

THE COUNCIL THURSDAY, 8 DECEMBER 2016

Present: Councillor Eric Merfyn Jones (Chairman);
Councillor Annwen Daniels (Vice-Chair)

Councillors: Craig ab Iago, Endaf Cooke, Anwen Davies, Lesley Day, Dyfed Edwards, Elwyn Edwards, Trevor Edwards, Thomas Ellis, Alan Jones Evans, Aled Evans, Dylan Fernley, Gweno Glyn, Simon Glyn, Gareth Wyn Griffith, Selwyn Griffiths, Alwyn Gruffydd, Annwen Hughes, Chris Hughes, John Brynmor Hughes, Louise Hughes, Sian Wyn Hughes, Jason Humphreys, Peredur Jenkins, Aeron M. Jones, Aled Wyn Jones, Anne Lloyd Jones, Brian Jones, Charles W. Jones, Dyfrig Jones, Elin Walker Jones, John Wynn Jones, Linda A. W. Jones, Sion Wyn Jones, Eryl Jones-Williams, Beth Lawton, Dilwyn Lloyd, Dafydd Meurig, Dilwyn Morgan, Linda Morgan, Dewi Owen, Edgar Wyn Owen, Michael Sol Owen, W. Roy Owen, Peter Read, Caerwyn Roberts, Gareth A. Roberts, John Pughe Roberts, W. Gareth Roberts, Mair Rowlands, Angela Russell, Dyfrig Siencyn, Mike Stevens, Gareth Thomas, Ioan Thomas, Hefin Underwood, Ann Williams, Eirwyn Williams, Elfed Williams, Gethin Glyn Williams, Hefin Williams, John Wyn Williams, Owain Williams, R. H. Wyn Williams, and Mandy Williams-Davies.

Officers present: Dilwyn Williams (Chief Executive), Iwan Trefor Jones (Corporate Director), Dafydd Edwards (Head of Finance Department), Geraint Owen (Head of Corporate Support Department), Sioned Williams (Head of Economy and Community Department), Iwan Evans (Head of Legal Services / Monitoring Officer), Rhun ap Iarthur (Senior Solicitor - Services / Deputy Monitoring Officer), Arwel E. Jones (Senior Manager – Corporate Support), Dewi Morgan (Senior Manager - Revenue and Risk) and Eirian Roberts (Member Support Officer).

Also Present: Mr Arfon Jones, North Wales Police and Crime Commissioner (for item 8 on the agenda).

Apologies: Councillors Stephen Churchman, Jean Forsyth, Gwen Griffith, June Marshall, W. Tudor Owen, Nigel Pickavance and Gruffydd Williams.

1. MINUTES

The Chair signed the minutes of the previous meeting of the Council held on 6 October, 2016, as a true record.

2. DECLARATION OF PERSONAL INTEREST

Members had received a briefing note from the Monitoring Officer in advance regarding the following matters:

- Council Tax Premium on Empty Properties and Second Homes (item 10 on the agenda)
- Council Tax Reduction Scheme 2017/18 (item 11 on the agenda)

The following members declared a personal interest in item 10 on the agenda – Council Tax Premium on Empty Properties and Second Homes, for the reasons noted:

- Councillor Gweno Glyn - because her brother-in-law owned a second home in Gwynedd.
- Councillor Aled Wyn Jones - because a close family connection had a second home in the county.
- Councillor Angela Russell - because she worked for people who owned summer houses.

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- Councillor R. H. Wyn Williams - because he had an empty property and family that owned a summer house.
- Councillor Dyfrig Siencyn - because he owned an empty property.
- Councillor Mandy Williams-Davies - because her husband owned an empty property via an inheritance.
- Councillor Gethin Glyn Williams - because close members of the family owned holiday homes.
- Councillor Linda Morgan - because she made changeovers between tourists in the house next door to her, which was holiday accommodation.
- Councillor Annwen Hughes - because she had a holiday home.
- Councillor Caerwyn Roberts - because he and his wife owned a converted barn and let out the accommodation for tourists.
- Councillor Peredur Jenkins - because he owned two houses.

The members were of the opinion that they were prejudicial interests, and they withdrew from the meeting during the discussion on the item.

Rhun ap Gareth (Senior Solicitor – Services / Deputy Monitoring Officer) noted a personal interest in item 10 on the agenda – Council Tax Premium on Empty Properties and Second Homes, because his sister owned a second home in the county.

The staff member was of the opinion that it was a prejudicial interest, and he withdrew from the meeting during the discussion on the item.

3. CHAIR'S ANNOUNCEMENTS

Mr Arfon Jones, North Wales Police and Crime Commissioner, was welcomed to the meeting to give a presentation to the members and he was congratulated on being elected for the post.

Best wishes for a full and speedy recovery were extended to the Councillor Tudor Owen following a recent operation.

Councillor Peter Read was welcomed back following his recent ill-health.

Councillor Gweno Glyn was wished well on her recent wedding.

The following were congratulated:-

- Gwynedd Consultancy for being part of an award throughout Britain for the field of building control. The project, that was associated with Harlech Castle visitor centre, came top in the category for the best inclusive building. The award acknowledged the Council officers' work and the close collaboration with Cadw and the contractors that were part of the work.
- The Pwllheli National Sailing Academy and Event Centre in Pwllheli for securing another national award of importance in receiving the Royal Town Planning Institute's (RTPI) Wales Planning Award 2016. Plas Heli had secured an award by being the best on a number of other plans of importance in the Wales awards, and now the project would be going forward to represent Wales in Planning awards throughout the United Kingdom.
- Four companies from Gwynedd, namely Llechwedd, Greenwood Forest Park, Graig Wen Camping Company and Zip World for winning an award in a specific category in an awards event arranged by North Wales Tourism recently.
- A very successful Gŵyl Gerdd Dant was held in Plas Heli, Pwllheli, recently.
- Ifan Richards from Rhydymain near Dolgellau, the winner of the S4C outdoor programme, 'Ar y Dibyn'.

- Dinas Mawddwy Young Farmers on their success in the Meirionnydd County Eisteddfod recently.

Reference was made to a short video clip on local purchase that was shown immediately before this meeting at the request of the Cabinet Member for Economy and Community. It was noted that the previous Saturday, 5 December, was Small Business Saturday and everyone was reminded that everyone was to make a contribution and to support local businesses.

It was noted that the Chair had assisted to sponsor a Charity Concert with Gwyn Hughes Jones, Côr Cofnod, Gwyneth Glyn and others in Cricieth Memorial Hall on Friday, 9 December, with the proceeds going towards RNLI and Crimebeat Gwynedd.

4. QUESTIONS

(1) Question from Councillor Sion Jones

As the original question received from the member quoted the incorrect figures from the press, the following question was asked instead:

"Is it possible for the Cabinet Member to consider a new strategy for car parks in Gwynedd for the future and to consider the businesses here in Gwynedd, that are eager to introduce free parking during the day in a bid to attract more business?"

Answer from Councillor Dafydd Meurig, Cabinet Member for Planning and Regulatory

(The Cabinet Member's written response to the original question was distributed to the members in advance).

"Obviously, I have had a different question to the question asked by you originally. One thing about incorrect figures is where someone gets incorrect figures in reality. If someone has taken them from the newspaper, then the message there is about not believing everything you read in the newspapers. It is a matter of picking up the phone to check whether the figures are correct or not. But to answer the question that was on the paper, we have created an income of £390,000 from parking fines, which is not £1.4m. I don't know if the member has had an opportunity to read the Auditor General for Wales report on tax and creating income in local governments that was published around 3-4 weeks ago, but the Auditor praised and encouraged councils to think strategically about how they fundraise and that it is something that the Regulatory Department had been doing in the field of car parks. Compared to the rest of Wales, we are definitely not at the top. The council that makes most income from car parks charges something like £7m in a year compared to £1.6m here. Wales is behind in terms of car parking fees compared to Scotland. The parking income for every 1000 in the population in Wales is £17.31 compared to Scotland, where it is £19.22 and £39.65 in England. Therefore, I would not agree that we have been overcharging our parking fee income."

A supplementary question by Councillor Sion Jones

"Would the Cabinet Member consider forming a steering group to look at what impact offering free parking for an hour or two every day would have on promoting businesses here in Gwynedd?"

Answer from Councillor Dafydd Meurig, Cabinet Member for Planning and Regulatory

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"By all means. Parking fees is a financial matter, which is a matter for the full Council, and we are talking about an income of £1.6m. The only place we could spend that is on maintaining our highways and if we take those fees down to nothing, that £1.6m would need to be sought somewhere else, of course. I'm sure that we remember that, a few months ago, we made a decision in this Council about our priorities and you will remember the long list of cuts that were in front of us and, if you look at this £1.6m, if we charge nothing at all on car parks, the next on the list, I believe, was closing Neuadd Dwyfor. And if we go further down the list, for £1.6m, there are around 11-12 places we would have to cut. Number 59 was closing three leisure centres. Number 65 was abolishing four social worker jobs. Number 72 was closing Barmouth Bridge. Number 76 was abolishing the mobile library. Number 78 was closing Pont yr Aber. Therefore, we would have to go that far to look for the gap of £1.6m. This would be a matter for the Council in its financial discussions, but if there is a piece of work to do to look at what impact free parking would have on the county, I would see no objection to look into that."

(2) Question from Councillor Elfed Williams

"With Gwynedd Youth Clubs having a moratorium of one year, is it possible to do the same with the County's Libraries?"

Answer from Councillor Ioan Thomas, Cabinet Member for Housing, Customer Care and Libraries, Deprivation and Equality

(The Cabinet Member's written response was distributed to the members in advance).

"The Economy and Community Department is responsible for the Library Service and the Youth Service. Councillor Mair Rowlands is responsible for the Youth Service. It is fair to say that both fields are on a different timetable with different financial implications. The first part of the written response discusses where we are with the libraries, and the second part discusses where we are with the Youth Service. To conclude, there are no financial implications for Gwynedd Council not to change the youth service pattern in 2017. But any delay to the work programme of the Libraries Service would lead to an additional financial deficit that the Council would have to fund. And consider the list that Councillor Dafydd Meurig was discussing earlier."

5. A PRESENTATION FROM THE NORTH WALES POLICE AND CRIME COMMISSIONER

A presentation was given by Mr Arfon Jones, North Wales Police and Crime Commissioner, outlining his background, his role and his responsibilities. He explained that he was responsible for the strategy, rather than the operational side of policing, and he drew specific attention to new aspects of policing, such as dealing with cyber crimes, child sexual exploitation and modern slavery.

The Commissioner answered questions and observations by the members in relation to:

- The Commissioner's call for starting discussions on decriminalising drugs based on the fact that regulating drugs would take them off the illegal market and would mean that the people addicted to drugs would be treated as health matters, rather than criminals.
- The need to protect the number of police officers and police presence in the countryside.
- The importance of safeguarding Police Community Support Officers.

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- The importance of collaborating regionally to ensure that everything would be done to safeguard children and vulnerable people from committing crimes on-line and sexual exploitation, etc.
- The role and the ambition of the Commissioner in terms of the Welsh language.
- The national recruiting system, the Policing College's lack of Welshness and the need to act pro-actively to ensure that Welsh speakers would be recruited to the police.
- Environmental crimes, e.g. graffiti and fly tipping and the need for more collaboration in the enforcement field.
- Strike a balance between the new aspects of policing, such as cyber crimes, and more traditional crimes.
- The feasibility of decentralisation of the Police Service and the Justice Service.
- 2017-2018 Budget and the police's precept.

Mr Arfon Jones was thanked for his presentation and for answering the member's questions.

6. A PRESENTATION ON THE COUNCIL'S FINANCIAL POSITION AND PROGRESS MADE WITH ACHIEVING THE CUTS OF THE GWYNEDD CHALLENGE

The Cabinet Member for Resources gave a general overview of the 2017/18 - 2019/20 Financial Strategy and the Head of Finance Department elaborated that the recent situation regarding savings that had been implemented / planned per department and cross-department.

To summarise, it was noted:

- That there was a need to understand the scale of the financial challenge in the context of £51.5 million in savings and cuts that the Council would have realised between 2010/11 and 2019/20.
- That the vast majority of the savings planned had been harvested, or on the way to being implemented in a timely way.
- That the Cabinet monitored progress with all of the savings and cuts plans and that the Cabinet Members reported on savings plans in their portfolios approximately every two months.
- That there was a need to implement the plans agreed on in March 2016 whilst also identifying and realising additional efficiency savings of approximately £0.7m in 2017/18.
- That due to prudential work last year, the Council would be able to avoid making a decision on additional cuts in the 2017/18 financial cycle.

It was noted that there would be an opportunity for members to discuss the details of the budget in full in a series of finance seminars early in the new year.

The Cabinet Member and the Head of Finance Department responded to general questions by members regarding:

- Invest to Save plans
- The use of the underspend under the control of £500,000, that derived mainly from parking fees.
- Discussions with individual community councils that had demonstrated a desire to collaborate with this Council on some services, e.g. cleaning public toilets.
- Concern that cuts in the primary sector could affect the standards of children's education as they moved up to secondary.

The Cabinet Member and the Head of Finance Department were thanked for their presentation.

7. COUNCIL TAX PREMIUM ON EMPTY PROPERTIES AND SECOND HOMES

The Leader submitted a report which requested:

- Formal confirmation for 2017/18 of previous decisions not to allow any discounts for second homes and to disallow discounts on empty properties.
- Formal confirmation for 2018/19 not to allow any discounts for second homes and to disallow discounts on empty properties, and asked the Council to decide whether additional Council Tax would be charged on these properties.

The Cabinet's recommendations to the Council (paragraph 7 of the report) that included a recommendation to charge a premium of 50% on second homes and empty properties for the 2018/19 financial year.

An amendment was proposed and seconded to accept the Cabinet's recommendations with an additional clause noting that the Council's intention would be to use a percentage of the money received from charging a premium to provide housing for the young people of our communities.

During the discussion, a number of members expressed their support to the recommendations, and the following observations were noted:

- The importance of maximising income and bringing empty houses back into use.
- Concern that the legislative context allowed people to convert empty houses into self catering units paying business rates and the need for more policing and continue to lobby Welsh Government on that.
- There was a need to ensure that the Council would not shoulder the cost of collecting waste from properties that had been converted into business houses.
- This Council was eager to contribute towards Welsh Government's aim of creating 20,000 affordable housing.
- People who owned houses but could not afford to refurbish them to let out should not be punished.
- There were 2000 people on the waiting list for housing in Gwynedd and many more than needed a house, but saw no purpose in even going on the list.
- It was not believed that there was any evidence to show that introducing a premium would have an impact on the tourism industry, and that a positive message needed to be reinforced that Gwynedd was a good place for tourists.
- If tourists would not wish to pay the additional tax, maybe they could consider staying in hotels or supporting local B&Bs.
- An arms length company could be established to buy houses on the open market in order to let them out to local people.
- A group should be formed, through the relevant scrutiny committee and Cabinet Members, to give consideration over the next year to what was wished to be achieved and how best to do that, not only in the housing field, but in the economy field and other services as well.
- Economic imbalance was at the core of all of this and that, by now, the Council had an opportunity to use its taxation power to do the right thing about the situation.

Some members noted that they would be supportive of charging a 100% premium and there was also a call for introducing legislation that required planning permission to be obtained to convert a house into a summer house.

Other members noted that the owners of holiday homes contributed to the local economy and they had concerns that charging any premiums on second homes could create the impression that the Council did not welcome tourists to the county.

A registered vote was called for on the amendment and over a quarter of members voted in favour of that.

In accordance with Procedural Rules, the following vote was recorded on the amendment noted below:

In favour of the amendment: (45) Councillors - Craig ab Iago, Annwen Daniels, Anwen Davies, Lesley Day, Dyfed Edwards, Elwyn Edwards, Trevor Edwards, Thomas Ellis, Alan Jones Evans, Aled Evans, Dylan Fernley, Simon Glyn, Gareth Wyn Griffith, Selwyn Griffiths, Alwyn Gruffydd, Chris Hughes, John Brynmor Hughes, Jason Humphreys, Aeron M. Jones, Anne Lloyd Jones, Charles W. Jones, Dyfrig Jones, Elin Walker Jones, Eric Merfyn Jones, John Wynn Jones, Dilwyn Lloyd, Dafydd Meurig, Dilwyn Morgan, Edgar Wyn Owen, Michael Sol owen, W. Roy Owen, Gareth A. Roberts, John Pughe Roberts, W. Gareth Roberts, Mair Rowlands, Gareth Thomas, Glyn Thomas, Ioan Thomas, Hefin Underwood, Ann Williams, Eirwyn Williams, Elfed Williams, Hefin Williams, John Wyn Williams and Owain Williams.

Abstentions: (3) Councillors: Eryl Jones-Williams, Beth Lawton and Dewi Owen.

Against: (1) Councillor Mike Stevens.

RESOLVED

(a) For the 2017/18 Financial Year:

- (1) That Gwynedd Council allows NO discount under Section 12 of the Local Government Finance Act 1992 to the two classes of second homes (classes A and B), as defined in the Council Tax (Prescribed Class of Dwellings) (Wales) Regulation 1998.**
- (2) That Gwynedd Council allows NO discount in 2017/18 in respect of empty homes (class C).**

(b) For the 2018/19 Financial Year:

- (3) That Gwynedd Council allows NO discount on class A second homes for 2018/19, in accordance with Section 12 of the Local Government Finance Act 1992.**
- (4) That Gwynedd Council allows NO discount and RAISES A PREMIUM OF 50% on class B second homes for class B second homes for 2018/19, in accordance with Section 12B of the Local Government Finance Act 1992.**
- (5) That Gwynedd Council allows NO discount and RAISES A PREMIUM OF 50% on homes that have been empty for 12 months or more for 2018/19, in accordance with Section 12A of the Local Government Finance Act 1992.**
- (6) That the Council's intention would be to use a percentage of the money received from charging a premium to provide housing for the young people of our communities.**

8. COUNCIL TAX REDUCTION SCHEME 2017/18

Submitted - the report of the Cabinet Member for Housing, Customer Care and Libraries, Deprivation and Equality asking the Council to confirm the continuation of the current Local Scheme for providing assistance towards paying Council Tax for the year commencing 1 April 2016.

RESOLVED

- (a) To continue to implement the Council's Local Scheme for the year commencing 1 April 2017 as it was in 2016/17. Therefore the following conditions (i - iii below) regarding the continuation of the discretionary elements will apply:
- (i) To implement a 100% disregard for war disablement pensions, and war widow pensions for both pensioners and working age claimants.
 - (ii) Not to increase the extended reduction periods for pensioners and working age claimants from the standard four weeks in the Prescribed Scheme.
 - (iii) Not to increase the backdate period for pensioners and working age claimants from the standard three months contained within the Prescribed Scheme.
- (b) Where appropriate, to delegate powers to the Head of Finance Department, in consultation with the Cabinet Member for Housing, Customer Care and Libraries, Deprivation and Equality, to make minor amendments to the scheme for 2017/18, on the condition that it will not change the substance of the scheme.

9. REVISION TO OFFICERS' SCHEME OF DELEGATION AND FINANCIAL PROCEDURE RULES

The Monitoring Officer submitted a report notifying the Council members of changes made to the Constitution Officers Delegation Plan and asked the Council to adopt an amendment to the Council's Financial Procedural Rules.

The Monitoring Officer further noted, since preparing the report, that the Audit Committee, at its meeting on 1 December, had recommended the amendment to the Council's Financial Rules.

RESOLVED

- (a) Delete the first part of paragraph 16.6.37 from the Council's Financial Procedural Rules so that the paragraph reads as follows:

"The Chief Officer would have the right to use capital receipts which is within the department's control where the value of that use is up to £50,000 in accordance with the rules regarding conveyances in Part 3. The approval of the Cabinet is needed for such use where the sum is over £50,000."

- (b) To note the amendments to the Delegation Scheme for Officers in Section 3 of the Constitution which reflects:
- Transferring responsibilities from the Head of Adults, Health and Well-being Department to the Head of Corporate Support Department following internal reorganisation.
 - The arrival of statutory changes introduced by the Social Services and Well-being (Wales) Act 2014.

10. ARRANGEMENTS FOR LOCAL GOVERNMENT ELECTIONS 2017

The Deputy Leader presented a report raising the Council members' awareness of the arrangements that were being developed for the Local Government Elections in May 2017.

He gave the members' an opportunity to watch a short video that was posted on the Council's website to encourage individuals to stand as an Elected Member.

During the discussion:

- The new arrangements to provide electronic on-line training was welcomed.
- The importance of giving information to potential applicants about the expectations that would be put on them if they were elected as members was emphasised.

Any councillor that was considering retiring in May was invited to consider sharing their experience with new applicants.

RESOLVED to accept the contents of the report.

The Chair wished everyone a Merry Christmas and a Happy New Year; to members, staff and the county's residents.

The meeting commenced at 1.00 pm and concluded at 4.00 pm

CHAIRMAN