations were received. | |
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| SUBJECT Item 12: AMENDMENTS TO THE CONSTITUTION OF THE DELEGATION SCHEME: MONITORING OFFICER'S REPORT | |
| DECISION To approve the amendments to Section 13 (3) of the Constitution Officers' Delegation Scheme shown in Appendix 1. | |
| REASONS FOR THE DECISION The advent of a range of new grant funds from various sources and scales have highlighted the need to update the delegated rights to ensure they are appropriate and suitable to support the efficient administration of applications. | |
| DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE No declarations of personal interest or relevant dispensations were received. | |
| ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION The Statutory Officers were consulted to seek their views, which were included in the report. | |