



Complete Agenda

Democracy Service
Council Offices
CAERNARFON
Gwynedd
LL55 1SH

Meeting

THE COUNCIL

Date and Time

1.30 pm, THURSDAY, 5TH DECEMBER, 2024

*** NOTE ***

This meeting will be webcast

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

Location

**Hybrid - Siambr Dafydd Orwig, Swyddfeydd y Cyngor, Caernarfon LL55 1SH /
Virtually on Zoom**

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(DISTRIBUTED 27/11/24)

Ian Jones
Head of Democracy Service

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WEDNESDAY, 27 NOVEMBER 2024

Dear Councillor,

MEETING OF CYNGOR GWYNEDD– THURSDAY, 5 DECEMBER 2024

YOU ARE HEREBY SUMMONED to attend a multi-location meeting of **CYNGOR GWYNEDD** which will be held at **1.30 pm** on **THURSDAY, 5TH DECEMBER, 2024** in **SIAMBR DAFYDD ORWIG, SWYDDFEYDD Y CYNGOR, 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

8 - 31

The Chair shall propose that the minutes of the meetings of the Council held on the following dates be signed as true records:-

3rd October, 2024

24th October 2024 (Extraordinary Meeting)

3. DECLARATION OF PERSONAL INTEREST

To receive any declarations 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

To consider any questions the appropriate notice for which have been given under Section 4.18 of the Constitution.

7. LEADER OF THE COUNCIL

To appoint the Leader of the Council.

8. COUNCIL TAX: DISCRETIONARY POWERS TO ALLOW DISCOUNTS AND/OR RAISE A PREMIUM ON SECOND HOMES AND LONG-TERM EMPTY DWELLINGS 2025-26

32 - 214

To submit the report of the Cabinet Member for Finance.

9. COUNCIL TAX REDUCTION SCHEME 2025-26

215 - 220

To submit the report of the Cabinet Member for Finance.

10. REVIEW OF THE CONSTITUTION

221 - 226

To submit the report of the Cabinet Member for Corporate and Legal Services.

11. REVIEW OF POLLING DISTRICTS AND POLLING PLACES

227 - 240

To submit the report of the Cabinet Member for Corporate and Legal Services.

12. REQUEST TO CHANGE THE NAME OF LLANAEELHAEARN COMMUNITY

241 - 244

To submit the report of the Cabinet Member for Corporate and Legal Services.

13. NOTICES OF MOTION

(A) NOTICE OF MOTION BY COUNCILLOR DELYTH LLOYD GRIFFITHS

In accordance with the Notice of Motion received under Section 4.19 of the Constitution, Councillor Delyth Lloyd Griffiths will propose as follows:-

A house has been exchanged a number of times in a small village in a rural ward in Gwynedd. This happened during a time when 12 local people (family units) were waiting for social housing in the village. The householders are not from Wales and were not waiting for more than 12 months.

Cyngor Gwynedd's letting policy is undermined every time a house is exchanged while local people remain on the waiting list for long periods without being able to secure a home.

This council believes that the Welsh Government's practice of exchanging social housing should cease immediately, unless the house is exchanged within the local authority. I seek Cyngor Gwynedd's support today to put pressure on the Welsh Government to change the law to meet the need for local housing.

(B) NOTICE OF MOTION BY COUNCILLOR HUW ROWLANDS

In accordance with the Notice of Motion received under Section 4.19 of the Constitution, Councillor Huw Rowlands will propose as follows:-

1. Cyngor Gwynedd asks the UK Government to allocate a fair share of the spending on the HS2 rail line in England to Wales.
2. The Welsh Government is also asked to continue to bring pressure to bear on the UK Government to ensure this.

(C) NOTICE OF MOTION BY COUNCILLOR JUNE JONES

In accordance with the Notice of Motion received under Section 4.19 of the Constitution, Councillor June Jones will propose as follows:-

Following the horrific accident on the A4085 road near the village of Garreg, Llanfrothen in November 2023 which saw four young lads lose their lives, that Cyngor Gwynedd corresponds with the Westminster Government's Department for Transport asking them to look at updating the rules to obtain a graduated driving licence where young drivers cannot carry other young passengers without having had six months' driving experience after passing their test.

(D) NOTICE OF MOTION BY COUNCILLOR JOHN PUGHE ROBERTS

In accordance with the Notice of Motion received under Section 4.19 of the Constitution, Councillor John Pughe Roberts will propose as follows:-

Changes by the Westminster Labour Government to agricultural inheritance tax have transformed Agricultural Property Relief (APR) so that all farms worth over a million pounds now have to pay inheritance tax.

The industry is under severe pressure and hedge fund managers are seeking the carbon trade off through a system of re-wilding and tree planting thus raising the value of agricultural land. This means that 100 acres of land that reaches the threshold of a farmhouse and self-catering cottage are worth over a million pounds.

This means that most farms in Gwynedd and Wales will have to pay huge amounts of tax with some going bankrupt or having to sell land which would render the farms unable to continue to farm.

I therefore call on Cyngor Gwynedd to ask the Welsh Government to reconsider their support for the Labour Party in Westminster and that the Welsh Government calls on the Westminster Government to reinstate the Agricultural Property Relief.

(E) NOTICE OF MOTION BY COUNCILLOR ELIN WALKER JONES

In accordance with the Notice of Motion received under Section 4.19 of the Constitution, Councillor Elin Walker Jones will propose as follows:-

That the Council

1. Notes:

- the significant shortage of NHS dental services in north Wales, and that there is a strong case for the establishment of a School of Dentistry in Bangor.

2. Believes:

- that dental services in north Wales are in a state of crisis. A severe shortage of NHS dentists in Gwynedd is leaving many patients, including children and vulnerable people, without proper access to basic dental care. This puts additional pressure on our emergency departments in the local hospitals due to a lack of access to dentists, resulting in additional costs and waiting times.

There is a need for more dental training. Unfortunately, a significant number of students wishing to study dentistry are forced to leave Wales due to a lack of capacity in schools of dentistry.

A new school of dentistry in Bangor could play a key role in training more dentists locally, offering a better chance of retaining the dental workforce in the region and providing essential services locally. The establishment of a school of dentistry in Bangor would provide good quality new jobs and attract investment to the local economy, supporting Bangor as a centre of excellence in health, alongside the new medical school. In addition, the school of dentistry could augment the provision of Welsh and bilingual dental services, improving access to healthcare for local Welsh-speaking communities.

3. Calls on:

The Council to support the campaign to establish a School of Dentistry at Bangor University, to write to our elected representatives in the Senedd to lobby the Welsh Government to consider the economic and public health case for the establishment of a school of dentistry in Bangor based on the key findings presented in the Filling the Gap report.

(F) NOTICE OF MOTION BY COUNCILLOR RHYS TUDUR

In accordance with the Notice of Motion received under Section 4.19 of the Constitution, Councillor Rhys Tudur will propose as follows:-

Given

- That the Welsh Government has conducted a consultation on varying the Land Transaction Tax
- That varying the tax would give the Council the opportunity to tackle effectively the rate at which second homes are purchased
- That varying the tax would open the door for this Council to bring pressure to bear on the Government to give its fair share of the revenue derived from land tax

This Council calls on the Welsh Government to give Gwynedd a greater role in being able to decide on variations for the Land Transaction Tax.

- (1) Letter from the Welsh Government in response to Councillor Gwynfor Owen's notice of motion to the 9th May, 2024 Council meeting regarding the frequency of trains on the Cambrian Coast Railway.
- (2) Letter from the UK Government in response to Councillor Elwyn Edwards' notice of motion to the 3rd October, 2024 Council meeting regarding designating St. David's Day as an official national holiday in Wales.

MEETING OF THE FULL COUNCIL 3/10/24

Present: Councillor Beca Roberts (Chair)
Councillor Ioan Thomas (Vice-chair).

Councillors:- Craig ab Iago, Menna Baines, Beca Brown, Stephen Churchman, Dafydd Owen Davies, Elwyn Edwards, Elfed Wyn ap Elwyn, Alan Jones Evans, Dylan Fernley, Delyth Lloyd Griffiths, Jina Gwyrfai, Annwen Hughes, Louise Hughes, R. Medwyn Hughes, Iwan Huws, Elin Hywel, Nia Wyn Jeffreys, Anne Lloyd Jones, Berwyn Parry Jones, Dawn Lynne Jones, Dewi Jones, Elin Walker Jones, Elwyn Jones, Gwilym Jones, Gareth Tudor Jones, Huw Wyn Jones, Linda Ann Jones, June Jones, Eryl Jones-Williams, Cai Larsen, Beth Lawton, Dilwyn Morgan, Linda Morgan, Dewi Owen, Edgar Wyn Owen, Gwynfor Owen, Gareth Coj Parry, Nigel Pickavance, John Pughe, Rheinallt Puw, Arwyn Herald Roberts, Elfed P Roberts, John Pughe Roberts, Meryl Roberts, Richard Glyn Roberts, Huw Llwyd Rowlands, Paul Rowlinson, Angela Russell, Peter Thomas, Menna Trenholme, Rob Triggs, Rhys Tudur, Einir Wyn Williams, Elfed Williams, Gareth Williams, Gruffydd Williams, Sasha Williams and Sian Williams.

Officers: Dafydd Gibbard (Chief Executive), Geraint Owen (Corporate Director), Dylan Owen (Corporate Director and Statutory Director of Social Services), Dewi Morgan (Head of Finance), Iwan Evans (Monitoring Officer), Ian Jones (Head of Democracy Services), Carys Fôn Williams (Head of Housing and Property), Sioned Williams (Head of Economy and Community), Gwern ap Rhisiart (Head of Education), Steffan Jones (Head of Highways, Engineering and Gwynedd Consultancy), Vera Jones (Democracy and Language Service Manager), Sion Huws (Propriety and Elections Manager) and Eirian Roberts (Democracy Services Officer).

1. APOLOGIES

Apologies were received from Councillors Glyn Daniels, Anwen Davies, John Brynmor Hughes, Dafydd Meurig, Llio Elenid Owen, Gareth Roberts, Dyfrig Siencyn and Hefin Underwood.

2. MINUTES

The Chair signed the minutes of the previous meeting of the Council held on 11 July 2024 as a true record.

3. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received.

4. THE CHAIR'S ANNOUNCEMENTS

Condolences were extended to the following:-

- The family of Mandy Parry from the Corporate Services Department, and Ian Jones, Head of Department gave her a tribute.
- The family of Dewi 'Pws' Morris who had settled in Nefyn for many years, and who was best known as an actor, singer and a second to none leg puller, but who was also a poet, author, presenter, composer and language campaigner.

It was also noted that the Council wished to express condolences to everyone within the county's communities who had lost loved ones recently.

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

It was noted that several Council members had been ill recently and they were wished a full and speedy recovery.

The following were congratulated: -

- Everyone from Gwynedd who had been successful recently at this year's National Eisteddfod in Rhondda Cynon Taf were congratulated, especially Eurgain Haf, Pontypridd, who was originally from Penisarwaun, on winning the Literary Medal, and Carwyn Eckley from Penygroes on winning the Chair for an ode in remembrance of his father, Padrig Eckley, who was a solicitor with this Council before his untimely and premature death in 2002.
- The band, Cowboys Rhos Botwnnog, for winning the Album of the Year.
- Councillor Louise Hughes on her award as the Army Cadet Force volunteer of the year.
- The Council's Procurement Service Team who had been nominated for a national award as a result of their work to demand social benefits to Gwynedd when tendering a food contract.
- The Housing and Property Department for reaching the short-list for the Best Supported Housing Development: Rural/Suburban in the Inside Housing Development awards. It was noted that this was the second time that the Department had reached the short-list, and although they were not successful on this occasion, it was a huge credit that they had reached the short-list from the hundreds of nominations received.
- Cricieth Creadigol community arts group on coming to the fore in the Creative Lives Awards 2024, their aim was to celebrate and recognise the importance of creative activities of all sorts in local communities.

5. URGENT ITEMS

None to note.

6. QUESTIONS

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

(1) Question by Councillor Angela Russell

Given that Wales' climate is getting wetter year on year, I would like to ask, what steps are Cyngor Gwynedd taking to upgrade the A499 road between Pwllheli and Llanbedrog. This would save the residents of Llanbedrog, Abersoch, Botwnnog, Sarn and Aberdaron from having to use narrow lanes past Cefn Llanfair and Rhydyclafdy etc. which means congestion as lorries and buses come face to face on these narrow lanes.

Reply - Cabinet Member for Highways and Municipal and Gwynedd Consultancy, Councillor Berwyn Parry Jones

As you can see from the written reply before you, Natural Resources Wales is the body that leads on the Flooding Management Project in the Pwllheli area. You will see that work on the A499 is an additional option that is being considered, but further work is required before an enhancement scheme can be drawn up for this road. However, I can assure you that we as a Council will press to have a road enhancement scheme as part of the project, and of course, we will update you as matters move forward.

(2) Question by Councillor Huw Rowlands

What use does Cyngor Gwynedd's Highways, Engineering and YGC Department make of external contractors, and what monitoring takes place to ensure quality, value for money and compliance with their contracts?

Reply - Cabinet Member for Highways and Municipal and Gwynedd Consultancy, Councillor Berwyn Parry Jones

It is true to say that the Department uses a number of contractors for the different work areas we undertake, this means a considerable amount of monitoring work by officers. Moving forward, we are trying to internalise some of these contracts to try and ensure better accountability and consistency, and also to develop the internal workforce's skills and keep the benefit local. In addition to this, for example, there are many grass cutting contracts that are ending and there will be a need to re-tender. The hope is that it may be possible to create smaller packages that will mean that more local contractors can cope with the work, in the hope that all of this will improve the service to Gwynedd residents.

Supplementary Question from Councillor Huw Rowlands

Can the Department report back once they have had an opportunity to re-consider how matters will be implemented?

Reply - Cabinet Member for Highways and Municipal and Gwynedd Consultancy, Councillor Berwyn Parry Jones

Certainly, we will report back following this. Also for information, the grass contracts will go out to tender hopefully at the beginning of the year so that there will be new contractors in place by spring.

(3) Question by Councillor Rhys Tudur

Considering the comments from the Officers and Cabinet Member of this Council that the procedure for active travel grant applications puts rural areas at a disadvantage, what means has this Council used to press on the Welsh Government to change the procedure, and to what extent has the pressure been effective?

Reply - From the Deputy Leader, Councillor Nia Jeffreys (in the absence of the Cabinet Member for the Environment, Councillor Dafydd Meurig)

A written response had been provided. Unfortunately, I think and also to be honest, the important sentence is that there has been no significant change in the criteria of the Active Travel Programme from the Welsh Government, and this despite the great pressure that this Council had placed on them. There were attached documents to the written response. There was a letter dated 9 February from the Leader, Councillor Dyfrig Siencyn to Dr Dafydd Trystan Davies, Chair of the Active Travel Board. Another example was the response to the consultation on the National Transport Delivery Plan in October 2022, and the presentation by this Council's officers to the Welsh Local Government Association's Rural Forum. Therefore, these were examples of the pressure we had placed.

However, the situation was not all negative and I think that it is worthwhile to read aloud the list of what is happening in Gwynedd in this field. Already completed were:-

- Ffordd Penrhos, Bangor - Part 1
- Lôn Las Ogwen

- Bike Shelters at Ysgol Cymerau, Pwllheli
- Ysgol Godre'r Berwyn, Bala

Work was underway to develop the following schemes:-

- Llanrug to Caernarfon
- Chwillog to Afonwen
- Tywyn to Aberdyfi

The list went on to mention that the following schemes had been approved for further development, i.e.: -

- Bike Shelters in Schools
- Development of the Active Travel Bethel to Caernarfon scheme
- Development of the Chwillog to Afonwen scheme
- Improvements to the current Ysgol Llanllechid path
- Development of the Ffôr to Pwllheli scheme
- Contribution to the Active Travel provision for Ysgol Trefferthyr, Cricieth
- Development of the Ysgol Maenofferen and Ffordd Glyndŵr scheme
- Development of the Llanrug to Caernarfon Active Travel scheme.

£900,000 had also been secured to realise the second phase of the Ffordd Penrhos, Bangor Active Travel Scheme and over £400,000 to introduce improvements outside Ysgol Trefferthyr, Cricieth as well as Ysgol Rhostryfan.

Supplementary Question by Councillor Rhys Tudur

Given that the Council, according to the examples, have brought pressure to bear regarding the expected means, i.e., via consultations with rural forums, and considering, as the Cabinet Member said, that the system has not changed, and rural areas continue to be under a disadvantage in the grants system, what new means will this Council use to bring pressure to bear on the Government to deliver and get more fairness to rural areas?

Reply - From the Deputy Leader, Councillor Nia Jeffreys (in the absence of the Cabinet Member for the Environment, Councillor Dafydd Meurig)

As a fellow-member in the Eifionydd area, I often preach for the need to ensure fairness across the county, especially for rural areas. May I also thank the Member for his work as a Local Member. I've had the privilege of visiting the Ward and going for a walk along Lôn Goed, and have also walked on the road from Afonwen to Chwillog. Therefore, I fully understand the frustration and the importance of this subject. I will take every opportunity, every consultation, every meeting with the Minister, every meeting of the Welsh Local Government Association, to press the matter forward, as every other Cabinet Member and officer in this Council will I'm sure also do. As the majority in this Chamber, I will also certainly press for and strive and campaign for a Plaid Cymru government in Cardiff in 2026, because this is how we can have a real understanding of rural needs across this county and across the whole of Wales. In my opinion that is the actual answer - a real change down in Cardiff Bay.

(4) Question by Councillor Jina Gwyrfaï

Rented social housing in Gwynedd is distributed through the Council's Housing Options list in collaboration with the housing agencies, Adra, Cynefin etc. What are the arrangements to ensure equal rights and opportunities for tenants, specifically in contractual matters?

Reply - Cabinet Member for Housing, Councillor Craig ab Iago

I cannot add much to the written response. It comes down to the Renting Homes (Wales) Act 2016. One thing I would add - I recall at one point everyone said that this Act would be one of the most innovative acts in Europe. In the end, it wasn't, but it was a further step forward from the situation that previously existed.

Supplementary Question from Councillor Jina Gwyrfa

As I strive to help a family that is facing decanting it came to my attention that the policies and procedures of housing agencies are not uniform by any means. There are obvious differences between them, which is a matter of concern. Shouldn't the Council ensure that policies and procedures i.e. the paperwork for our tenants are uniform for all Gwynedd tenants to ensure fairness for all?

Reply - Cabinet Member for Housing, Councillor Craig ab Iago

To be honest I thought that they were already uniform, therefore I will ask the Department to look into this, but I would say that we as a sector in Gwynedd collaborate very closely. I chair the Gwynedd Housing Partnership. Our officers frequently meet with officers from every housing association. The housing associations meet very frequently. We are trying to ensure that residents get the best experience. I would say that we succeed to do this, and the Government has recently praised us in Gwynedd, and said that we are the best in Wales in terms of our relationship with housing associations. Therefore, perhaps everything is not perfect, but we are definitely moving in the right direction.

(5) Question from Councillor Gruffydd Williams

In light of the Welsh Government's white paper proposals to make local connection less of a consideration for social housing, and given that there are constant complaints on the ground that speaking Welsh or having roots in a community is not a sufficient consideration in relation to having priority for a social house here in Gwynedd, which is a stronghold of the language, what exactly are the efforts being made by Cabinet to try to change this extremely damaging prioritisation system?

Reply - Cabinet Member for Housing, Councillor Craig ab Iago

I was appointed as Cabinet Member for Housing in 2017, and one of the first things we did was to re-draft the Housing Allocation Policy. Prior to this change there were other housing needs that trumped the local element, therefore one of the matters that the new Housing Allocation Policy did was to place much more emphasis on the local element. I believe that we have succeeded. By now 97% of our social housing go to local people, which in my opinion is excellent. The white paper the member refers to talks about undermining this. We agree with many matters in the white paper, but there are also matters that we do not agree with. In order to do something about this, we are doing everything we can - I cannot think of anything else we can do. We have participated in a consultation. The Leader, Councillor Dyfrig Siencyn, has written to the Minister outlining our concerns. Officers from the Housing Department have met with the Government's housing officers. I have been to several meetings with the Welsh Local Government Association, with other cabinet housing members across Wales and have spoken to Julie James AM, the former Housing minister, and I cannot think of anything else we can do. We do not like what is happening, but again, until we vote for Plaid Cymru as the Welsh Government, there is nothing we can do about this.

Supplementary Question from Councillor Gruffydd Williams

Given that there is already a policy on a housing estate in Powys with the aim of protecting and promoting the Welsh language, which gives priority to *"applicants with a connection to the Machynlleth town Council area for at least 10 years, who are Welsh speakers and in housing need"*. My question is, now that the AONB Joint Committee and 12 town and community councils in Llŷn and Eifionydd call on Cyngor Gwynedd to act on the recommendations of the Welsh Speaking Communities Commission to protect and promote the Welsh language, and that the Welsh Language Commissioner had confirmed that Cyngor Gwynedd had failed to comply with the Welsh Language standards, when will Cyngor Gwynedd follow the lead of Powys County Council and establish housing allocation policies with the aim of protecting and promoting the Welsh language?

Reply - Cabinet Member for Housing, Councillor Craig ab Iago

Every person in the Cabinet gives priority to the Welsh language. I would say that the one thing that unifies all of us is the Welsh language. This is true about the group on this side of the Chamber, and all the Council's officers. We are all trying to protect and promote the Welsh language. I'm not sure to what the member is referring to. We are not discussing when we will copy Powys County Council, therefore I'm not sure how I can give a fuller response to what I've already said.

(6) Question by Councillor Richard Glyn Roberts

Considering that:

- all decisions made, and all policies introduced by this Council are required to be subject to a Welsh language impact assessment
- and that it then follows that the measures to manage holiday homes and the social housing allocation policy have both been subject to such assessment
- and that (i) information is not gathered about the language of applicants on the social housing waiting list and (ii) that we are still awaiting data on the linguistic impact of the premium in the context of movements from holiday homes to primary residences
- and that the impact cannot be assessed or monitored without this information,
- and that there are legitimate concerns on the ground regarding the impact of either policy on communities in Llŷn and Eifionydd (and Gwynedd more widely, no doubt)

What intention is there to remedy this situation so that resources are not wasted producing impact assessments in these fields that are so lacking as to give the impression that they are merely sophisticated exercises to distort and conceal the true and potential impacts, of the policies and decisions in question?

Reply – Cabinet Member for Corporate Support, Councillor Menna Trenholme

Cyngor Gwynedd does all it can to promote the Welsh language in our communities and gives this due consideration when creating policies. We take pride in the fact that we have reviewed our impact assessment arrangements including Welsh language impact assessments to ensure that we comply with the relevant legislations and address the equality, Welsh language and socio-economic disadvantage characteristics. The current arrangements were developed with the co-operation of the offices of the relevant commissioners. We will soon move to using a new electronic version and arrange further training for staff.

The Council is required, under the Welsh Language Standards (Section 44 of the Welsh Language (Wales) Measure 2011), to consider the impact that any change in policy or procedure (or creating a new policy or procedure), will have on opportunities for people to use the Welsh language and to ensure that the Welsh language is not treated less favourably than English. It is also required (under the Equality Act 2010) to consider the impact that changes in any policy or procedures (or the creation of a new policy or procedure) will have on people with protected equality characteristics, to ensure fairness and build good relationships and since April 2021 pay due attention to addressing socio-economic disadvantage in strategic decisions. All assessments are made based on the available data. The allegation that they are exercises to distort and hide the real, and potential, effects of the policies and decisions involved is incorrect.

We will continue to undertake assessments in accordance with the legal requirement and consider whether there are opportunities to develop and improve this in future.

Supplementary Question from Councillor Richard Glyn Roberts

Given that this is a question that originally derives from a notice of motion that did not reach the agenda for specific reasons and considering that I understand that the notice of motion, if it was turned into a question, had received a full reply, this answer is disappointing to say the least, and is insufficient. The question goes after fairly specific points regarding gathering data and organisational and policy matters. I think that it has been set out fairly logically according to the points. It is a question that calls for observations from at least three departments, the Housing Department, the Finance Department and the Legal Department, to have a full answer. Given all of this, was it possible to know who drafted this deficient, incomplete and insufficient reply, and in consultation with whom?

Reply - The Chief Executive

To start off, I would like to say that I do not agree that the reply is deficient or incomplete. It is a combination of information from several different departments and from different officers. If you wish to have further information or further discussion regarding this subject, I am very happy to have this discussion with you and to go after the individual departments to provide further information.

7. ANNUAL PERFORMANCE REPORT AND SELF-ASSESSMENT 2023/24

In the absence of the Leader, Councillor Dyfrig Siencyn, the Deputy Leader, Councillor Nia Jeffreys presented the report asking the Council to approve and adopt the Annual Performance Report and Self-assessment 2023/24.

The Deputy Leader thanked all Council employees for their work over the year, during a very challenging period. She also thanked the members of the Governance and Audit Committee for their observations and to the Cabinet Team for their work leading on the specific areas.

The Deputy Leader referred to some priority areas in the report, namely:-

- Gwynedd Yfory - nearly 5,000 primary age children received a hot, nutritious lunch, every day in schools.
- A Homely Gwynedd - over 200 additional homes had been created for Gwynedd residents.
- A Caring Gwynedd - the first house had been purchased for the Small Group Homes service for children in the Porthmadog area and the light extra care housing provision for adults had opened in Pwllheli.

- A Green Gwynedd - work to transform two landfill sites in Gwynedd had led to the restoration of 74 acres at Ffridd Rasus, Harlech and 32 acres at Llwyn Isaf, Penygroes.

The Deputy Leader then referred to one story behind the statistics, highlighting the importance of putting a face to Council work and names to the statistics and also to acknowledge successes.

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

- It was noted that the story behind the statistics was not at all unique and all the work undertaken by officers made a positive difference to the lives of Gwynedd residents, despite the financial crisis. The Deputy Leader's gratitude was reiterated to all Council staff.
- Special thanks was given to the Ardal Ni Teams, the street cleaners, street enforcement staff and also the refuse disposal staff for their hard work in all weathers.
- It was noted that the statistics indicated that 5,400 people had left Gwynedd during the year, and it was asked what the reason for this was. In response, it was explained that a very high percentage of the 5,400 was as a result of deaths and lack of births, rather than outward migration. Obviously, young people were also leaving the County, however, it was trusted that work opportunities, provision of affordable housing, together with other schemes in the Council Plan would assist to attract them back.
- It was noted that Osian Rhys, a young officer working on the Arfor Scheme, had given an inspired presentation in a Seren Network evening in Pontio recently on the benefits of returning to this area to live and work. It was intended to give him an opportunity to give this presentation to a wider audience as many young people were bound to identify with him and his passion and wish to see young people returning to Gwynedd. These messages needed to be maximised and disseminated.
- The Cabinet Member for Adults, Health and Well-being was thanked and everyone working to push the Penrhos Site Scheme forward, however the need to keep on working to complete the work was emphasised as there were currently no nursing beds available in Llŷn.
- It was noted that part of the report that referred to the regeneration of communities and town centres (page 16) stated that Town Centre Plans had been drawn up for Bangor, Caernarfon and Porthmadog and it was asked was there any reason why Pwllheli had not been included. In response, it was noted that the scheme for Pwllheli was underway in close cooperation with the Town Council.
- Concern was expressed that the introduction of Article 4 had caused a great deal of problems in Llŷn. It was noted that only 1,000 of the 4,000 respondents to the consultation were in favour of the introduction of Article 4, and it was questioned whether a consultation should work in this way. It was noted that a very significant number of houses had come on the market in Llŷn since the introduction of Article 4, and many businesses were about to or had closed. Reference was also made to wider problems in the area, including the lack of doctors, ambulances and public transport. In response, it was noted that the consultation was not a referendum, and careful consideration had been given to all the responses. It was further noted that several references had been made to the data in terms of the impact of Article 4 and the Council Tax Premium, and the report to the Council in December on setting the Premium for 2025/26 would include information regarding the impact, together with the research undertaken over the summer.

- The style and language of the report was welcomed, and a hope was expressed that the document would be easily available to Gwynedd residents to see the good work that was proceeding at such a challenging time.
- Referring to page 40 of the report, it was noted that the Age-friendly Gwynedd bid submitted to the World Health Organisation had by now been received with great praise given by the Organisation. Therefore, work would continue under the Age Friendly partnership established within the Council.
- It was asked how the Council decided where to buy housing. In response, it was noted that the Council would not disregard any location as there was a need everywhere and the members were asked to inform the Department of any opportunities to buy houses in their areas. However, it was noted that the Council had to be very careful and not to compete against local people who also wished to buy those houses.
- It was noted that there was lack of new houses for rent in the small villages and it was asked whether it was possible for the Council to build some housing themselves. In response, it was noted that Gwynedd was not an Authority that holds a social housing stock and the Council's role in terms of providing rented housing was to ensure that the housing associations provide as much finance as possible to enable them to do so. However, the Council itself had started building houses to try and fill the gap in provision where first time buyers were unable to buy their own houses, and should the Council fail to sell those houses for some reason, such as a lack of local people in need and in a situation to buy, then consideration could be given to letting those houses for rent.
- It was noted that the areas of Meirion and Dwyfor in the county were amongst the poorest in Wales, if not in Europe, and young people had to leave the area to seek work. In response, it was noted that the Council was fully aware of the need to create work for all the county's residents and did everything within its powers to facilitate this. For example, it was noted that the Supporting People programme provided support for people who live in poverty by ensuring that they claimed every benefit owed and benefited from every opportunity.
- It was noted that there was no active travel scheme in Meirionnydd and a path had been requested for many years from Dinas Mawddwy to Mallwyd. In response, reference was made to the criteria for grants and it was noted that consistent pressure was placed to try and ensure fairness across the county.
- It was noted that it was very difficult to analyse the self-assessment as it did not evaluate schemes according to the areas they belonged to. It was felt that this made it difficult to identify the Council's main barriers and what schemes had not been delivered, etc, and the officers were asked to take this into consideration when drafting a report.
- It was asked what model was used to measure population. In response, it was noted that Gwynedd was 21st out of the 22 Welsh councils in terms of change in population last year, and this had hit the revenue budget for the coming year. As part of the work of trying to address the enormous shortfall of £14m facing the Council, the figure for next year had been looked at, and it was seen that Gwynedd was now 5th out of the 22 county councils. It was not known from where this figure had come, however, it was welcomed as it would mean less impact on our budgets next year.
- Referring to the aim of A Thriving Gwynedd of creating the best possible circumstances in Gwynedd for community enterprises and businesses to thrive, it was noted that the Llanuwchllyn community enterprise had managed to buy the Eagles public house with funding from the Shared Prosperity Fund (SPF). An appreciation of the guidance given by Council officers throughout the process of applying for the grant was expressed, and it was asked what the future forecast regarding this grant was. In response, it was noted that gratitude should be expressed to such community enterprises as not many schemes could be realised without the cooperation with the third sector, as well as the partnership with officers. However, the Levelling Up Fund, the Shared Prosperity Fund grants and the Arfor funding would end in 2025, despite the promise given of 'not a

penny less' during Brexit, and the importance of bringing all the pressure possible to bear on the two governments in this respect.

- It was noted that a great deal of the Council's work was unseen in the background and the fact that the report demonstrated the range of services provided was welcomed. For example, it was noted that the work of the Autism Team was not visible to most people, and they were thanked for all their work supporting children and adults with a diagnosis or awaiting diagnosis, not only by providing specific groups for parents and children who were waiting for a diagnosis, or who were concerned about their children's behaviour, but also by training staff. It was also noted that the internal Autism Team would provide training soon for social workers so that they could support foster parents, families and teachers.
- It was noted, as well as attracting young people back to Gwynedd, that there was a need to consider how to attract people who originated from other parts of Wales, to come and live in Gwynedd.
- In terms of comments regarding the lack of jobs in Gwynedd, it was noted that there were many opportunities available in the care, health and education sectors. It was also noted that they were looking forward to the establishment of the Gwynedd Care Academy which would be an excellent opportunity to develop a career in the care sector.
- In terms of the earlier question in the discussion regarding why Pwllheli had not been included on the list of towns where the Town Centre Schemes had been planned, it was suggested perhaps that there was an unintentional tendency to see what was in front of us and to forget about issues on the periphery. In response, it was noted that Pwllheli had been included in the 2024/25 Plan and that placemaking schemes for the Welsh Government's Transforming Towns Programme were currently being developed in Pwllheli.
- It was suggested that there were several references in the report to 'plans were drafted', 'workshops were held' etc, but successes on paper did not convince people at grassroots level, although it was understood that there were processes to be followed for each development and scheme. In response, it was noted that the frustration could be understood, but there were matters occurring at grassroots level that made a difference.

RESOLVED To approve and adopt Cyngor Gwynedd's Annual Performance Report and Self-Assessment 2023/24.

8. NOTICES OF MOTION

- (A) The following notice of motion was submitted by Councillor Cai Larsen under Section 4.19 of the Constitution, and it was seconded: -

As we now approach a year since the war in Gaza began, Cyngor Gwynedd states that:

More than 40,000 Gaza residents have been killed by Israel security forces - the vast majority civilians.

Approximately 10,000 people - mostly civilians - remain undiscovered but are almost certainly dead.

Over 90,000 have been injured - again with the majority of them civilians.

Close to 200,000 have died due to the indirect effects of Israel's military campaign.

The vast majority of the 2.2m people living there have lost their homes, or have had to move out of their homes.

There are people whose families live in Gaza among the residents of Gwynedd.

In view of this, and in view of a number of other current horrific situations such as Ukraine, Yemen and Myanmar, the Full Council, as part of the process of the annual review of the Investment Strategy, calls for consideration to be given to adding a

provision that meets the principles of protecting human liberties and respecting international law.

The member set out the context to his motion, and noted:-

- That things had moved on since he drafted the proposal in terms of the number of deaths and the extent of destruction, and also in terms of the geographical location of the destruction, but that he didn't want to refer to those atrocities specifically because the proposal spoke for itself.
- That the people of Gwynedd had responded to what was happening in the Middle East by holding regular vigils in Caernarfon and demonstrations in various places in the county, including a long-lasting and brave demonstration by students in Bangor.
- He wished to explain why he believed the Council should review its investment policies and strategies to prioritise ethical investments in the Israeli context, and in the context of a long record by that country's leaders of ignoring international law and human rights and doing so deliberately over a long period of time when there was no war ongoing.
- That this long-term behaviour included: -
 - Constant and long-lasting abuse of Palestinians.
 - Overuse of force.
 - Unjustified murders.
 - Depriving people of the right to assemble and move freely.
 - The practice of extending the Israeli presence on the West bank of the Jordan, which was contrary to the 4th Geneva Convention, a convention that prohibited an occupying power from moving its own population to lands they had occupied.
 - Mass punishment - even before the current raid the blockade of Gaza deprived Gaza residents of easy access to food, medicine and economic opportunities, which in itself created a humanitarian crisis before this raid had begun.
 - Discrimination against people of Arab background within Israel's borders, discrimination in terms of democratic representation, economic opportunities and access to services.
 - The use of military courts to prosecute civilians and the use of a parallel military prosecution system that reduced transparency, reduced fundamental rights and led to long periods of nonjudicial incarceration.
 - Restricting rights to self-expression and restricting the rights of internal organisations to criticise Israeli policies toward Palestinians was a long-standing issue.
- That what was happening in the Middle East right now and had happened there since founding the state of Israel, reflected a totally repugnant perception that the lives of people from some religious and ethnic backgrounds had far more value than others.
- That he realised that the issues referred to were not limited to Israel, and passing the motion would ensure that this Council looked at its policies in order to prioritise ethical investments in general, not just in Israel.
- However, he referred specifically to Israel for two reasons, namely:-
 - That the current atrocious circumstances had been going on for nearly a whole year and was spreading further and further from day to day.
 - That the West's relationship was much closer to Israel's than it was to other countries, with a very poor record regarding respecting international law and human rights. As the Israeli economy integrated into the Western capitalist system there was a higher risk that investments from this Council were making their way to Israel.

- That the Council was asked to support the motion in order to state our opposition to what was happening in the Middle East today, and what had been happening there over the decades and also in to underline the belief that was core to our Welsh values, that every human soul had equal value and that value was independent of religious, ethnic or state background.

Several members expressed their keen support to the motion. During the discussion, the following matters were raised:-

It was noted that the courageous stance of Bangor University students was partly responsible for inspiring this motion. It was emphasised that it was a matter of pride that the Bangor campus was the only one throughout these countries that had stood unbroken since May, and the students were thanked for their remarkable stance and endurance, which had drawn together a wide range of Gwynedd residents and beyond to support and stand with them. It was also noted that everyone was welcome to attend the extra vigil organised on Monday, 7 October to mark one year since the bloodshed had begun.

The opinion of the Monitoring Officer was sought on matters relating to the appropriateness of the wording of the proposal, namely: -

- That the proposal listed figures, but was it possible to do so without a report attesting to the accuracy of those figures?
- That the last paragraph of the motion stated that we call for the addition of a provision that addresses the principles of protecting human rights and respecting international law. Therefore, was there a suggestion that the existing provision was not in accordance with law?
- That this was not a report on the burden on resources of acting in this way or the appropriateness of doing so given that we were dealing with public funds.
- Was the Council able to invest in accordance with morality, apart from that which was in accordance with legal order?
- There was no link between the last paragraph of the proposal and the preamble, and did the proposal refer to any state with an army, or any company that produces the smallest pieces for military weapons, etc?
- Were the fundamental considerations in this case what was in accordance with the law as it stood and what brought the best investment for public money?
- There was no reference here to the risk implications for the organisation, whether legal through challenge or financial through less profitable investments.

In response, it was noted:-

- That the notices of motion went through a process of sorting and filtering to get appropriate proposals.
- That the figures in the proposal had been put forward by the proposer and were probably based on information that was public anyway. Also, the Council was asked 'to note' the figures, rather than to 'adopt' them.
- That the wording of the proposal had been framed very carefully as a request to 'consider' these matters, evaluating the risks, propriety and legality of adding the provision sought when reviewing the Investment Strategy. The proposal did not presume the outcome of that review.
- That the aim of the wording was to undertake a review in terms of ethical investment wherever that occurred and was not limited to Israel or any other country.
- That it could not be said that a proposal requiring such research could be said inappropriate, especially given also that the full Council would adopt the

Investment Strategy at their meeting in March. The report to the Council would give advice on the appropriateness, legality, and also risks of these matters.

On a point of clarity, and in response to a question, it was confirmed that the proposal was about the Council's Money Investment Strategy, not the Pension Fund money.

It was asked how there was investment in Israel if the Council was committed to the Boycott, Disinvestment and Sanctions organisation in 2012. In response, it was explained that the motion required specific wording to be included to highlight the Council's aspiration for ethical investment, but that 95% of the Council's funding was in cash investments in any event.

In his closing comments, the proposer noted:-

- That the proposal was a compromise, and therefore some of the clarity had been lost. However, it was a compromise that he had been happy to make.
- The Investment Strategy already contained priorities regarding, for example, net zero and responsible investment.
- The effort to undermine the motion was a surprise to him.

A registered vote was called for on the motion.

In accordance with Procedural Rules, the following vote on the motion was recorded:-

In favour	48	Councillors: Craig ab Iago, Menna Baines, Beca Brown, Stephen Churchman, Dafydd Owen Davies, Elwyn Edwards, Elfed Wyn ap Elwyn, Alan Jones Evans, Dylan Fernley, Delyth Lloyd Griffiths, R. Medwyn Hughes, Iwan Huws, Elin Hywel, Nia Wyn Jeffreys, Berwyn Parry Jones, Dawn Lynne Jones, Dewi Jones, Elin Walker Jones, Elwyn Jones, Gwilym Jones, Gareth Tudor Jones, Huw Wyn Jones, Linda Ann Jones, June Jones, Cai Larsen, Dilwyn Morgan, Linda Morgan, Edgar Wyn Owen, Gwynfor Owen, Gareth Coj Parry, Nigel Pickavance, John Pughe, Rheinalt Puw, Arwyn Herald Roberts, Beca Roberts, Elfed P Roberts, Meryl Roberts, Huw Llwyd Rowlands, Paul Rowlinson, Ioan Thomas, Peter Thomas, Menna Trenholme, Rhys Tudur, Einir Wyn Williams, Elfed Williams, Gruffydd Williams, Sasha Williams and Sian Williams.
Against	1	Councillor Richard Glyn Roberts.
Abstention	5	Councillors Jina Gwyrfai, Beth Lawton, Dewi Owen, John Pughe Roberts and Rob Triggs.

The Chair noted that the motion had been carried.

RESOLVED to adopt the motion, namely:-

As we now approach a year since the war in Gaza began, Cyngor Gwynedd states that:

More than 40,000 Gaza residents have been killed by Israel security forces - the vast majority civilians.

Approximately 10,000 people - mostly civilians - remain undiscovered but are almost certainly dead.

Over 90,000 have been injured - again with the majority of them civilians.

Close to 200,000 have died due to the indirect effects of Israel's military campaign.

The vast majority of the 2.2m people living there have lost their homes, or have had to move out of their homes.

There are people whose families live in Gaza among the residents of Gwynedd.

In view of this, and in view of a number of other current horrific situations such as Ukraine, Yemen and Myanmar, the Full Council, as part of the process of the annual review of the Investment Strategy, calls for consideration to be given to adding a provision that meets the principles of protecting human liberties and respecting international law.

(B) Submitted - the following notice of motion by Councillor Dewi Jones, under Section 4.19 of the Constitution, and it was seconded:-

1. Cyngor Gwynedd states that we believe responsibility for the Crown Estate should be devolved to the Welsh Government. Any profits generated by the Crown Estate, here on Welsh lands and waters, should remain in Wales, for the benefit of our residents and communities. Responsibility for the Crown Estate is already devolved to the Scottish Government.
2. This Council also states our dissatisfaction that we are obliged to pay annual fees (in the form of leases) to ensure that Gwynedd residents and visitors have access to various sites, including our beaches and other facilities. In 2023, Cyngor Gwynedd paid a total of over £161,000 to the Crown Estate. Lease fees in 2023 ranged from £35 for 'Bangor beach front', to £8,500 for 'Dwyfor beach front', to £144,000 for 'Hafan Pwllheli'. In a period of severe financial hardship for public services, we believe that it is immoral that such fees go towards the maintenance of the British Monarchy and to the coffers of the Treasury in London. This money should remain in Gwynedd to support the people of Gwynedd.
3. We are calling on the Chief Executive to arrange to open discussions with the Crown Estate regarding the fees paid by Cyngor Gwynedd. We would urge the Chief Executive to try to persuade the Crown Estate to delay further invoicing until the Council's financial position has improved. We note that the Crown Estate's profits have more than doubled from £443 million in 2022/23 to £1.1 billion in 2023/24, in the same period Cyngor Gwynedd has seen their budget cut in real terms.

The member set out the context to his motion, and noted:-

- In a period of serious financial hardship, that it was a disgrace that this Council had to pay a number of leases to the Crown Estate to ensure that residents and visitors to Gwynedd have access to our beaches and other facilities.
- That a further delay in further invoicing would create a financial saving that would contribute to protecting essential services that are under so much stress at the moment.
- Wales is a country that is rich natural resources, with her land, coastline and seas that possess the potential to power our economy, to reinforce our communities and support us to lead the way when addressing climate change. However, at the moment, these resources were managed by a body accountable to the Westminster Government, not to the people of Wales and the revenue that derives from the Crown Estate in Wales goes to the UK's Treasury in London.
- Should the responsibility for the Crown Estate be devolved, the profit generated from Welsh land and sea would remain in Wales, enabling us to invest in infrastructure, public services and community projects to suit our specific needs.
- Wales could lead the world in the field of renewable energy development, especially sea wind, tide energy and other innovative green technology, however, to do so we would need the authority to manage our own resources, with a focus on sustainability and long-term benefits for our communities and environment.
- That the devolvement of the Crown Estate related to much more than merely who manages our lands and seas, and involved confidence in our ability to

govern ourselves, trust in our vision for the future, and the confidence that we can shape an economy that serves the people of Wales.

The Chief Executive asked for the proposer to consider strengthening the direction in the second sentence of the third paragraph of the proposal by amending the wording to read '*We would urge the Chief Executive to try to persuade the Crown Estate not to charge the Council rent until the Council's fiscal position has improved*'.

The proposer agreed to the change and there was no objection to this from the floor. With this change, the proposal was seconded.

It was noted that it was not understood why the Welsh counties could not take advantage of the resources they have and keep the benefit truly local, rather than all the money going to Cardiff, and the proposer was asked to consider amending the first sentence of the first paragraph of the proposal to read "*Cyngor Gwynedd states that we believe that the responsibility for the Crown Estate should be devolved to Welsh local authorities*."

The proposer noted that such a change could have far-reaching implications for the Council, and as neither he nor his fellow members had not had an opportunity to weigh-up and consider this seriously, he sought members' support for the proposal as it stood.

Referring to the second sentence of the third paragraph of the proposal, it was noted that the reference to '*until the Council's fiscal position has improved*' was vague and a definition was required. In response, it was agreed that it was difficult to define what constituted a better fiscal position and that it was difficult to see in the current financial climate how the Council could ever reach a better fiscal position.

It was noted, although it was fully agreed that Wales should manage its own natural resources, those resources should not be diversified into the hands of multinational corporations pushing for net zero and pushing more people into fuel poverty.

The following amendment to the first sentence in the paragraph was proposed and seconded, stating: -

"Cyngor Gwynedd states that we believe that responsibility for the Crown Estate should be devolved to ~~the Welsh Government~~ local authorities in Wales."

The amendment was discussed.

The proposer of the original motion noted that considerable thought had gone into the motion, but he did not see that the same level of thought had gone into the amendment. He did not believe that the proposer of the amendment had done any kind of research on the subject or presented any kind of evidence, and on this basis, he urged members to reject the amendment and support the original motion.

It was noted that while it would be necessary in due course to argue how to benefit Gwynedd, it was necessary to benefit the whole of Wales first as a nation.

The amendment was voted on, and lost.

In his closing comments, the proposer noted:-

- That the Crown Estate had made a profit of £443m last year, and this figure had more than doubled to £1.1bn this year, while Cyngor Gwynedd's budgets and other authorities had been squeezed and services had to be cut.

- In terms of the comment about energy developers in Wales, devolution of the Crown Estate would give us more control over who gets energy permits, etc., and bring the decisions closer to the people of Wales.
- Having seen the response to this proposal on social media, it was clear that many people had been discussing the Crown Estate over the past few days. It was important that the people of Wales realised how bad the current deal was and we had a responsibility to fight for a fairer deal for our residents.
- There was encouragement for local authorities and other councils across Wales to follow the same direction as this Council, and the people of Wales were encouraged to contact their elected members at all levels calling them to push for the devolution of the Crown Estate to Wales.

RESOLVED to adopt the motion, namely: -

1. **Cyngor Gwynedd states that we believe responsibility for the Crown Estate should be devolved to the Welsh Government. Any profits generated by the Crown Estate, here on Welsh lands and waters, should remain in Wales, for the benefit of our residents and communities. Responsibility for the Crown Estate is already devolved to the Scottish Government.**
2. **This Council also states our dissatisfaction that we are obliged to pay annual fees (in the form of leases) to ensure that Gwynedd residents and visitors have access to various sites, including our beaches and other facilities. In 2023, Cyngor Gwynedd paid a total of over £161,000 to the Crown Estate. Lease fees in 2023 ranged from £35 for 'Bangor beach front', to £8,500 for 'Dwyfor beach front', to £144,000 for 'Hafan Pwllheli'. In a period of severe financial hardship for public services, we believe that it is immoral that such fees go towards the maintenance of the British Monarchy and to the coffers of the Treasury in London. This money should remain in Gwynedd to support the people of Gwynedd.**
3. **We call on the Chief Executive to arrange to open discussions with the Crown Estate regarding the fees paid by Cyngor Gwynedd. We would urge the Chief Executive to try to persuade the Crown Estate not to charge rent on the Council until the Council's financial position has improved. We note that the Crown Estate's profits have more than doubled from £443 million in 2022/23 to £1.1 billion in 2023/24, in the same period Cyngor Gwynedd has seen their budget cut in real terms.**

- (C) Submitted - the following notice of motion by Councillor Elwyn Edwards, in accordance with Section 4.19 of the Constitution and it was seconded:-

Cyngor Gwynedd is calling on the Westminster Government to hand over the right to the Welsh Government in Cardiff to designate 1st March of each year as an official national holiday in Wales recognising St David as the Patron Saint of Wales. This is done in the case of the Saints of Scotland and Northern Ireland. The Council also seeks the support of the Welsh Government for this (it has previously stated its support) as well as all County, Town and Community councils in Wales.

RESOLVED to adopt the motion, namely: -

Cyngor Gwynedd is calling on the Westminster Government to hand over the right to the Welsh Government in Cardiff to designate 1st March of each year as an official national holiday in Wales recognising St David as the Patron Saint of Wales. This was done in the case of the Saints of Scotland and Northern Ireland. The Council also seeks the support of the Welsh Government for this (it has previously stated its support) as well as all County, Town and Community councils in Wales.

- (D) Submitted - the following notice of motion by Councillor Meryl Roberts under Section 4.19 of the Constitution, and it was seconded: -

Cyngor Gwynedd is fully opposed to the brazen and cruel cuts of the Westminster Government to abolish Gwynedd pensioners' fuel payments this winter. These cuts will mean that at least 85%, namely over 20,000 Gwynedd pensioners, will miss out on fuel payments. To this end, we send steadfast correspondence to Keir Starmer, as prime minister of the United Kingdom, criticising his cruel policy and asking if he can overturn it.

Members expressed their keen support to the motion. During the discussion, the following matters were raised:-

The Council's Age Friendly Champion, Councillor Dilwyn Morgan referred to the work that was underway within the Council to support people, such as: -

- Encouraging people eligible for Pension Credit to claim it, and by doing so to receive a heating payment automatically.
- Assisting people on the borderline of eligibility for Pension Credit by promoting the additional benefit that are available to them.
- It was intended to establish a cross-departmental Winter Payments Taskforce for Pensioners very soon with the aim of developing a campaign to ensure that the county's residents are aware of, and receive what they were entitled to.
- Holding a series of Living Well, Living Healthily events. The first of these events would take place at Canolfan Glaslyn, Porthmadog on 7 October, where over 20 different agencies would be present to hand out information and to assist people to complete application forms etc. An event had been organised in Caernarfon on 1 November, with further events to follow in the south of the County and in the Bangor area.
- Working with the Government's services and the Department of Work and Pensions to determine what was the best way to communicate with individuals.
- A meeting had taken place with Rhian Bowen-Davies, the Older People Commissioner, who also reiterated her concern regarding the proposal to stop the winter fuel payments.
- A session took place in Porthmadog for Council members to given them advice on where to refer people who approach them for information. It was noted that the number who attended the session was disappointing, but it was intended to organise another session soon.

According to the recent figures, 1,977 of Gwynedd residents did not receive their due Pension Credit, a loss to Gwynedd of £456,000. However, since the Government had made the announcement, 20% of those people eligible to receive Pension Credit now received it because organisations such as Cyngor Gwynedd and others had been encouraging people to claim. This meant that the savings made as a result of revoking the winter fuel payments would be less than the Westminster Government had expected.

RESOLVED to adopt the motion, namely: -

Cyngor Gwynedd is fully opposed to the brazen and cruel cuts of the Westminster Government to abolish Gwynedd pensioners' fuel payments this winter. These cuts will mean that at least 85%, namely over 20,000 Gwynedd pensioners, will miss out on fuel payments. To this end, we send steadfast correspondence to Keir Starmer, as prime minister of the United Kingdom, criticising his cruel policy and asking if he can overturn it.

The meeting commenced at 1.30 p.m. and concluded at 4.40p.m.

CHAIR

EXTRAORDINARY MEETING OF THE COUNCIL 24/10/24

Present: Councillor Beca Roberts (Chair)
Councillor Ioan Thomas (Vice-chair).

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

Officers: Dafydd Gibbard (Chief Executive), Geraint Owen (Corporate Director), Dylan Owen (Corporate Director and Statutory Director of Social Services), Dewi Morgan (Head of Finance), Iwan Evans (Monitoring Officer), Ian Jones (Head of Democracy Services), Vera Jones (Democracy and Language Service Manager), Sion Huws (Propriety and Elections Manager) and Eirian Roberts (Democracy Services Officer).

1. APOLOGIES

Apologies were received from Councillor Annwen Hughes.

2. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received.

3. THE CHAIR'S ANNOUNCEMENTS

Condolences were expressed to Councillor Hefin Underwood on the recent loss of his brother.

It was also noted that the Council wished to express condolences to everyone within the county's communities who had lost loved ones recently.

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

It was noted that several Council members had been ill recently, and they were wished a full and speedy recovery.

Councillor Gwilym Evans, the new member for the Llanberis Ward, was congratulated and welcomed to his first meeting of the Council. His predecessor, Kim Jones, was also thanked for all her work.

It was noted that there had been a period of change recently and Councillor Dyfrig Siencyn was thanked for his tireless work leading the Council since 2017. It was explained that there would be an opportunity to formally thank him at the next Council meeting.

Councillors Beca Brown, Berwyn Parry Jones, Dafydd Meurig and Elin Walker Jones were also thanked for their hard work as Cabinet Members.

It was noted that the Council would be moving forward with the arrangements to identify the next Leader over the coming days.

4. URGENT ITEMS

None to note.

5. LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021 – DECISION ON ADOPTING A SINGLE TRANSFERABLE VOTE SYSTEM FOR CYNGOR GWYNEDD ELECTIONS

Submitted – a report by the Cabinet Member for Corporate and Legal Services noting that Section 8 of the Local Government and Elections (Wales) Act 2021 permitted any principal Council to choose between a Simple Majority System ("first past the post") or a Single Transferable Vote System ("STV") for principal councils, and invited the Council to consider the following statutory question following a consultation on changing the voting system:-

In accordance with Section 8 of the Local Government and Elections (Wales) Act 2021, that the Council decides to adopt a single transferable vote system for Cyngor Gwynedd elections hereafter.

In presenting the report, the Cabinet Member noted:-

- According to the requirements of the Act, this meeting had been called to discuss this decision only.
- The consultation was undertaken between 15 July and 15 September this year.
- In accordance with the Council's decision, they had consulted with Gwynedd local government constituents and the town and community councils, which was the statutory requirement, and a breakdown of the consultation results was available in Appendix 1 of the report.
- An extensive consultation process had been undertaken using the Council website, the press and the county's libraries. In addition, direct contact was made with every town and community council in Gwynedd.
- The consultation had received extensive publicity in the press and on social media.
- Steps were taken over the consultation period to re-push the information.
- The objective of the consultation was to seek views on a proposal, and not to hold a referendum on the question, and the consultation results contributed to the considerations, rather than set the direction.
- The Council's decision, whatever it may be, had to be based on a range of considerations, including the evaluation of the consultation's results.
- If the members voted in favour of moving to an STV System, it would be a historical opportunity for Cyngor Gwynedd to lead Wales in joining Scotland, Northern Ireland and the Republic of Ireland in their use of the system, instead of staying with England on the First Past the Post System.
- Every vote was important, and every voice must be heard.
- In the last election, 28 of the 69 seats on Cyngor Gwynedd had been uncontested, and since introducing the STV System in Scotland in 2017, there were fewer uncontested seats in the total number of elections than there had been in only one election in Gwynedd in 2022.
- That Cyngor Gwynedd often led the way in terms of introducing policies that broke new ground, therefore why not this?
- The STV System was a gold standard for electoral systems and it was believed that this was the right thing to do for voters, for the Council and for democracy in

Gwynedd. Therefore, it was proposed that the Council voted in favour of introducing an STV System for Cyngor Gwynedd elections.

- Should the Council decide to adopt the STV System, that would lead to a directive by the Minister for the Democracy and Boundary Commission Wales to hold a review of the electoral arrangements for Cyngor Gwynedd.
- The objective of the process would be to create new wards of between 3 and 6 members, which was required for the implementation of the system.
- The Commission, in accordance with the direction received, would conduct a process similar to the previous electoral review in 2017-2021. According to the Local Government and Elections (Wales) Act 2021, the Commission, through a consultative process, must develop a model in accordance with the requirements. As the process concluded, the Minister would issue an order, changing the electoral arrangements of Gwynedd.

The Monitoring Officer highlighted some additional points regarding the procedure, namely:-

- That this meeting had been called in accordance with the statutory arrangement that must be followed in terms of issuing a notice of the meeting, etc.
- The consultation process had had to be delayed due to the UK General Election in July.
- In accordance with the statutory procedure, the consultation responders were asked to provide information to be able to check that they were on the current electoral register for local government.
- The report did not include any recommendations or decisions sought as there was only one statutory question for the vote. Also, as two thirds of the number of seats on the Council were needed to vote in favour, there was only one statutory question presented, and the members were asked to vote on that question.
- Should the Council adopt the STV System, it would not be possible to revisit the decision for two election cycles.

The statutory question was proposed by the Cabinet Member, and was seconded.

Members were given an opportunity to ask questions and offer observations.

In terms of the order of the meeting, there was an enquiry whether the Plaid Cymru Group members had received a direction on how to vote on the matter locally or nationally. In response, it was explained that a question could not be asked to another person during a debate, but a member of the group could take the opportunity to answer the question when speaking later on.

The following questions then arose regarding the report:-

- Were the officers happy with the response to the consultation considering that it was unrepresentative of the county's population with only 29% of the responders speaking Welsh and 38% describing themselves as Welsh?
- From reading the observations from the town and community councils in detail, was it true to say that some of the observations noted as being in favour of introducing an STV System actually raised suspicion regarding the procedure by expressing concern regarding increasing the size of wards?
- How was it possible to reconcile the fact that the Language Impact Assessment noted that the consultation had not identified any negative impacts, but Llannor Community Council had referred to a possible adverse effect on the Welsh language?

In response, the Monitoring Officer noted:-

- It was not the officers' place to give their opinion on the propriety of the level of response to the consultation, but it was amongst the highest received to the Council's consultations over the last year and reflected the response level that was generally received to these types of consultations.
- All the information gathered had been included in the papers for the members to draw their own conclusions on the results and the views presented.
- In terms of the Equality Impact Assessment, ultimately we had to assess the bulk of the response and the impact, and the consultation was only part of the information. The assessment had found that the impact on the Welsh language and other characteristics was neutral, which was based on the overall evidence. Therefore, it was believed that the assessment was correct and balanced in terms of the responses.

During the follow-up discussion, a number of observations in favour and against adopting the STV System for Cyngor Gwynedd elections were presented. When presenting his observations, the Chair of the Plaid Cymru Group confirmed, although Plaid Cymru's national policy was to support an STV System on every level, the Group had not received any direction or whip from the centre on how to vote, and that some Group members intended to vote in favour of the STV System, and others against.

The reasons for supporting an STV System included :-

- That an STV System produced results that were more representative of the way that people voted.
- That the Simple Majority System created majorities out of minorities and that it was fair to have a system that reflected the proportion of the vote.
- That all the political parties across the UK had trouble finding candidates, and that the STV System was one way of doing that. By using those candidates, it could be ensured that more people had the opportunity to vote for them.
- The current arrangement was broken and people had questioned what mandate did the Councillors have who had come onto the Council uncontested.
- The STV System better reflected the wishes of the electors.
- That it seemed that a multi-member ward system worked well in the Isle of Anglesey County Council and the arrangement was also popular in Scotland and Northern Ireland because electors were able to contact more than one councillor to get a solution to a problem.
- Creating multi-member wards did not mean losing the local connection as the councillors would still be known in the area, and sharing a seat also meant sharing the burden.
- The current arrangement was disproportionate and unfair. For example, in the last General Election, Labour won 80% of the seats in Wales, with just over a third of the votes.
- The current arrangement was wasteful with most people's votes not leading to electing anyone. For example, in the last General Election, 18,500 of Meirion Dwyfor electors had gone out to vote but not elected anyone. To the contrary, every vote counted with the STV System.
- The STV System empowered the elector at the expense of political parties as it allowed people to vote for individuals as well as the party. Therefore, it was healthier for democracy in the long run as it did not put too much power in the hands of parties.
- An STV System would lead to kinder politics as people would have to look, not only for their own first votes, but a second, third and fourth vote for other people. Also, there would be less temptation for people to criticise each other, especially during an election period.
- This Council had been described recently as one of the most outward-looking councils in Wales due to matters such as the Council Tax Premium and Article 4

Direction, and they wished to see Gwynedd continuing to lead Wales as a leading, bold council by adopting the STV System.

- One of the most obvious characteristics of the STV System was that it encouraged councillors to work hard as they competed against councillors from the same parties.
- It was a matter of sadness that so few people, especially young people, fully associated with the democratic process, and although introducing an STV System would not solve all the frustrations, this could go a long way towards being more inclusive and fairer, by making people feel that their vote counted.
- An STV System would encourage better choice, better variety and provide a better sense of representation for the people of the county.
- It was understood that there were concerns that an STV System could give a foothold to the extreme right-wing, but political frustration was partially responsible for driving people in this direction. It was assumed that the right-wing campaign groups and parties would possibly be less attractive if people felt that they were included and heard by the electoral system. It was also noted that no extreme right-wing member had been appointed in Scotland under the STV system.
- Those members who represented Bangor City on this Council already worked together and shared expertise across ward boundaries, and also in Bangor more widely due to the nature of the city.
- There was no need to worry too much about the changes to the boundaries as a result of adopting an STV System as there would be an opportunity for the Council to discuss the options proposed with the Local Democracy and Boundary Commission for Wales.
- In terms of work pressure, councillors would not be expected to serve on every community council within the ward under the STV system.
- There was no need to worry about the complexity of the STV System with regards to the electors, and although there were complexities in the counting, there would be professional people doing the work.
- Although it was accepted that members knew their areas, it was not a bad thing for them to get to know a wider area.
- Councillors would not be alone in large wards as they would have to work with other people. It was believed that this would be good in terms of coming to understand and appreciate other people's views.
- The current arrangement could not provide sufficient choice to the people of Gwynedd and was failing to attract people out to vote.
- The STV System managed to attract more young people, more women and more people which better reflected the community into politics.

The reasons for objecting an STV System included:-

- There was a risk for the large wards that would be created under an STV System to weaken the relationship between county councillors and the communities that they represented.
- That some councillors were already on three community councils as well as school governing bodies, and those requirements would increase should the wards be extended.
- That an STV System better suited national politics than local politics.
- That the Simple Majority System was a procedure where the boundaries were completely known, a system where councillors lived and had been brought up amongst their electors and had a good recognition and understanding of their area, and a system where councillors represented an area with its boundaries close to their homes.
- The current election system was completely clear and it was easy to conclude who had won. To the contrary, the STV System was an expensive and unclear

process which took about two days to count the votes and could cost approximately £16,000.

- It was not true to say that every vote counted under the STV System as people would lose, and the same number of councillors would be elected ultimately.
- There was a myth that the STV System would encourage more collaboration, but it was believed that the reality would be a lack of accountability, people representing areas that were too large and no one dealing with specific local matters.
- There was talk that the STV System would be more inclusive, but it was a procedure that would certainly favour political parties and their tactics.
- An STV System would lead to losing the personal connection with the local councillor, as there would be regional councillors afterwards. Also, there would be a loss of responsibility for local matters, loss of insights on local matters and knowledge of the area.
- Naturally, 3-6 member wards would also be 3-6 times bigger in terms of size, and no one could do justice with such a large and unmanageable ward and representing all the constituents within that ward. It would, therefore, be a matter of picking and choosing and sharing duties, which would be more difficult, awkward, time-consuming and ineffective. Also, the larger the wards, the more difficult it would be to canvass at the time of an election.
- An STV System would mean losing the sovereignty of a small area with no one no longer representing a completely rural area. It would also mean losing historical areas and their boundaries.
- Larger wards would mean that the majority of constituents were urban and it would be difficult for the councillor to represent two cohorts in their ward, namely countryside people and townspeople.
- As the boundaries for wards under the STV System were currently unknown, the Council was expected to vote blindly on the matter.
- The Local Democracy and Boundary Commission Wales would decide on the boundaries of the new wards under the STV System, namely the exact people who had recommended to create a new constituency for Senedd Cymru that would extend from Aberdaron all the way to the border with England. It was believed that this was completely unsuitable and incompatible.
- It was not believed that the system was broken. Instead, indifference prevented people from going to vote as they had been disappointed so much over the years with politicians' empty promises, and moving towards an STV System would not change that.
- In terms of closed lists, there was a risk for people from outside of the community to be elected to safe seats, as it was parties, and not electors, that decided who would represent them.
- It was the role of the local councillor to be a local voice on behalf of their community and to not be part of a consortium that serves a whole region. Such an arrangement would mean losing accountability.
- Although it was claimed that no-one would be elected uncontested under an STV System, there was no assurance that more people would stand for election in 3-6 member wards.
- It was not believed that an STV System would lead to kinder politics, but instead, the opposite of that.
- That 61% of the town and community councils who had responded to the consultation had responded strongly against any change to the arrangement. As those town and community councils had been elected via a democratic system, they were representative of the county's population. To the contrary, 72% of the individuals who had responded were in favour of changing the arrangement, but it was believed that town and community councils bore more weight on the scales.
- Changing to an STV System and increasing the size of wards would cloud the relationship between our areas' population and those who represented that

population, leading to distance, unfamiliarity, alienation and lack of information amongst representatives and the population of the areas that they represented. The arrangement would also surely lead to more indifference and less interest due to thinning the link between local elections and local areas.

- An STV System would favour wealthy and organised parties. In Gwynedd's case, although it would surely favour Plaid Cymru, it would also favour other parties, including extreme right-wing parties.

On a more general note:-

- There was considerable discontent that the Welsh Government had asked individual councils to decide on their own voting arrangement, instead of providing a direction on how to act from the centre.
- It was suggested that the response to the consultation should show that a voting system was not at the front of people's minds in the county during a period of cuts and financial austerity.

A vote was taken on the proposal, namely:-

In accordance with Section 8 of the Local Government and Elections (Wales) Act 2021, that the Council decides to adopt a single transferable vote system for Cyngor Gwynedd elections hereafter.

The Chair noted that 45 members had voted in favour, 1 abstention and 22 against.

(In order to adopt the single transferable vote system, the number of members who voted in favour had to be at least two thirds of the number of seats on the Council, namely 46 out of 69. As the threshold of 46 was not met, the system will not change for the 2027 elections and the review of Electoral Arrangements will not commence.)

RESOLVED not to adopt a single transferable vote system for Cyngor Gwynedd elections hereafter in accordance with Section 8 of the Local Government and Elections (Wales) Act 2021.

The meeting commenced at 1.30pm and concluded at 3.10pm.

CHAIR

MEETING:	Full Council
DATE:	5 December 2024
CABINET MEMBER:	Councillor Paul Rowlinson, Cabinet Member for Finance
TITLE:	COUNCIL TAX: DISCRETIONARY POWERS TO ALLOW DISCOUNTS AND/OR RAISE A PREMIUM ON SECOND HOMES AND LONG-TERM EMPTY DWELLINGS
CONTACT OFFICER:	Dewi Morgan, Head of Finance

DECISION SOUGHT

That the Council makes no change to the Council Tax Premium for 2025/26. That is, for the financial year 2025/26:

- Cyngor Gwynedd allows NO discount on class A second homes, under Section 12 of the Local Government Finance Act 1992.
- Cyngor Gwynedd allows NO discount and RAISES A PREMIUM OF 150% on class B second homes, under Section 12B of the Local Government Finance Act 1992.
- Cyngor Gwynedd 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.

1. THE REASON WHY THE COUNCIL NEEDS TO MAKE A DECISION:

- 1.1. In accordance with the requirements of the Local Government Finance Act 1992, the Council must make an annual decision if it is to levy a Premium on the Council Tax on long-term empty dwellings and second homes ("periodically occupied dwellings"). Without a decision, there would be 50% discount on the Council Tax of such properties.
- 1.2. For financial years 2023/24 and 2024/25, the Council has raised a Council Tax Premium of 150% on second homes and 100% on long-term empty dwellings, but legislation allows the Council to charge a Premium of up to 300%.
- 1.3. However, if the Council were to increase the Premium rate it will have to consider whether such a decision would be reasonable after considering statutory guidance, the result of research and legal advice which the authority has obtained.
- 1.4. There is a copy of the latest Statutory Guidance in Appendix 2.

2. INTRODUCTION AND REASONING

Background / 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 an additional Premium 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 to 100%, which was the maximum level allowed by legislation, for the 2021/22 financial year and on 2 December 2021 it resolved to keep 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. In response to this legislative change, on 1 December 2022 the Council decided to increase the Premium on second homes to 150% and to keep the Premium on long-term empty properties at 100% for the 2023/24 financial year. This followed a comprehensive public consultation in autumn 2023. On 7 December 2023 the Council resolved to keep the Premium at the same level in 2024/25.
- 2.8. **The Council's report of 1 December 2022, when the current Premium level was first set, is included in Appendix 1. This report explains the whole rationale for setting those levels.**
- 2.9. In 2022 it was concluded:
- "12.6. [Cabinet has made its recommendation concluding that 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. "*
- 2.10. This followed an extensive consultation process considering the range of increases open up to 300%. By now, several changes have become active and started to have an impact on the market. The business rates system has changed since 1 April 2023 increasing the requirements to allow holiday properties to be transferred to business rates of actual letting for 182 days and availability of 282 days. Article 4 is also in effect since September 2024.
- 2.11. To be able to defend a decision to charge a Premium at a higher rate than it currently does, therefore, it will be necessary to be able to demonstrate **what has changed** since the current level was set in December 2022, and that sets a basis and rationale to review.
- 2.12. This would build on and be a development of the 2022 decision using the findings from the consultation to provide information and understanding of the impacts. The decision sought reflects an element of the research findings.

2.13. According to the Statutory Guidance:

Any decision to vary or revoke a determination to apply a premium must be made before the beginning of the financial year to which it applies.

Local authorities are also strongly encouraged to consult before making a determination to increase a premium to a level above 100% and to do so at least 6 months before the beginning of the financial year to which the proposed premium increase relates.

This will enable the premium to be taken into account when setting council tax levels for the forthcoming year and allow taxpayers sufficient time to consider the impact of a higher premium on their own personal financial circumstances and make choices regarding their property.

- 2.14. While the new Guidance therefore gives the impression that Councils should undertake consultation before deciding to raise a premium and particularly before deciding to raise a premium above 100%, there is no requirement to do this every time a Council decides to raise the premium higher. The decision sought proposes to keep the premium on second homes and long-term empty dwellings as they are. Should the Council consider that these rates need to be revised then particular attention can be paid to the results of the consultation in 2022. The consultation was wide-ranging, received significant publicity and was based on seeking views on increases up to 300% (the 2022 decision report is attached). But, appropriately and reflecting on the decision in December 2022, the research findings should be considered along with the wider knowledge and assessments when considering the context and justification for a decision.
- 2.15. The risk of legal challenge can never be completely eliminated, but it would be possible to weigh the research presented in the remainder of the report here and in Appendix 2 to reach a conclusion if this risk can be mitigated to an acceptable level.

3. RESEARCH WORK

- 3.1. When setting the current level of the Premium, the full Council requested research to analyse the impact the Premium was having on Gwynedd communities.
- 3.2. The result of this research appears in the report contained in Appendix 3, with the executive summary as follows.

Purpose and scope of research

- 3.3. This research was intended to gather evidence on the impact of the two latest increases in the level of the council tax premium in Gwynedd (to 100% for second homes and long-term empty properties in April 2021, and to 150% for second homes in April 2023) aiming to answer the following questions:
 - Has increasing the premium led to fewer second homes in Gwynedd?
 - What happened to the properties that were formerly second homes – i.e. have they gone from paying council tax with premium (second home), to paying basic council tax (main residence), or to the business tax regime (holiday accommodation), or any other category
 - What do we know about the people who live in houses which were previously second homes but are now main homes? Was this related to the sale of the house at the same time, or a change of use under the same ownership?
 - Has the premium increase led to long-term empty houses being brought back into use?
- 3.4. The research focused on use of properties and focused on three different elements, namely:
 - Analysing the details of property categories in the council tax system (houses changing to/from being a second home or long-term empty).
 - Looking at the link between change of property categories for council tax purposes and house sales.
 - Collecting further information on properties that have changed from a second home to a main home, via a questionnaire for current occupants.

Analysing category movements in the council tax system

- 3.5. This element involved analysing the details of the categories of all properties in the county in the council tax system on different dates between October 2019 and April 2024, looking specifically at housing switching to/from a second home or long-term empty, and any different patterns in this around the time of increases in the premium.

- 3.6. In terms of properties moving between being a second home and being a primary residence, there has usually been a (net) flow of properties from main residences to second homes. But the net flow was the other way (i.e. from second homes to main residences) in the run-up to the premium increase to 100% in April 2021, and (more decisively and more long-lasting) before and after the premium increase to 150% in April 2023.
- 3.7. In terms of properties moving between second homes and holiday accommodation, prior to April 2023 there was a flow of properties from second homes (in the council tax regime) to holiday accommodation (in the business tax regime). But after April 2023 (at the time business rate regulations were changed, in terms of the period properties are / are available to let), the flow is now the other way, from holiday accommodation to second homes. There are recent indications, based on Dec 2023 – Apr 2024 data, that this flow has grown so that the total number of second homes across Gwynedd is stabilising (i.e. this flow is around the same as the flow from second homes to main residences).
- 3.8. In summary, it therefore appears (although it must be remembered that other factors may also be influencing the situation) that the premium has made a contribution to bringing second homes back into use as primary residences.
- 3.9. The change in holiday accommodation regulations has also appeared to have a continuing impact – resulting in a flow of properties from holiday accommodation to second homes, somewhat offsetting the impact of the trend (above) for second homes to change into primary residences.
- 3.10. In terms of the impact of the premium on long-term empty properties, it is difficult to detect any definite pattern. A higher number transferred after a premium increase in 2021, but subsequently the numbers have been very variable and there is no noticeable long-lasting effect.

Comparison with home sales

- 3.11. We looked at the period from December 2022, the period in which a net flow of properties from second homes to main residences began. Of properties that changed from a second home to a main residence in this period, 19% had been sold around the same time.
- 3.12. Of the properties that remained a second home constantly from December 2022 to April 2024, around 1% had been sold during this period. This is a lower proportion than in the previous period (Dec 2021 – Dec 2022); there is therefore no evidence that the premium increase to 150% has led to an increase in the number of second homes being sold to other second home owners.

Further information on properties which changed from second home to main home

- 3.13. A questionnaire was sent to over 900 properties which changed status from second home to primary residence (in council tax data) since December 2022 (when a flow of second homes to primary residences began). There was a 20% response rate.
- 3.14. Of those who indicated they owned the house, 64% had bought the house in order to live in it permanently (never having been their second home), and 28% were now living permanently in a house that used to be their second home.
- 3.15. The majority (71%) of those who moved into a house which was their second home, had not previously lived in Gwynedd. Of those who had bought the house to live in permanently, around half (52%) had not previously lived in Gwynedd, but around a third (35%) had lived in Gwynedd for 5 years or more.
- 3.16. Of the properties where a questionnaire response was received, there were Welsh-speaking adult(s) in 39% of the houses purchased to live in permanently. This compares to 26% where owners had moved into houses that were already their second homes.

Other considerations

- 3.17. The data can be analysed into smaller areas as needed, and some results about the individual wards Abersoch with Llanengan, and Aberdyfi, are included in the full report.
- 3.18. In future further sources of information could be looked at, to look at other possible aspects of the impact of increasing the premium. It may also be possible to look at the potential for additional research data to be collected when administering council tax, if the intention is to continue to monitor these trends.

4. USE OF THE PREMIUM

- 4.1. 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. Since the 2023/24 financial year, £3m has been used in the revenue budget to fund the Homlessness service.
- 4.2. The Housing Action Plan aims to build, purchase or refurbish over 2,000 units that will help over 15,000 people in Gwynedd over the life of the Scheme.
- 4.3. Following changes to the housing situation, the needs of the people of Gwynedd and financial sources in recent years, particularly in light of the Covid-19 pandemic and Brexit, we recently took the opportunity to review the Plan, taking advantage of new opportunities to expand and help even more residents of the county with their housing situation.
- 4.4. The Housing Action Plan will invest over £180m over the period of the Scheme, drawing on a number of financial sources, such as the Welsh Government's Housing Support Grant and Social Housing Grant, the Council's Asset Management Plan and of course the Council Tax Premium on Second Homes and Empty Houses.
- 4.5. The funding received from the Council Tax Premium fund (approximately 27% of the total value of the Scheme) is fully earmarked against several projects in the Housing Action Plan, such as supported accommodation schemes, building our own houses, contributing to residential elements in community schemes, bringing the county's empty houses back into use, and ensuring disabled people can continue to live in their current homes.
- 4.6. Being able to include the Premium as a financial source has enabled the Department to attract several additional grants. We prioritised spending those grants first because they had a time limit, which in turn has allowed us to prioritise premium spending and ensure that that benefits the people of Gwynedd the most.
- 4.7. Of all the Scheme's financial expenditure/commitments to date (which is the last column in the table), around £10.5m has come from the Premium fund.

4.8. The table below summarises the Plan's main data to date, including how many units, number of people have received support and the expenditure on each project.

Ref.	Description	Unit Target	Units Completed	Units in Progress	Individual target	Individual s helped	Budget	Committed expenditure
1a	Supported housing for the homeless schemes	83	20	62	0	22	£14,300,000	£3,546,495
1b	Supported housing for homeless young people	4	4	-	0		£1,251,442	£1,005,608
1c	Self contained units for individuals with intensive social needs	5		5	0		£800,000	£442,058
1ch	Support packages for private landlords	140	21	11	0	47	£3,300,000	£243,465
1d	Specialist mental health support	0		40 individualss	200	56	£240,000	£45,158
1dd	Accommodation and extra support in Arfon	6		6	0		£818,000	£500
2a	Build more social housing than what can be funded through the social housing grant	700	346	194	0	-	£56,700,000	£42,842,136
2b	Redevelop the Polish Care Home site in Penrhos	107			0			
2c	Purchase of former social housing and renting them to Gwynedd residents	100	35	11	0	138	£22,400,000	£6,583,492
3a	Develop our own housing	90		43	0		£9,000,000	£360,350
3c	Consult with communities to establish their housing needs	0	-	-	0	43	£150,000	£1,360
3ch	Refusing applications to remove a local person condition on former 'Council houses'	70	43	20	0	63		
3dd	First Time Buyers' Grants to renovate empty houses	282	247	30	0	319	£4,080,000	£1,027,780
3e	Council Tax Exemption on empty houses for first time buyers	0			120	123	£200,000	£165,061
3f	Homebuy scheme	120	42	35	0	23	£11,500,000	£3,100,000
3ff	Finding and purchasing land for building in the future	0			0	0	£1,200,000	£679,472
3g	Residential element in community regeneration schemes	12	1		0	4	£600,000	£37,500
3ng	Offering support to owners who wish to let or sell their houses to local people	0			0		£ -	

Ref.	Description	Unit Target	Units Completed	Units in Progress	Individual target	Individuals helped	Budget	Committed expenditure
4a	Set up a new Energy Conservation service for home-owners	0			0	2000	£500,000	£231,620
4b	Innovative Housing Pilot Scheme	4	4		4	4	£600,000	£839,269
5a	Supported housing – youth	4	0		0		£500,000	
5b	Extra care housing for the elderly	72	0		0		£13,000,000	
5ch	Supported Housing – adults with profound needs	15	0		0		£500,000	
5d	Suitable homes for children with severe physical needs	15	11	6	0	11	£1,200,000	£912,144
5dd	Frondeg, Caernarfon	17	0		0		£200,000	£2,552
5e	Interest-free loans to improve housing conditions	0	12	20	25	27	£250,000	£95,090
5f	Home Safety	0	0	10	2000	3684	£600,000	£400,000
5ff	Adaptations to make houses suitable homes for individuals with disabilities	0	0	-	900	703	£7,200,000	£5,706,294
6	One-stop shop for Housing matters	0	-		0		£480,000	
		1846	757	482	3249	7267	£152,251,442	£68,267,404

5. EQUALITY IMPACT ASSESSMENT

- 5.1. The Equality Impact Assessment in the Appendix reflects recent requirements and developments, changing circumstances and the results of the comprehensive consultation that was undertaken in 2022.
- 5.2. The result of the Equality Impact Assessment undertaken in 2022 when setting the current level of Premium 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.
- 5.3. The 2022 assessment also concluded 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.

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

- 6.1. 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.
- 6.2. In accordance with the requirement of the Act, Cyngor Gwynedd 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
- 6.3. 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.
- 6.4. 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”.
- 6.5. 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
- 6.6. The Housing Action Plan includes a number of projects that together set out to deliver these objectives.

7. THE CABINET'S RECOMMENDATION

- 7.1. 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 on the Premium level to be set for 2025/26. The Council's Cabinet, at its meeting on 26 November, resolved:

Recommend to the full Council on 5 December 2024 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 2025/26 financial year:

- **That Cyngor Gwynedd allows NO discount on class A second homes, under Section 12 of the Local Government Finance Act 1992 (i.e. no change).**
- **That Cyngor Gwynedd allows NO discount and RAISES A PREMIUM OF 150% on class B second homes, under Section 12B of the Local Government Finance Act 1992 (i.e. no change).**
- **That Cyngor Gwynedd 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).**

OPINION OF STATUTORY OFFICERS

Monitoring Officer:

As set out in the report the Council is required to make a decision for the coming financial year. It is therefore appropriate that a decision for Council Tax Discounts and Premium receives consideration from the full Council. It is explained in the report that a consultation process was undertaken prior to increasing the premium level to 150% for 2022/23 onwards. I am therefore satisfied with the propriety of the Cabinet's recommendation and can advise further at the meeting should the need arise.

Head of Finance:

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

BACKGROUND DOCUMENTS

Council Report 1 December 2022

Statutory Guidance

Research Work on the Effect of the Premium

APPENDIX 1A

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.

- 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

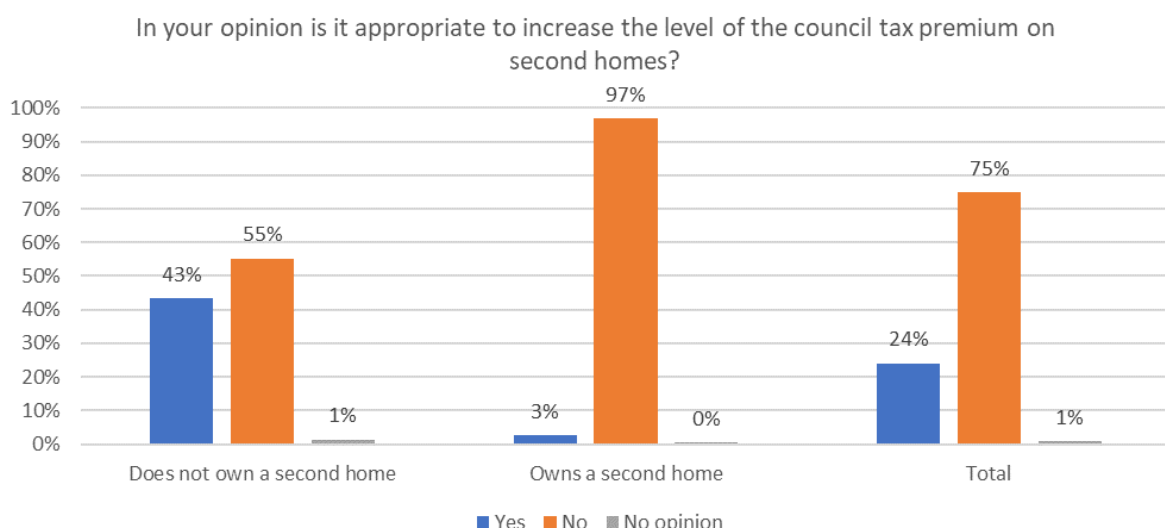
5.11. Just over half of respondents, therefore, (50.3%) owned either a second home or a long-term empty dwelling in Gwynedd (or both).

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?***



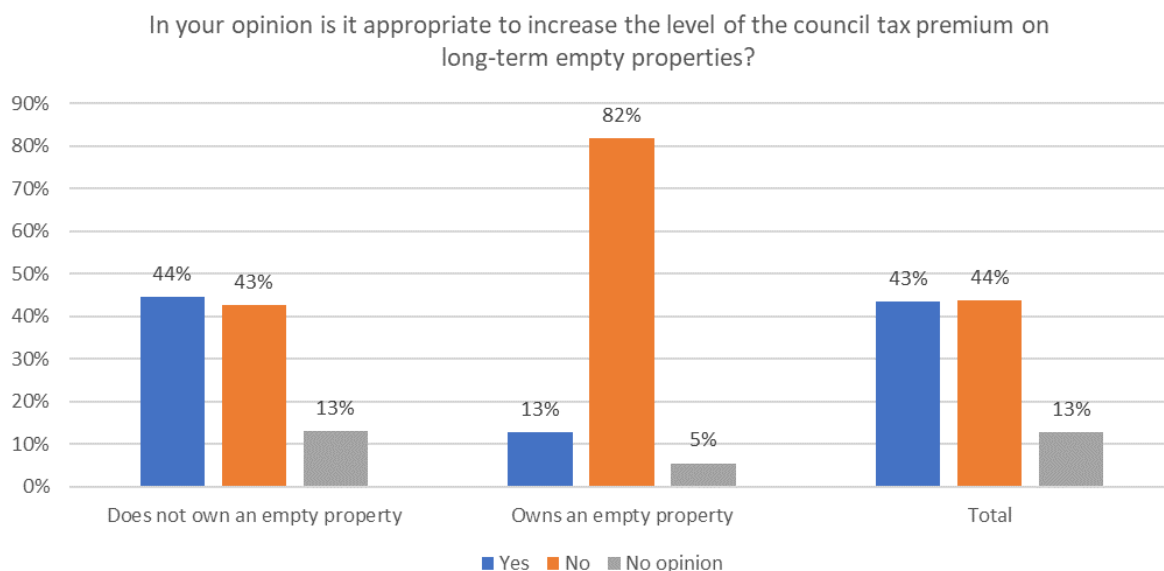
5.15. In total, 75% of respondents considered it not appropriate to increase the level of Council Tax Premium on second homes. 24.1% thought it appropriate to increase it, with 0.9% not having an opinion.

- 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.



- 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.

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.

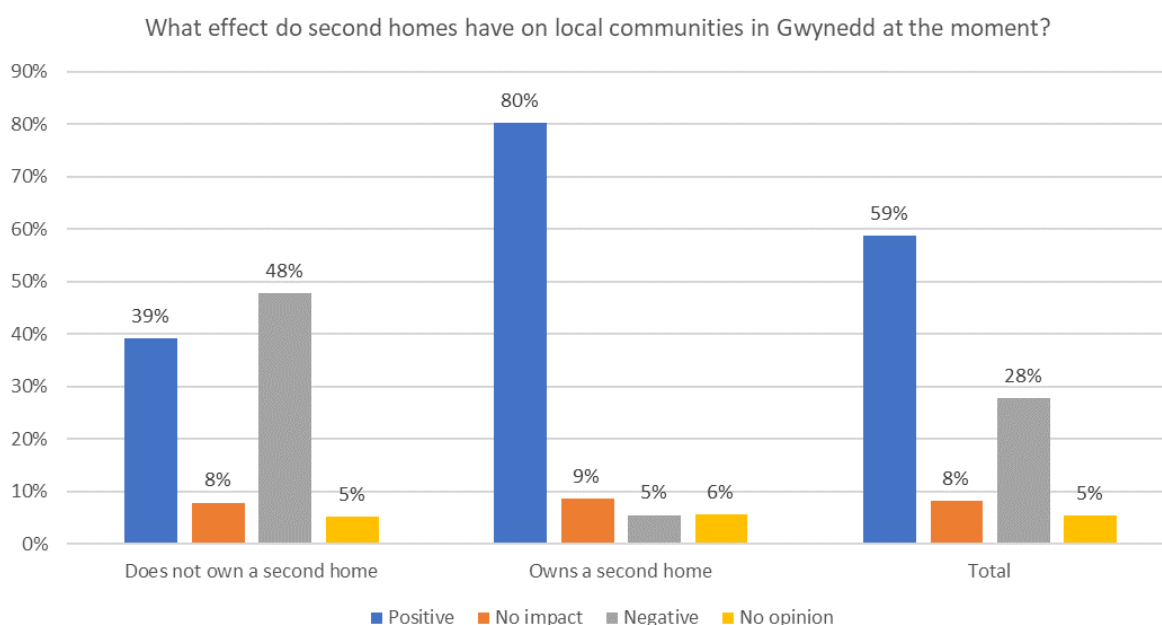
3. Results for Second Homes

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.

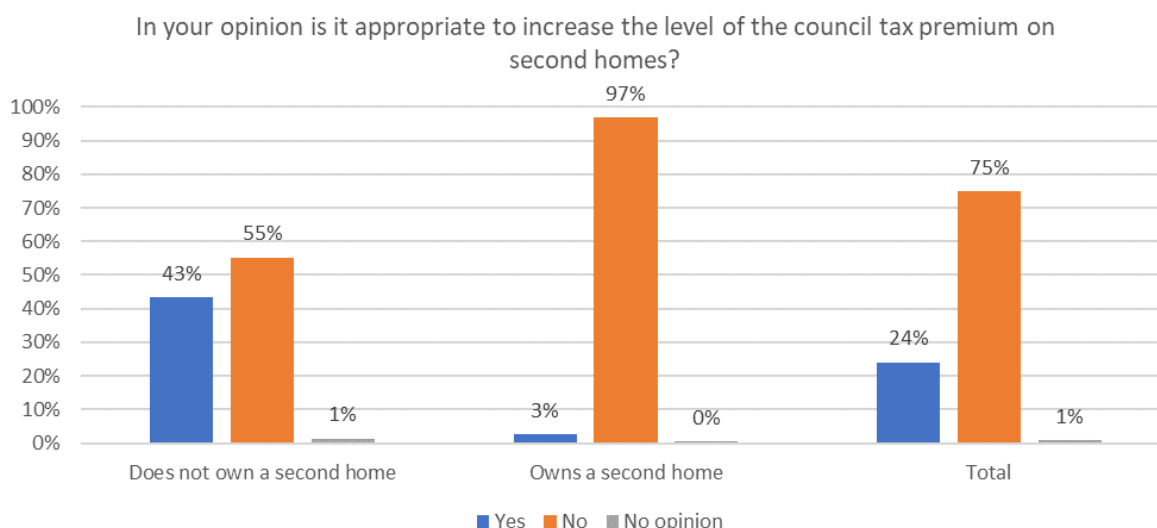
Among the small number of respondents who own long-term empty properties and second homes the view is again more divided but with the majority (55.6%) believing second homes are currently having a positive impact.

	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.

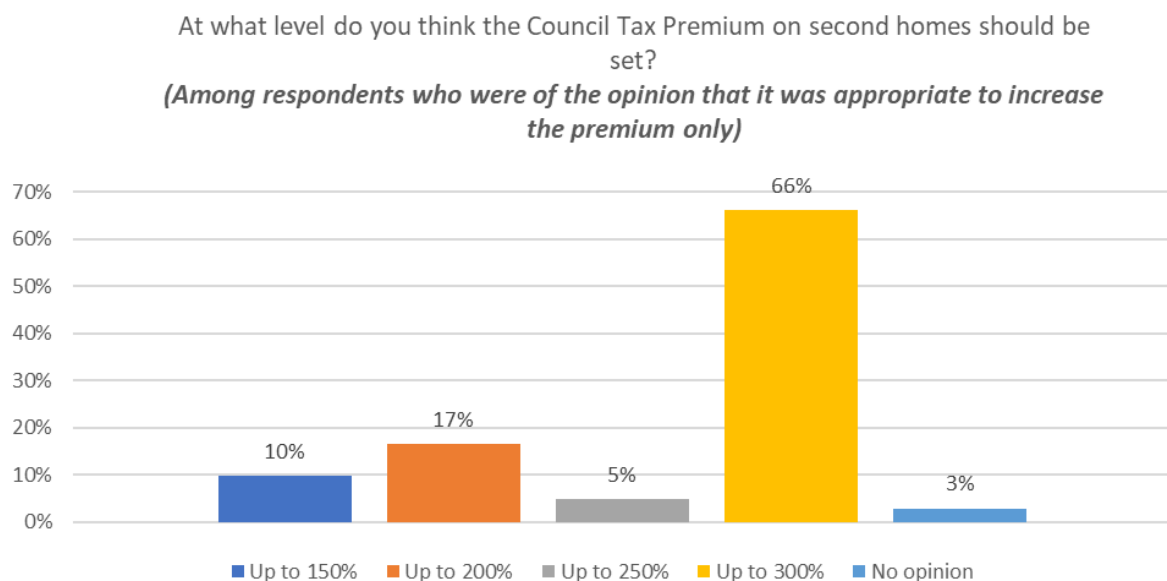
A majority (76.1%) of respondents who own long-term empty properties also opposed increasing the premium on second homes. Among the small number of respondents who own long-term empty properties and second homes, 88.9% opposed increasing the premium on second homes.

	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

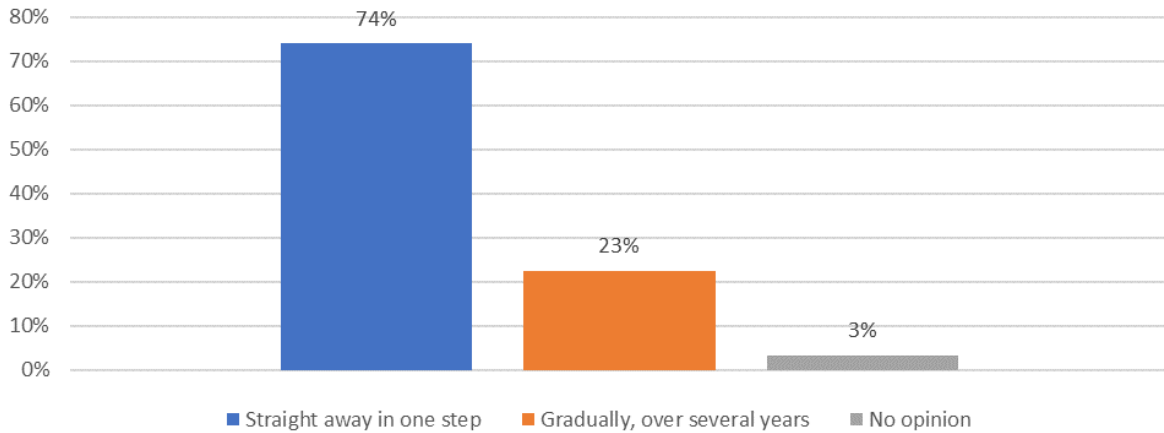
Question only relevant to respondents who supported increasing the premium on second homes

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.

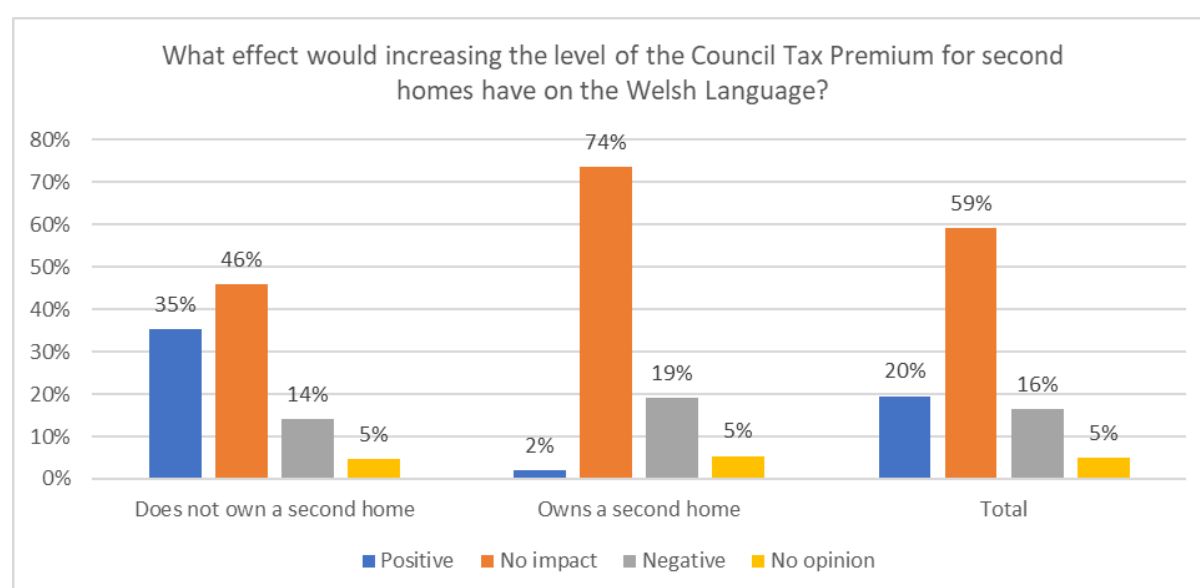
	Immediately, in one step		Gradually, over several year		No opinion		Total	
	No.	%age	No.	%age	No.	%age	No.	%age
Owning neither a second home nor empty property	1,256	77.2%	320	19.7%	50	3.1%	1,626	100.0%
Own a second home	26	27.7%	61	64.9%	7	7.4%	94	100.0%
Own a long-term empty property	25	59.5%	15	35.7%	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.

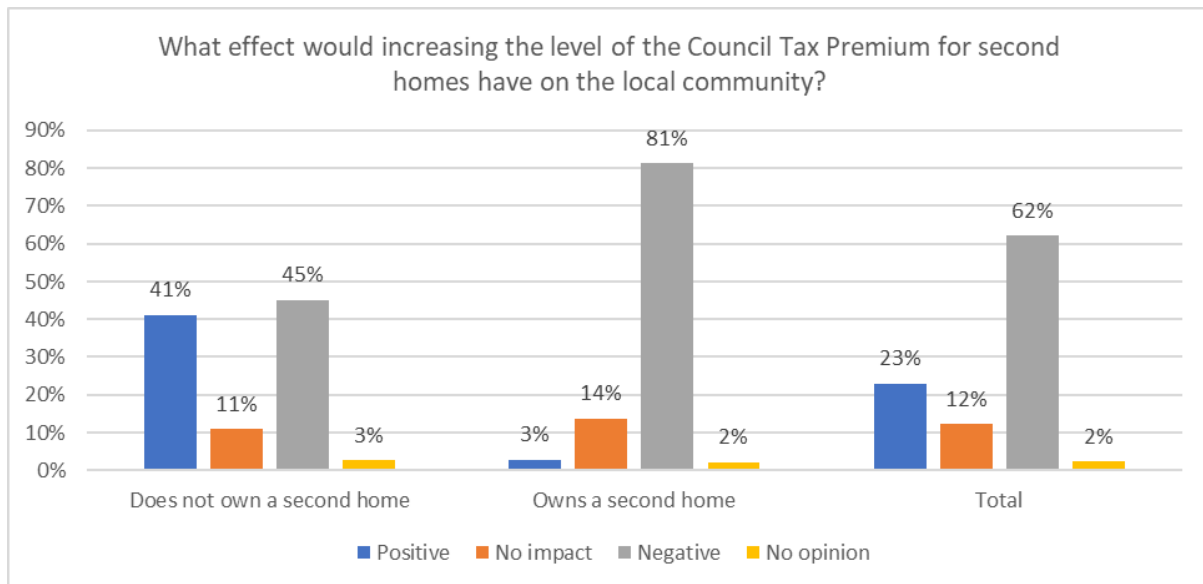
Among the small number of respondents who own long-term empty properties and a second home, half (50.0%) believed increasing the premium would have a negative impact on the Welsh language and a third (33.3%) believed it would have no impact.

	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.

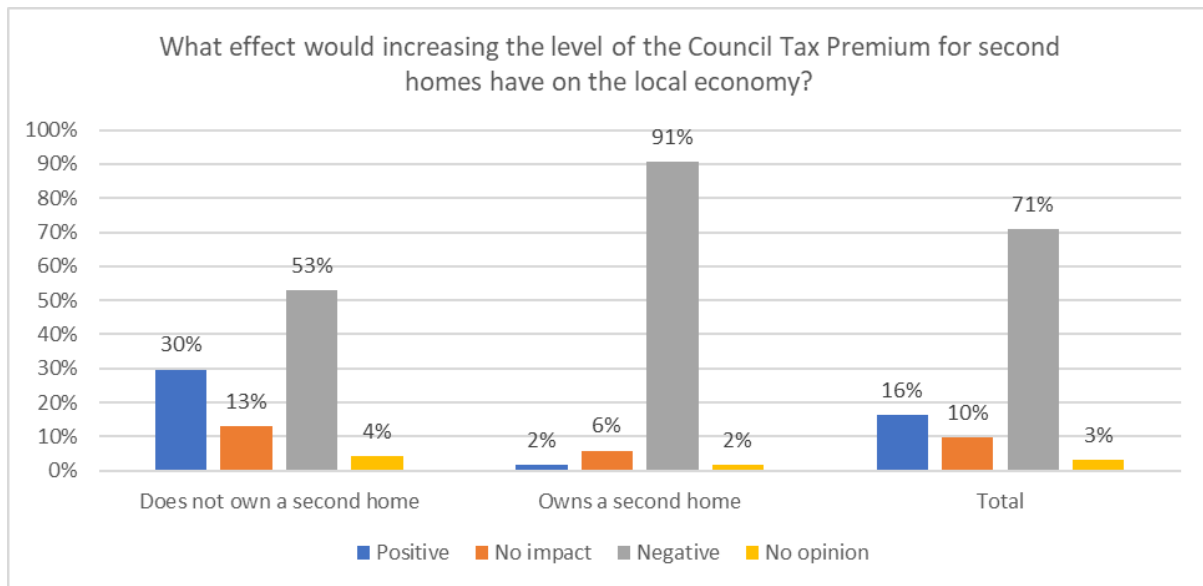
Among the small number of respondents who own long-term empty properties and a second home, the majority (63.9%) believed that increasing the premium would have a negative impact on the local community.

	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%

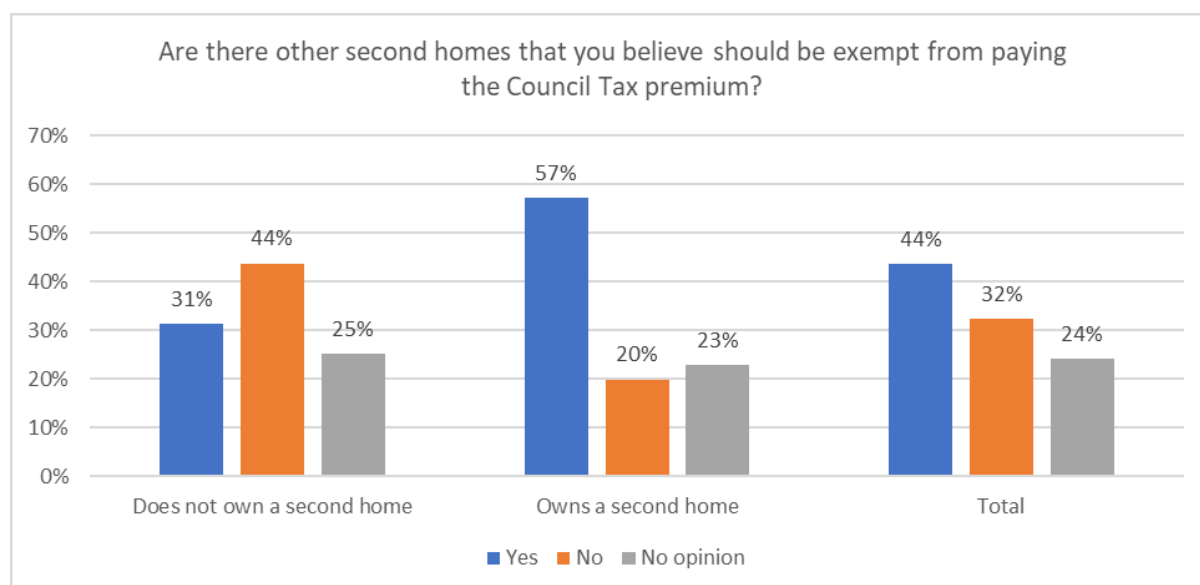
3.8 Are there other second homes that you believe should be exempt from paying the Council Tax Premium?

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 thoes 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 those 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%

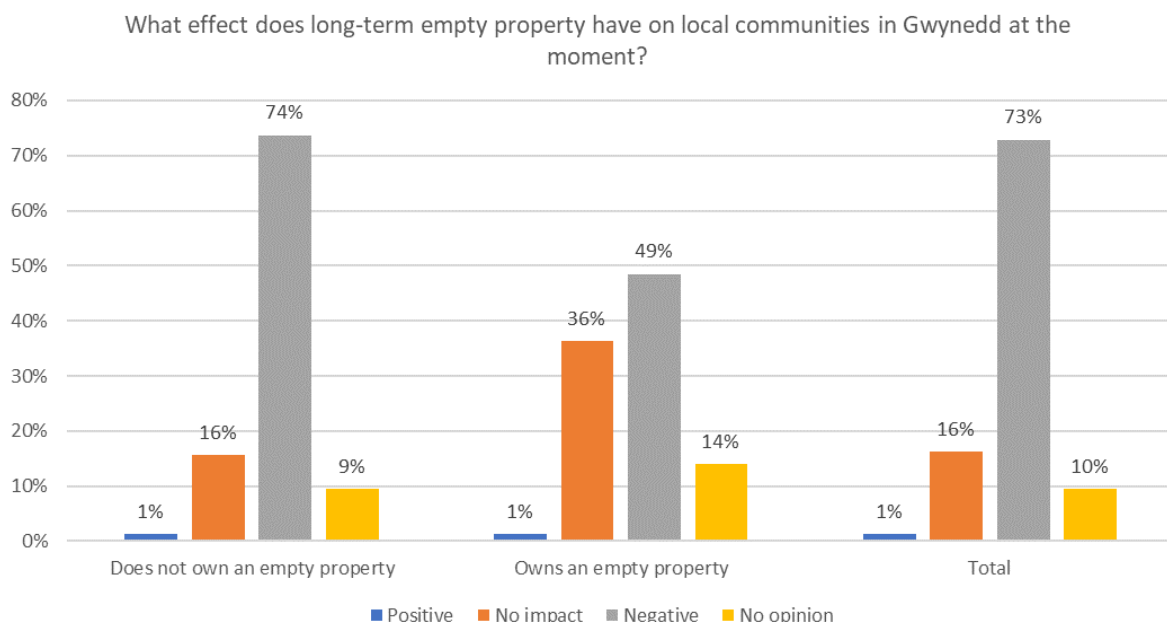
4. Results for Long-Term Empty Properties

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.

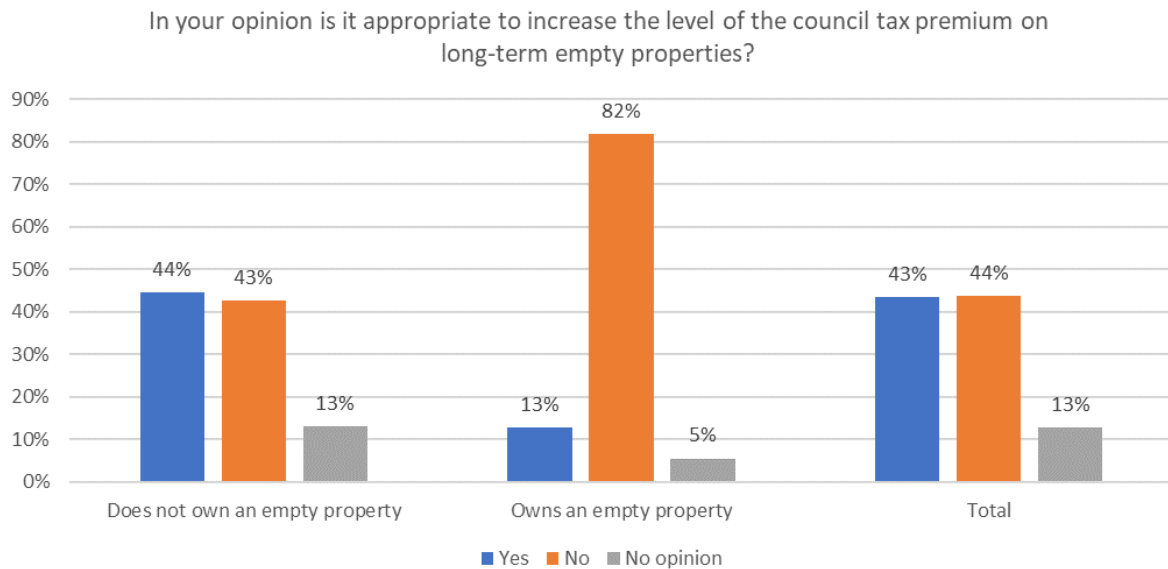
The table below details the responses by category of respondents. The main clear difference is that respondents who own a long-term empty property are more likely than other respondents to think it has no impact on local communities: 37.3% of those with long-term empty properties, and 30.6% of those 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.



"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.

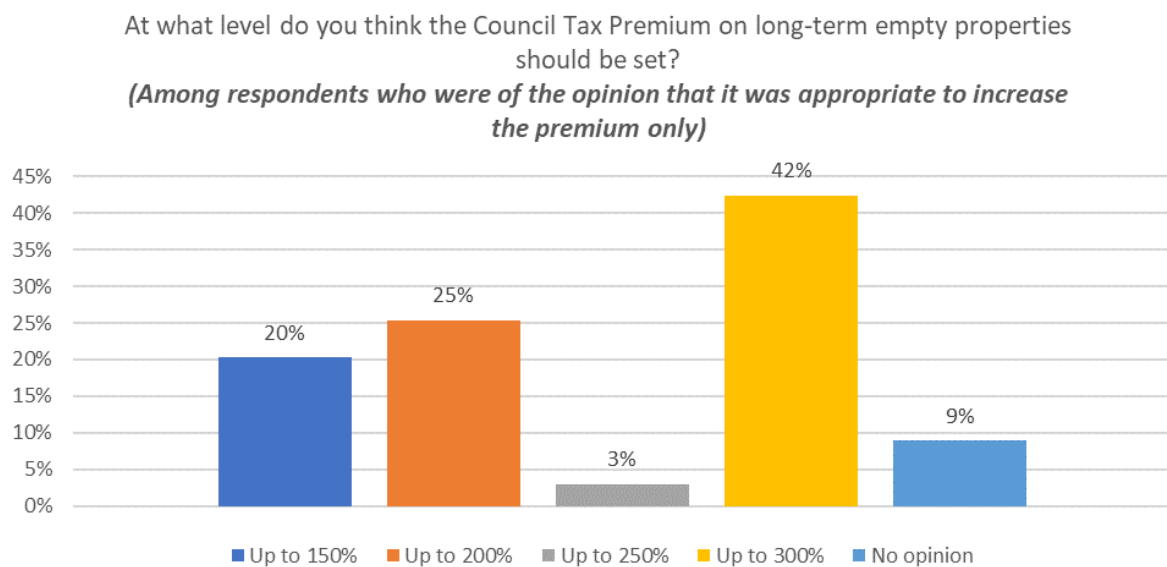
Among second home owners the response was more mixed with 48.9% opposed to increasing the premium on long-term empty properties and 32.4% in favour of increasing it. For the small number of respondents who own long-term empty and second homes, 69.4% opposed increasing the premium on long-term empty properties.

	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

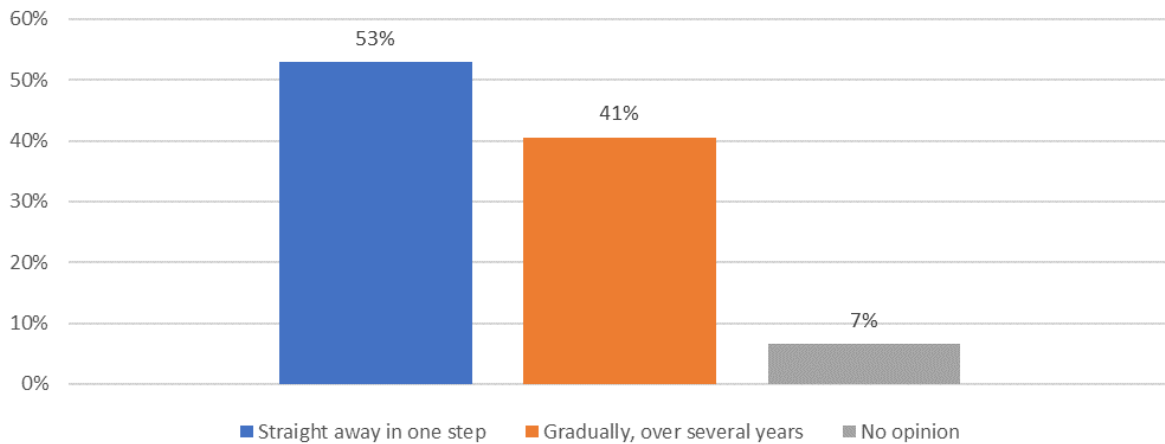
A question only relevant to the respondents who were in favour of increasing the premium on long-term empty properties

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.

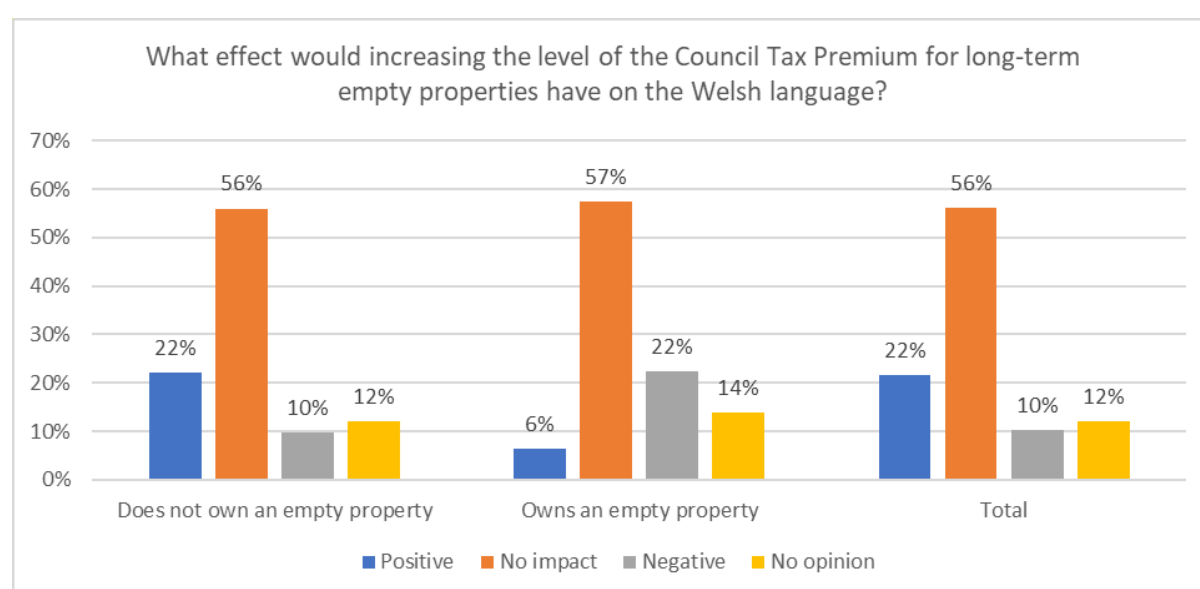
	Immediately, in one step		Gradually, over several years		No opinion		Total	
	No.	%age	No.	%age	No.	%age	No.	%age
Owning neither a second home nor empty property	1,313	64.5%	645	31.7%	77	3.8%	2,035	100.0%
Own a second home	365	32.7%	623	55.8%	128	11.5%	1,116	100.0%
Own a long-term empty property	5	21.7%	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.

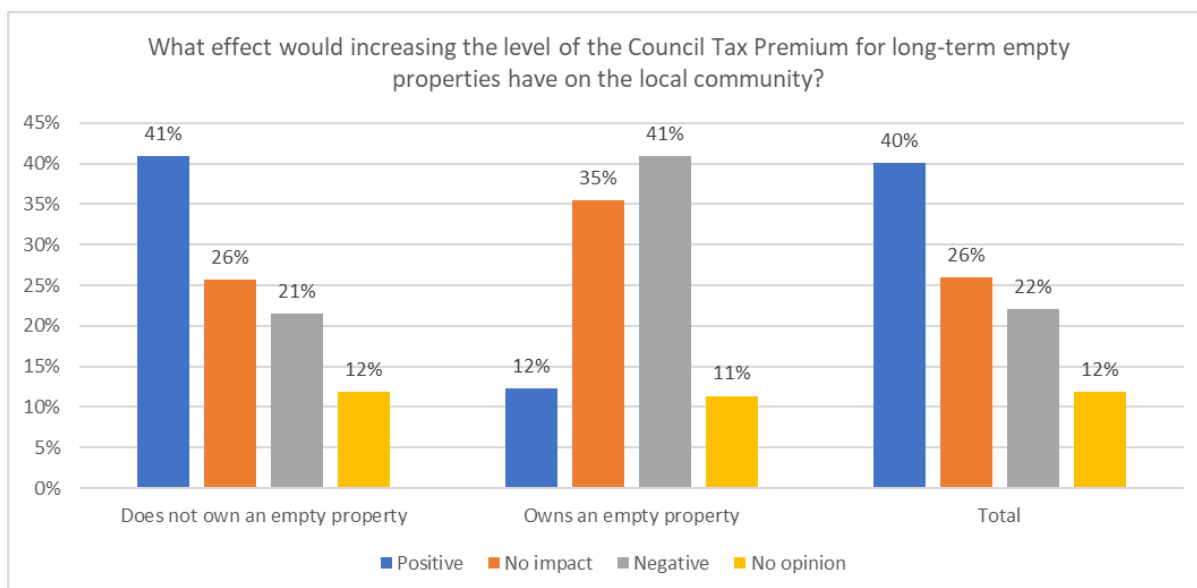
The majority of second home owners (67.3%) felt that increasing the premium on long-term empty properties would have no impact on the Welsh language. But among respondents who do not own a second home or long-term empty property, opinion was somewhat more divided with 45.3% believing it would not have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

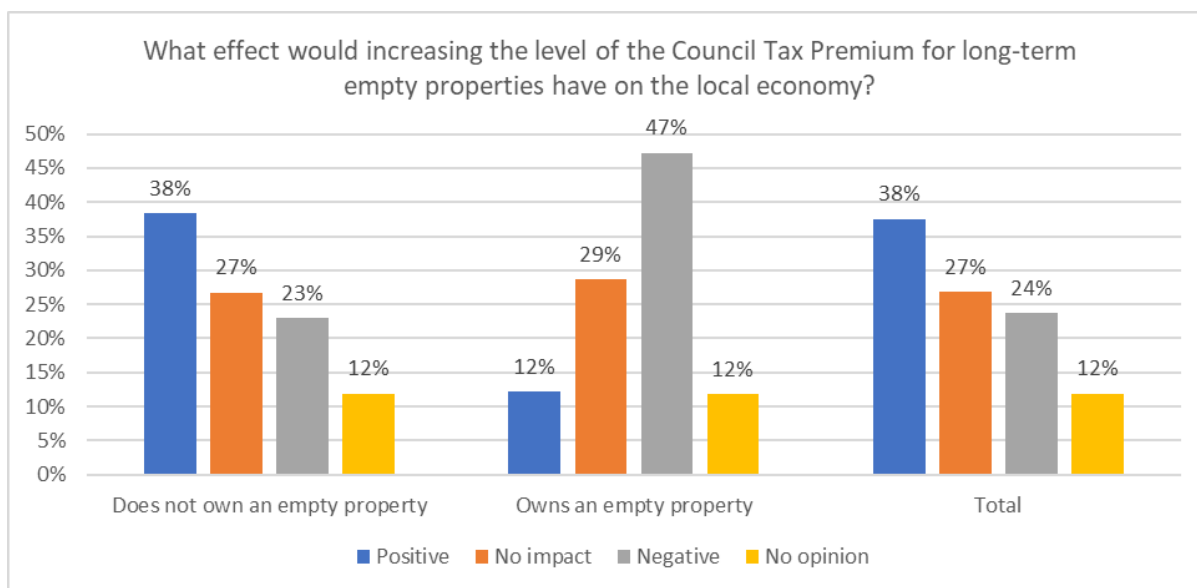
Among the small number of respondents who own long-term empty properties and a second home, 38.9% thought there would be no impact on the local community, and 33.3% thought there would be a negative impact.

	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%

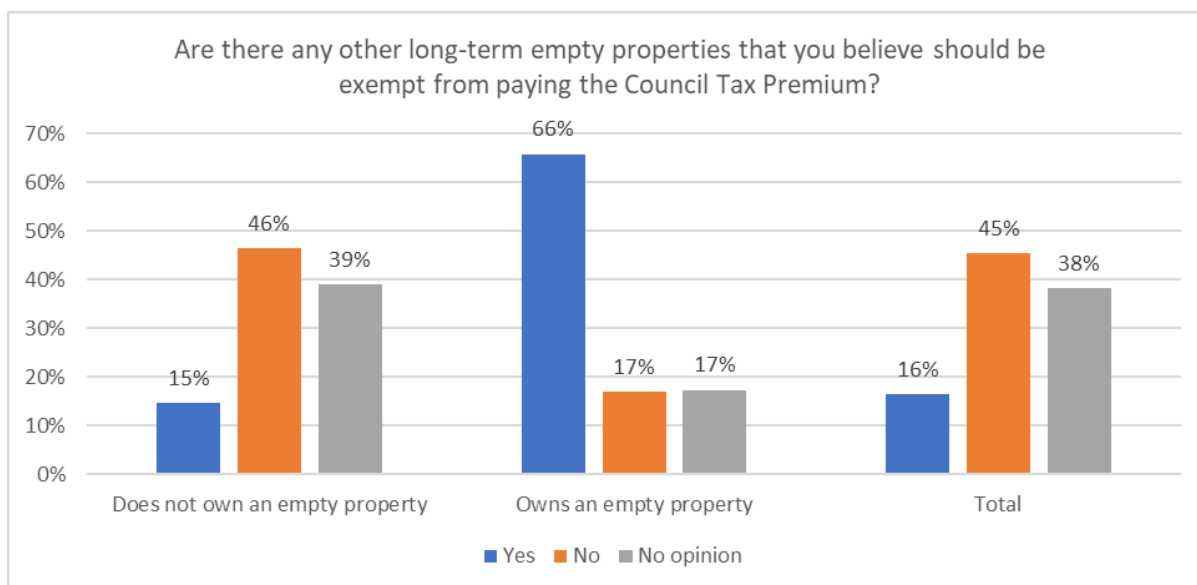
4.8 Are there other long-term empty properties that you believe should be exempt from paying the Council Tax Premium?

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*

This report was prepared by

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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.

I) Details

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

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

I.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.



GUIDANCE

Council Tax on empty and second homes

Guidance for local authorities on council tax premiums on long-term empty properties and second homes.

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Part 1: implementation of the council tax premium on long term empty dwellings and dwellings periodically occupied in Wales

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Introduction

Since 1 April 2017, local authorities in Wales have been able to charge a premium of up to 100% of the standard rate of council tax on long-term empty dwellings and dwellings occupied periodically (more commonly referred to as second homes) in their areas. From 1 April 2023, the maximum level at which local authorities can set council tax premiums will increase to 300%. The powers given to local authorities are discretionary so whether to charge a premium on long-term empty properties or second homes (or both) is, therefore a decision to be made by each local authority.

The purpose of this guidance is to ensure a fair and consistent approach is applied across Wales and assist local authorities:

- in their decisions to charge or amend a premium in their local area
- with the administration and enforcement of premiums
- the application of the exceptions
- monitoring and reporting the use of premiums

All local authorities in Wales must have regard to any guidance issued by Welsh Ministers when determining a premium on the standard rate of council tax as set out 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').

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 being the responsibility of the courts.

Part 1: implementation of the council tax premium on long term empty dwellings and

dwelling periodically occupied in Wales

Legal framework for the council tax premiums

This section sets out the legal framework which is common to both the premium on long-term empty dwellings and on dwellings periodically occupied. Specific requirements for long-term empty properties are set out in Section 12A, and those specific to dwellings periodically occupied are detailed Section 12B.

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).

The Council Tax (Long-term Empty Dwellings and Dwellings Occupied Periodically) (Wales) Regulations 2022 ('the 2022 Regulations') amended sections 12A and 12B of the 1992 Act increasing the higher amount of council tax a billing authority (a county council or county borough council) in Wales can apply to long-term empty dwellings and dwellings occupied periodically to 300% for the 2023 to 2024 financial year and for subsequent years.

Where a determination to charge a premium is made, a local authority must publish a notice of the determination in at least 1 newspaper circulating in its area within 21 days of the date of the determination.

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.

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. In using these powers, a billing

authority can also determine the types or classes of properties within the categories of long-term empty dwellings or second homes to which they will apply a premium. This enables each authority to tailor its determination to local circumstances.

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 prescribe the exceptions and are detailed later in this guidance.

The council tax system already provides several specific exemptions from council tax. The exempt groups are set out in the Council Tax (Exempt Dwellings) Order 1992 (as amended). There are several exemptions in place for unoccupied dwellings, for example:

- where the resident is in long-term residential care or hospital
- where a dwelling is being structurally repaired (for up to 1 year)
- where the resident has died (for up to 6 months after the grant of probate or letters of administration)

A dwelling that is exempt from council tax is not liable for a premium. However, where a dwelling is no longer eligible for an exemption, but remains unoccupied, it will become liable for the premium where 1 is applied. In the case of an empty dwelling, it will become liable for a premium after it has been empty for a continuous period of 1 year, and this will include the period that any exemption has been applied.

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

A long-term empty dwelling is defined for the purpose of this section as a

dwelling which is both unoccupied and substantially unfurnished for a continuous period of at least 1 year.

The furnishing or occupation of a dwelling for 1 or more periods of 6 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.

Where a local authority makes a determination to charge a premium on long-term empty dwellings, it may specify different percentages for different dwellings based on the length of time for which they have been empty. This enables local authorities to take a stepped approach, with incremental increases applying over time.

Section 12B: higher amount for dwellings periodically occupied

A second home is defined for the purpose of this section 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'.

For a premium to apply to dwellings occupied periodically, a billing authority must make its first determination under section 12B at least 1 year before the beginning of the financial year to which the premium relates.

From here on the guidance will refer to long-term empty properties and second homes.

Making a determination to charge the council tax premiums on long-term empty properties and/or second

homes

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

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

Local authorities can apply premiums to long-term empty properties or second homes or both and can set different levels of premium for each class.

The powers were deliberately designed as discretionary powers to allow local authorities to tailor their use to address local priorities and reflect the different patterns of housing availability and need across Wales.

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 properties 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 properties and/or second homes in the local area.
- Distribution of long-term empty properties and/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.

- Potential impact on the Welsh language.
- Other measures that are available to authorities to increase housing supply and the availability of affordable housing.
- Other measures that are available to authorities to help bring empty properties back into use.

The determination by a local authority to charge a premium under section 12A or 12B of the 1992 Act will usually be part of the budget-setting process as it is likely to affect tax-setting and spending decisions. It will therefore normally be a decision 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 Duty which came into force in 2011 and to all other relevant considerations. This will include consideration of how its policy meets the requirements of the Well-being of Future Generations (Wales) Act 2015 and contribute specifically to the objectives of a prosperous Wales; a more equal Wales; and a Wales of cohesive communities.

Local authorities should also be mindful of the timing of any decisions to introduce or vary a premium for a financial year. Any change to a premium will alter an authority's revenue plans and should be taken into account in its budget-setting. A local authority is normally expected to reflect its proposed tax-base, including all discounts and premiums, by the end of December for the forthcoming financial year, so any decisions made after this point pose risks to the credibility of published data and could lead to criticism.

A local authority should consider how it engages and consults with key stakeholders, including the local electorate and second homeowners, before taking a decision to charge a premium.

Local authorities are strongly encouraged to consult before making a first determination to charge a premium. For second homes, the first determination to charge a premium must be made at least 12 months before the beginning of the

financial year to which the proposed premium relates. The same does not apply to empty properties but as a dwelling must be empty for at least 12 months before a premium can apply, the Welsh Government recommends that a first determination to apply a premium to long-term empty dwellings should be made at least 6 months before the beginning of the financial year to which the premium relates. A local authority should make a full assessment of possible impacts, including on the local population, its communities, and the local economy.

Any decision to vary or revoke a determination to apply a premium must be made before the beginning of the financial year to which it applies. Local authorities are also strongly encouraged to consult before making a determination to increase a premium to a level above 100% and to do so at least 6 months before the beginning of the financial year to which the proposed premium increase relates. This will enable the premium to be taken into account when setting council tax levels for the forthcoming year and allow taxpayers sufficient time to consider the impact of a higher premium on their own personal financial circumstances and make choices regarding their property.

Having decided to introduce or vary a premium, in addition to the requirement to publish a notice in a local newspaper within 21 days, a local authority should consider 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 via 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 should also give consideration as to how they advise or inform those who may be affected but may reside outside the local area.

Exceptions to the council tax premiums on long-term empty properties and second homes

Sections 12A and 12B of the 1992 Act provide Welsh Ministers with powers to make regulations to prescribe 1 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.

The regulations prescribe 7 classes of exempt dwellings. Classes 1, 2, 3 and 4 apply to both long-term empty properties and second homes. Classes 5, 6, and 7 apply only to second homes. The classes of dwelling are outlined below.

Class 1: dwellings being marketed for sale or where an offer to buy the dwelling has been accepted, time-limited for 1 year

Application

Long-term empty properties and second homes.

Class 2: dwellings being marketed for let or where an offer to rent has been accepted, time-limited for 1 year

Application

Long-term empty properties and second homes.

Class 3: annexes forming part of, or being treated as part of, the main dwelling

Application

Long-term empty properties and second homes.

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

Application

Long-term empty properties and second homes.

Class 5: occupied caravan pitches and boat moorings

Application

Second homes.

Class 6: dwellings where by virtue of a planning condition, year-round or permanent occupation is prohibited or has been specified for use as holiday accommodation only or prevents occupancy as a person's sole or main residence

Application

Second homes.

Class 7: job-related dwellings

Application

Second homes.

Class 1: dwellings being marketed for sale

This exception applies to both the premium on long-term empty properties and

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.

To qualify for this exception a dwelling must be on the market for sale at a reasonable price for that dwelling. In considering whether a price is reasonable, regard should be given to the sale price of comparable dwellings in the area. Additional guidance is provided in Part 2 Administration and Enforcement to assist local authorities in the application of this exception.

The exception period runs for up to 1 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: dwellings being marketed for let

This exception applies to both the premium on long-term empty properties and 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.

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 is provided in Part 2 Administration and Enforcement to assist local authorities in the application of this exception.

The exception period runs for up to 1 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 of 6 months or more.

Class 3: annexes forming part of, or being treated as part of, the main dwelling

This exception applies to both the premium on long-term empty properties and on second homes.

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: dwellings which would be someone's sole or main residence if they were not residing in armed forces accommodation

This exception applies to both the premium on long-term empty properties and on second homes.

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.

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: occupied caravan pitches and boat moorings

This exception applies to the second home premium. It covers dwellings that consist of a pitch occupied by a caravan or a mooring occupied by a boat where the caravan or boat currently has no resident, but when next in use will be a

person's sole or main residence.

Class 6: seasonal homes or holiday lets where year-round or permanent occupation is prohibited

This exception applies to the second home 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.

This exception is often applied to purpose-built holiday homes or chalets which are subject to planning conditions restricting year-round occupancy or to protect local features, for example where the site is near a fragile habitat which requires protection at particular times of year. 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 1998.

From 1 April 2023, Class 6 is extended to include every dwelling restricted by a planning condition which:

- prevents occupancy for a continuous period of at least 28 days in any 1 year period
- specifies its use as a holiday let only
- prevents occupancy as a person's sole or main residence

Class 7: job-related dwellings

This exception applies only in relation to the second home 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)

- a qualifying person in relation to a job-related dwelling

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
- 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 Class O of the Council Tax (Exempt Dwellings) Order 1992 or Class E of the Council Tax (Liability for Owners) Regulations 1992

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.

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.

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 2 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 is provided in Part 2 Administration and Enforcement to assist local authorities in the application of this exception.

Reducing liability for the council tax premiums on long-term empty properties and second homes

In exercising the power under section 12A and 12B of the 1992 Act, a billing authority may determine the particular types or classes of properties within the categories of long-term empty properties or second homes to which it will or will not apply a premium. In addition, under section 13A of the 1992 Act, billing authorities have 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 of cases. The power may be used to reduce council tax liability by any amount, including in circumstances where a local authority may otherwise charge a premium. Local authorities may use these powers for example to reduce or disapply a premium, and potentially as a means to target the use of premiums.

Some illustrative examples of where a local authority might consider using its powers include:

- where there are reasons why the dwelling could not be lived in as a permanent residence
- 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 the owner's use of a property is restricted by circumstances not covered by an exception from the premium
- where charging a premium might cause hardship

The above list is not exhaustive and billing authorities will want to consider all factors they think are relevant when deciding to reduce the council tax liability for a particular property or class of properties and to make an assessment of the potential impact.

Self-catering accommodation

From 1 April 2023, if a self-catering property does not meet the new letting thresholds established by the Non-Domestic Rating (Amendment of Definition of Domestic Property) (Wales) Order 2022, it will be classified as a domestic property and will be liable for council tax. Where the local authority has determined to apply a premium to second homes, the owner will also be liable to pay the additional charge unless their property falls within an exception, or the local authority has determined not to charge a premium for the type or class of property.

There may be instances where some self-catering properties that would be considered unsuitable for permanent living will become subject to council tax and a premium because they do not fall within an exception. In such instances, local authorities are encouraged to consider using their discretionary powers to tailor a determination or to reduce council tax liability to moderate the impact, in effect, reducing the premium. Retaining liability for standard rate council tax, for properties which do not meet the letting criteria, would be consistent with the aim of ensuring all property owners 'make a fair contribution' to their local communities. Some illustrative examples of where a local authority might consider using these powers include:

- outbuildings or barns converted to holiday lets as part of farm diversification
- annexes or garage conversions that form part of an owner's primary residence
- lodges, caravans or chalets

It is a matter for a local authority as to whether it uses the discretionary powers in sections 12A, 12B or 13A to reduce council tax liability in respect of a premium or to reduce the standard council tax liability, or both, as appropriate. This policy should cover a range of situations in which a local authority would consider using its discretionary powers, including properties which do not meet

the criteria to be classed as non-domestic. 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 considered the circumstances of the case.

It should be noted that deliberations around the use of the discretionary section 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.

Use of additional revenue generated from the council tax premiums

A local authority will be able to retain any additional funds generated by implementing the premiums and amendments to the calculation of the council tax tax-base have been made to facilitate this. Adjustments will be made to allow for the increase in the maximum premium which may be applied from 1 April 2023. Authorities may use the additional revenue for any purpose, but they are encouraged to use it to help to meet local housing needs, in line with the policy intentions for the premiums.

Specific requirements in relation to reporting on any additional revenue generated and its subsequent use are set out in Part 3 Monitoring and Evaluation.

Part 2: administration and enforcement

Determining liability for the council tax premiums and eligibility for exceptions

In deciding to charge a premium, a local authority will need to identify whether a dwelling is a long-term empty property or a second home and whether it would therefore be liable for a premium.

It is reasonable for a local authority to request evidence such as utility bills showing use of services, a driving licence as proof of address, or receipts or other evidence of moving costs if a property is said to be occupied (not empty) or occupied as a sole or main home (not a second home). The process will be similar to existing practices used to assess eligibility for council tax exemptions and discounts.

The Welsh Ministers have prescribed certain exceptions to the council tax premiums and it will be a liable person's responsibility to apply to a local authority for an exception if they believe they are eligible, and to provide evidence in support of their application. Each local authority should clearly set out and explain the evidence required in the interests of transparency and fairness.

As with the monitoring and enforcement of existing council tax exemptions and discounts, it is expected that local authorities will take steps to verify the evidence provided in support of an application for an exception. A local authority may also conduct regular inspections or site visits to verify continued eligibility.

Local authorities will be aware that under the Local Government Finance Act 1992, civil penalties can be applied to a person who deliberately supplies false information.

The following sections provide additional information to assist local authorities in applying the exceptions specifically for:

- dwellings being marketed for sale
- dwellings being marketed for let
- job-related dwellings

Class 1: dwellings being marketed for sale

This exception applies to both the premium on long-term empty properties and 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.

To qualify for this exception a dwelling must be on the market for sale at a reasonable price for that dwelling. A liable owner must demonstrate to the satisfaction of a local authority that they are actively marketing their property for sale at a reasonable price, ie what it would reasonably be expected to fetch on the open market.

In considering an application for an exception, a local authority may wish to consider a range of factors relating to the sale of dwellings, such as the following:

- how long properties in the area have been available for sale
- the average price and time on the market of similar properties in the local area
- whether unduly restrictive conditions, such as the price, are being placed on the dwelling to impede its sale
- any other reasonable factors

To determine whether a dwelling is genuinely on the market for sale a local

authority may wish to consider different types of evidence which could include the following:

- listing on advertised websites, for example estate agent websites, Rightmove and Zoopla, or evidence of other ways in which the property is being marketed
- a contract with an estate agent
- estate agent listings or sales particulars if privately marketed
- an Energy Performance Certificate (required when a property is built or sold)

The exception period runs for up to 1 year from the granting of the exception but can be extended should the property sale have been agreed but not completed beyond the 1 year anniversary of the exception period commencing. The exception would end on the date of the sale of the property. 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: dwellings being marketed for let

This exception also applies to both the premium on long-term empty properties and 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.

To be eligible for this exception, a liable owner must demonstrate to the satisfaction of a local authority that they are actively marketing the property for let at a reasonable price, ie the rent the property would reasonably be expected to fetch having regard to the rent raised on comparable dwellings.

In considering whether the exception applies, a local authority may wish to consider a range of factors relating to the letting of dwellings, such as the following:

- how long properties in their area have been available for rent
- the average rent and time on the market for similar rental properties in the local area
- whether unduly restrictive conditions such as the rent is being placed on the property to impede its letting
- any other reasonable factors

For a local authority to determine whether a liable owner is actively or genuinely marketing their property for let, a local authority may wish to consider different types of evidence which could include the following:

- a contract with a letting agency
- estate agent listings or letting agent brochures
- registration and licensing of a landlord and agent for a dwelling being marketed for let, via Rent Smart Wales
- housing lists of properties being offered for rent provided by Registered Social Landlords
- an Energy Performance Certificate (required when a property is built or let)
- a valid gas safety certificate required for homes being let

The exception period runs for up to 1 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 of 6 months or more.

Exceptions 3 to 6 are more specific classes and are not covered further in this part of the guidance.

Class 7: job-related dwellings

This exception applies only in relation to the second home premium and applies to dwellings occupied by a qualifying person. The criteria for a qualifying person

are set out under Class 7 in Part 1.

In considering eligibility for this exception, a local authority may request certain types of evidence, to prove that a liable person is required to live in a job-related dwelling. This could include the following:

- a contract of employment
- a council tax demand notice (to show liability in respect of another property if the main or second home is in the UK)
- tax returns or pay statements
- Denomination Letter (in respect of a Minister of Religion)
- Ministry of Defence letter or written contract (in respect of the Armed Forces)

Part 3: monitoring and reporting council tax premiums

During the summer of 2021, the Welsh Government consulted on local taxes for second homes and self-catering accommodation. This considered the effectiveness of the discretionary powers given to local authorities to apply council tax premiums to second homes and long-term empty properties. Many responses called for local authorities to be more transparent about how they spend the funds raised from the premium.

To assess the effectiveness of the premiums and ensure information on their use is clearly made available to local council taxpayers, the Welsh Government expects local authorities to report on the implementation of the premiums and the additional revenue generated.

In having regard to this guidance, local authorities should also give due consideration to publishing information to assist members of the public and must provide information to the Welsh Ministers when requested.

Local authorities already report through the existing statutory CT1 (Council Tax Dwellings) Return the following information relating to premiums. This informs the annual statistical releases on council tax collection:

- number of properties liable for the premiums
- percentage of premium applied to long-term empty homes
- percentage of premium applied to second homes

From 1 April 2023, local authorities will be encouraged to publish on their websites, details relating to the income generated from charging a premium for the previous financial year.

As a minimum this should include the following:

- the total numbers of (i) long-term empty properties and (ii) second homes
- the numbers of properties liable for each premium (i) long-term empty properties and (ii) second homes
- the amount of income generated from charging a premium on long-term empty properties
- the amount of income generated from charging a premium on second homes
- how the additional income raised has been used to tackle the problems caused by long-term empty properties and second homes, or to address other local housing issues

Part 4: appeals

If a person is dissatisfied with their local authority due to a decision made regarding the calculation of their council tax liability, including their liability to pay a premium, they should, in the first instance, contact their local authority to discuss the decision.

If a person remains dissatisfied after a discussion with their local authority, they may make an appeal to their local authority.

If a person disagrees with the outcome of the local authority appeals process or if the local authority does not provide a decision within the required timescales, the person may instigate an appeal to the Valuation Tribunal for Wales. A person may only do this only after they have exhausted the local authority's appeals process and complied with any processes required by the VTW before an appeal may be instigated.

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Evidence of the impact of the council tax premium on second homes and long-term empty properties in Gwynedd

November 2024

Produced by the Research and Information Service, Cyngor Gwynedd

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1.0 Executive Summary

Purpose and scope of research

This research was intended to gather evidence on the impact of the two latest increases in the level of the council tax premium in Gwynedd (to 100% for second homes and long-term empty properties in April 2021, and to 150% for second homes in April 2023) aiming to answer the following questions:

- Has increasing the premium led to fewer second homes in Gwynedd?
- What happened to the properties that were formerly second homes – i.e. have they gone from paying council tax with premium (second home), to paying basic council tax (main residence), or to the business tax regime (holiday accommodation), or any other category
- What do we know about the people who live in houses which were previously second homes but are now main homes? Was this related to the sale of the house at the same time, or a change of use under the same ownership?
- Has the premium increase led to long-term empty houses being brought back into use?

The research focused on use of properties and focused on three different elements, namely:

- Analysing the details of property categories in the council tax system (houses changing to/from being a second home or long-term empty).
- Looking at the link between change of property categories for council tax purposes and house sales.
- Collecting further information on properties that have changed from a second home to a main home, via a questionnaire for current occupants.

Analysing category movements in the council tax system

This element involved analysing the details of the categories of all properties in the county in the council tax system on different dates between October 2019 and April 2024, looking specifically at housing switching to/from a second home or long-term empty, and any different patterns in this around the time of increases in the premium.

In terms of properties moving between being a second home and being a primary residence, there has usually been a (net) flow of properties from main residences to second homes. But the net flow was the other way (i.e. from second homes to main residences) in the run-up to the premium increase to 100% in April 2021, and (more decisively and more long-lasting) before and after the premium increase to 150% in April 2023.

In terms of properties moving between second homes and holiday accommodation, prior to April 2023 there was a flow of properties from second homes (in the council tax regime) to holiday accommodation (in the business tax regime). But after April 2023 (at the time business rate regulations were changed, in terms of the period properties are / are available to let), the flow is now the other way, from holiday accommodation to second homes. There are recent indications, based on Dec 2023 – Apr 2024 data, that this flow has grown so that the total number of second homes across Gwynedd is stabilising (i.e. this flow is around the same as the flow from second homes to main residences).

In summary, it therefore appears (although it must be remembered that other factors may also be influencing the situation) that the premium has made a contribution to bringing second homes back into use as primary residences.

The change in holiday accommodation regulations has also appeared to have a continuing impact – resulting in a flow of properties from holiday accommodation to second homes, somewhat offsetting the impact of the trend (above) for second homes to change into primary residences.

In terms of the impact of the premium on long-term empty properties, it is difficult to detect any definite pattern. A higher number transferred after a premium increase in 2021, but subsequently the numbers have been very variable and there is no noticeable long-lasting effect.

Comparison with home sales

We looked at the period from December 2022, the period in which a net flow of properties from second homes to main residences began. Of properties that changed from a second home to a main residence in this period, 19% had been sold around the same time.

Of the properties that remained a second home constantly from December 2022 to April 2024, around 1% had been sold during this period. This is a lower proportion than in the previous period (Dec 2021 – Dec 2022); there is therefore no evidence that the premium increase to 150% has led to an increase in the number of second homes being sold to other second home owners.

Further information on properties which changed from second home to main home

A questionnaire was sent to over 900 properties which changed status from second home to primary residence (in council tax data) since December 2022 (when a flow of second homes to primary residences began). There was a 20% response rate.

Of those who indicated they owned the house, 64% had bought the house in order to live in it permanently (never having been their second home), and 28% were now living permanently in a house that used to be their second home.

The majority (71%) of those who moved into a house which was their second home, had not previously lived in Gwynedd. Of those who had bought the house to live in permanently, around half (52%) had not previously lived in Gwynedd, but around a third (35%) had lived in Gwynedd for 5 years or more.

Of the properties where a questionnaire response was received, there were Welsh-speaking adult(s) in 39% of the houses purchased to live in permanently. This compares to 26% where owners had moved into houses that were already their second homes.

Other considerations

The data can be analysed into smaller areas as needed, and some results about the individual wards Abersoch with Llanengan, and Aberdyfi, are included in the full report.

In future further sources of information could be looked at, to look at other possible aspects of the impact of increasing the premium. It may also be possible to look at the potential for additional research data to be collected when administering council tax, if the intention is to continue to monitor these trends.

2.0 Introduction

2.1 Purpose of the report

Since April 2018 the Council has charged a council tax premium on the majority of second homes and long-term empty properties in the county. Over subsequent years, the premium level has been increased (see 'Key dates' below for details of relevant decisions / dates).

In recent discussions about the premium, the need to gather evidence about its impact was raised and as part of this we were commissioned by the Leadership Team to research the information that is available. This will also provide an evidence base to help the Council in determining the appropriate level of premium on second homes and on empty long-term properties in the future.

This report will aim to answer the following questions:

- Has increasing the premium led to fewer second homes in Gwynedd?
- What happened to the properties that were formerly second homes – i.e. have they gone from paying council tax with a premium (second home), to paying basic council tax (main residence), or transferred to the business rates system (holiday accommodation), or any other category?
- What do we know about the people who live in houses that were second homes but are now the main residence? Was this related to the sale of the house at the same time, or a change of use under the same ownership?
- Has the premium increase led to long-term empty houses being brought back into use?

2.2 Key dates

It would be useful to summarise the key dates relating to the introduction, and increasing the level of, the premium in Gwynedd over the years (the three dates when the premium, or increases to it, came into force are indicated in bold).

Table 1: Key dates for introducing and increasing the premium level in Gwynedd over the years

Date	Event
October 2013	Welsh Government consults on right for authorities to charge a premium
September 2014	The Housing Act (Wales) allows a premium of up to 100% to be charged from April 2017
October 2016	Council consults on the principle of charging a premium, and its level
December 2016	Council decides to charge a 50% premium on second homes and long-term empty properties from April 2018
April 2018	50% premium on second homes and long-term empty properties operational in Gwynedd
December 2020	Council consults on the possibility of increasing the premium to 100%
March 2021	Council decides to increase the premium to 100%
April 2021	Increase to 100% operational in Gwynedd, for second homes and long-term empty properties
August 2021	Welsh Government consults on expanding powers to charge a premium
March 2022	Regulations allowing a premium of up to 300% to be charged on second homes and long-term empty properties from April 2023
September 2022	Council initiates consultation on how to respond to the change in regulations
December 2022	Council decides to increase premium on second homes to 150% (but keeps the premium on long-term empty properties at 100%)
April 2023	Increase to 150% for second homes operational in Gwynedd (retain at 100% for long-term empty properties)
December 2023	Council decides to keep the premium at the same level but notes the intention to conduct further research on the impact of the premium

In addition to the above, April 2023 is also significant as this is when the change to the criterion for defining self-catering accommodation (for taxation as a business rather than through council tax) became effective across Wales – namely, broadly speaking, that they need to be let for a minimum of 182 days rather than 70, and available for letting for 252 days, instead of 140 days. The timetable for implementing this was similar to the timetable for extending the power to charge a premium of up to 300% (i.e. Welsh Government commences consultation in August 2021, announced its intention to tighten the definition in March 2022, effective from April 2023).

In interpreting the results of the research below, it will be necessary to remember that any effect could have occurred over a period on either side of these dates, rather than at that exact time. For example – should an increase in the premium have prompted some second homeowners to sell their property, they might have sold as discussions began on the increase or when it was decided to increase it, rather than waiting until the change took effect. On the other hand, they might not decide to sell until after the premium came into effect and a sale could also take a few months to complete, so this effect might not be noticeable for some time after the premium increase.

Of course, there are also a host of other factors – outside the local taxation system – that could have affected this area in the period under review, for example:

- The Covid period and the subsequent impact of it on the local housing market;
- Changes in the scale and nature of demand for holiday accommodation in Gwynedd (again, including impacts following from the Covid period);
- Devolution, and changes to the rates, of taxation on house purchases resulting in a change in the tax payable on the purchase of a second home, and differences in this respect between England and Wales;
- The nature of the economy and employment in Gwynedd and in general, including the cost of living crisis;
- Discussions on the Article 4 Direction, and its introduction in 2024.

Inevitably, therefore, the research findings need to be interpreted with care, bearing in mind that changes that occurred at the time of the premium being raised, cannot always be assumed to have necessarily occurred because of the premium.

2.3 Scope of report

This research focuses on property use (houses changing to/from being a second home or long-term empty, and any different trends in this pattern around the time or following the increase to the premium).

To this end, the main element of the research was to analyse the details of property categories in the council tax system, and to look for patterns in this, particularly around the times of increasing the premium.

We also looked at the link between changing property categories in the council tax system and house sales, by matching the data with Land Registry house sales data and looking at the degree to which the dates match.

In addition, to obtain some further information about properties that used to be second homes but are now main residences, we asked the current occupants of those houses a few questions about the background to this change of use and about those who now live there.

More details on this can be found in the Methodology below.

Of course, there are other possible aspects of the 'premium impact' that this report is unable to consider (economic, linguistic, wider community, etc.); there may be other sources of information available that would help with this (see also the 'Recommendations for data improvement' at the end of the report).

3.0 Methodology

As explained above, this research is based on tracking individual property movements in Gwynedd from one category to another, and from one period to the next. This means that comprehensive datasets, in a fully consistent and comparable form to each other, are needed to be able to accurately track the changes over time.

The council tax premium has existed in Gwynedd since April 2018; however, we have not been able to find detailed, complete and consistent data going back that far (the need to preserve such information for research purposes was probably not identified at that time either). It was not possible, therefore, for us to use a time when the premium had not taken effect (or, ideally, a time before there was any discussion on introducing a premium at all) as the starting point of the research.

Having discussed potential data sources with the Finance department, the best source identified was data that is reported to the National Fraud Initiative (NFI) data matching exercise. This includes details of the council tax category of each individual property in Gwynedd.

This data is available for different dates, going back to October 2019. This is a sensible starting point in any case as it allows us to compare the "normal" pattern (over about a year before there was mention of increasing the premium) with any different patterns around:

- the increase to 100% for second homes and long-term empty properties (April 2021); and
- the increase to 150% for second homes (April 2023).

This also keeps the analysis within practically feasible boundaries, as this gives us 9 sets of data on different dates between 1 October 2019 and 1 April 2024. As there are over 60,000 properties in Gwynedd this involves comparing data and tracking changes across a total of over 500,000 data items.

Since NFI data is reported based on specific dates and the gaps between these dates can vary, this means that the analysis we can conduct is based on specific periods, with some longer than others as shown in the diagram below:

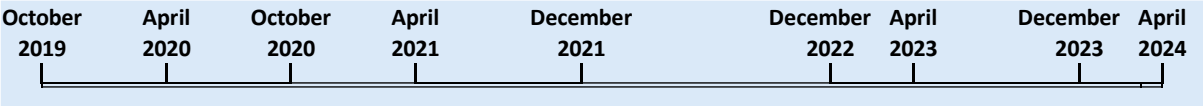


Figure 1: Dates/ periods where we have NFI data for tracking category changes (exact date was 1st of the relevant months except October 2020 (2/10/20) and December 2023 (18/12/23))

In terms of the questionnaire for properties that moved from second home to main residence category, properties that changed category between December 2022 and April 2024 were included (there is more detail on the rationale of this in the relevant part of the report below).

4.0 Definitions

In the remainder of this report, unless otherwise stated:

- **'Second home'** means property within the council tax system that is furnished, is not a main residence and does not have a planning restriction preventing it from being occupied on a full-time basis. The majority of these pay the council tax premium but there are some exceptions, e.g. (for a period) properties marketed for sale / to let, or work-related properties;
- **'Long-term empty properties'** means properties within the council tax system, which have been empty and unfurnished for more than 12 months and therefore the council tax premium is payable on them;
- **'Other housing'** means all properties within the council tax system except for the above 2 categories also excluding properties with a planning restriction preventing full-time occupation. The vast majority of these, therefore, are main residences (but also include properties that have been empty for less than 12 months);
- **'Holiday unit'** means a self-serviced holiday accommodation unit, which is taxed through the business rates system rather than through council tax;
- **'Total housing'** is the total of the above 4 categories, i.e. all properties in the council tax system except for second homes with a planning restriction preventing full-time occupation, also adding self-catering serviced holiday units that are in the business rates system.

For clarity, we do not include in this exercise second homes that have a planning restriction preventing full-time occupancy ('chalets' etc., known as 'Class A' in council tax regulations). These are considered to be effectively outside the 'normal' usable housing stock, and we will therefore not include them in this analysis.

5.0 Numbers and distribution of second homes, holiday units and long-term empty properties

- In April 2024 there were 4,349 second homes in Gwynedd (in line with this category in the council tax system), of which 4,071 (93.6%) paid the premium. This represents 6.8% of total housing.
- The map below shows the proportion of second homes per ward and shows that the distribution of second homes across the county is very uneven, ranging from 0.1% in Hendre ward to 40.4% in Abersoch and Llanengan ward. The highest percentages are generally in the coastal areas of Llŷn, Eifionydd and Meirionnydd.

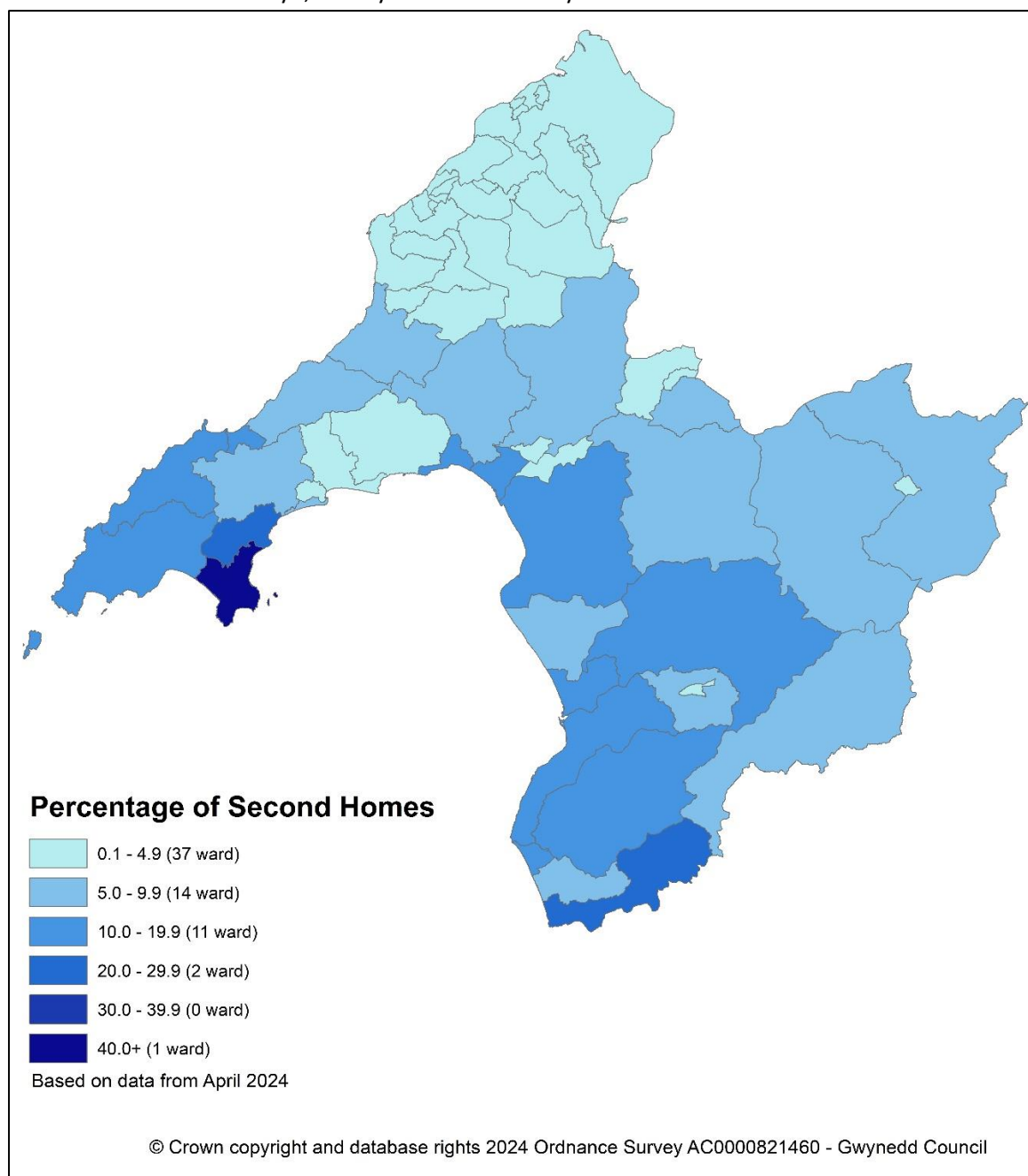


Figure 2: Map of the proportion of second homes by ward, April 2024

- Although this research is not directly related to them – holiday units (taxed as a business) are also a relevant consideration as a number of properties have been moving between the council tax system (as a second home) and the business rates system (as holiday accommodation), and these patterns and numbers can vary at different times. In April 2024 there were 2,628 holiday units in the business rates system in Gwynedd; this represents 4.1% of total housing. The distribution of these across Gwynedd is again uneven, as shown in the map below (ranging from 0.0% in Hendre ward to 13.8% in Llanbedrog and Mynytho ward).

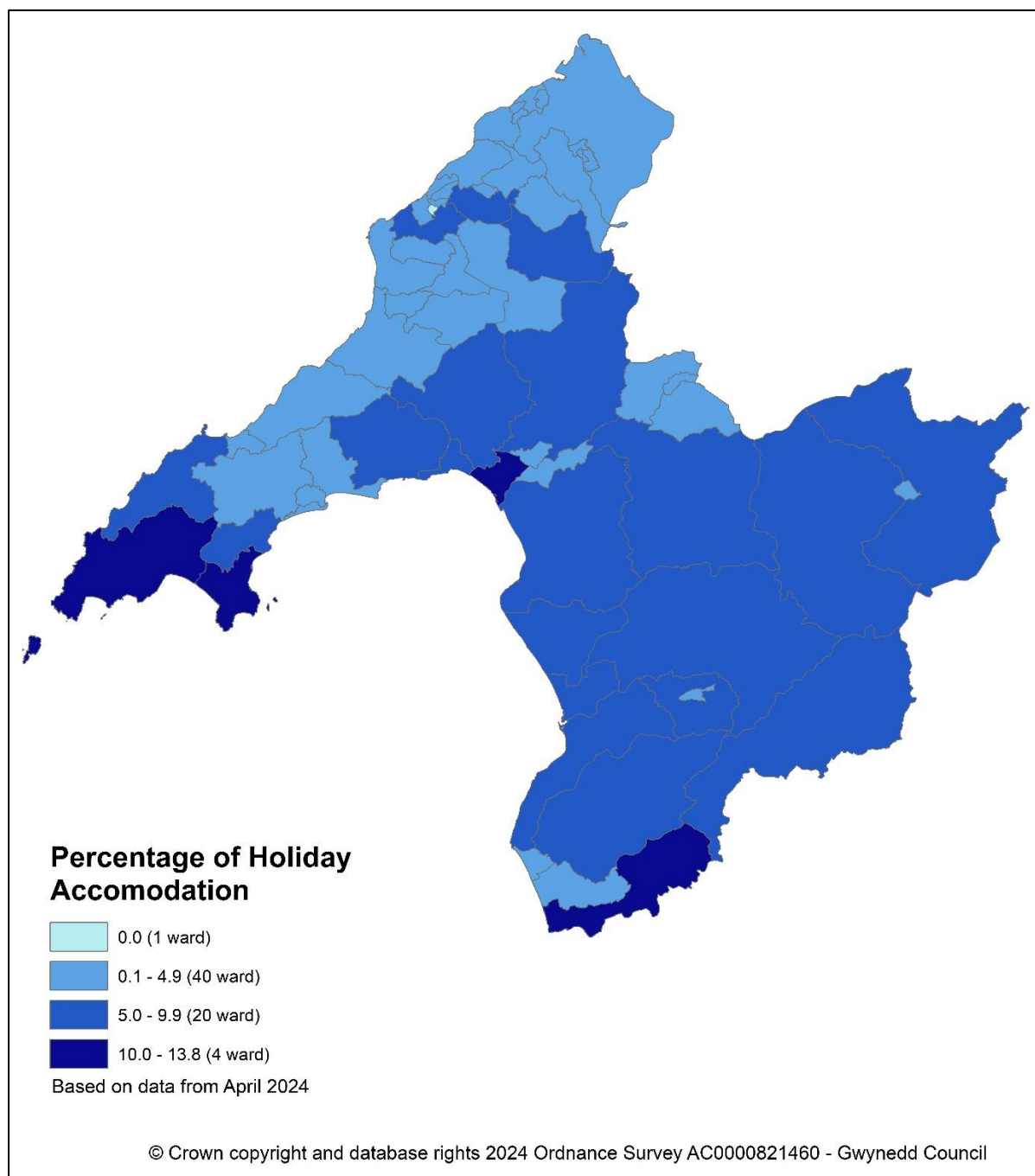


Figure 3: Map of the proportion of holiday accommodation by ward, April 2024

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- In April 2024, there were 1,146 long-term empty properties in the council tax system in Gwynedd, representing 1.8% of total housing. The map below shows the proportion of these per ward in April 2024 and shows that the distribution of long-term empty properties across the county is very uneven, ranging from 0.4% in Hendre ward to 5.0% in Llanbedrog and Mynytho ward. By its very nature, this pattern is also likely to vary over time (e.g. the former Polish Home in Penrhos accounts for the majority of current empty units in the Llanbedrog and Mynytho ward).

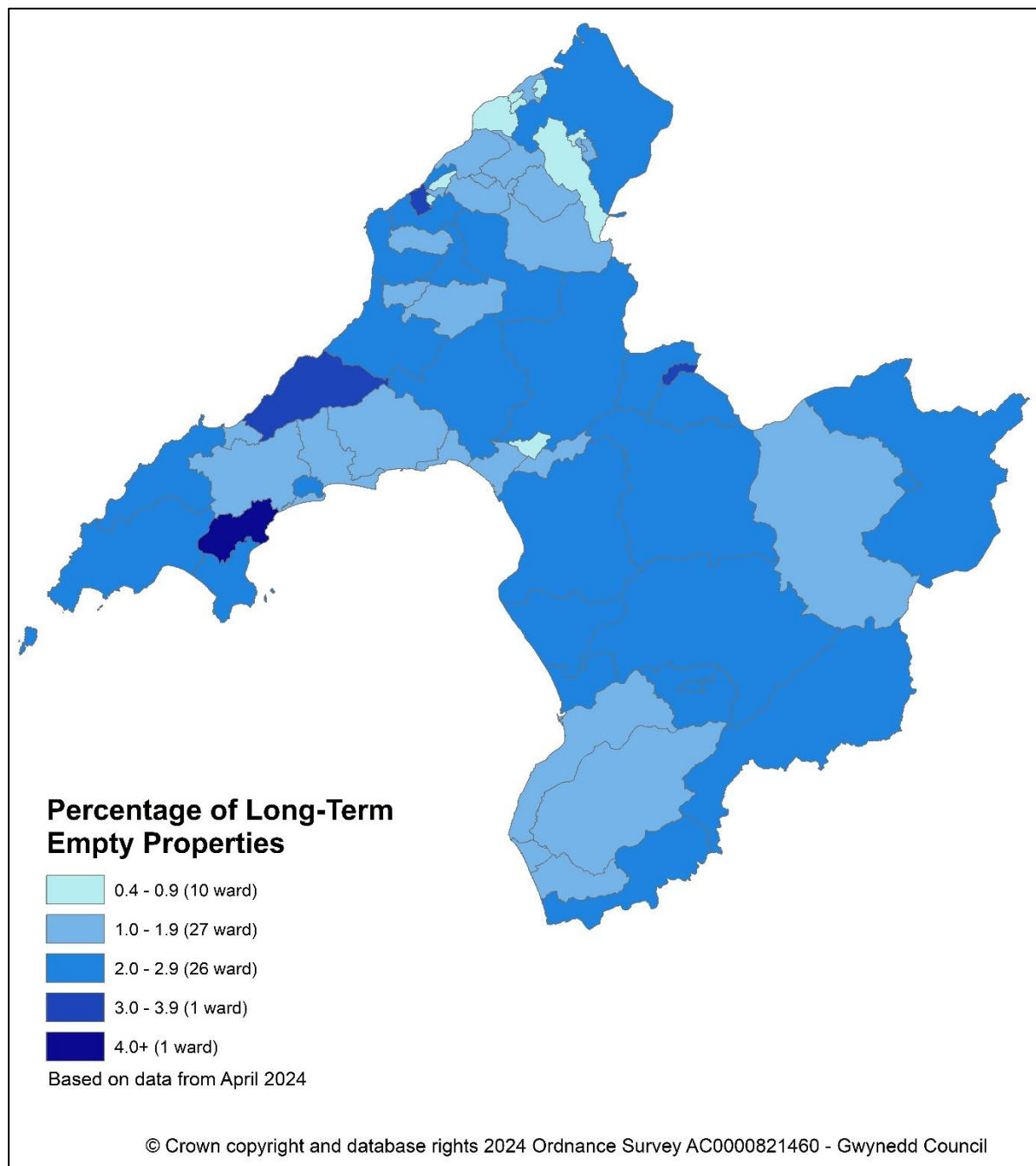


Figure 4: Map of proportion of long-term empty property by ward, April 2024

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- The map below shows the composite percentage (total second homes, long-term empty properties and holiday units, as a percentage of total housing) per ward; Abersoch with Llanengan (57.0%), Aberdyfi (43.0%) and Gorrlewin Porthmadog (31.2%) wards are highest under this measure.

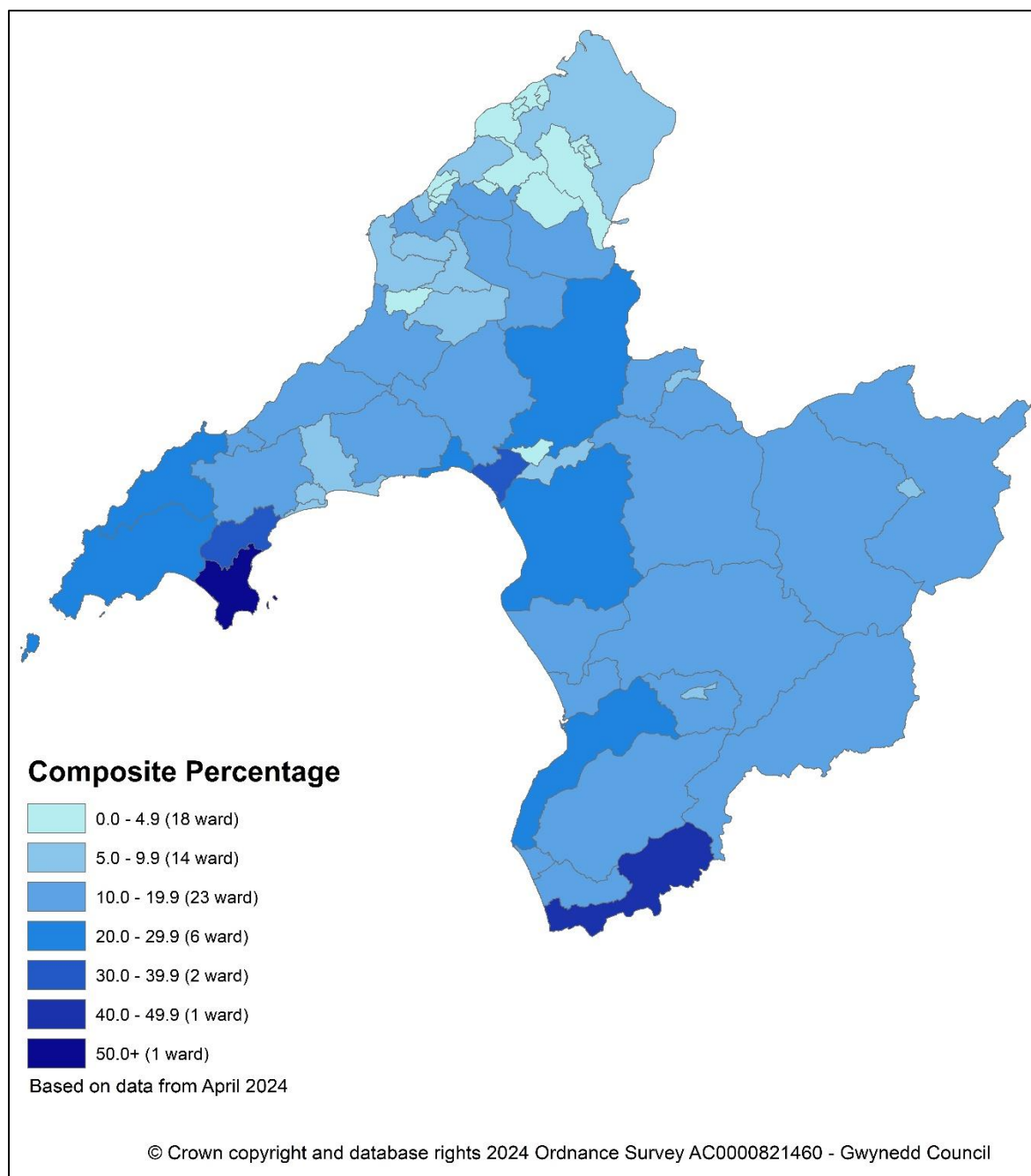


Figure 5: Map of composite proportion (total second homes, long-term empty properties and holiday units) by ward, April 2024

The detailed percentages per ward underpinning the above maps are shown in **Appendix 1**.

6.0 Overview of numbers by category from October 2019

The chart below shows the numbers of second homes and long-term empty properties (in the council tax system) and holiday units (in the business rates system) on different dates from October 2019.

(NFI data, but also since this shows the total figure across Gwynedd rather than detailed data, we have been able to find other data so that the analysis can include more dates)

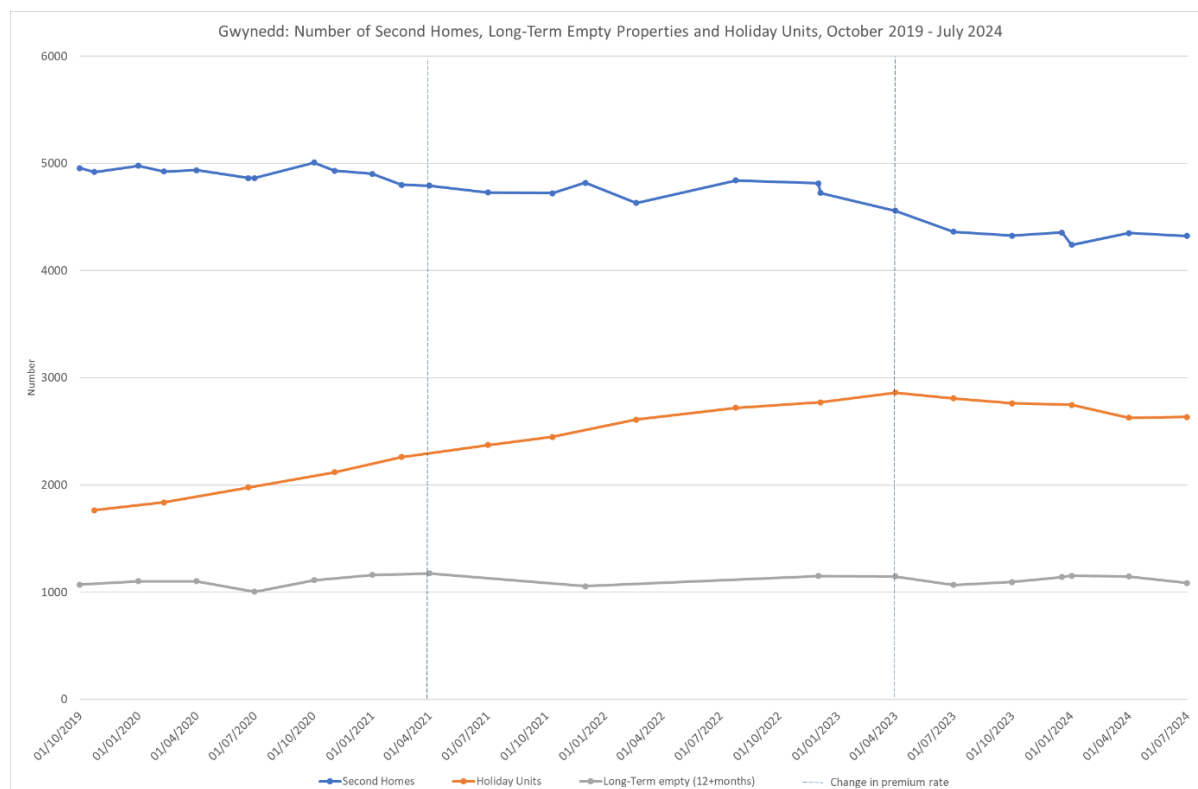


Figure 6: Number of second homes, long-term empty properties and holiday units, October 2019 – July 2024

From this chart, we can see some general patterns:

- The **number of second homes in Gwynedd has been falling**. In 2019 and 2020 the number was quite stable, at around 4,900 to 5,000 (peak of 5,006 in October 2020). The number is now around 4,300 (lowest point of 4,240 in January 2024), with signs that the number is starting to stabilise around that figure.
- **Most of this reduction** has happened **within two specific periods**. It dropped from about 4,900 to about 4,700 between January 2021 and October 2021. It then fell steadily from around 4,700 to around 4,300 between December 2022 and October 2023.
- Until recently **the number of holiday units had been rising steadily**, going from around 1,800 (October 2019) to around 2,900 (April 2023). But there is **some reduction from April 2023**, reaching around 2,600 in April 2024, although again there are recent signs that the number is starting to stabilise.
- Long-term empty property numbers have fluctuated slightly (between around 1,000 and 1,200 across Gwynedd); on the surface there is **no obvious pattern** in these variations. There was some

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decrease between April 2021 and December 2021 (from 1,176 to 1,055) but there have been similar decreases at other times as well.

However, these raw figures do not give much information about what happened to the properties in the various categories (e.g. what is the use of the houses that were previously second homes?). To get a better idea of what is going on therefore, we have tracked the status of individual properties throughout the period covered as shown in the next parts of the report.

7.0 Second homes: Tracking property movements over the period

By tracking and analysing individual property categories in the council tax administration system (NFI data on 9 specific dates between October 2019 – April 2024, as explained in the Methodology above), we can take a closer look at the pattern of movements between categories and look for patterns in this, particularly around the times of premium increases.

The following 3 charts analyse property movements to, and from, the Second Homes category in the council tax system by 3 different types of movements, namely (i) moving between a second home and a main residence (ii) moving between a second home and a holiday unit (iii) switching between a second home and other categories.

In all charts below, the 'gross' movements (number of properties moving to be a second home, and number of properties moving from being a second home), and then the 'net' movement (i.e. the difference between the above two figures), are shown in each of the periods. This also shows that the net position may be masking significant turnover (in and out of the second homes category) within the figures and highlights the need to take care in interpreting the net position, i.e. even in relatively 'normal', stable circumstances there are significant shifts of property to, and from, second homes.

The full data behind these charts (including more detailed analysis within the 'other categories') is in **Appendix 2**.

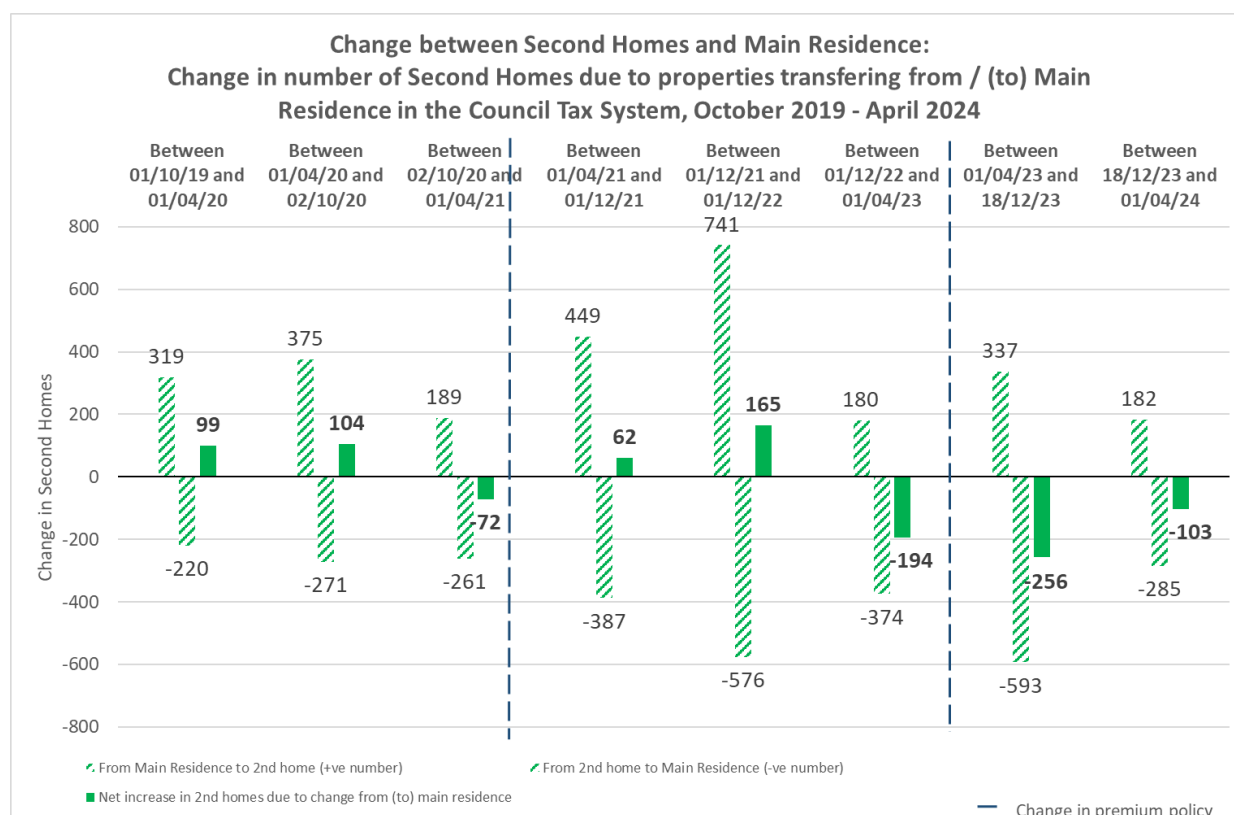


Figure 7: Change in number of second homes due to properties transferring from being or to being a main residence or second home in the Council Tax system by each period between October 2019 and April 2024, showing movements from main residence to second home, from second home to main residence and total net movement.

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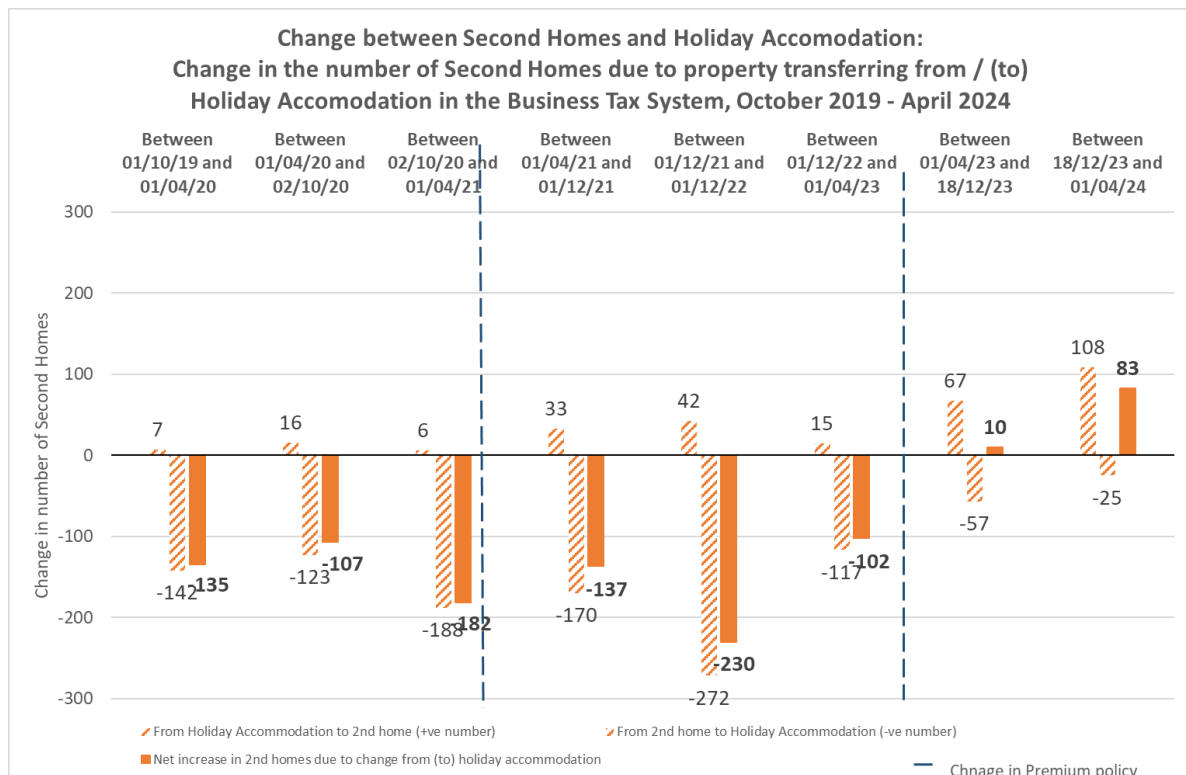


Figure 8: Change in number of second homes due to properties transferring from being or to being holiday accommodation or second homes in the Council Tax system by each period between October 2019 and April 2024, showing movements from holiday accommodation to second home, from second home to holiday accommodation and total net movement.

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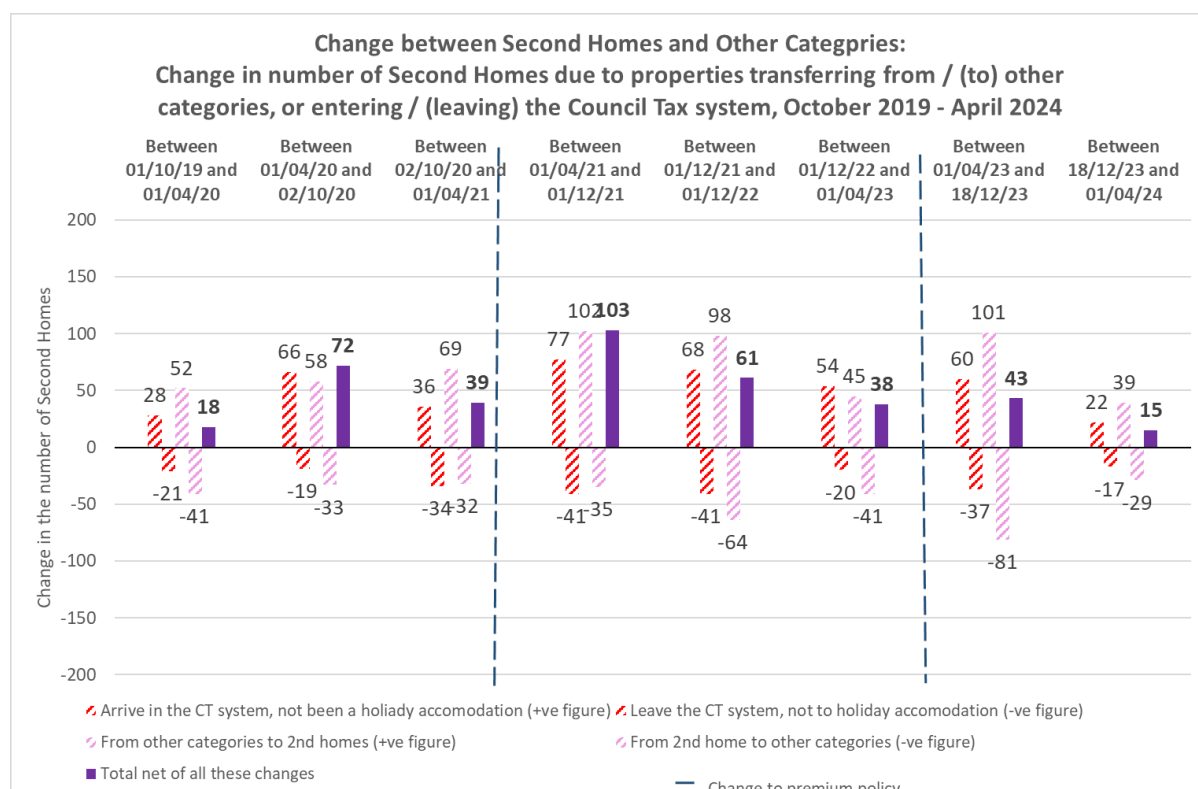


Figure 9: Change in number of second homes due to properties transferring from or into other categories or second homes in the Council Tax system by each period between October 2019 and April 2024, showing movements from other categories to second homes, from second home to other categories and total net movement.

We can then pull together the headline figures from the above 3 charts, to show the net movement in each period per the three main categories, in the chart below. This clearly shows the main net trends at the different times during the period.

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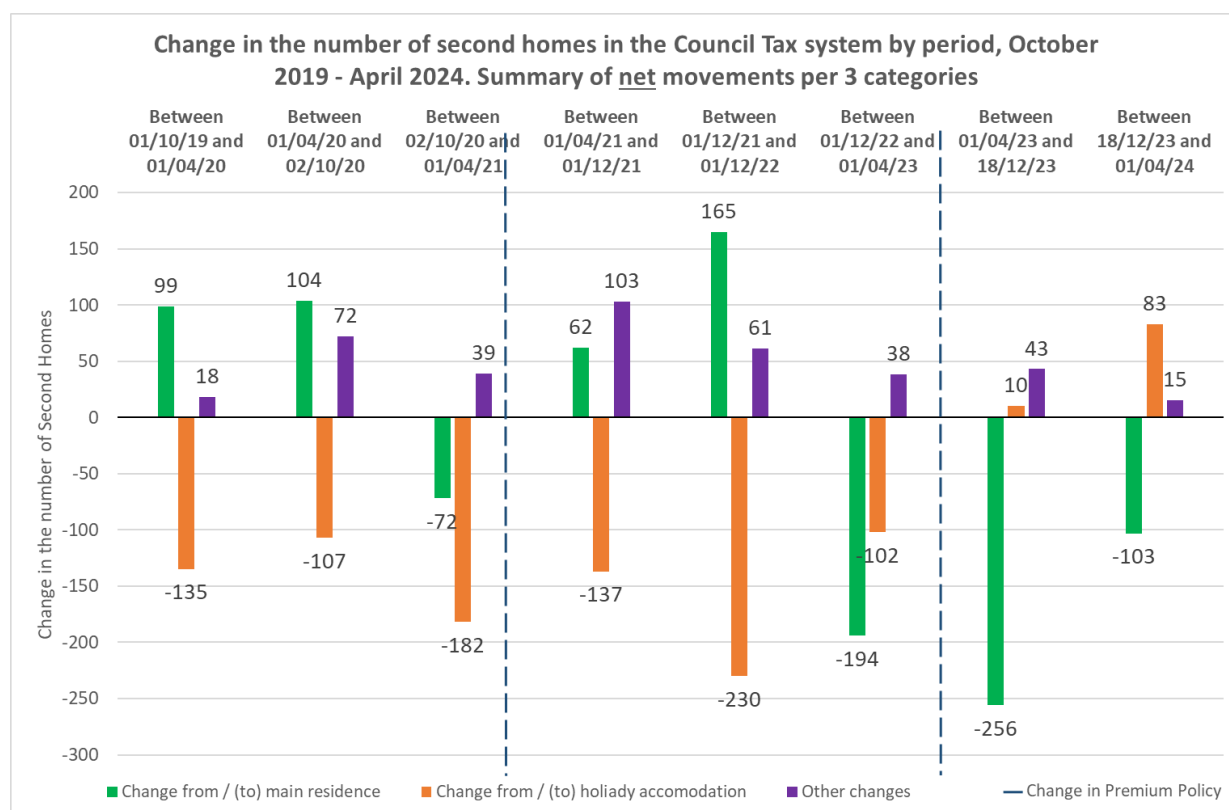


Figure 10: Change in number of second homes in the Council Tax system by period between October 2019 and April 2024 as total net movement per category (change from/to main residence, change from/to holiday accommodation, other changes).

The two charts below bring all of the above-mentioned together to show the total movements into, and out of, the category of second homes in each period. The first chart shows the gross movements (in/out of the second home category) as well as the net change (the difference between the in and out movements), highlighting again that there is significant turnover in terms of individual property position even at times where the total figure is fairly stable.

EVIDENCE OF THE IMPACT OF THE COUNCIL TAX PREMIUM ON SECOND HOMES AND LONG-TERM EMPTY PROPERTIES IN GWYNEDD – NOVEMBER 2024

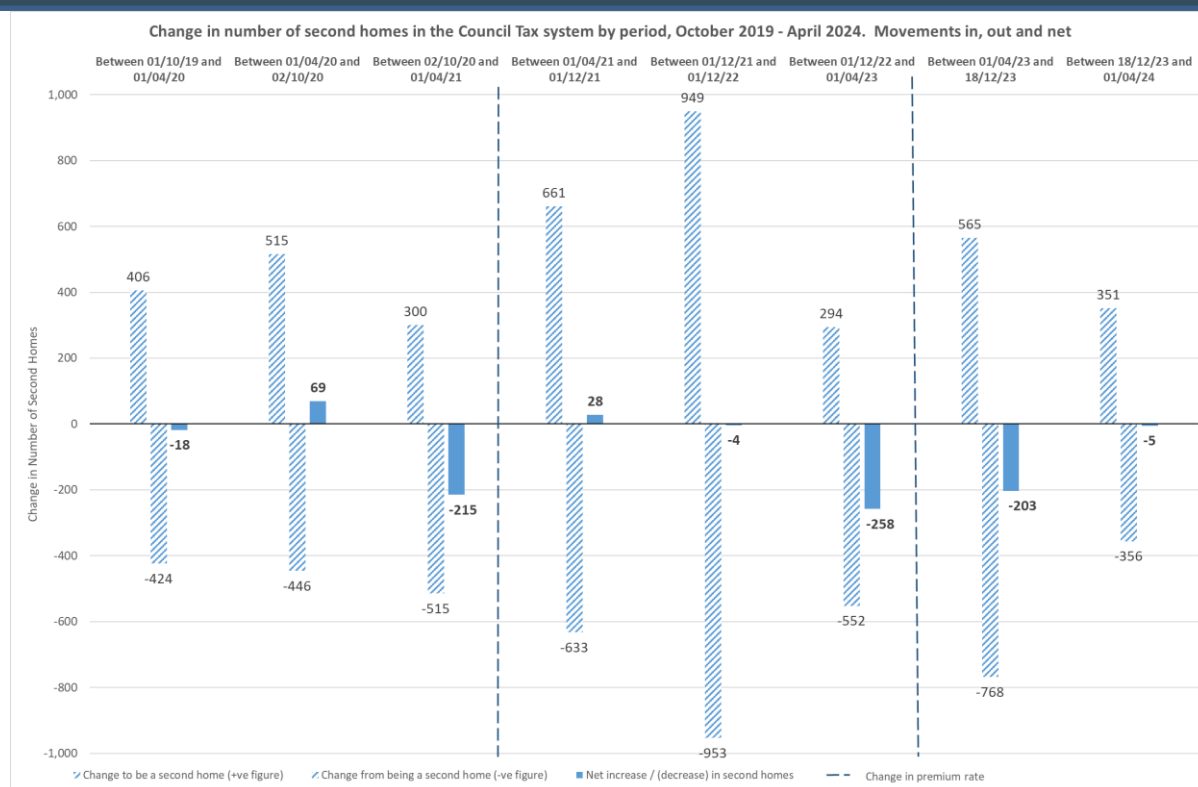


Figure 11: Change in number of second homes in the Council Tax system by periods between October 2019 and April 2024 showing movements in and out of second home category and total net movement.

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The chart below shows the net change in the total number of second homes in the 8 periods covered.

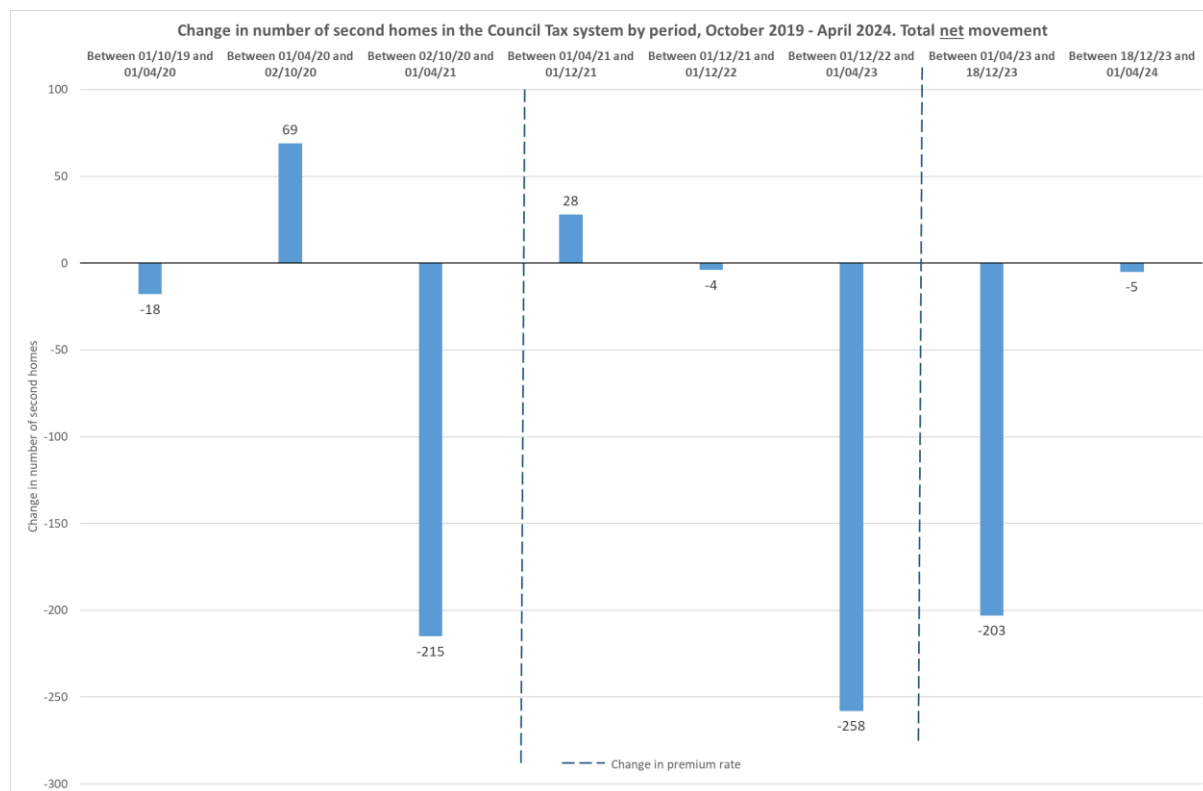


Figure 12: Change in the number of second homes in the Council Tax system per period between October 2019 and April 2024 as total net movement.

7.1 Results - tracking second homes

The table below summarises the above information showing the change (net) in the number of second homes in every period, per category of changes.

Table 2: Net change in the total number of second homes in Gwynedd in each period, per 3 main category of changes.

	Oct 2019 - Apr 2020 (1)	Apr 2020 - Oct 2020 (2)	Oct 2020 - Apr 2021 (3)	Apr 2021 - Dec 2021 (4)	Dec 2021 - Dec 2022 (5)	Dec 2022 - Apr 2023 (6)	Apr 2023 - Dec 2023 (7)	Dec 2023 - Apr 2024 (8)
Number of second homes at the start of the period	4,955	4,937	5,006	4,791	4,819	4,815	4,557	4,354
Net increase / (reduction) due to second homes changing from / (to) a main residence	+99	+104	-72	+62	+165	-194	-256	-103
Net increase / (reduction) due to second homes changing from / (to) holiday accommodation	-135	-107	-182	-137	-230	-102	+10	+83
Net increase / (reduction) due to other changes	+18	+72	+39	+103	+61	+38	+43	+15
Number of second homes at the end of the period	4,937	5,006	4,791	4,819	4,815	4,557	4,354	4,349

Therefore, the main patterns can be described as follows:

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- In "usual" periods before any discussion about the two increases in the premium (*before October 2020, and again between December 2021 and December 2022; columns (1), (2) and (5) in the table*) there was a constant flow (net) of property from being a main residence to being a second home but also a flow (one-way, more or less) of property from second homes to holiday accommodation. The combination of these two impacts, as well as a small increase due to other factors (e.g. new housing developments), mean that **the total number of second homes remained relatively stable** in these periods.
- In the period **before increasing the premium to 100%** (*between October 2020 and April 2021; column (3) in the table*) the pattern was different - there was **a net shift of property from second homes to main residences**. This, as well as the continued flow from second homes to holiday accommodation, meant that **the total number of second homes reduced** in this period.
- However, in the **period immediately after increasing the premium to 100%** (*April 2021 - December 2021; column (4) in the table*) the patterns seem to be reverting to normal (namely a flow of main residences to second homes, with the other flow of second homes to holiday accommodation meaning that the number of second homes remained relatively constant). Therefore, **although increasing the premium to 100% seems to have changed the pattern for a while**, it appears that this **impact was relatively small and short-lived**.
- In the **period before, and after, the premium increase to 150%**, however, (*from December 2022 onwards; columns (6), (7) and (8) in the table*) there was a **steady flow of properties from second homes to main residences**. At the start of this period (*December 2022-April 2023; column (6)*) the flow of second homes to holiday accommodation also continued, meaning that **the total of second homes fell substantially in a short period**.
- But **after the change in the business rates regulations** (*namely from April 2023 onwards; columns (7) and (8)*), the direction of the shift changed between second homes and holiday accommodation, so that now **there was a net flow from holiday units to second homes**.
- **Between April 2023 and December 2023** (*column (7)*), the **shift from second homes to main residences was greater than the shift from holiday units to second homes**, leading therefore to a reduction in the total number of second homes.
- **Between December 2023 and April 2024** (*column (8)*) however, an increase was seen in the flow of second homes to holiday units, meaning that the **total number of second homes was more or less static** in this latest period.

Therefore, to summarise, there was a net flow of properties from second homes to main residences before the premium increase to 100% in April 2021, and (more definitively and seemingly more longer lasting) before and after the premium increase to 150% in April 2023. This is contrary to the usual pattern where an opposite flow was seen, from main residences to second homes.

The pattern of movements between second homes and holiday accommodation also changed as a result of the change in the business rates regulations in April 2023. Whereas before there was a flow of second homes to holiday units, the flow is now going in the opposite direction. There are signs (based on the latest data in this research, i.e. December 2023 - April 2024), that this flow has grown

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so that the number of second homes is now stable (i.e. this flow is around the same as the flow of second homes to main residences).

The Welsh Government conducted an analysis, looking at the changes in the numbers of taxable second homes in Gwynedd, looking at data from 13 April 2023 and 13 April 2024. Their research showed a reduction in the number of taxable second homes in the whole of Gwynedd between these two dates. Although this analysis shows a similar trend to what has been seen in Gwynedd's internal council tax data, as the source of the data used by the Welsh Government is different to the data being discussed in this report, the two are not directly comparable.

Appendix 3 presents the same information in a slightly different way, starting with the properties that were second homes in October 2019 and showing what happened to those in subsequent periods (and also where the newly-arrived second homes in subsequent periods came from).

It is difficult to make a direct comparison between this and the above charts due to properties going back and forth on more than one occasion (and the charts in Appendix 3 cannot reflect this). But this again highlights the substantial turnover within the figures (of the 4,955 properties that were second homes in October 2019, only 2,769 of them (56%) remained as second homes by April 2024 but another 1,580 properties had reached the second homes category by then).

7.2 Results for the areas with the highest proportion of second homes

As the core data which forms the basis of this report has been categorised per geographical area (wards, neighbourhoods, well-being areas, etc.), it is possible to report further according to smaller areas, as needed.

However, to avoid overloading this report with an excess of information, the analysis below looks at the picture in two specific wards, namely **Abersoch with Llanengan**, and **Aberdyfi** (it was seen in part 5 above that these are the two wards with the highest proportions of second homes and holiday units in Gwynedd, and the highest composite percentage of second homes, holiday units and long-term empty properties collectively).

The following charts show the net shift of property to, and from, the Second Homes category per three main categories of movements (the first graph per ward) and in total (the second graph per ward) in these two wards.

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Abersoch with Llanengan

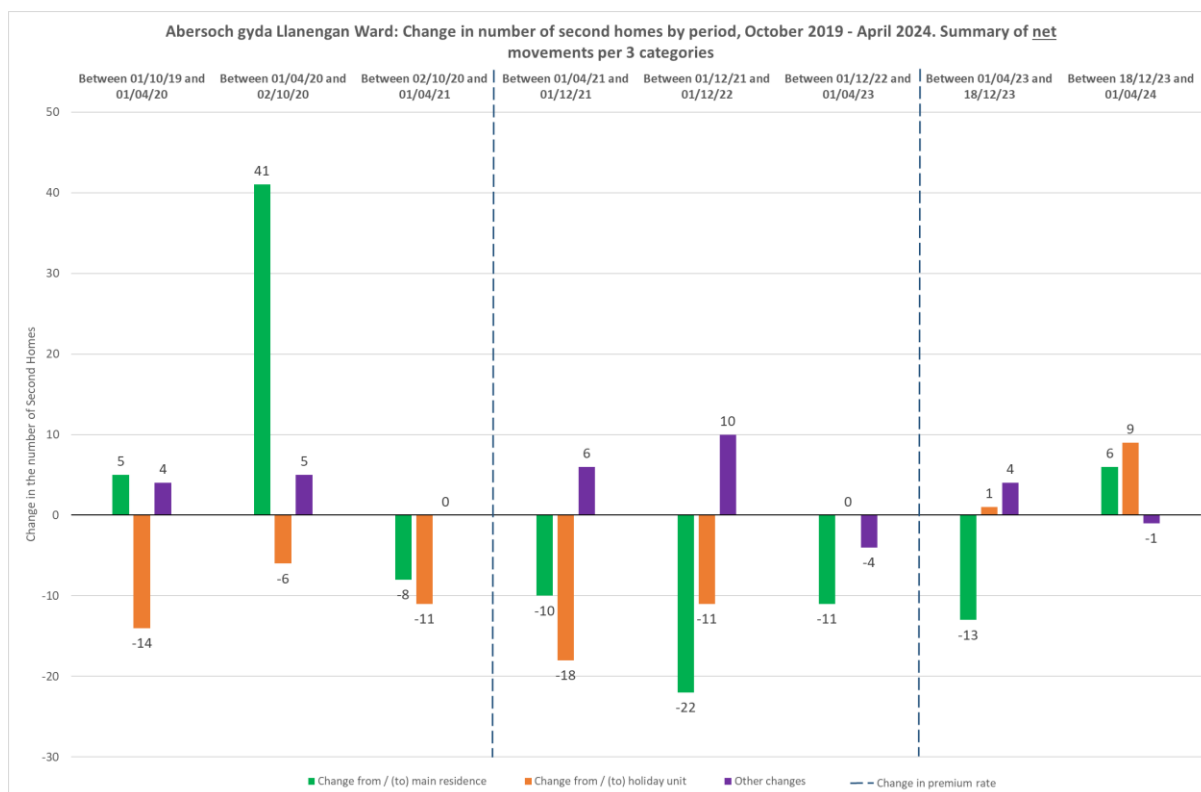


Figure 13: Change in the number of second homes in the Council Tax system by period between October 2019 - April 2024 as total net shift per category (change from/to main residence, change from/to holiday accommodation, other changes) in the Abersoch with Llanengan ward.

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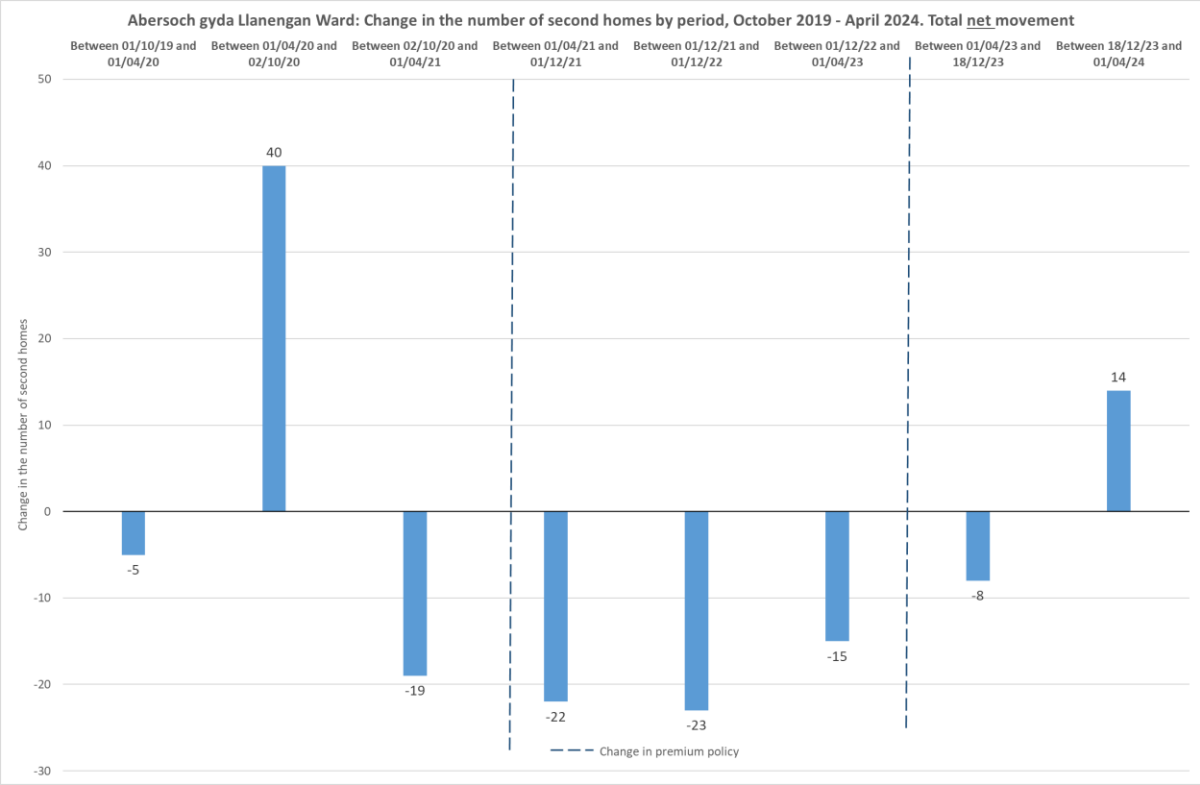


Figure 14: Change in the number of second homes in the Council Tax system per period between October 2019 - April 2024 as total net shift in the Abersoch with Llanengan ward.

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Aberdyfi

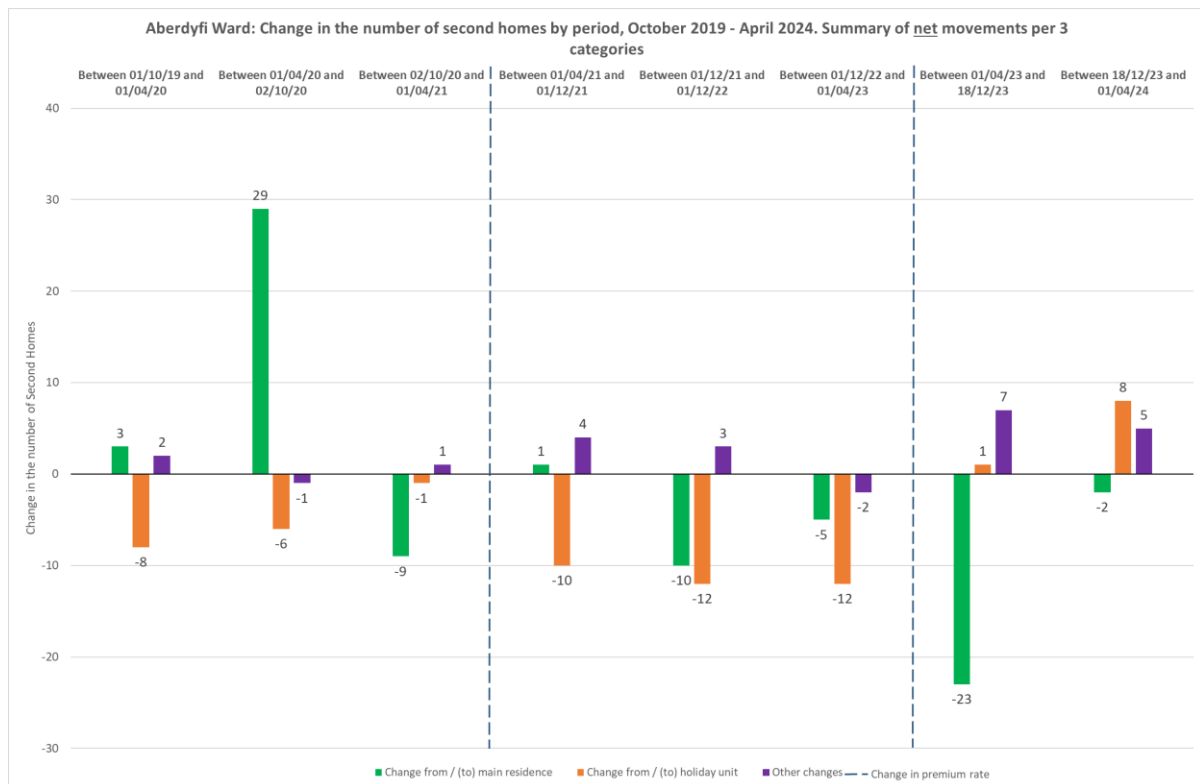


Figure 15: Change in the number of second homes in the Council Tax system by period between October 2019 and April 2024 as total net movement per category (change from/to main residence, change from/to holiday accommodation, other changes), in the Aberdyfi ward

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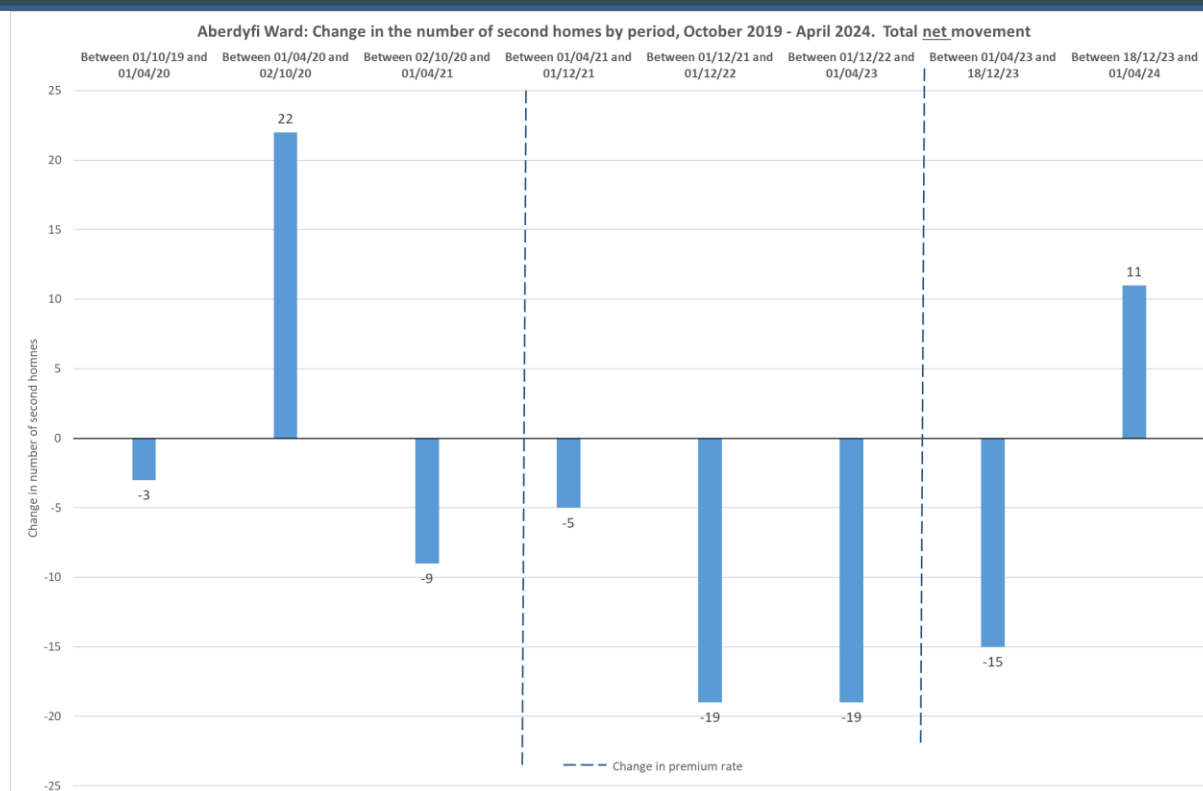


Figure 16: Change in the number of second homes in the Council Tax system per period between October 2019 and April 2024 as total net shift in the Aberdyfi ward

Conclusions - Results for the Abersoch with Llanengan, and Aberdyfi wards

If we compare the pattern in these two wards with the picture across Gwynedd:

- The pattern is similar to a large degree - certainly in terms of the changes between second homes and holiday accommodation; there are no significant differences between these two areas and Gwynedd in general;
- There is some difference in terms of the flow between second homes and main residences. For whatever reason, it appears that the impact of increasing the premium to 100% (April 2021) has been more long-lasting in these two wards (in Abersoch / Llanengan in particular), than in the rest of Gwynedd, with the net flow from second homes to main residences continuing to a degree after April 2021, contrary to the pattern in Gwynedd in general.
- Also, there was a (small) flow from main residences to second homes between December 2023 and April 2024 in the Abersoch / Llanengan ward - again this is contrary to Gwynedd in general.

Therefore, on the surface (and bearing in mind that caution needs to be exercised and not to read too much into the results about a relatively small number of properties), the pattern in these two wards is slightly different to Gwynedd as a whole. The increase in the premium seems to have had an impact in this ward as it does in the rest of Gwynedd - but it appears that the exact scale and timing of this impact has been different to a degree, particularly so in Abersoch / Llanengan.

7.3 Comparison with house sales data

We have also compared the council tax categories data with the Land Registry data for the houses sold. For this element, we looked at the period from December 2022 onwards (i.e. the period immediately before, and then after, increasing the premium 150%) as this is when we started to see a substantial, consistent net flow of properties from the second homes category to the main residence category.

The results showed:

- Of the 857 properties (where the data could be linked together), which had transferred from a second home to a main residence during the period, 163 of them (19%) had been sold around the same time (i.e. within a year of the change in taxation category).
- Of the 3,379 properties which had remained as a second home consistently from December 2022 to April 2024 (and where it was possible to link the data), 31 (1%) of them had changed ownership during this period.

This can be compared with the previous period (December 2021 - December 2022): 3,714 properties had remained as second homes consistently during this period, with 84 (2%) changing ownership during the period.

Therefore, it is not obvious that increasing the premium to 150% has led to any significant change of pattern in terms of the number of second homes being sold to other second home-owners – in fact, the data suggests that this occurred to a somewhat lesser extent following the increase in premium compared to previously.

Above results for Abersoch with Llanengan ward

- Of the 35 properties (where it was possible to link the data together) that had transferred from a second home to a main residence during the period, 3 of them (9%) had been sold around the same time (within a year of the taxation category change).
- Of the 464 properties that remained a second home uninterrupted from December 2022 until April 2024 (and where it was possible to link the data together), 4 (1%) of them had changed ownership during this period.

Above results for Aberdyfi ward

- Of the 45 properties (where it was possible to link the data together) that had transferred from a second home to a main residence during the period, 6 of them (13%) had been sold around the same time (within a year of the taxation category change).
- Of the 269 properties that remained a second home uninterrupted from December 2022 until April 2024 (and where it was possible to link the data together), 8 (3%) of them had changed ownership during this period.

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In these two particular wards, therefore, looking at properties which transferred from a second home to a principal residence around / following the premium increase to 150%:- a lower proportion of these had been connected with the sale of the house, than was the case in such transfers in Gwynedd as a whole.

Looking at the properties that had remained a second home uninterrupted during this period, the proportion sold (i.e. transferring from being one owner's second home, to another owner's second home) in the Abersoch and Llanengan ward, was similar to the proportion across the whole of Gwynedd. The proportion was somewhat higher in the Aberdyfi ward.

8.0 Questionnaire results

A simple questionnaire was sent to addresses which (according to council tax data), had changed from a second home to a main residence since December 2022. This period was selected as the increase to 150% for second homes was operational in Gwynedd in April 2023 and, as seen above, from December 2022 onwards the Council Tax data shows a substantial, consistent (net) flow of properties from second homes to main residences.

A letter was sent out to all of these addresses (906 of them)¹, with a link to complete the questionnaire on-line or an instruction to contact Galw Gwynedd should they prefer a paper copy of the questionnaire. The purpose of the questionnaire was to obtain a little more information on properties that used to be second homes but are now main residences, to understand more about the background of this change and about those now residing there. A copy of the letter is in **Appendix 4** and a copy of the questionnaire in **Appendix 5**.

177 responses were received; this is a 19.5% response rate. 167 (94.4%) of these responded on-line and 10 (5.6%) completed a paper questionnaire.

The majority of responders noted that they owned the house (85.3%, N=151). 6.8%(N=12) rented and 1.1% (N=2) lived in the house without paying rent.

Table 3: Response to the question 'Do you own or rent the house?' as a number and a percentage.

	Number	Percentage
Own	151	85.3
Rent	12	6.8
Living in the house without paying rent	2	1.1
Other	2	1.1
No response	10	5.6
Total	177	100.0

For those who had noted that they owned the house, they were asked to put a tick in the box which best described the situation. 64.2% (N=97) noted that they had bought the house in order to live in it permanently (it was never their second home) and 27.8% (N=42) noted that the house used to be their second home, but that they now lived there permanently.

¹A total of 1,252 properties had moved from a second home to a main residence in this period (gross) (see 7.1 above). But as some of these subsequently moved category again, or as their situation is generally more complex (e.g. some of them are now empty), the number of properties questioned was restricted to 906 in order to restrict this part of the research to relatively 'simple' situations and to avoid confusion to the recipients of the questionnaire.

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Table 4: Response to the question 'Which of these best describes the situation of your house?' as a number and a percentage.¹²

	Number	Percentage
Have bought this house to live in it permanently (it was never my second home)	97	64.2
This house was my second home but I / we are now living in it permanently.	42	27.8
Other	12	7.9
Total	151	100.0

For those who had noted that they had bought this house in order to live in it permanently, they were asked whether this was the first house that they had bought. 20.6% (N=20) noted that this was the first house that they had bought.

Table 5: Response to the question 'Is this the first house you bought?' as a number and a percentage.

	Number	Percentage
No	76	78.4
Yes	20	20.6
No response	1	1.0
Total	97	100.0

The next part of the questionnaire asked about the features of the home. Half the responders (50.3%, N=89) noted that more than one person aged 18 or over lived in the house, with 44.1% (N=78) noting that one adult aged 18 years and over lived in the house, and 5.6% (N=10) had not responded.

Table 6: Response to the question 'What best describes your home?' as a number and a percentage.

	Number	Percentage
More than one adult (18 years old and over) lives here	89	50.3
One adult (18 years old and over) lives here	78	44.1
No response	10	5.6
Total	177	100.0

87.0% (N=154) of the responders noted that no children lived in the house, with 7.9% (N=14) noting that children lived in the house, and 5.1% (N=9) did not respond.

Table 7: Response to the question 'Are there children under the age of 18 living here?' as a number and percentage.

	Number	Percentage
No	154	87.0
Yes	14	7.9
No response	9	5.1
Total	177	100.0

The next question was asked to see whether the responders had a local connection, and this list was based on the local connection criteria of the Common Housing Register. Just over half of the respondents (55.4%, N=98) had not lived in Gwynedd before. Almost a third of them (29.9%, N=53) had lived in Gwynedd for 5 years or more before living in this house. 8.5% (N=15) of the respondents had been brought up in Gwynedd but had moved away and then had moved back to Gwynedd; and 5.1% (N=9) had lived in Gwynedd for less than 5 years before living in this house.

Table 8: Response to the question 'For the period immediately before you lived in this house, which of the below applies to the adults living in the house?' as a number and percentage.

	Number	Percentage
Have lived in Gwynedd for 5 years or more before living in this house	53	29.9
Have lived in Gwynedd for less than 5 years before living in this house	9	5.1
Have been brought up in Gwynedd but then moved away; and then have moved back to Gwynedd	15	8.5
Have not lived in Gwynedd before	98	55.4

The percentages will not add to 100 as it was possible to select more than one option in this question.

By combining the data forming the basis to two of the above tables, we can look at whether there was a relationship between the situation with the house (whether it had been bought, moved to a second home they already had, etc.), and whether the adults living there had a local connection.

It can be seen that 71% of the adults who moved to live permanently to a house, which was formerly their second home, had not lived in Gwynedd before. 52% was the equivalent percentage for people who had bought the house to live in it permanently (not previously their second home).

35% of the adults who bought a house to live in it permanently (not previously their second home) had lived in Gwynedd for 5 years or more.

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Table 9: Response to the question 'For the period immediately before you lived in this house, which of the following applies to the adults living in the house?' compared with the situation of the property

	Have lived in Gwynedd for 5 years or more before living in this house		Have lived in Gwynedd for less than 5 years before living in this house		Have been brought up in Gwynedd but then moved away; and then have moved back to Gwynedd		Have not lived in Gwynedd before		Total
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	
Have bought this house to live in it permanently (it was never my second home)	36	35.3	3	2.9	10	9.8	53	52.0	102
This house was my second home but I / we are now living in it permanently.	7	16.7	0	0.0	5	11.9	30	71.4	42
Other	3	23.1	2	15.4	0	0.0	8	61.5	13

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65.3% (N=109) noted that no adult in the house could speak Welsh. A third of the responders had at least one adult living in the house who was able to speak Welsh (33.5%, N=56).

Table 10: Response to the question 'Are any of the adults in the house able to speak Welsh?' as a number and percentage.

	Number	Percentage
No	109	65.3
Yes	56	33.5
No response	2	1.2
Total	167	100.0

Again, by combining the data from different questions, we can look at whether there was a relationship between the situation with the house (whether it had been bought, moved to a second home they already had, etc.) and whether any adults in the house could speak Welsh.

It is seen, in the case of houses bought specifically to live in them permanently (not a second home for those owners previously), that an adult(s) spoke Welsh in 39% of them. This compares with 26% in the case of houses where the owners have moved permanently to houses that were their second homes previously.

Table 11: Response to the question 'Are any of the adults in the house able to speak Welsh?' versus 'For the period immediately before you lived in this house, which of the below applies to the adults living in the house?'

	Adult able to speak Welsh		Adult unable to speak Welsh		No response		Total
	Number	%	Number	%	Number	%	
This house was my second home but I / we are now living in it permanently.	11	26.2	31	73.8	0	0.0	42
Have bought this house to live in it permanently (it was never my second home)	38	39.2	58	59.8	1	1.0	97
Other	2	16.7	10	83.3	0	0.0	12
No response	5	31.3	10	62.5	1	6.3	16

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Of the 14 responders who had children living in the house, 71.4% (N=10) of them were able to speak Welsh and 28.6% (N=4) of them could not speak Welsh.

Table 12: Response to the question 'Can any of the under 18s in the house speak Welsh?' as a number and percentage.

	Number	Percentage
Yes	10	71.4
No	4	28.6
Total	14	100.0

Therefore, to summarise some of the main results of this part of the research (and bearing in mind that the response rate was 20%, and that it is therefore difficult to make overly definitive conclusions, particularly should there be a tendency for some categories of owners to be more prepared to respond than others):

- The majority (64%) of the responders who owned the house, had bought the house in order to live there permanently (it had never been their second home). 28% of the responders had used it as a second home previously but they now lived in it permanently.
- Of those who had bought the house in order to live there permanently, around 21% were first-time buyers.
- 71% of the adults who moved to live permanently to a house that was previously their second home, had never lived in Gwynedd before. 52% was the equivalent percentage for people who had bought the house to live in it permanently (not previously their second home); 35% of these owners had lived in Gwynedd for 5 years or more.
- In the case of houses bought specifically to live in them permanently (not a second home for those owners previously), an adult / adults spoke Welsh in 39% of them. This compares with 26% in the case of houses where the owners have moved permanently to houses that were their second homes previously.

9.0 Long-term empty properties

In the same way as was done with second homes (above), we have also tracked and analysed changes to individual property categories to, and from, the long-term empty property category in the council tax administration system to look for any patterns with this, particularly around the time that the premium was increased to 100% in April 2021.

The chart below summarises the net shift to, and from, the long-term empty property category per period (full data in **Appendix 6**).

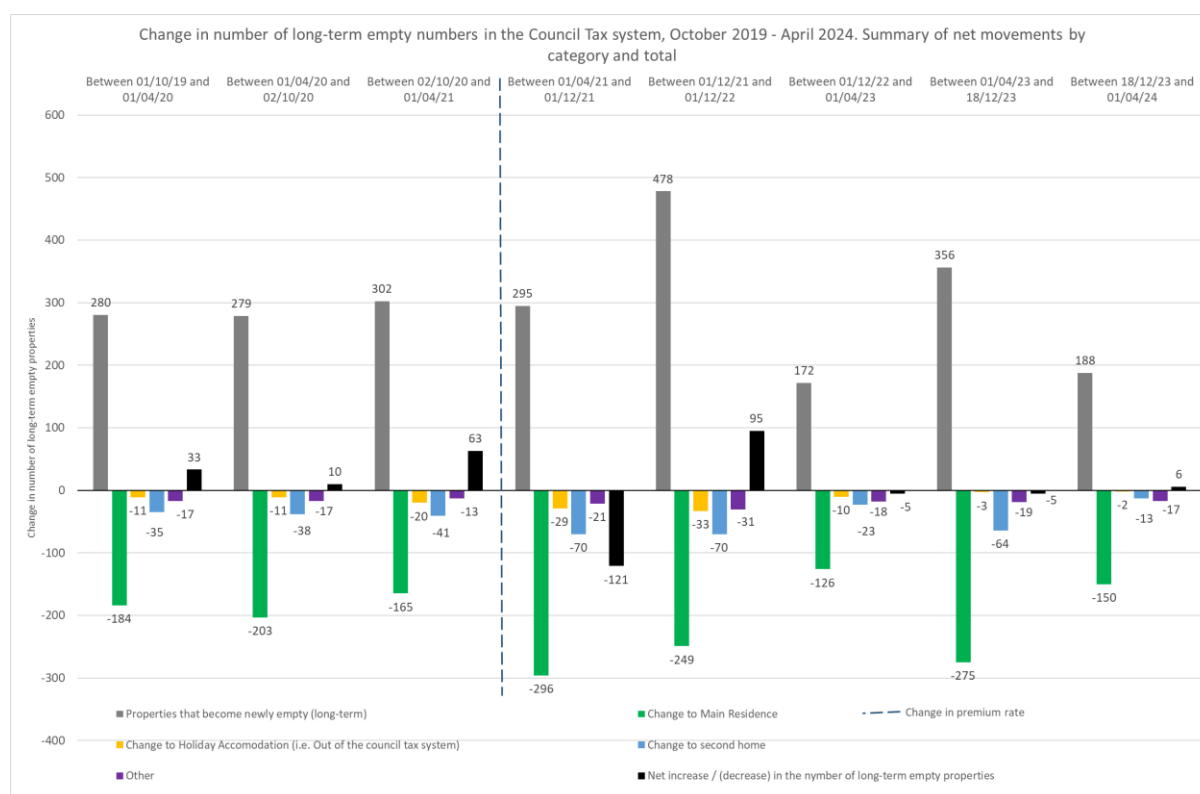


Figure 17: Change in long-term empty property numbers in the Council Tax system by period between October 2019 and April 2024 as a summary of net movements per category and in total.

In general (and as also seen in Figure 5 above), there was only a slight change in the number of long-term empty properties across Gwynedd over the entire period. The biggest change was the net reduction of -121 in April - December 2021 (i.e. following the premium increase). However, this was more or less counterbalanced by the net increase of +95 in the subsequent period from December 2021 - December 2022.

Looking more specifically at property changing from long-term empty properties to main residences, the following pattern can be seen:

EVIDENCE OF THE IMPACT OF THE COUNCIL TAX PREMIUM ON SECOND HOMES AND LONG-TERM EMPTY PROPERTIES IN GWYNEDD – OCTOBER 2024

Table 13: Change from long-term empty property to main residence

Period	Number of months	Number of properties transferring from long-term empty properties to main residences	Average number of properties transferring per month
1/10/19 – 1/4/20	6	184	31
1/4/20 – 2/10/20	6	203	34
2/10/20 – 1/4/21	6	165	28
1/4/21 – 1/12/21	8	296	37
1/12/21 – 1/12/22	12	249	21
1/12/22 – 1/4/23	4	126	32
1/4/23 – 18/12/23	9	275	31
18/12/23 – 1/4/24	3	150	50

Therefore, the pattern is relatively inconclusive - a higher number transferred in the period immediately after the premium increase in April 2021, but subsequently the numbers have varied a lot and it is difficult to see that there is any long-lasting impact. It is also difficult to see a definitive pattern in the numbers that newly become empty.

10.0 Recommendations for data improvement

The main source of this research was data used for council tax administration / collection purposes, and there is room to consider whether further data needs to be collected in future, particularly if there is an intention to continue to monitor trends.

More specifically:

- Ensuring a unique property reference (UPRN) in full in the council tax system
- Reconciling the format of the business rates / council tax database so that it is possible to link the data better between both
- Are there opportunities to collect further information (language spoken, etc.) when recording changes in ownership, etc.?

11.0 Conclusions

There was a net flow of properties from second homes to main residences before increasing the premium to 100% in April 2021, and (more definitive and more long-lasting) before and after the premium increase to 150% in April 2023. This goes against the usual pattern where the flow goes in the opposite direction, from main residences to second homes. Therefore, it appears (although we must bear in mind the restrictions of the information, and other factors that could have influenced the situation), that the premium has contributed towards bringing second homes back into use as main residences.

It also appears that the change in regulations in terms of holiday accommodation, has (and continues to), influence the situation - there is now a flow of properties from holiday accommodation to second homes (and slightly counterbalancing the above trend of fewer second homes).

Around 19% of the properties changing from second homes to main residences recently (since December 2022), were sold at around the same time.

The majority (64%) of the questionnaire responders (in relation to houses that used to be second homes but are now occupied permanently), had bought the house to live in it permanently (it had never been their second home). 28% of the responders had used it as a second home previously but they now lived in it permanently. This is contrary to the above finding that a relatively low proportion of these properties had been sold according to the Land Registry data - and possibly suggests that caution should be exercised in order to avoid making overly definitive conclusions based on the results of the questionnaire (also bearing in mind that the response rate was 20%, and therefore it is possible that there is a tendency for some categories of owners to be more willing to respond than others).

71% of the adults who moved to live permanently to a house that was previously their second home, had never lived in Gwynedd before. 52% was the equivalent percentage for people who had bought the house to live in it permanently (not previously their second home). 35% of the adults who bought a house to live in it permanently (not previously their second home) had lived in Gwynedd for 5 years or more.

In the case of houses bought specifically to live in them permanently (not a second home for those owners previously), an adult / adults spoke Welsh in 39% of them. This compares with 26% in the case of houses where the owners have moved permanently to houses that were their second homes previously.

In terms of long-term empty properties, the pattern seen was relatively inconclusive - a higher number transferred in the period immediately after the premium increase in April 2021, but subsequently, the numbers have varied greatly and it is difficult to see any long-lasting impact. It is also difficult to see a definitive pattern in the numbers that newly become empty.

Attachments

Attachment 1: Percentages of second homes, long-term empty properties, and holiday units of total housing per electoral ward, April 2024

(arranged from highest to lowest by proportion of second homes)

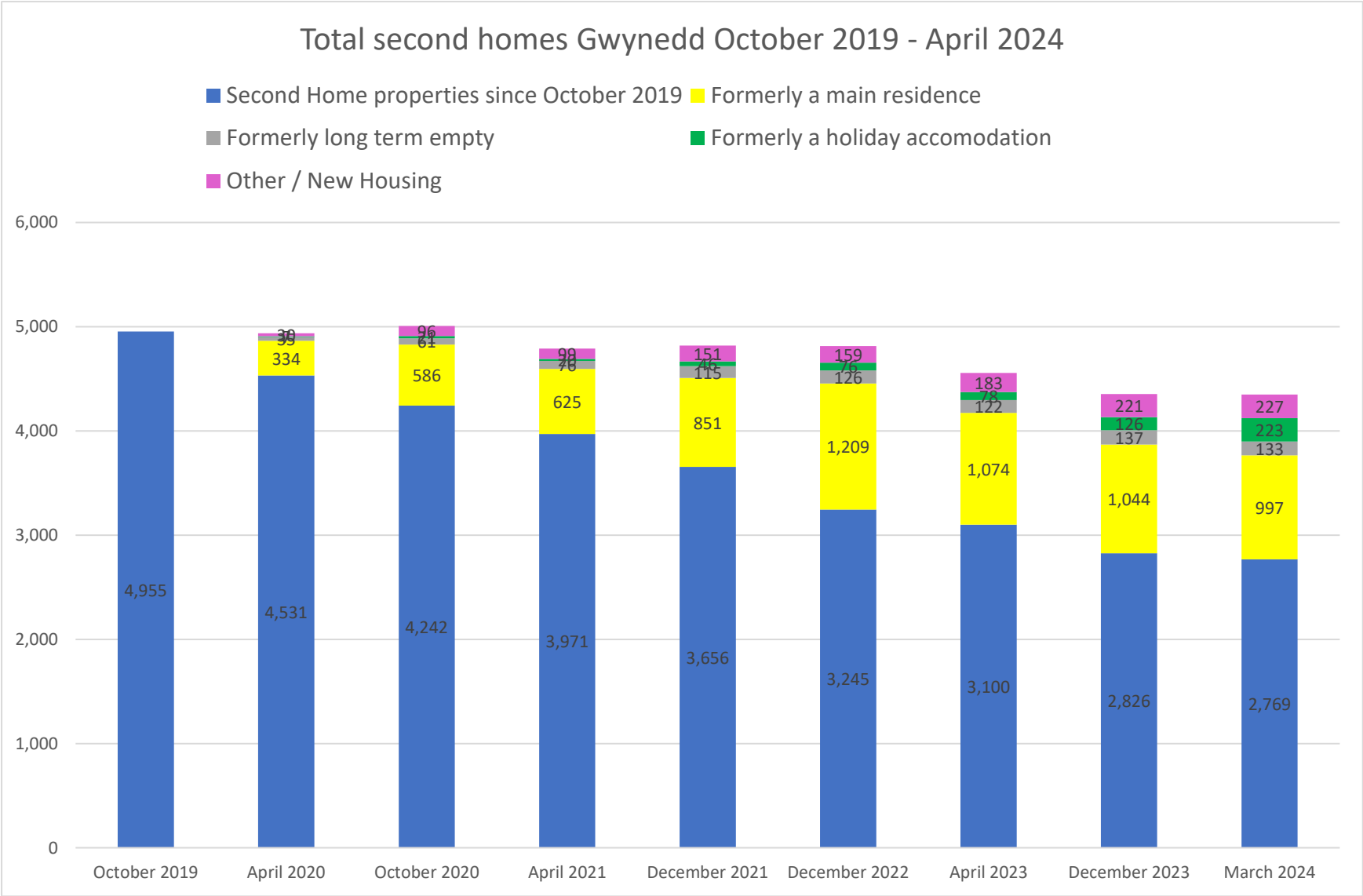
Ward	Second Homes as a percentage of Total Housing	Rank (1=highest, 65=lowest)	Long Term Empty Properties as a percentage of Total Housing	Rank (1=highest, 65=lowest)	Holiday Units as a percentage of Total Housing	Rank (1=highest, 65=lowest)	Composite Percentage (Second Homes + Long Term Empty Properties + Holiday Units as a % of Total Housing)	Rank (1=highest, 65=lowest)
Abersoch gyda Llanengan	40.40%	1	2.83%	6	13.76%	1	56.99%	1
Aberdyfi	27.58%	2	2.13%	19	13.24%	2	42.95%	2
Llanbedrog gyda Mynytho	20.03%	3	5.03%	1	5.46%	18	30.53%	4
Gorllewin Porthmadog	19.07%	4	1.67%	38	10.49%	3	31.23%	3
Morfa Nefyn a Thudweiliog	16.47%	5	2.16%	18	7.30%	8	25.93%	5
Harlech a Llanbedr	13.41%	6	2.49%	8	6.81%	13	22.70%	7
Arthog a Llangelynnin	13.06%	7	1.56%	42	6.23%	16	20.85%	9
Nefyn	12.68%	8	1.79%	34	4.74%	25	19.21%	13
Pen draw Llŷn	11.77%	9	2.01%	28	10.04%	4	23.81%	6
Brithdir a Llanfachreth/Ganllwyd/Llanelltyd	10.63%	10	2.13%	21	7.08%	11	19.83%	12
Bro Dysynni	10.39%	11	1.18%	51	5.39%	19	16.97%	16
Abermaw	10.39%	12	2.17%	17	7.40%	7	19.96%	11
Morfa Tywyn	10.24%	13	1.13%	53	3.13%	36	14.50%	20
Criccieth	10.01%	14	1.64%	40	9.53%	5	21.17%	8
Yr Eifl	9.78%	15	3.08%	2	4.29%	29	17.14%	15
Gorllewin Tywyn	9.62%	16	1.78%	35	2.02%	42	13.42%	23
Glaslyn	9.46%	17	1.91%	30	9.26%	6	20.63%	10
Corris a Mawddwy	7.47%	18	2.36%	13	5.37%	20	15.20%	18
Trawsfynydd	7.41%	19	2.47%	9	7.29%	9	17.18%	14
Clynnog	6.79%	20	2.26%	15	4.52%	26	13.57%	22
Dolbenmaen	6.61%	21	2.10%	22	5.32%	22	14.03%	21
Dyffryn Ardudwy	6.55%	22	2.89%	5	6.77%	14	16.20%	17
Teigl	6.25%	23	2.13%	20	4.52%	27	12.90%	25
Llanuwchllyn	6.17%	24	1.81%	33	5.26%	23	13.25%	24
Efailnewydd a Buan	6.03%	25	1.85%	31	3.40%	34	11.28%	28
Gogledd Dolgellau	5.97%	26	2.44%	11	6.33%	15	14.74%	19
De Pwllheli	5.24%	27	1.54%	43	1.75%	45	8.52%	37
Llandderfel	5.04%	28	2.37%	12	5.34%	21	12.76%	26
Waunfawr	4.12%	29	2.21%	16	4.26%	31	10.59%	31
Llanystumdwy	4.03%	30	1.61%	41	5.94%	17	11.58%	27
Bowydd a'r Rhiw	3.95%	31	2.47%	10	4.44%	28	10.86%	29
Penrhyndeudraeth	3.83%	32	1.08%	55	1.67%	46	6.58%	45
Bethel a'r Felinheli	3.78%	33	1.41%	45	3.03%	37	8.22%	38
Llanllfni	3.73%	34	1.41%	44	1.81%	43	6.96%	41
Gogledd Pwllheli	3.59%	35	2.53%	7	2.04%	41	8.16%	39
De Dolgellau	3.59%	36	2.07%	25	4.28%	30	9.93%	34
Tryfan	3.46%	37	2.08%	24	1.11%	53	6.65%	43
Llanberis	3.41%	38	1.75%	36	5.17%	24	10.33%	33
Arllechwedd	3.15%	39	2.07%	26	1.57%	47	6.79%	42
Canol Tref Caernarfon	2.98%	40	2.98%	3	2.89%	38	8.85%	36
Diffwys a Maenofferen	2.81%	41	2.92%	4	3.60%	32	9.33%	35
Canol Bangor	2.62%	42	1.16%	52	0.29%	61	4.07%	51
Dwyrain Porthmadog	2.32%	43	0.61%	63	1.22%	50	4.16%	50
Y Groeslon	2.18%	44	1.94%	29	3.39%	35	7.52%	40
Cwm-y-glo	2.15%	45	1.65%	39	6.93%	12	10.73%	30
Deiniolen	2.12%	46	1.23%	50	1.23%	49	4.57%	49
Y Bala	1.99%	47	2.27%	14	2.18%	40	6.43%	46
Gerlan	1.84%	48	1.84%	32	1.18%	51	4.86%	48
Canol Bethesda	1.60%	49	0.98%	56	0.25%	62	2.82%	58
Tre-garth a Mynydd Llandygai	1.56%	50	0.63%	62	1.77%	44	3.96%	52
Llanwnda	1.56%	51	1.09%	54	2.64%	39	5.29%	47
Y Faenol	1.48%	52	0.65%	61	1.11%	52	3.24%	55
Abererch	1.42%	53	1.74%	37	3.47%	33	6.62%	44
Penisa'r-waun	1.23%	54	1.39%	46	1.23%	48	3.85%	54
Pen-y-groes	1.22%	55	1.33%	47	0.56%	57	3.11%	56
Y Bontnewydd	1.16%	56	2.02%	27	7.23%	10	10.40%	32
Dwyrain Bangor	1.03%	57	0.81%	59	0.31%	60	2.15%	61
Menai	0.99%	58	2.09%	23	0.88%	55	3.95%	53
Dewi	0.89%	59	0.76%	60	0.51%	58	2.16%	60
Llanrug	0.86%	60	1.23%	49	0.74%	56	2.83%	57
Rachub	0.74%	61	0.89%	57	0.89%	54	2.51%	59
Glyder	0.68%	62	0.82%	58	0.14%	64	1.64%	63
Peblig	0.50%	63	1.26%	48	0.17%	63	1.93%	62
Cadnant	0.38%	64	0.38%	64	0.38%	59	1.13%	64
Hendre	0.12%	65	0.36%	65	0.00%	65	0.48%	65

Source: Research and Information calculations based on data from the council tax system, dated 1/4/24

Attachment 2: Movements to and from the Second Homes category across Gwynedd

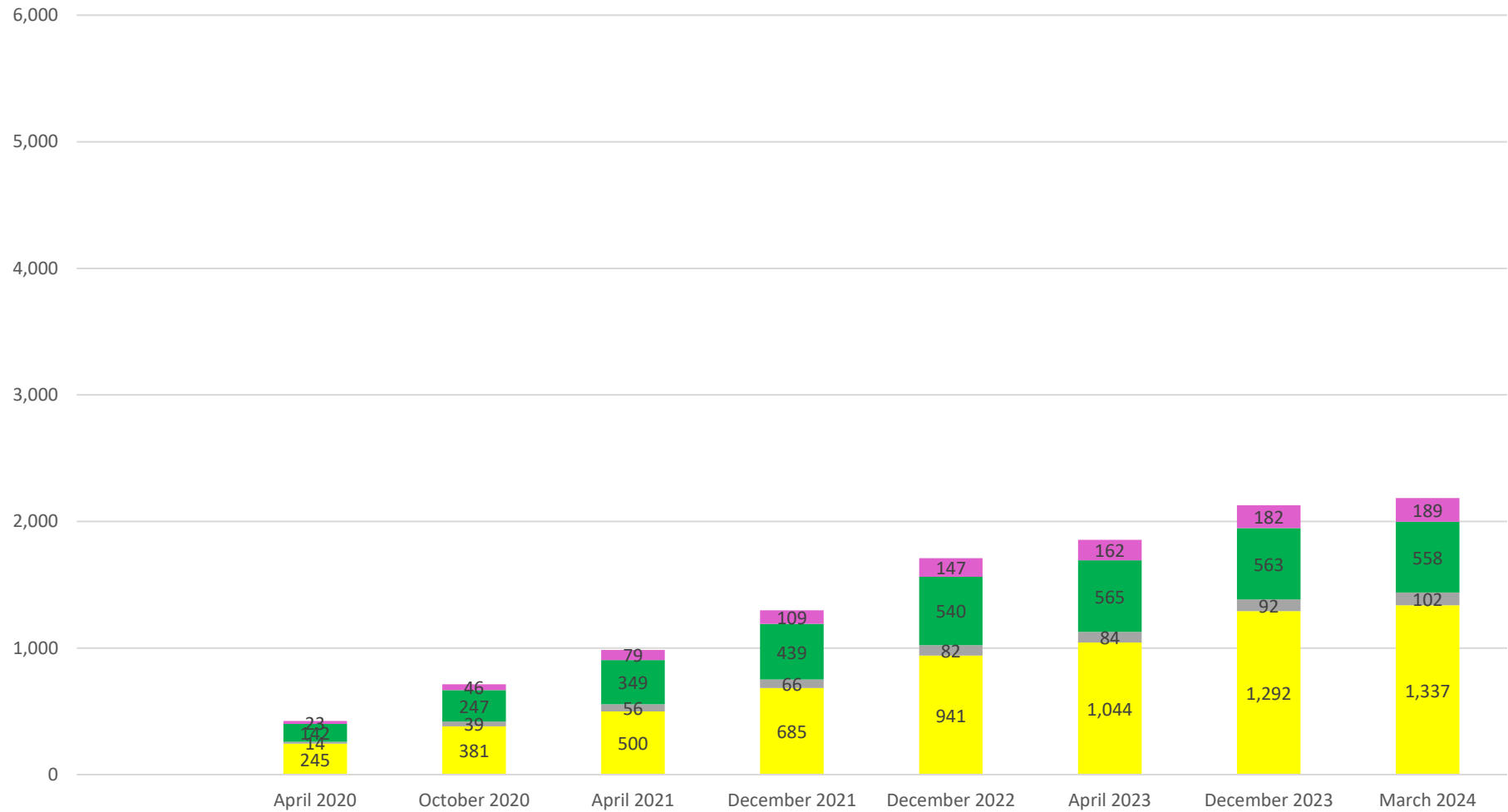
Second Home Numbers Movements - Gwynedd								
	Between 01/10/19 and 01/04/20	Between 01/04/20 and 02/10/20	Between 02/10/20 and 01/04/21	Between 01/04/21 and 01/12/21	Between 01/12/21 and 01/12/22	Between 01/12/22 and 01/04/23	Between 01/04/23 and 18/12/23	Between 18/12/23 and 01/04/24
Initial Number	4,955	4,937	5,006	4,791	4,819	4,815	4,557	4,354
<u>Change between Main Residence and 2nd home:</u>								
From Main Residence to 2nd home	319	375	189	449	741	180	337	182
From 2nd home to Main Residence	-220	-271	-261	-387	-576	-374	-593	-285
Net increase in 2nd homes due to change from (to) main residence	99	104	-72	62	165	-194	-256	-103
<u>Change between Holiday Accommodation and Second Home:</u>								
From Holiday Accommodation to 2nd home (i.e. arriving in CT system, as a 2nd home)	7	16	6	33	42	15	67	108
From 2nd home to Holiday Accommodation (i.e. Leaving the CT system)	-142	-123	-188	-170	-272	-117	-57	-25
Net increase in 2nd homes due to change from (to) holiday accommodation	-135	-107	-182	-137	-230	-102	10	83
<u>Other changes:</u>								
Arrive in the CT system, as a 2nd home (likely to be new housing?)	28	66	36	77	68	54	60	22
Leave the CT system, and don't go to business tax as holiday accommodation	-21	-19	-34	-41	-41	-20	-37	-17
From Long term empty property (12+ months) to 2nd home	35	38	41	70	70	23	64	13
From 2nd home to Empty property (12+ months)	-14	-7	-18	-18	-48	-13	-43	-15
From Empty property 6-12 months to 2nd home	15	15	26	21	21	18	17	4
From 2nd home to Empty property 6-12 months	-25	-22	-11	-13	-13	-24	-34	-14
Others Miscellaneous: Arriving as 2nd home category	2	5	2	11	7	4	20	22
Others Miscellaneous: Leaving 2nd homes category	-2	-4	-3	-4	-3	-4	-4	0
Net increase in 2nd homes due to other changes	18	72	39	103	61	38	43	15
Total of all above changes	-18	69	-215	28	-4	-258	-203	-5

Attachment 3: Tracking Gwynedd’s Second Homes from October 2019



Properties that were second homes in October 2019 but subsequently changed category

■ Main residence by then
 ■ Long term empty by then
 ■ Holiday accomodation by then
 ■ Other



Attachemnt 4: Questionnaire Letter

Cysylltwch / Contact

☎ 01766 771000

✉ ymchwil@gwynedd.llyw.cymru

Dyddiad / Date: 19 Awst / August 2024

Annwyl Breswlydd

YMCHWIL TAI YNG NGWYNEDD

Mae Cyngor Gwynedd yn cynnal ymchwil er mwyn deall mwy am y farchnad dai yng Ngwynedd yn dilyn cynyddu premiwm treth gyngor ar ail gartrefi yn 2021 a 2023. Rydych yn derbyn y llythyr, gan fod ein cofnodion yn dangos newid yn nefnydd yr eiddo o ail gartref i brif breswylfa yn y 2 flynedd ddiwethaf.

Rydym yn gofyn yn garedig i chi ein helpu drwy lenwi holiadur byr erbyn 13eg Medi 2024. Mae'r holiadur ar gael yn y linc isod.

Ewch i www.gwynedd.llyw.cymru/arolwgta

Er mwyn lleihau papur a chostau nid ydym yn anfon holiaduron papur ond mae modd cael copi papur drwy e-bostio ymchwil@gwynedd.llyw.cymru neu ffonio 01766 771000

Gan ddiolch o flaen llaw am eich cymorth.

Yn gywir

Dewi Morgan



Sut byddwn yn defnyddio eich gwybodaeth

Dear Resident

GWYNEDD HOUSING RESEARCH

Cyngor Gwynedd is conducting research to gain a greater understanding of the housing market in Gwynedd following the increase in the council tax premium on second homes in 2021 and 2023. You have received this letter because, according to our records, the property use has changed from second home to main residence in the last 2 years.

We kindly ask you to assist us by completing a short questionnaire by 13th September 2024. The questionnaire is available in the link below

Go to

www.gwynedd.llyw.cymru/housingsurvey

To reduce paper and costs we are not sending a paper questionnaire but a paper copy is available by e-mailing ymchwil@gwynedd.llyw.cymru or phoning 01766 771000

Thanking you in anticipation of your assistance.

Yours sincerely

Dewi Morgan



How we will use your information

Mae'r Cyngor yn casglu'r wybodaeth yma i ddibenion ymchwil ynglŷn â'r farchnad tai a pholisi trethiannol yng Ngwynedd.

Caiff eich gwybodaeth ei gadw yn hollol gyfrinachol, ac adroddir ar ganlyniadau'r ymchwil ar sail gyfansawdd, heb gyfeirio at unrhyw unigolion neu aelwydydd penodol.

Bydd y canlyniadau'n cael eu dadansoddi gan dîm Ymchwil y Cyngor ac ni fydd gwybodaeth am unigolion nac aelwydydd yn cael eu rhannu gydag unrhyw wasanaeth neu adran arall o fewn y Cyngor.

I gael gwybod mwy am eich hawliau a manylion cyswllt Swyddog Diogelu Data'r Cyngor, ewch i'r wefan

www.gwynedd.llyw.cymru/preifatrwydd

The Council is collecting this information for the purpose of research about the housing market and taxation policy in Gwynedd.

Your information will be kept completely confidential, and the results of the research will be reported on an aggregate basis, without reference to any specific individuals or households.

The results will be analysed by the Council's Research team and information about individuals or households will not be shared with any other Council service or department.

To find out more about your rights and the contact details of the Council's Data Protection Officer, visit the website

www.gwynedd.llyw.cymru/privacy

Attachment 5: Questionnaire

Housing in Gwynedd Research

Cyngor Gwynedd is conducting research to gain a greater understanding of the housing market in Gwynedd following the increase in the council tax premium on second homes in 2021 and 2023. You have received a letter because, according to our records, the property use has changed from second home to main residence in the last 2 years.

We kindly ask you to assist us by completing a short questionnaire by 13th September 2024.

Thanking you in anticipation of your assistance.

For help in completing the questionnaire or for any enquires or questions contact by e-mailing ymchwil@gwynedd.llyw.cymru or phoning 01766 771000

How we will use your information

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www.gwynedd.llyw.cymru/privacy

After completing this questionnaire, please return using the enclosed envelope.

Housing in Gwynedd - Research Questionnaire

For each question please tick the appropriate box or enter your answer in the box provided. If you do not want to answer all of the questions we would still appreciate a partially completed questionnaire.

1. What is your full address? *Write in the box below*

2. What is your postcode? *Write in the box below*

3. Do you own or rent this house? *Tick one box only*

- ☐ Own
- ☐ Rent
- ☐ Live in the house without paying rent
- ☐ Other *please note in box below*

If 'own' selected in question above answer question 3a, otherwise please answer question 4 onwards.

3a. If 'own' selected in question 3, which of the following best describes your situation?

Tick one box only

- ☐ Owned this house as a second home but now live in the house as main residence
- ☐ Bought this house to live in it as main residence (it has never been a second home to me/for us)
- ☐ Other *please note in box below*

If the second box was selected in question above answer question 3b, otherwise please answer question 4 onwards.

3b. If 'bought this house to live in it as main residence' selected in question 3a, Is this the first house you have bought? *Tick one box only*

- ☐ Yes
- ☐ No

4. How many adults live in your house? *Tick one box only*

- ☐ One adult (18 years old or older) lives here
- ☐ More than one adult (18 years old or older) lives here

5. Are there any children under 18 years old living at your house? *Tick one box only*

- ☐ Yes
- ☐ No

6. In the period directly before living in this house, which of the following are applicable to the adult(s) living in your house?

- ☐ Have lived in Gwynedd for 5 years or over before living in this house
- ☐ Have lived in Gwynedd before living in this house, but for less than 5 years
- ☐ Grew up in Gwynedd, moved away and moved back to Gwynedd
- ☐ Have not lived in Gwynedd before

If you have selected any of the first three boxes in question 6. What was the first half of your previous postcode? *Write in the box below*

7. Does the adult/any of the adults living at the house speak Welsh?

- ☐ Yes
- ☐ No

8. Do any of the children under 18 speak Welsh?

- ☐ Yes
- ☐ No

Thank you for completing this questionnaire.

Attachment 6: Detailed data of empty properties

Long term empty property movement numbers - Gwynedd								
	Between 01/10/19 and 01/04/20	Between 01/04/20 and 02/10/20	Between 02/10/20 and 01/04/21	Between 01/04/21 and 01/12/21	Between 01/12/21 and 01/12/22	Between 01/12/22 and 01/04/23	Between 01/04/23 and 18/12/23	Between 18/12/23 and 01/04/24
Number at the start of the period	1,070	1,103	1,113	1,176	1,055	1,150	1,145	1,140
Properties that become newly empty (long-term)	280	279	302	295	478	172	356	188
Properties that are not long-term empty:								
Change to Main Residence	-184	-203	-165	-296	-249	-126	-275	-150
Change to Holiday Accomodation (i.e. Out of the council tax system)	-11	-11	-20	-29	-33	-10	-3	-2
Change to second home	-35	-38	-41	-70	-70	-23	-64	-13
Other	-17	-17	-13	-21	-31	-18	-19	-17
Total	-247	-269	-239	-416	-383	-177	-361	-182
Net increase / (decrease) in the number of long-term empty properties	33	10	63	-121	95	-5	-5	6
Number at the end of the period	1,103	1,113	1,176	1,055	1,150	1,145	1,140	1,146
Change between Main Residence and Long-Term Empty Property:								
From Main Residence to Long-Term Empty Property	127	106	128	190	345	77	193	76
From Long-Term Empty to Main Residence	-184	-203	-165	-296	-249	-126	-275	-150
Net increase in Long-Term empty properties because of change from / (to) main residence	-57	-97	-37	-106	96	-49	-82	-74
In / out of the Council Tax system (mostly to / from holiady accomodation (business rate)?):								
Out of the Council Tax system:								
To Business Rates (Holiady Accomodation)	-11	-11	-20	-29	-33	-10	-3	-2
Other	-16	-16	-13	-21	-31	-17	-18	-17
	-27	-27	-33	-50	-64	-27	-21	-19
Arriving in the Council Tax system:								
Total		3	6	7	11	3	10	4
	0	3	6	7	11	3	10	4
Net increase in Long-Term empty properties because of properties arriving / leaving the Council Tax system	-27	-24	-27	-43	-53	-24	-11	-15
Other changes:								
Properties that were empty (6+ months) now empty for 12+ months	139	163	150	79	74	79	110	93
Change between long-term empty properties and second homes:								
From Empty property to 2nd home	-35	-38	-41	-70	-70	-23	-64	-13
From 2nd home to Empty property	14	7	18	18	48	13	43	15
Net increase in Long-Term empty properties because of change from / (to) second homes	-21	-31	-23	-52	-22	-10	-21	2
Other Miscellaneous								
Arriving Long-term empty property category				1				
Leaving Long-term empty property category	-1	-1				-1	-1	
	-1	-1	0	1	0	-1	-1	0
Net increase in 2nd homes because of other changes	117	131	127	28	52	68	88	95
Total of all above changes	33	10	63	-121	95	-5	-5	6
Change at the end of the period	1,103	1,113	1,176	1,055	1,150	1,145	1,140	1,146

MEETING:	Full Council
DATE:	5 December 2024
CABINET MEMBER:	Councillor Paul Rowlinson, Cabinet Member for Finance
TITLE:	COUNCIL TAX REDUCTION SCHEME 2025/26
OBJECTIVE:	Confirm the continuation of the current Local Scheme for providing assistance towards paying Council Tax for the year beginning 1 April 2025
CONTACT OFFICER:	Dewi Morgan, Head of Finance

DECISION SOUGHT

- 1. That Cyngor Gwynedd's Local Scheme for the year commencing 1 April 2025 continues as it was during 2024/25. 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.**
- 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 2025/26, on condition that it will not change the substance of the scheme.**

1. INTRODUCTION

- 1.1 The purpose of this report is to present arrangements for the implementation of the Council Tax Reduction Scheme and to approve it for 2025/26.
- 1.2 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 7 December 2023.
- 1.3 **Members are 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 renovation exemption, student housing).**

2. RELEVANT CONSIDERATIONS

- 2.1 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. Cyngor Gwynedd's current local scheme (i.e. for 2024/25) was adopted by the Full Council on 7 December 2023.
- 2.2 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.
- 2.3 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).
- 2.4 The Cyngor Gwynedd Local Scheme for 2024/25 was approved by the Full Council on 7 December 2023. 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.

3. REDUCTION SCHEME FOR 2025/26

- 3.1 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.
- 3.2 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**.
- 3.3 Therefore, the purpose of this report is to satisfy the requirement for the Council to consider whether to revise its local scheme.
- 3.4 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*)

- 3.5 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 Cyngor Gwynedd, as have the majority of other Welsh Authorities, has 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 2024/25. In November 2024, there were 15 claimants benefitting from this discretion (there were 25 in November 2023).

It is recommended that this local discretion in Gwynedd continues.

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

- 3.6 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 2024/25 will be approximately £424. In 2024/25 up to mid-November, there were 6 cases where “extended payments” had been awarded pursuant to the Prescribed Scheme (there were 3 cases in the same period in 2023/24).

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*)

- 3.7 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 2024/25 is estimated at £13,126, and up to mid-November 71 claims have been backdated to some extent in 2024/25. For the same period in 2023/24 there were 186 such claims with a cost of £26,403.

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.

- 3.8 The recommendations above for 2025/26 are in line with current arrangements in 2024/25.**

4. CONSULTATION

- 4.1 Should the Council wish to revise its local scheme – in effect to amend the 3 areas of discretion described in paragraphs 3.5 to 3.7 – it would need to consult with “any persons who would have an interest”.
- 4.2 In accordance with Regulation 18(6), further consultation is not necessary as there is no intention to change the Local Scheme this year.

5. EQUALITY IMPACT ASSESSMENT

- 5.1 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.
- 5.2 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.
- 5.3 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 2025/26 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.

6. RESOURCES

- 6.1 On the basis of the end of August 2024 review, it is expected that the Council Tax Reduction Scheme will cost approximately £10.4m during 2024/25 which is within the budget set.
- 6.2 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 2025/26.

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.

MEETING	COUNCIL
DATE	5 December 2024
TITLE	Review of the Constitution
PURPOSE	To secure approval of amendments to the Constitution
RECOMMENDATION	<p>a) That a Council adopts the changes to the Delegation Scheme listed in Appendix 1</p> <p>b) That the Council accepts the information on delegated changes to the Constitution in Annexes 2 and 3</p>
CABINET MEMBER	Cyng Menna Trenholme
RESPONSIBLE OFFICER	Iwan Evans - Monitoring Officer

1. Introduction

The report reports on amendments to the Constitution that either require a resolution or are submitted to inform the Council of delegated changes. The changes follow legislative developments or a review of arrangements particularly so regarding licencing.

2. Hackney Vehicle Licensing and Private Hire

The arrangements for granting or refusing applications for taxi licences include rights of appeal, to the Magistrates' Court. Decisions to refuse to allow applications by a Sub-Committee, or to revoke or suspend licences by officers are made for the protection of the public. All referrals to a Sub-Committee lead to a hearing. It is believed that the consequences of the Delegation Scheme are as it stands are:

- Unnecessary workload for the Sub-Committee due to the number of applications in they must be reported because the applicant has any criminal record.
- Unnecessary workload for the Licensing and Committee Services because of the need to prepare reports and ad-hoc meetings of the Sub-Committee
- Delays in the determination of applications due to the need to report to the Sub-Committee that means candidates have to wait longer for a decision

It is believed that the delegation scheme can be reviewed ensuring continuity of robust decisions of officers and the Sub-Committee ; but by allowing the Sub-Committee the opportunity to focus on the most serious or complex applications.

Delegated decision arrangements like this vary from Council to Council. Some Licensing Authorities delegate the right of an officer to decide any application which is not against policy. Some delegate the rights of a decision to an Officer; but with an appeal arrangement to a Sub - Committee if an applicant does not agree with the decision. From Gwynedd Council's point of view we believe that the Sub-committee has an important role in considering and deciding applications that are contrary to any policy in force; such as the current policy which provides guidance on determining if an individual is fit and proper to hold a taxi driving licence – (Policy Suitability Criteria for Drivers and Operators). We need clarity in defining the circumstances in which an application should be referred to the Sub-committee. However where there is an application within Policy the Sub-Committee hearing becomes a matter of formality which has the repercussions set out above.

A report was submitted to the General Licensing Committee on the 11th of November 2024([DELEGATION OF RIGHTS TO DETERMINE APPLICATIONS FOR TAXI LICENCES.pdf \(llyw.cymru\)](#)) The amendments to the Constitution contained in **Annex 1** were supported by the Committee. As these matters are matters within the range of the Full Councils functions the its support is sought for the adoption of this change.

3 New Compulsory Licensing Scheme – Special Treatments

The Welsh Government is introducing a new licensing scheme for 'Special Treatments' in 2024. Special Treatments include tattooing, semi-permanent skin colouring, cosmetic piercing, acupuncture, dry needling and electrolysis; and the new licensing scheme will be mandatory.

The licensing scheme is intended to improve and maintain infection prevention and control standards in the special treatment industry and ensuring the safety and health of clients and practitioners alike.

It has been confirmed that the date for implementation of this scheme will be 29 November 2024; Regulations governing all aspects of the scheme will come into force on the date this, under Part 4 of the Public Health (Wales) Act 2017 ("The Act") ; Including Special Treatments (Wales) Regulations 2024 and Licensing Committees Regulations Special Treatments (Wales) 2024. As part of the arrangements the Central Licensing Committee which has direct statutory responsibility for this area has delegated operational responsibility to the Central Licensing Sub-Committee. The Constitution was amended in Section 13 Part 1 to reflect this decision – **Atodiad 2**

4. The Historic Environment (Wales) Act 2023

In accordance with paragraph 2.6.3 of the Constitution I may incorporate legislative changes into the Constitution.

"2.6.3 Legislative Change

The Monitoring Officer may amend any part of the Constitution where such amendment is necessary to comply with any legislative provision. Such amendments shall come into force when the Monitoring Officer so determines, or the legislation (where applicable) provides for it. Such changes will be reported to the next meeting of the Full Council for information."

The Historic Environment (Wales) Act 2023 legislation brings together the main legislation for historic environment in Wales . The main Acts brought together in this consolidation exercise are:

- a. Historic Buildings and Ancient Monuments Act 1953
- b. Ancient Monuments and Archaeological Areas Act 1979
- c. Planning (Listed Buildings and Conservation Areas) Act 1990
- d. Historic Environment (Wales) Act 2016

The consolidation exercise also reaffirms provisions currently to be found in other Acts that apply to the historic environment to improve accessibility and clarity. These include:

- a. Local Government Act 1972
- b. Town and Country Planning Act 1990
- c. Planning and Compulsory Purchase Act 2004

The provisions of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 were also amended to enshrine the new powers in the Constitution. These changes are shown in **Appendix 3**. The Legislation came into force on 4th November 2024. Because this is consolidating legislation I have used my delegated powers to make the necessary changes.

5. RECOMMENDATION

- a) That a Council adopts the changes to the Delegation Scheme listed in Appendix 1**
- b) That the Council accepts the information on delegated amendments to the Constitution in Annex 2 and 3**

Monitoring Officer

Author of the Report

Head of Finance

"No objections from the perspective of financial propriety."

ANNEX 1

Section 13 Part 3

- 11.3.5 To exercise the Council's powers in the field of **hackney and private hire vehicle licensing** except for the following matters which are the responsibility of the Sub-committee of the General Licensing Committee.
- (a) To determine an application for a hackney/private hire driver's licence when the report of the Criminal Records Bureau discloses a conviction or police caution, **and the application is contrary to the Authority's policy.**
 - (b) To determine an application for a hackney/private hire vehicle licence **when the vehicle does not comply with the authority's policy.**
 - (c) To determine an application for a private hire operator licence when the report of the Criminal Records Bureau discloses a conviction or police caution, **and the application is contrary to the Authority's policy.**

ANNEX 2

Section 13 Part 1

Public Health (Wales) Act 2017 – Special Treatments

The operation of functions under paragraph 21(1) of the Schedule 3 of the Public Health (Wales) Act 2017 ('the 2017 Act') delegated to the Committee as the licensing committee of the authority established under section 6 of the 2003 Act has been delegated to the Central Licensing Sub-Committee. .

ANNEX 3

Section 13 Part 1

20. Power to determine applications for listed building consent and related powers.	Sections 16(1) and (2), 17, 27(2) and 33(1) of the Planning (Listed Buildings and Conservation Areas) Act (6.9). Sections 96(1) and (2) and 97(1) to (8) of, and Schedule 9 paragraphs (1), (2) and (3) to, the Historic Environment (Wales) Act 2023 (asc 3).	Head of Environment
21. Power to determine application for conservation area consent.	Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as applied by Section 74(3) of that Act. Sections 96(1) and 97(1) to (4) and (7) and (8) of the Historic Environment (Wales) Act 2023 as applied by section 163 of that Act.	Head of Environment
22. Duties relating to applications for listed building consent and conservation area consent.	Sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 <u>ection 95(1) of the Historic Environment (Wales) Act 2023 and regulations 3 to 6 and 13 of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1987 and paragraph 127 of the Welsh Office Circular 61/96 Planning and the Historic Environment; Historic Buildings and Conservation Areas.</u>	Head of Environment
23. Power to serve a building <u>preservation notice</u> <u>temporary listing notice</u> and related powers.	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Sections 83(1) and (2) and 84(1) and (2) of the Historic Environment (Wales) Act 2023	Head of Environment
24. Power to issue <u>an</u> enforcement notice <u>in relation to demolition of unlisted building in conservation areas.</u>	Sections 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Sections 123, 124 and 125 of the Historic Environment (Wales) Act 2023.	Head of Environment
25. Power to acquire a listed building in need of repair and to serve a repair notice.	Sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Sections 137 to 139 and 111(5) of the Historic Environment (Wales) Act 2023.	Head of Environment
26. Power to apply for an injunction in relation to a listed building.	Sections 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 135 of the Historic Environment (Wales) Act 2023	Head of Environment
27. Power to execute urgent works.	Sections 54 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990. Section 144(1) and (3) to (7) of the Historic Environment (Wales) Act 2023."	Head of Environment

Committee :	Full Council
Date:	5 December 2024
Title:	Review of Polling Districts and Polling Places
Purpose	To Approve the results of the Review
Author:	Siôn Huws, Propriety and Elections Manager
Cabinet Member:	Councillor Menna Trenholme, Corporate Support

1. The decision sought

1.1 To approve the results of the review of polling districts and polling places in the Dwyfor Meirionnydd and Bangor Aberconwy parliamentary constituencies (to the extent that they are located within Gwynedd) following a consultation period.

2. Reason for seeking a decision

2.1 Local Authorities are required to divide their areas into polling districts for parliamentary elections and to designate polling places for these polling districts. Under the Representation of the People Act 1983 and the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006 the Council must also undertake a full review of these arrangements every five years.

3. Background

3.1 A Polling District is the area within the electoral area, ward or district within which a polling place can be designated, which is convenient for voters. A Polling Place is the building or area in which Polling Stations will be selected by the (Acting) Returning Officer.

3.2 As far as is reasonable and practicable the authority must designate places that are accessible to electors with disabilities. However, the authority must consider the needs of all electors and should not designate a place that is so far away from most electors in the polling district as to be inconvenient for them to reach it.

3.3 It should be noted that the review of polling places is a continuous process and that there is nothing to prevent changes being made at any time before the next statutory review. The situation will therefore continue to be monitored, and any changes will be made in consultation with the local member.

4. The Review

4.1 The statutory review was conducted between 23 September 2024 and 1 November 2024. As part of the review, a public notice of the review was published, together with details of the current polling districts and polling stations, and copies were sent to potential interested parties, such as councillors, town and community councils, political parties and other stakeholders. The representations of the county's Core Equality Group were also sought, as persons with particular expertise in relation to access to premises or facilities for persons who have different forms of disability. When contacting these parties, it was explained that it would be helpful, where concerns are expressed about a particular polling station, that suggestions are also made for an alternative venue.

4.2 The two elections held this year provided us with up-to-date information on the condition and suitability of stations. A questionnaire was sent to each polling station's point of contact asking a series of questions about the condition of the station in advance. In addition to this our polling station inspectors were given a detailed checklist to fill out as they visited their stations on polling day in May. Furthermore, ask for feedback from our presiding officers and polling inspectors after each election. Any relevant information gathered through these processes has been considered as part of the review.

4.3 The (Acting) Returning officer must comment during any review on the polling stations. The changes to the parliamentary constituency boundaries meant that observations were invited from the Returning Officer of the Bangor Aberconwy constituency in relation to those polling places within Gwynedd. These comments were included in the information published and can be found in **Appendix 1**.

5. Response to the consultation

5.1 The responses received are summarised in the Appendix together with any further observations on those responses.

6. The Governance and Audit Committee

6.1 The report will have been presented to the Governance and Audit Committee on 28 November 2024 and any observations the Committee may wish to make at the meeting of the Council.

7. Equality Impact Assessment

7.1 An Equality Impact Assessment has been carried out and is attached as **Appendix 2**.

8. Recommendation

8.1 That the Council approves the the results of the review as set out in Appendix 1.

Views of the Statutory Officers

Monitoring Officer:

Legal Services have prepared the report. I have no comments to add in relation to propriety.

Chief Finance Officer:

Nothing to add from the perspective of financial propriety

Rhif Gorsaf Station Number	Enw Gorsaf/ Station Name	Cyfeiriad/ Address	Gofrestr/ Ardal Pleidleisio Register/ Polling District	Sylwadau Swyddog Canlyniadau / Returning Officers Comments	Ymatebion / Responses	Ymateb i'r sylwadau dderbyniwyd / Responses to comments received
1	TY ELIDIR, STRYD FAWR	DEINIOLEN LL55 3HR	A1A	Dim newid / No change		
			A1B			
			A1C			
			D0A			
2	CABAN BRYNREFAIL	BRYNREFAIL LL55 3NR	A1D	Dim newid / No change		
3	NEUADD GOFFA BETHEL	BETHEL LL55 1YE	A1E	Dim newid / No change		
4	YSGOL GYMUNED PENISARWAEN	PENISARWAEN LL55 3BW	A1F	Dim newid / No change		
5	NEUADD Y PENTREF RHIWLAS VILLAGE HALL	RHIWLAS LL57 4EP	A1G	Dim newid / No change		
6	Y GANOLFAN LLANBERIS	LLANBERIS LL55 4TY	B1A	Dim newid / No change		
			B1B	Dim newid / No change		
7	Y SEFYDLIAD COFFA LLANRUG MEMORIAL INSTITUTE	LLANRUG LL55 4BW	C1A	Dim newid / No change		
			C6D	Dim newid / No change		
8	YSGOL GYNRADD CWM Y GLO	CWM Y GLO LL55 4DE	C6B	Dim newid / No change		
9	NEUADD GOFFA Y FELINHELI	Y FELINHELI LL56 4JA	D1A	Dim newid / No change		
10	YSGOL GYNRADD Y FELINHELI	Y FELINHELI LL56 4TZ	D2A	Dim newid / No change		
11	YSGOL SANTES HELEN/ST. HELENS SCHOOL CAERNARFON	CAERNARFON LL55 1PF	E1A	Dim newid / No change		
12	LLYFRGELL CAERNARFON LIBRARY, ALLT PAFILIWN	CAERNARFON LL55 1AS	E1BA	Dim newid / No change	Cyngor Tref yn cynnig Adeilad yr Institiwt ar Allt y Pafiliwn Town Council suggests using the Institute Building on Pavillion Hill	Trefnu ymweliad ac asesiad o'r lleoliad amgen arfaethedig Visit and assessment of proposed alternative location to be carried out
			E1BB			

13	YSGOLDY CAPEL Y MAES CAERNARFON	CAERNARFON LL55 2NB	E1C	Adeilad mewn cyflwr gwael. Awgrymu symud y gofrestr i Llyfrgell Gaernarfon Building in poor condition, suggest moving the register to Caernarfon Library.		I'w ystyried ar y cyd gyda 12 uchod To be considered together with 12 above
14	YSGOL YR HENDRE, CAERNARFON	CAERNARFON LL55 2LY	E1DA	Gorsaf tu allan i'r Ardal Pleidleisio/ Station outside of Polling District	Aelod Lleol yn cynnig Clwb Rygbi Caernarfon fel man pleidleisio amgen Local Member suggests using Caernarfon Rugby Club as alternative polling place	Trefnu ymweliad ac asesiad o'r lleoliad amgen arfaethedig Visit and assessment of proposed alternative location to be carried out
			E1DB			
15	PENCADLYS Y SGOWTIAID/SCOUTS H.Q., MAES CADNANT, CAERNARFON	CAERNARFON LL55 1BS	E1EA	Angen adnabod gorsaf newydd ar gyfer ardal Cadnant. Adeilad wedi disgyn i gyflwr gwael / Need to find new polling station venue for Cadnant area. Building has fallen into disrepair		
			E1EB			
			E1EC			
			E1ED			
16	CANOLFAN NODDFA, CIL PEBLIG	CAERNARFON LL55 2RS	E1E	Dim newid / No change		
17	CANOLFAN WAUNFAWR	WAUNFAWR LL55 4YY	F6A	Dim newid / No change		
18	CANOLFAN Y CAPEL CAEATHRO	CAEATHRO LL55 2SS	F6B	Dim newid / No change		
19	CANOLFAN BONTNEWYDD	BONTNEWYDD LL55 2UF	G6A	Dim newid / No change	Cyngor Cymuned yn ein hysbysu nad yw'r Ganolfan ar gael oherwydd adeiladu ysgol newydd. Community Council inform us that the building is longer available due to building of new school	Edrych am leoliad amgen addas Look for alternative suitable location
			G6B	Dim newid / No change		
20	PARC CARAFAN BRYN GLOCH	BETWS GARMON LL54 7YY	H6A	Dim newid / No change		
			H6B			
21	CLWB MOUNTAIN RANGERS	RHOSGADFAN LL54 7EY	I6A	Dim newid / No change		
22	CAPEL HOREB	RHOSTRYFAN CAERNARFON GWYNEDD LL57 7LT	I6B	Dim newid / No change		
23	CANOLFAN BRO LLANWINDA	LLANWINDA CAERNARFON LL54 5UG	I6D	Dim newid / No change		

24	FESTRI CAPEL BALADEULYN CHAPEL VESTRY NANTLLE	NANTLLE LL54 6BL	J7A	Dim newid / No change		
25	CANOLFAN Y FRON	Y FRON LL54 7BB	J6B	Dim newid / No change		
26	NEUADD Y PENTREF CARMEL	CARMEL LL54 7AA	J6C	Dim newid / No change		
27	NEUADD Y PENTREF GROESLON VILLAGE HALL	GROESLON LL54 7DG	J6D	Dim newid / No change		
28	BRAF DINAS DINLLE - Gorsaf Newydd/ New Station	BRAF DINAS DINLLE CAERNARFON GWYNEDD LL54 5TW	J6E	Dychwelwyd i Tŷ'n Llan, Llandwrog unwaith bydd gwaith adnewyddu wedi ei gwblhau/ Return to Tŷ'n Llan, Llandwrog once renovation work is completed.		
29	CANOLFAN GYMDEITHASOL TALYSARN	TALYSARN LL54 6AB	K1A	Dim newid / No change		
30	NEUADD GOFFA PENYGROES	PENYGROES LL54 6NG	K1B	Dim newid / No change		
31	NEUADD GOFFA/MEMORIAL HALL LLANLLYFNI	LLANLLYFNI LL54 6SL	K1C	Dim newid / No change		
32	YSGOL GYNRADD NEBO	NEBO LL54 6EE	K1E	Dim newid / No change		
33	CAFFI HENFELIN	ABERGWYNGREGYN LLANFAIRFECHAN LL33 0LP	P1A	Dim newid / No change		
34	FESTRI CAPEL BETHLEHEM CHAPEL VESTRY TALYBONT	TAL Y BONT LL57 3YU	Q1A	Dim newid / No change	Cyngor Cymuned, yn datgan bod lleoliad y Capel yn dda ond bod mynediad i'r adeilad yn anaddas i bleidleiswyr anabl. Community Council inform us that the location is good but that entry to the building is not suitable for disabled voters.	Cynnal archwiliad ac asesu pa gamau sydd eu hangen i sicrhau bod yr osaf yn hygyrch Inspection to ascertain what steps are required to make station accessible
			Q1B	Dim newid / No change		
35	CANOLFAN CEFNFAES	RHES MOSTYN BETHESDA LL57 3AB	R1AA	Dim newid / No change		
			R1AB			
			R1AC			
36	FESTRI CAPEL CARMEL	RACHUB LL57 3EL	R1B	Dim newid / No change		
37	Y CABAN CYSGU, GERLAN	BETHESDA LL57 3TG	R1C	Dim newid / No change		

38	NEUADD TALGAI LLANDYGAI	LLANDYGAI LL57 4HU	S1A	Dim newid / No change		
39	CANOLFAN TREGARTH	TREGARTH LL57 4AL	S1B	Dim newid / No change		
40	NEUADD GOFFA MYNYDD LLANDYGAI	MYNYDD LLANDYGAI LL57 4LQ	S1C	Dim newid / No change		
41	Y GANOLFAN RHEOLAETH/ THE MANAGEMENT CENTRE	STRYD Y COLEG/ COLLEGE ROAD BANGOR LL57 2DG	T1A	Dim newid / No change		
42	CANOLFAN GYMUNEDOL Y GARTH COMMUNITY CENTRE, ALLT GARTH HILL	BANGOR LL57 2SY	T1B	Dim newid / No change		
43	NEUADD Y PENRHYN HALL	CITY COUNCIL OFFICES FFORDD GWYNEDD BANGOR LL57 1DT	T1CA	Dim newid / No change		
			T1CB			
44	CLWB PENSIYNWYR GLANADDA PENSIONERS CLUB, FFORDD AINON ROAD	BANGOR LL57 2UJ	T1D	Dim newid / No change		
45	EGLWYS Y GROES	MAESGEIRCHEN, BANGOR LL57 1UB	T1E	Dim newid / No change		
46	CLWB HIRRAEL	THE MOSTYN ARMS AMBROSE STREET BANGOR LL57 1BH	T1F	Dim newid / No change		
47	CANOLFAN GYMDEITHASOL COED MAWR COMMUNITY CENTRE	BANGOR LL57 4TB	T1G	Dim newid / No change		
48	CAPEL BERE NEWYDD CHAPEL	LLWYBR DEWI SANT/ST DAVIDS PATH FFORDD PENRHOS ROAD BANGOR LL57 2AX	T1H	Dim newid / No change		
49	CANOLFAN PENRHOSGARNEDD	BANGOR LL57 2NN	U1A	Dim newid / No change		
50	CANOLFAN GLASINFRYN	GLASINFRYN LL57 4UW	U1B	Dim newid / No change		
			U1C	Dim newid / No change		
51	FESTRI CAPEL BRYNAERAU PONTLLYFNI	PONTLLYFNI LL54 5EP	AA6	Dim newid / No change		

52	NEUADD BENTREF CLYNNOG FAWR	CLYNNOG FAWR LL54 5PB	AB6	Dim newid / No change		
53	FESTRI CAPEL M.C. PANTGLAS	PANTGLAS LL51 9DJ	AC6	Adeilad ddim yn addas oherwydd diffyg toiledau. Dim dewis arall yn yr ardal, awgrymu symud y gofrestr i Clynnog Fawr. Building not suitable because of lack of toilets. No alternative in the area, suggest moving the register to Clynnog Fawr.		Ymweliad i asesu'r safle ymhellach ac ystyried lleoliadau amgen ymhellach Inspection to asses the building further and consider further any alternative locations
54	NEUADD GYMUNED BEDDGELERT	BEDDGELERT LL55 4UY	BA6	Dim newid / No change		
55	NEUADD GARNDOLBENMAEN	GARN DOLBENMAEN LL51 9SQ	CA6	Dim newid / No change		
			CB6	Dim newid / No change		
56	CANOLFAN GYMDEITHASOL GOLAN	GOLAN LL51 9YY	CC6	Dim newid / No change		
57	CANOLFAN PRENTEG	PRENTEG LL49 9SP	CD6	Awgrymu symud y gofrestr i Tremadog oherwydd nifer isel o etholwyr/ Suggest moving the register to Tremadog because of the low number of electors.	Y Cyngor Cymuned a'r Aelod Lleol yn datgan yn gryf bod angen cadw'r orsaf b leidleisio ym Mhrenteg Community Council and Local Member both firmly of teh view that the polling station at Prenteg should be retained.	Cadw gorsaf bleidleisio Prenteg Retain Prenteg polling station
58	NEUADD GOFFA PENMORFA	PENMORFA LL49 9RT	CE6	Dim newid / No change		
59	Y GANOLFAN PENTREFELIN	PENTREFELIN LL52 0PU	CF6	Dim newid / No change		
60	NEUADD EGLWYS SANT CYNGAR CHURCH	CHURCH STREET BORTH Y GEST LL49 9TU	DA6	Dim newid / No change		
61	Y GANOLFAN MORFA BYCHAN	MORFA BYCHAN LL49 9YD	DC6	Dim newid / No change		
62						
63	FESTRI CAPEL Y PORTH VESTRY PORTHMADOG	HEOL FADOG / MADOC STREET PORTHMADOG LL49 9DB	DB1	Dim newid / No change		
			DD6			
64	CANOLFAN HAMDDEN GLASLYN PORTHMADOG	PORTHMADOG LL49 9HX	DF6	Dim newid / No change		
65	YR INSTITIWT/THE INSTITUTE TREMADOG	TREMADOG LL49 9RB	DE6	Dim newid / No change		
66	NEUADD GOFFA CRICCIETH	CRICCIETH LL52 0HB	EA1	Dim newid / No change		
67	NEUADD BENTREF LLANYSTUMDWY	LLANYSTUMDWY LL52 0SH	FA6	Dim newid / No change		

			FB6			
68	NEUADD GOFFA CHWILOG	CHWILOG LL53 6SH	FC6	Dim newid / No change		
69	FESTRI CAPEL PENCAENEWYDD	PENCAENEWYDD LL53 6RB	FD6	Dim newid / No change		
70	CANOLFAN GYMDEITHASOL TREFOR	TREFOR LL54 5LB	GA6	Dim newid / No change		
71	CANOLFAN Y BABELL LLANAELHAEARN	LLANAELHAEARN LL54 5AW	GB6	Dim newid / No change		
72	TAFARN Y FIC	LLITHFAEN LL53 6NW	HA6	Dim newid / No change		
			HB6			
			HC6			
73	CANOLFAN GYMDEITHASOL YSGOL BRO PLENYDD Y FFOR	Y FFOR LL53 6UP	IA6	Dim newid / No change		
74	CLWB CHWARAEON PWLLHELI SPORTS CLUB	PARC BODEGROES EFAILNEWYDD NODER: GORSAF NEWYDD NOTE: NEW POLLING STATION LL53 5TH	IB6	Dim newid / No change		
75	GANOLFAN GYMDEITHASOL LLANNOR	LLANNOR LL53 8LJ	IC6	Dim newid / No change		
76	NEUADD ABERERCH	ABERERCH LL53 6AZ	ID6	Dim newid / No change		
77	FESTRI BACH CAPEL Y DRINDOD	PENMOUNT PWLLHELI LL53 5HU	JA1	Dim newid / No change		
78	NEUADD EGLWYS GATHOLIG/CATHOLIC CHURCH HALL	FFORDD MELA PWLLHELI LL53 5AP	JB1	Dim newid / No change		
79	NEUADD LLANBEDROG	LLANBEDROG LL53 7NY	KA6	Dim newid / No change		
80	TU HWNT I'R AFON INN	RHYDYCLAFDY LL53 7YL	LA6	Adeilad ddim ar gael a dim lleoliad arall. Awgrymu symud y gofrestr i Efailnewydd. Y gofrestr wedi ei symud i Efailnewydd ar gyfer etholiad Seneddol y DU heb unrhyw broblemau yn codi. Building no longer available and no alternative. Suggest moving the register to Efailnewydd. The register was moved to Efailnewydd for the UK Parliamentary election without any issues.		
81	CWR Y COED	BODUAN LL53 6DT	LB6	Adeilad ddim yn addas, angen adnabod lleoliad newydd.		

			LC6	Building not suitable, need to identify new location.		
82	Y GANOLFAN NEFYN	NEFYN LL53 6EA	MA6	Dim newid / No change		
83	Y GANOLFAN MORFA NEFYN	MORFA NEFYN LL53 6BW	MB6	Dim newid / No change		
84	CANOLFAN EDERN	EDERN LL53 8YU	MC6	Dim newid / No change		
85	CANOLFAN GYMDEITHASOL TUDWEILIOG	TUDWEILIOG LL53 8NB	NA6	Adeilad ddim mewn cyflwr da, angen adnabod lleoliad newydd. Building not in good condition, need to identify new location.		
86	CANOLFAN LLANIESTYN	LLANIESTYN LL53 8SG	NB6	Dim newid / No change		
87	FESTRI CAPEL RHYDBACH BOTWNNOG	BOTWNNOG LL53 8RF	OA6	Dim newid / No change		
88	FESTRI CAPEL HEBRON LLANGWNNADL	LLANGWNNADL LL53 8NR	NC6	Dim newid / No change		
			OB6			
89	CANOLFAN BRYNCROES	BRYNCROES LL53 8EB	OC6	Dim newid / No change		
90	NEUADD GOFFA SARN	SARN LL53 8DU	OD6	Dim newid / No change		
91	CANOLFAN DEUNANT ABERDARON	ABERDARON LL53 8BP	PA6	Dim newid / No change		
92	NEUADD BENTREF RHOSIRWAUN	LL53 8LA	PC6	Dim newid / No change		
93	NEUADD Y PENTREF RHIW	RHIW LL53 8AE	PD6	Dim newid / No change		
94	CANOLFAN LLANENGAN	LLANENGAN LL53 7LL	QB6	Dim newid / No change		
95	NEUADD MYNYTHO	MYNYTHO LL53 7RF	QC6	Dim newid / No change		
96	NEUADD ABERSOCH	ABERSOCH LL53 7EA	RA1	Dim newid / No change		
97	YR INSTITIWT CORRIS INSTITUTE	CORRIS SY20 9SH	A2	Dim newid / No change		
98	YR INSTITIWT ABERDYFI INSTITUTE	ABERDYFI LL35 0LN	B1	Dim newid / No change		
			B2			
99	Y GANOLFAN ABERGYNOLWYN	ABERGYNOLWYN LL36 9YP	A1	Dim newid / No change	Barn gref y Cyngor Cymuned yw bod angen cadw'r orsaf The strong view of the Community Council is that the station should be retained.	Cadarnhau nad oes bwriad newid Confirm that there is no intention to change

			AP2			
			C1			
100	CANOLFAN BRO TEGID	30-32 STRYD FAWR BALA LL23 7AG	D1	Dim newid / No change		
101	FESTRI CAPEL TEGID Y BALA	HEOL TEGID LL23 7EL	D2	Dim newid / No change		
			D3			
			D4			
			D5			
102	THEATR Y DDRAIG / DRAGON THEATRE	JUBILEE ROAD ABERMAW/BARMOUTH LL42 1EF	AG2	Dim newid / No change		
			E1			
			E3			
			E4			
103	EGLWYS HOLL SAINT CYMRU	HEOL MANOD BLAENAU FFESTINIOG LL41 4AF	F1A	Adeilad ddim yn addas oherwydd diffyg toiledau merched. Angen adnabod lleoliad newydd.		
			F1B	Building not suitable because of a lack of female toilets, need to identify new location.		
104	Y NEUADD, DINAS MAWDDWY	DINAS MAWDDWY SY20 9JA	AS1	Dim newid / No change	Barn gref y Cyngor Cymuned yw bod angen cadw'r orsaf The strong view of the Community Council is that the station should be retained.	Cadarnhau nad oes bwriad newid Confirm that there is no intention to change
			H1			
			H2			
105	LLYFRGELL RYDD/FREE LIBRARY	WTRA'R FELIN/MILL STREET DOLGELLAU LL40 1EY	I3A	Dim newid / No change		
			I3B			
			I4			
106	NEUADD DYFFRYN ARDUDWY HALL	DYFFRYN ARDUDWY LL44 2BE	E5	Dim newid / No change		
			J1			

			J2			
107	NEUADD/HALL FFESTINIOG	FFESTINIOG LL41 4PB	K1	Dim newid / No change		
108	LLYFRGELL BLAENAU FFESTINIOG	BLAENAU FFESTINIOG LL41 3DN	L1	Dim newid / No change		
109	CANOLFAN GYMDEITHASOL BRO FFESTINIOG	FFORDD WYNNE BLAENAU FFESTINIOG LL41 3UF	M1	Dim newid / No change		
110	NEUADD GOFFA/MEMORIAL HALL HARLECH	HARLECH LL46 2UA	N1	Dim newid / No change		
111	NEUADD BRO DDERFEL	LLANDDERFEL LL23 7HR	AK1	Dim newid / No change		
			AN1			
			O1			
112	NEUADD/HALL LLANEGRYN	LLANEGRYN LL36 9TY	Q1	Dim newid / No change	Barn gref y Cyngor Cymuned yw bod angen cadw'r orsaf The strong view of the Community Council is that the station should be retained.	Cadarnhau nad oes bwriad newid Confirm that there is no intention to change
113	NEUADD/HALL LLANFACHRETH	LLANFACHRETH LL40 2DY	R1	Dim newid / No change		
114	CANOLFAN GYMDEITHASOL LLANFROTHEN	LLANFROTHEN LL48 6LJ	S1	Mynediad i'r Orsaf Bleidleisio ddim yn addas/ Access to the Polling Station is not suitable	Aelod Lleol yn cadarnhau bod y Cyngor Cymuned am edrych ar y sefyllfa a hefyd yn awgrymu y gellid defnyddio ystafell arall. Cynnig cyfarfod safle. Local Member confirms that Community Council will look at the situation also suggested using another room. Site meeting suggested.	Ymweld â'r safle i asesu opsiynau Visit site to assess options
115	NEUADD BENTREF LLANUWCHLLYN	LLANUWCHLLYN LL23 7TY	U1	Dim newid / No change		
			U2			
116	Y GANOLFAN LLWYNGWRIL	LLWYNGWRIL LL37 2JA	AV1	Dim newid / No change		
			V1			
117	CANOLFAN PENNAL	PENNAL SY20 9DJ	W1	Dim newid / No change	Barn gref y Cyngor Cymuned yw bod angen cadw'r orsaf The strong view of the Community Council is that the station should be retained.	Cadarnhau nad oes bwriad newid Confirm that there is no intention to change

118	NEUADD GOFFA/MEMORIAL HALL PENRHYNDEUDRAETH	PENRHYNDEUDRAETH LL48 6LS	X1	Dim newid / No change		
119	YSGOL GYNRADD/PRIMARY SCHOOL TANYGRISIAU	TANYGRISIAU LL41 3SU	Y1	Dim newid / No change		
120	TYWYN BAPTIST CHURCH	STRYD FAWR/HIGH STREET TYWYN LL36 9AF	Z1	Dim newid / No change		
			Z3			
121	TYWYN BAPTIST CHURCH	STRYD FAWR/HIGH STREET TYWYN LL36 9AF	Z2	Dim newid / No change		
122	NEUADD GYHOEDDUS TRAWSFYNYDD PUBLIC HALL	TRAWSFYNYDD LL41 4RW	AA1	Dim newid / No change		
123	NEUADD Y PENTREF/VILLAGE HALL ARTHOG	ARTHOG LL39 1AX	AB1	Dim newid / No change		
			AB2			
			I5			
124	OAKELEY ARMS HOTEL	TAN Y BWLCH MAENTWROG BLAENAU FFESTINIOG LL41 3YU	AD1	Dim newid / No change		
			Y2			
125	NEUADD LLANBEDR	LLANBEDR LL45 2NW	AE1	Dim newid / No change		
126	NEUADD TALSARNAU	TALSARNAU LL47 6TA	AF1	Dim newid / No change		
127	NEUADD Y PENTREF LLANELLYD	LLANELLYD LL40 2TA	AG1	Dim newid / No change		
			AJ2			
128	CAFFI GLANRAFON CAFE	Glan-yr-afon Gwynedd LL21 0HA	AK1	<p>Adeilad ddim ar gael, awgrymu symud y gofrestr i Llanelltyd. Y gofrestr wedi ei symud i Llanelltyd ar gyfer etholiad Seneddol y DU heb unrhyw broblemau'n codi.</p> <p>Building not available, suggest moving the register to Llanelltyd The register was moved to Llanelltyd for the UK</p>		

				Parliamentary election without any issues.		
129	NEUADD RHYDYMAIN	RHYDYMAIN LL40 2AU	AM1	Dim newid / No change		
			AM2			
130	NEUADD/HALL GELLILYDAN	GELLILYDAN LL41 4EG	AO1	Dim newid / No change		
131	Y GANOLFAN BRYNCRUG	BRYNCRUG LL36 9PR	AP1	Dim newid / No change		
132	NEUADD/HALL BRITHDIR	BRITHDIR LL40 2RT	AQ1	Dim newid / No change		
133	NEUADD/HALL FAIRBOURNE	FAIRBOURNE LL38 2EQ	AR1	Dim newid / No change		
134	NEUADD BENTREF ABERANGELL	ABERANGELL SY20 9QG	AT1	Dim newid / No change	Barn gref y Cyngor Cymuned yw bod angen cadw'r orsaf The strong view of the Community Council is that the station should be retained.	Cadarnhau dim bwriad i newid Confirm that there is no intention to change
135	NEUADD GOFFA/MEMORIAL HALL LLANFAIR	LLANFAIR LL46 2SA	AU1	Dim newid / No change		
			N2			
136	NEUADD GANLLWYD	GANLLWYD LL40 2TG	AA2	Dim newid / No change		
			AJ1			
			R2			

MEETING	Full Council
DATE	5 December 2024
REPORT TITLE	Request to change name of Llanaelhaearn Community
RECOMMENDATION	To approve changing the name of the Community
CABINET MEMBER	Councillor Menna Trenholme, member for Corporate Services
AUTHOR	Siôn Huws, Propriety and Elections Manager

Background

1. The authority has received a request from Llanaelhaearn Community Council to change the name of the Community from *Llanhaelhaearn* to *Trefor a Llanaelhaearn*. This request can be found in the **Appendix**.

2. Section 76 of the Local Government Act 1972 entitles Gwynedd Council as 'principal council' to change the name of a community if it receives a request to do so from the community council.

3. The Act does not prescribe any process to be followed by the community council or the principal council nor provide any further guidance. In the absence of a specific procedure, the community council was advised that the Full Council would require, as with any decision, sufficient information to allow it to form an opinion after considering the merits of the application. That would include the rationale for making the request and information regarding the views within the community. Members will note that the attached request includes an explanation of the reasons for submitting the application and the steps taken to ascertain the views of the community.

4. Members will be aware that the Council is already undertaking a Community Review process under the Local Government (Democracy) (Wales) Act 2013 in order to look at the boundaries and electoral arrangements of communities. The community review process however does not provide a means for changing the name of an existing community and the power under the 1972 Act is the relevant provision.

5. If the Council decides to change the name of the community then the Act provides that it must :

- send a notice to the Welsh Ministers, to the Boundary and Local Democracy Commission for Wales, to the Director General of the Ordnance Survey and to the Registrar General; and
- publish the notice in the community and elsewhere in any manner it considers appropriate.

The Act also provides that a change of name made pursuant to this section will not affect any rights or obligations of any community or any council, authority or person, or render any legal proceedings defective; and any legal proceedings may be initiated or continued as if there were no name change.

Local Member's Views

6. The local member Councillor Jina Gwyrfai, Eifl Ward has stated that she is very supportive of this application in order to be inclusive, fair and to satisfy the wish of the residents of both villages.

Recommendation

7. To approve changing the name of the Community of Llanaelharan to Trefor a Llanaelhaearn in accordance with section 76 of the Local Government Act 1972

Views of the Statutory Officers

Monitoring Officer

Legal Services have prepared the report. I have no comments to add in relation to propriety.

Chief Finance Officer

Nothing to add from the perspective of financial propriety.

Request to change the name of Llanaelhaearn Community Council to CC Trefor and Llanaelhaearn.

1. Background

The parish/community/town council is a lower tier of local government, so it should reflect that population.

The name of the present community Councils comes from the old parochial order (parish council).

In our case the ecclesiastical parish is Llanaelhaearn.

Under the Local Government Act 1972 the 'parochial' system was reorganised into community units. The names were not changed to reflect the local community everywhere, and this is the crux of our request.

2. Name change rationale.

The church of Llanaelhaearn dates back to the sixth century, and the parish of Llanaelhaearn was the name for the local Government of a wide and scattered area from the 16th century onwards.

During the 19th century there was great population growth due to the coming of the granite industry and as a result the creation of the new village of Trefor (1856) in the lower part of the parish area.

Trefor Village is the most populous in the community although the name is not recognised in the name of the new community Council. Here are the statistics :

1. Electors 2024 : Trefor 511 Llanaelhaearn 287 (email from an electoral officer)

2. Dwelling houses 2021 Census : Trefor 334 Llanaelhaearn 121 (email from data officer)

It should be noted that there are 12 community Councillors, and the arrangement is that two thirds – eight of the twelve – represent the village of Trefor.

3. History of the request

In September 2021 the Community Council received a letter from residents in Trefor asking for fairness for the village of Trefor. The request was to change the name of the Community Council to include the whole area. The application was discussed at a formal Council meeting on 4/10/2021 and it was decided that the application was completely reasonable and unanimously supported by the council. The then County Councillor, Aled Wyn Jones, was asked to take up the matter.

In January 2022 Aled confirmed that a change was possible, but that a proposal needed to be put before the County Council proposing a new name. 'Bro'r Eifl' was the natural choice, but that name had just

been given to the County Ward. After discussion it was decided on 'Trefor a Llanaelhaearn' – in that order to avoid mutation!

In 2024 our current County Councillor, Jina Gwyrfai, picked up the application to change the name again. She was instructed by Gwynedd County Council's Legal Department to carry out a public consultation to establish the views of local residents. We agreed the form of consultation by inviting observations rather than arranging costly, public meetings. At a Community Council meeting in June 2024 she agreed to act and conduct a consultation.

4. Consultation with the public

The consultation period was 21 days, June 4-25th.

A notice was posted on the the Community Council's website, on local Facebook pages and also in the shops and post office asking for comments on the proposed name change to Cyngor Cymuned Trefor a Llanaelhaearn, comments to be sent by e-mail or letter to the Clerk or the County Councillor.

There was only one written reply – supporting the change.

There have been a number of verbal supportive comments, and a number of 'narrative' comments on 'facebook'.

There has been no objection to the intention.

5. Conclusion

Although response to the public consultation was disappointing, Community Councillors do not believe there is no purpose in enquiring further or further delay. This document is therefore submitted as our request to change the name of our Community Council as previously stated, to 'Cyngor Cymuned Trefor a Llanaelhaearn'.

Yours sincerely

Clerk

Ken Skates AS/MS

Ysgrifennydd y Cabinet dros Drafnidiaeth a Gogledd Cymru
Cabinet Secretary for North Wales and Transport



Llywodraeth Cymru
Welsh Government

Our ref KSNWT/05761/24

Councillor Beca Roberts

eirianroberts3@gwynedd.llyw.cymru

25 October 2024

Dear Councillor Roberts,

Thank you for your letter of 21 May regarding rail services on the Cambrian Line. I would like to apologise for the delay in responding to you.

I understand the frustration and disappointment over changes to rail services on the line. The purpose of the Transport for Wales review of Welsh and cross-border services was to better align services with post-Covid travel demand, reduce subsidy, and target future revenue growth. Transport for Wales has had to make some difficult decisions to ensure it provides capacity where it is most needed, but stakeholder engagement has been a vital element of the work.

As a result of this, Transport for Wales has made some changes which mean they are able to retain some services during the busiest summer periods. We are committed to increasing passenger numbers across Wales, but we must ensure that capacity is targeted where it is most needed. With the national roll-out of our programme, brand new trains will be used on the Cambrian Line providing greater capacity, greater comfort and accessibility as well as more reliable services. These new trains will also underpin the consistently high levels of performance we are determined to achieve across Wales, to encourage more people to use the network.

We continue to provide significant support to all modes of public transport in Mid and West Wales, directly, and through Transport for Wales resources. I recognise that the whole of Wales deserves to have a public transport system of a high standard that meets the needs of its communities, and I am determined to achieve this.

Yours sincerely

Ken Skates AS/MS

Ysgrifennydd y Cabinet dros Drafnidiaeth a Gogledd Cymru

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Councillor Beca Roberts
Chair of the Council
Cyngor Gwynedd

T: +44 (0) 020 4551 0011
W: www.gov.uk

Our ref: MCB2024/10439
Your ref: ER

By email: eirianroberts3@gwynedd.llyw.cymru

22 November 2024

Dear Cllr Roberts,

Thank you for your correspondence of 30 October to Jonathan Reynolds MP about making 1st March a national holiday in Wales for St David's Day. I am responding as this matter falls within my ministerial portfolio.

I appreciate the sentiment behind Cyngor Gwynedd's request and appreciate the importance of St David's Day to the people of Wales. However, while an additional bank holiday may benefit some communities and sectors, the cost to the economy of an additional bank holiday is considerable.

The latest analysis estimates the cost to the UK economy for a one-off bank holiday to be around £2bn. In recent years, the annual leave entitlement has increased for many workers, but there is no statutory right to time off for bank or public holidays. Any right to time off or extra pay for working on a bank holiday depends on the terms of an employee's contract of employment.

For these reasons, the Government has no current plans to change the well-established and accepted pattern of bank holidays in Wales. In addition, while bank holidays are devolved to the Scottish Government, each devolution settlement has been developed against a backdrop of different histories, as well as different economic, social and cultural, and legal systems. Devolution may not be suitable even where the matter is devolved elsewhere.

We remain committed to working together with all the Devolved Governments. We appreciate our ongoing close working relationship with the Welsh Government, while also respecting its devolved nature.

Yours sincerely,



JUSTIN MADDERS MP

Parliamentary Under-Secretary of State for Employment Rights, Competition and Markets