

EXTRAORDINARY MEETING OF THE COUNCIL MONDAY, 28 JUNE 2021

Present: Councillor Simon Glyn (Chairman);
Councillor Elwyn Jones (Vice-chair).

Councillors: Craig ab Iago, Menna Baines, Beca Brown, Dylan Bullard, Stephen Churchman, Steve Collings, Annwen Daniels, R.Glyn Daniels, Anwen Davies, Elwyn Edwards, Aled Evans, Dylan Fernley, Peter Antony Garlick, Gareth Wyn Griffith, Selwyn Griffiths, Alwyn Gruffydd, John Brynmor Hughes, Louise Hughes, R.Medwyn Hughes, Judith Humphreys, Nia Jeffreys, Aeron M.Jones, Aled Wyn Jones, Anne Lloyd Jones, Berwyn Parry Jones, Elin Walker Jones, Gareth Tudor Morris Jones, Huw Wyn Jones, Keith Jones, Kevin Morris Jones, Eryl Jones-Williams, Cai Larsen, Beth Lawton, Dafydd Meurig, Dilwyn Morgan, Linda Morgan, Dewi Owen, Edgar Owen, W.Roy Owen, Nigel Pickavance, Rheinallt Puw, Peter Read, Dewi Wyn Roberts, Elfed P.Roberts, John Pughe Roberts, Paul Rowlinson, Angela Russell, Dyfrig Siencyn, Mike Stevens, Gareth Thomas, Ioan Thomas, Hefin Underwood, Catrin Wager, Cemlyn Williams, Eirwyn Williams, Elfed Williams, Gareth Williams, Gethin Glyn Williams, Gruffydd Williams and Owain Williams.

Also in attendance: Dafydd Gibbard (Chief Executive), Iwan Evans (Monitoring Officer), Geraint Owen (Head of Democracy Service), Gareth Jones (Assistant Head of Environment Department), Dewi Morgan (Assistant Head on behalf of the Statutory Finance Officer), Vera Jones (Democracy and Language Manager) and Eirian Roberts (Democracy Services Officer).

1. APOLOGIES

Councillors:- Alan Jones Evans, Annwen Hughes, Peredur Jenkins, Eric Merfyn Jones, Linda A.W.Jones, Dilwyn Lloyd, Dafydd Owen, Jason Parry, Gareth A.Roberts and Mair Rowlands.

2. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received.

3. THE CHAIRMAN'S ANNOUNCEMENTS

Condolences were extended to the following:-

- Councillor Peredur Jenkins and his family on the recent loss of his wife.
- The family of Gerald Williams, Yr Ysgwrn, Trawsfynydd – who looked after Hedd Wyn's home over the years.
- The family of Sian Rhys Elis, Social Worker in the Children Department.

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.

Best wishes for a speedy recovery were extended to Councillors Louise Hughes, Alan Jones-Evans and Beth Lawton.

The Welsh Football Team was congratulated on their success in the Euros Competition, and best wishes were extended to the Danish team for the rest of the competition.

4. URGENT ITEMS

EXTRAORDINARY MEETING OF THE COUNCIL Monday, 28 June 2021

None to note.

5. JOINT LOCAL DEVELOPMENT PLAN

It was noted, that in accordance with section 4.12.1 (d) of the Constitution, a letter had been received from Cllr Gruffydd Williams, signed by five other councillors, requesting this extraordinary meeting of the Council to discuss, review and update the Joint Local Development Plan in terms of planning policies and the Welsh language in the context of the housing crisis that exists within the county.

Councillor Gruffydd Williams was invited to explain the matter being submitted before the meeting. He noted:-

- That he wished to thank everyone involved in facilitating this extraordinary meeting of the Council.
- That the reason for convening this meeting was highlighted daily in the newspapers and in all types of media, as well as being currently the subject of conversations throughout the county, namely the housing crisis for local people in our communities.
- That there were plenty of houses in the county, but the prices were beyond the reach of local people and this in turn deprived those people of their basic right to live in their community.
- That nobody, not even this Council, had managed to seriously address this emergency. There had been recognised reports over the years that offered a solution to the problem, but nothing had been done, and there was concern that nothing would come from the recent reports and recommendations either, unless this Council demanded change.
- When the Joint Local Development Plan was adopted four years ago, following the Chair's casting vote, concerns were voiced about the impact of the Plan on our communities where the Welsh language continues to be a viable language. Unfortunately, the shortcomings highlighted at that time have become more evident, if not totally realised by now.
- Although the work of reviewing the policies would commence next month as is required in accordance with the procedure, it will be a shock for many to realise how lengthy the time-frame is to hold such a review.
- During the meeting when the Plan was adopted in 2017, the Cabinet Member vowed at the time that any harm to the Welsh language could be reduced by strengthening the Supplementary Planning Guidance on the Welsh Language, and that the Cabinet would establish a special scrutiny committee to get to grips with the matter. Following 15 meetings and more with the officers, the concerns were confirmed that the Supplementary Guidance was pointless, unless it was used for windfall applications.
- The Cabinet Member also vowed at that meeting that the Plan would be monitored annually, and that it would be possible to change the policies within 4 years, if it was seen that they were not working. However, the Council was misled in 2017, as there would be an additional period of 3.5 years before any changes would be realised.
- The Plan is a dead document, and the Welsh language will also die, unless this Council undertakes radical and far reaching decisions.
- The Cabinet's recommendation to the Council in December 2020 was to retain the council tax premium on second homes at 50%, but through pressure from individual members, the Council was forced to go into consultation, and in the end the Council determined to increase the premium to 100%, namely the maximum permitted according to the Local Government Finance Act 1992. Therefore, the ball was back in the First Minister's court, and we anxiously awaited his report at the end of this month.
- Although the Council's research jointly with the Government on controlling the use of housing as holiday homes is to be praised, it should be questioned why

EXTRAORDINARY MEETING OF THE COUNCIL Monday, 28 June 2021

this vitally important report focused on a third of the problem that faces our communities, disregarding the other two thirds of the problem, namely the holiday home issue.

- That members of the Council who were not Cabinet members felt that their voice and suggestions were being completely ignored by the Leadership and by the officers involved with the Plan.
- That this Council, in light of the terrible crisis that exists, needs to get to grips with the work of reviewing the Plan without delay, ignoring the 3.5 year instruction, and pool all its energy and resources to ensure that the essential changes are realised within six months.
- That the Leader had stated previously that the clear and firm wish of Gwynedd Council was to use every measure possible to seek a response to the housing crisis that faces the county's residents in our communities. This is the opportunity to achieve this, as our language, our identity and our communities are in the balance.

Councillor Gruffydd Williams proposed the following:-

"That this Council looks urgently at the Local Development Plan (approved 28.7.2017) with a view to reviewing and updating it in terms of planning policies and the Welsh language. It would be desirable to give particular priority to this, going past what is noted as the usual monitoring period within the Plan itself and to submit proposals which correspond to Dr Simon Brooks' report "Second Homes - Developing New Policies in Wales", which was commissioned by Welsh Government.

Following the Pandemic and the fact that there will be no Wylfa B, such meeting is expected to address the changes needed to comply with the Wales Well-being Act, a more equal Wales and a Wales of vibrant culture and thriving Welsh language.

In light of the housing crisis and the impact of this on the Welshness of communities, we ask the Council as follows:-

- 1. to approve the implementation of the recommendations in Dr Simon Brooks' report;*
- 2. to urgently review the suitability of the Anglesey and Gwynedd Joint Local Development Plan, in light of the current circumstances, for example the Wylfa B development and the Well-being of Future Generations Act;*
- 3. to invite relevant observations from the councillors and the public on how the Plan can be revised and adapted by a specific time.*
- 4 to establish a committee to weigh-up the observations and propose any modifications to the Plan.*
- 5 to hold an extraordinary meeting of the Council to discuss the approval of any modifications within 6 months to today, and request that the Isle of Anglesey Council consider similar steps to the above."*

As a point of order on the proposal, the Monitoring Officer explained that:-

- The time-frame to review the Plan was a matter that the Full Council would have to agree upon. The first step of the process was to submit a Delivery Agreement before the Council for adoption. The Delivery Agreement was a project management tool, that set out the timetable to produce the Plan following the statutory regulations.
- The timetable currently noted in the report reflected what was in the Government's guidance regarding the possible timetable, and it was a goal.
- That it was not legally possible to come to a conclusion on amendments to the Plan within a period of 6 months, as the system did not allow for such a limited timetable in terms of the range of work and the consultation requirements and the engagement arrangements that had to be followed. Therefore, it was

EXTRAORDINARY MEETING OF THE COUNCIL Monday, 28 June 2021

emphasised that setting a period of 6 months to come back to the Council with modifications to the plan was not an appropriate proposal.

- The Council could give planning officers a brief to proceed with the work as soon as possible.
- That the clause regarding establishing a committee was unnecessary as the joint committee that already exists would be reviewed as part of the process.

In response the Councillor Gruffydd Williams noted: -

- That he had requested for amendments to be made within a smaller time-frame as our communities did not have the expected 3.5 years to get to grips with this.
- That the Council had to direct all its resources into this, and to not take it for granted that it was not possible to undertake the work.
- A promise was given at the time when the Plan was adopted in 2017 that it would be possible to change it within 4 years, however, it was now understood that it took 7.5 years to make changes.
- The 3.5 years may be within the legal framework, but it was not within the moral framework to continue like this for another 3.5 years, in light of the housing crisis, the pandemic and the fact that there would be no Wylfa B.

The Chief Executive noted:-

- That everyone wished to see the process undertaken as soon as possible and he sympathised with the comments made. However, legal counsel had been received that it was not possible to achieve such a process within 6 months, and if the Council acted as quickly as that, it may be open to a challenge.
- The first step of the process would be to commence the Review Report. The second step would be to bring a timetable back to the Council for adoption, and planning officers were aware that there was an instruction from the members for them to do this as soon as possible.

Councillor Gruffydd Williams noted his wish to add to the proposal, namely that the Council should also write to the First Minister of Wales, Mark Drakeford, to press for the right to act within a shorter time-frame".

For clarification, the Monitoring Officer was asked to word the proposal: It was noted that the proposal was:-

"That this Council urgently addresses the Local Development Plan (approved 28.7.2017) with a view to review and update in relation to planning policies and the Welsh language. It would be desirable to give this particular priority, beyond what was noted as the normal monitoring period within the Plan itself, and introduce proposals that correspond to the report of Dr Simon Brooks "Second Homes - Developing New Policies in Wales", commissioned by Welsh Government.

Following the Pandemic, and the fact that Wylfa B will not be developed, it is expected that such a meeting will address the necessary changes required to comply with the Welsh Well-being Act, a More Equal Wales and a Wales with a vibrant culture and thriving Welsh language.

Therefore, in light of the housing crisis and the requirements of the Well-being of Future Generations Act, there is a need to move urgently to review the Local Development Plan; that this process gives full attention to the views of members and the community, and that the Council proceeds as soon as possible to prepare the Review Report, and submit a Delivery Agreement before the Council. Also, that the Council writes to the First Minister of Wales, Mark Drakeford, to press for the right to act within a shorter timeframe".

EXTRAORDINARY MEETING OF THE COUNCIL Monday, 28 June 2021

Councillor Gruffydd Williams noted that he was satisfied with the wording of the proposal. The proposal was seconded.

The Cabinet Member for the Environment was then invited to respond. He noted:-

- That the Planning and Compulsory Purchase Act 2004 notes that a Local Development Plan needs to be reviewed four years following its adoption, and the Anglesey and Gwynedd Plan was adopted in July 2017.
- It was important to bear in mind that the procedure was statutory, and any statutory procedure had to follow the letter of the law.
- As part of the Review Report preparations, and when preparing the amended Joint Local Development Plan, full consideration would need to be given to the latest position regarding the Wylfa Newydd plan.
- That a full review of the Plan would take 3.5 years, and a short form review would take 1.5 years.
- That the Cabinet's response to Dr Simon Brooks' report, together with the research of the Joint Planning Policy Service on controlling the use of housing as holiday homes (that received unanimous approval from the Communities Scrutiny Committee in December last year) was attached to the report to the Council.
- That he supported the principle of commencing the work of reviewing the Plan without delay, however, the intention was for the review procedure to commence next month in any case.
- Although the process of producing planning policies could not be anticipated prior to the commencement of the review, and bearing in mind that an extensive section of Dr Simon Brooks' report was based on the work of the Gwynedd Council Planning Department, the proposals of Dr Brooks would receive full consideration.
- That the Cabinet had already resolved to support all the recommendations in Dr Brooks' report with modifications to recommendation number 7 - Short-term Holiday Accommodation and Business Rates.

The Assistant Head of Environment was invited to say a word. He noted:-

- That the report before the Council was a factual report and the process was statutory.
- That Government guidelines set out the relevant timetable, however, if it was possible to do the work quicker, officers would certainly try to do so, and bring a timetable before the full Council as a part of the Delivery Agreement.

Members were given an opportunity to ask questions and make observations. During the discussion, enthusiastic support was expressed for the proposal by many members. It was noted:-

- That this Council would never discuss such a major issue as the one that was before them today, and Councillor Gruffydd Williams was thanked for raising and presenting this important and timely matter with determination.
- That we have a housing pandemic in Gwynedd. In March 2020, acts were amended overnight as a result of the Covid emergency. Therefore, why could not the same thing happen here, as the current housing crisis was sufficient to be able to justify the demand for this in the strongest possible way?
- That housing numbers, especially the number of open market housing, had been a contentious issue with this Plan from the start, and with the open market and house prices as they were, it was difficult to believe that the majority of the houses built in the next months and years would be within reach of Gwynedd residents.

EXTRAORDINARY MEETING OF THE COUNCIL Monday, 28 June 2021

- In accordance with Ffordd Gwynedd, this Council should place the people of Gwynedd at the heart of their decisions, however, it could not be certain that this was happening now.
- Four years ago when the Plan was adopted, the Cabinet Member at the time said that it would be monitored, and reviewed after 4 years, and if members were not content, it was possible to change matters before then if necessary. Why then was there no mention of the 3.5 years period at the time?
- That the county's young generation could not wait 3.5 years for the right to live at home, and it was hoped that it was possible to move forward urgently to modify the Plan.
- There was also an urgency to review the Plan as the term of the existing Council would end within approximately 10 months. The current Council had adopted the Plan, by one vote, and there was a duty on the current membership to do everything within their ability to adapt it in light of the totally unprecedented circumstances as a result of the impact of Brexit and Covid on the housing situation.
- That a lack of homes in our areas had been a problem for the last fifty years. The main pressure was on the most Welsh areas, and one could go so far as to say that there was an attempt here to kill our language and identity.
- A recent article in The Guardian summarised the situation by saying *"The underlying reason for Britain's lack of housing problem is not lack of supply, but that greed has been allowed to displace need."*
- The results of the 2021 Census would show an increase in Welsh speakers, thanks mainly to Welsh-medium schools in the south, but Welsh was not a community language in those areas, and the Welsh language had to be a community language to thrive.
- It was necessary to take ownership of this and do everything we can to ensure that the housing problem was solved once and for all, and to ask the Isle of Anglesey Council to follow the same path.
- Everyone needed to support the proposal and to move together in the same direction, taking people with us for the benefit of our communities.
- The disappearance of Wylfa B had left us with an open door plan, as there was no need now for the additional 8,000 houses permitted across Gwynedd and Anglesey.
- It was necessary to challenge the legal restrictions in terms of the time-frame.
- That our homes and chapels were being bought as second homes for vast amounts of money and that this was destroying our culture and language.
- Shouldn't members of the Council and Members of Parliament and Members of the Senedd who own second homes, or who have close relatives with second homes, declare this publicly?
- It was vital to extend the local market housing policy to more places, and throughout Gwynedd and Anglesey.
- Northumberland County Council was consulting on their draft local development plan, and were asking for a main residence condition on residential homes in some areas.
- It was understood that there were processes to be followed, however, they had to be mindful in case they might get lost in a mire of processes.
- That we have housing stock in the county, but a significant percentage of them were Airbnbs and holiday homes, and it was timely to pursue those owners who had transferred to Business Rates to avoid paying Council Tax, by also making the level of the Tax based on the number of people who stay in the houses.
- Although the Plan was an important document, and made a difference to the people of Gwynedd, it was now insufficient and unsuitable as a result of the disappearance of Wylfa B, the pandemic and the unprecedented increase in second home purchases.

EXTRAORDINARY MEETING OF THE COUNCIL Monday, 28 June 2021

- As the highest number of Welsh speakers and vulnerable communities were here in Gwynedd, it would be a retrograde step on behalf of the Council to delay and not review the Plan urgently, regardless of the official protocol procedure regarding reviewing development plans.
- There was a lack of jobs that pay well in Gwynedd, and the pandemic had made the situation much worse, especially in the coastal areas.
- That holiday accommodation created huge problems with anti-social behaviour and noise affecting nearby properties.
- Thousands of people were on the Gwynedd waiting list for a house and had been for years, and every second home purchased took another house away from local people. There were examples even of local people living in tents, without a hope of buying or renting a house.
- Houses were selling for prohibitive prices, and some people were buying houses without even viewing them.
- This important matter united all the councillors, and everyone agreed that the situation was immoral.
- That a small part of the answer was the Local Development Plan, a part that would take a long time to act upon. However, there were three recommendations that the Government could act upon this year to control the crisis (namely consult regarding the possibility of making short-term accommodation exempt from being eligible for small business rate relief, create a new use class for short-term holiday accommodation and introduce a Mandatory Licensing Plan for holiday accommodation) and there was a need to bring pressure to bear on the Government to proceed immediately with this work.
- That it was difficult for local people who inherit property to get money to renovate those houses and pay the council tax premium on top of their mortgage/rent on their main residence.
- Why was it not possible to place a cap immediately on the number of holiday homes in any community?
- That it was disappointing that the climate change emergency had not been identified as a matter that will need full consideration as part of preparing the Review Report and when preparing the amended Plan. It was important that this was recognised in our planning policies now, if we wanted to secure thriving Welsh communities that we wish to see in the future.
- That the housing crisis was not a problem that Gwynedd Council could solve on its own. The Council had been lobbying in this field for years, and by now had gathered evidence to support our standpoint with quality research, and had received support from some other councils in Wales.

The Leader noted:-

- That this meeting was an opportunity for members to express their passion and concern regarding the situation that was common to all.
- That the discussion had highlighted how inflexible the planning system is, and what little power local government has when producing such a plan.
- He was very willing to write today to the First Minister of Wales to ask for a full review of the planning system.
- That it was important to have a discussion regarding what type of planning system they wished to see, and the Joint Local Development Plan was only part of the solution.
- That it was possible to have more influence in the field of second homes with the 3 recommendations referred to already during the discussion, and are possible to act upon soon.
- He had raised these matters recently with the First Minister of Wales at a meeting of the Welsh Local Government Association, and the First Minister expressed an interest in the matter, and vowed that he would visit us in Gwynedd sometime in the near future to have a further discussion on the matter.

EXTRAORDINARY MEETING OF THE COUNCIL Monday, 28 June 2021

- The door was open in terms of the Welsh Government, and he would continue to knock on that door, until we get some sort of answer from them.
- He was willing to support the proposal as amended.

In response to a question from a member regarding what planning powers the Council has, the Chief Executive explained that it was a difficult question, as it cut across a substantial amount of different areas. However, the Council had played a very important role in the work of identifying the matters in these areas, and being able to use the tax regulations and the planning system to its full potential was part of the answers submitted to Welsh Government. A recent report to the Cabinet called on the Welsh Government to adopt a host of different recommendations, many of them stemmed directly from the Planning Department's work, via Dr Brooks' report. Despite this, the power was in the hands of the Welsh Government, and the Council's role was to press upon them to deliver and to act on our behalf, and every area of Wales, as soon as possible.

In his closing comments, Councillor Gruffydd Williams thanked members for their observations and support, and noted:-

- That he continued to be concerned regarding the fact that a timeframe cannot be confirmed, but where there was a will, it was possible to overturn the system in a very short period of time.
- That it was extremely important to change the planning act in order that it was compulsory to have planning permission to convert a dwelling-house into a holiday home or second home, and it was greatly hoped that the Welsh Government would consider this before the end of the month.
- However, we would be no further forward by imploring the Welsh Government to amend the acts and policies, while our back door in Gwynedd Council was wide open, and that it took 3.5 years to close that door.
- The process had to be accelerated and every way possible to change the system should be explored, and officers were encouraged to give full consideration to the observations, and to go hand in hand with members to be able to amend the policies.

RESOLVED

That this Council urgently addresses the Local Development Plan (approved 28.7.2017) with a view to review and update in relation to planning policies and the Welsh language. It would be desirable to give particular priority to this, going past what is noted as the usual monitoring period within the Plan itself and to submit proposals which correspond to Dr Simon Brooks' report "Second Homes - Developing New Policies in Wales", which was commissioned by Welsh Government.

Following the Pandemic and the fact that there will be no Wylfa B, such meeting is expected to address the changes needed to comply with the Wales Well-being Act, a more equal Wales and a Wales of vibrant culture and thriving Welsh language.

Therefore, in light of the housing crisis and the requirements of the Well-being of Future Generations Act, there is a need to move urgently to review the Local Development Plan; that this process takes full attention of the views of members and the community, and that the Council proceeds as soon as possible to prepare the Review Report, and submit a Delivery Agreement before the Council. Also, that the Council writes to the First Minister of Wales, Mark Drakeford, to press for the right to act within a shorter timeframe.

The Chairman noted that the decision was unanimous, and he was extremely grateful to Councillor Gruffydd Williams for bringing the matter before them. He expressed his

EXTRAORDINARY MEETING OF THE COUNCIL Monday, 28 June 2021

hope that the Chief Executive, officers and Cabinet Members would respond in accordance with the desire to move forward as soon as possible, and as a matter of good practice, that members should receive an update on the position at the next Full Council meeting on 8 July.

The meeting commenced at 10.30 am and concluded at 12.10 pm

CHAIR