

CYNGOR GWYNEDD CABINET DECISION NOTICE

Date of Cabinet Meeting:	16 July 2024
Date decision will come into force and implemented, unless the decision is called in, in accordance with section 7.25 of the Cyngor Gwynedd Constitution.	31 July 2024

SUBJECT

Item 6: ARTICLE 4 DIRECTION - OUTCOME OF THE PUBLIC ENGAGEMENT PERIOD AND THE DECISION TO CONFIRM

DECISION

1. The observations received during the public engagement period were considered and the Article 4 Direction dated 1 September 2024 without immediate effect (Appendix 2 of the report), was confirmed for the following uses, in accordance with the Public Notice:
 - a. Change of use from C3 (primary residence) to C5 (second home) or C6 (short-term holiday let) and specific mixed uses
 - b. Change of use from C5 (second home) to C6 (short-term holiday let) and specific mixed uses
 - c. Change of use from C6 (short-term holiday let) to C5 (second home) and specific mixed uses
 2. To notify those affected in accordance with the requirements of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and authorise the Legal Services to impose conditions on the decision regarding the Article 4 Direction.
 3. To delegate the right to the Head of Environment Department in consultation with the Head of Legal Services to make editorial adjustments to the public notice prior to its publication.
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REASONS FOR THE DECISION

Changes to the Town and Country Planning (Use Classes) Order 1987 (as amended) have created 3 new use classes for Primary Residence (C3), Second Homes (C5) and Short-Term Holiday Let (C6). If considered appropriate, in order to prevent and gain control of the unrestricted change of use between the new use classes, Local Planning Authorities have the power under the Town and Country Planning (General Permitted Development etc.) Order 1995 (as amended) to introduce an Article 4 Direction for a specific area.

Following a decision by the Cabinet of Cyngor Gwynedd on 13 June 2023, an Article 4

Direction Notice was served for the Gwynedd Local Planning Authority area. As well as serving the Notice, a period of associated public engagement was undertaken.

The Cabinet is now required to consider the comments received during the public engagement period and the Council's response to the comments and make a decision on the propriety of confirming the Article 4 Direction or otherwise.

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

No declarations of personal interest or relevant dispensations were received.

ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

A statutory public consultation period was held for a six-week period up to 13 September 2023 following the introduction of the Article 4 Instruction Notice. The results of the consultation can be seen in the meeting documentation and on www.gwynedd.llyw.cymru/erthygl4.

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

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SUBJECT

Item 7: ANNUAL REPORT 2023-24, 2020-24 STRATEGIC EQUALITY PLAN

DECISION

The Annual Report 2023-24, 2020-24 Strategic Equality Plan was approved and the content of the report was noted.

REASONS FOR THE DECISION

Reporting progress annually on the Strategic Equality Plan is a duty in accordance with the Equality Act 2010 as it is implemented in Wales. It is also good practice within the Council for the Cabinet to be aware of the progress.

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

No declarations of personal interest or relevant dispensations were received.

ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

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

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SUBJECT

Item 8: CAERNARFON, PWLLHELI AND CRICIETH PSPO

DECISION

- a) To approve the introduction of a new Public Spaces Protection Order (PSPO) for Caernarfon, Pwllheli and Cricieth for a period of three years, as per the draft Proposed Order attached to the report.
 - b) The Head of Adults, Health and Well-being Department was authorised to undertake the introduction of the Proposed Order in Caernarfon, Pwllheli and Cricieth.
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REASONS FOR THE DECISION

The making of a PSPO is a function held by Local Authorities only. In accordance with the Constitution of the Local Authority, the making of such an order is an executive function of the Cabinet. Having held a statutory consultation period, there is a need to report on the results and make a decision on approving the orders.

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

No declarations of personal interest or relevant dispensations were received.

ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

A period of public consultation was held between 26 February 2024 and ended on 8 April 2024.

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