



# Complete Agenda

Democratic Services  
Council Offices  
CAERNARFON  
Gwynedd  
LL55 1SH

Meeting

**COMMUNITIES SCRUTINY COMMITTEE**

Date and Time

**10.30 am, THURSDAY, 7TH NOVEMBER, 2024**

**This meeting will be webcast**

[https://gwynedd.public-i.tv/core//en\\_GB/portal/home](https://gwynedd.public-i.tv/core//en_GB/portal/home)

**NOTE: A briefing session will be held for members at 10:00am.**

Location

**Hybrid - Siambr Hywel Dda, Council Offices, Caernarfon  
and virtually via Zoom**

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# **COMMUNITIES SCRUTINY COMMITTEE**

## **MEMBERSHIP (18)**

### **Plaid Cymru (12)**

#### Councillors

Elwyn Edwards  
Elin Hywel  
Edgar Wyn Owen  
Beca Roberts

Delyth Lloyd Griffiths  
Rhys Tudur  
Llio Elenid Owen  
(Vacant Seat)

Annwen Hughes  
Linda Morgan  
Arwyn Herald Roberts  
Jina Gwyrfai

### **Independent (5)**

#### Councillors

Robert Glyn Daniels  
Peter Thomas  
Gruffydd Williams

Elfed Powell Roberts  
Rob Triggs

### **Liberal Democrats / Labour (1)**

Councillor Stephen Churchman

### **Ex-officio Members**

Vice-Chair of the Council

# **A G E N D A**

## **1. APOLOGIES**

To receive any apologies for absence.

## **2. DECLARATION OF PERSONAL INTEREST**

To receive any declaration of personal interest.

## **3. URGENT ITEMS**

To note any items that are a matter of urgency in the view of the Chairman for consideration.

## **4. MINUTES**

4 - 13

The Chairman shall propose that the minutes of the meeting of this Committee, held on 12 September 2024 be signed as a true record.

## **5. PLANNING AND WELSH-SPEAKING COMMUNITIES**

14 - 32

To provide assurance that the planning system takes seriously the impact of developments on vulnerable Welsh-speaking communities.

## **6. COMMUNITIES SCRUTINY COMMITTEE FORWARD PROGRAMME 33 - 35**

To adopt an amended work programme for 2024/25.

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## COMMUNITIES SCRUTINY COMMITTEE, 12 SEPTEMBER 2024

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**Present:**

**COUNCILLORS:** Annwen Hughes (Chair)  
Llio Elenid Owen (Vice-chair)

Stephen Churchman, Robert Glyn Daniels, Jina Gwyrfai, Edgar Owen, Linda Morgan, Peter Thomas, Beca Roberts, Arwyn Herald Roberts, Elfed Powell Roberts, Rob Triggs and Gruffydd Williams.

**Officers present:**

Bethan Adams (Scrutiny Advisor) and Rhodri Jones (Democracy Services Officer).

**Present for Item 5:**

Councillor Dafydd Meurig (Cabinet Member for the Environment), Dafydd Williams (Head of the Environment Department), Gerwyn Jones (Assistant Head of the Environment Department – Transport) and Ceri Hughes Thomas (Parking and Street Works Manager)

**Present for Item 6:**

Councillor Dafydd Meurig (Cabinet Member for the Environment), Dafydd Williams (Head of the Environment Department) Gerwyn Jones (Assistant Head of the Environment Department – Transport) and Rhian Wyn Williams (Integrated Transport and Road Safety Manager).

**Present for Item 7:**

Councillor Dafydd Meurig (Cabinet Member for the Environment), Dafydd Williams (Head of the Environment Department) and Roland Thomas (Assistant Head of the Environment Department).

**Present for item 8:**

Councillor Berwyn Parry Jones (Cabinet Member for Highways, Engineering and YGC), Steffan Jones (Head of Highways, Engineering and YGC) and Peter John Simpson (Street Services Manager).

**1. APOLOGIES**

Apologies were received from Councillors Elwyn Edwards, Elin Hywel and Delyth Lloyd Griffiths.

**2. DECLARATION OF PERSONAL INTEREST**

There were no declarations of personal interest.

**3. URGENT ITEMS**

None to note.

**4. MINUTES**

The Chair signed the minutes of the previous meeting of this committee held on 16 May 2024, as a true record.

## 5. PARKING FEES

The report was submitted by the Cabinet Member for the Environment, the Head of Environment Department, the Assistant Head of Environment Department (Transport) and the Parking and Street Works Manager.

It was explained that the Report included revisions to parking fee arrangements to comply with the Council's savings schemes and address the overspend within the parking services. Members were reminded that two of the projects featured in the report (Increasing Pen y Gwryd parking fees and Increasing the price of an Annual Parking Permit and Local Parking Permit by £5 per annum) had already been approved by the Cabinet.

They drew attention to a scheme to Extend Parking Enforcement Hours at the Council's Short Stay Car Parks, highlighting that the current enforcement hours are between 10:00am and 4:30pm. It was planned to extend the enforcement hours to between 09:00am and 05:00pm. Members were reminded that this had been the Communities Scrutiny Committee's original recommendation in 2021.

It was noted that the fourth scheme in the report was an Adjustment to the Band 2 Long-Stay Fees Structure. The officers explained that this scheme was being introduced to address the inflation increase. They highlighted the challenge in addressing inflation increase, which was to ensure that suitable fees were introduced for anyone who wished to pay with cash without having to find lots of loose change. It was confirmed that the normal arrangement was to wait a few years before revising parking fees in line with inflation, so as to ensure that parking fees were practical for users. It was acknowledged that this led to quite a hike, but that the revisions to the pricing was implemented less frequently. It was confirmed that the revisions introduced in the report constituted an increase of around 30-40%, which ensured that they would not need to be revised further until 2028/29.

During the discussion, the following observations were noted:-

Agreed with the plans to increase parking fees in Pen y Gwryd and encouraged the department to invest in similar locations as it was being used regularly. Further information was requested about Band 1 - 3 Parking Fees for long stays.

Disagreed with the schemes to adjust car parks' enforcement hours. The member considered that this would have too much of a negative impact on local residents and business, leading to fines. It was noted that increasing the price of an annual parking permit to £145 likely meant that individuals would no longer buy it.

Attention was drawn to the fact that the permitted time within parking fees was changing in some cases. They discussed the example that £2 for 1 hour of parking would adjust to £2.50 for four hours. They wondered whether this would deter people from paying to park because they would not be using the car park for a large proportion of that time. However, the Head of Department agreed that this increase in the time for long-stay car parks had been one of the recommendations of the Communities Scrutiny Committee's task and finish group in 2019. It was explained that the group felt that this would support local businesses because people would have time and would spend money in local businesses.

It was noted that no information had been included on the matter of buses parking in car parks. It was noted that the Department would present information on this in the future, noting that bus use of car parks was increasing.

The Department was asked to reconsider their arrangements for increasing parking fees in line with inflation rates to ensure there was not such a hike in the parking costs when revising them. It was highlighted that the current arrangements led to a large increase in parking costs. In response to the observations, it was acknowledged that parking fees were increased at a higher level. The Cabinet Member elaborated that this was a challenge for the department because internal income targets increased with inflation, and these were being missed until the fees were increased. He emphasised that it was difficult to revise the prices more frequently because the parking fees would be irregular amounts, but it was anticipated that this would not be as problematic in the future and that it would be possible to increase fees annually as card or phone payments became more common. It was also highlighted that this would also reduce the number of cases of pay and display machines being vandalised, but they would always need to be cautious and ensure equal opportunity for anyone who wished to pay with cash.

The Parking and Street Works Manager explained that app users were charged a fee of 5p to pay for parking. She elaborated that this was a general fee for using the app. She confirmed that users could receive a message to confirm payment, or to warn them that the parking period was about to run out and confirmed that these were additional costs for anyone who chose to accept them. It was emphasised that there would be no increase in these fees as the parking fees were adjusted. Furthermore, in response to comments that the app cannot be used at times, she confirmed that officers and the app's operators receive a message when any site experiences difficulties. It was explained that boxes could be installed to improve Wi-Fi in some areas to ensure that the app worked. It was confirmed that the Department worked with the company regularly to ensure that the difficulties were resolved as soon as possible.

In response to a question regarding the public's use of free-of-charge parking spaces in shops and centres, it was confirmed that this was being considered closely by the Department, so as to ensure that anyone who needed a parking space to be able to use those facilities could do so easily.

Many observations were made about trying to ensure that the public were not overly affected by these adjustments, and to make the most of visitor expenditure. The Head of Department emphasised that this was being considered, but it was a very challenging process because a number of locations were being used constantly by visitors and local residents. However, it was considered that some areas were using parking spaces because it was not possible to park outside houses, and such situations would receive careful consideration.

It was considered that the Department's observations on compliance with the Well-being of Future Generations (Wales) Act 2015 were not as thorough as other Council departments. The department was asked to provide more detail in this information in future to ensure that individuals from different socio-economic groups were protected and supported. In response to the observations, it was acknowledged that this was a matter that could be better reported in future.

In response to an enquiry about the 'Arosfan' scheme which offered overnight parking spaces and facilities for motorhomes, it was confirmed that these fee revisions would not affect the scheme. It was explained that it was currently a pilot scheme, offering a service for £16.50 a night through a standard pay and display machine (with cash or card/mobile phone payment). It was elaborated that there had been mixed comments about the pilot scheme to date, and that additional income could be received if additional parking areas were established in future. The members were updated that there were two 'Arosfan' locations in use in Dwyfor and Arfon at present, and the Department was searching for a suitable location in Meirionnydd to trial the scheme there too.

**RESOLVED to recommend to the Cabinet:**

- **Increasing parking fees on an annual or biennial basis should be considered with the inflation situation taken into account;**
- **Enforcement arrangements in the short-stay car parks should not be revised due to the impact on the local economy.**
- **Further increase of the fees should be considered in car parks in certain tourist areas such as Pen y Gwryd.**
- **Consideration should be given to increasing the fees of Arosfan sites annually.**

**6. DEVELOPMENTS IN PUBLIC TRANSPORT**

The report was presented by the Cabinet Member for the Environment, the Head of Environment Department, the Assistant Head of Environment Department (Transport) and the Integrated Transport and Road Safety Manager.

It was explained that there had been constant change in the field of public transport for many years due to legislative changes and the evolving priorities of the Council, Transport for Wales and the Welsh Government. It was elaborated that the Department had been commended by the Welsh Government for the work completed in the field. Officers were pleased that a high standard of work had been achieved and that residents saw the benefits of using public transport.

They drew attention to the complex nature of the County's landscape, explaining that there were seven different types of public transport services available here with different funding processes. They explained that the Council's management of these projects varied according to the contracts with partners. It was recognised that the reliance on funding beyond the Council's control was a risk for the service.

It was emphasised that a 'Public transport network that meets the various needs of the communities of Gwynedd' had been identified as a 'Green Gwynedd' priority as part of the Council Plan 2023-28. It was noted that the department was continually working to revise internal procedures to fulfil this priority. It was explained that public transport services contracts had been updated in every area over the past few years, with new services in place. Services for Caernarfon and Dyffryn Nantlle had been updated in July 2023, Meirionnydd had been updated in February 2024 and the services for Bangor and Dyffryn Ogwen had been updated in early June 2024.

During the discussion, the following observations were noted:-

Members welcomed the opportunity to engage with the Department as they considered the network and arrangements in Dwyfor for the future. In response to an enquiry as to how the Department monitored use when considering changing services, the Integrated Transport and Road Safety Manager confirmed that there was a machine on every bus that monitored the number of people using the specific services, and to where they travelled. She elaborated that Officers were able to use this information when considering any change to the service's routes.

The Department was thanked for a convenient and reliable service in the Dyffryn Nantlle area. In response to an enquiry about card payments using the 'Tap On/Tap Off' technology, the Integrated Transport and Road Safety Manager confirmed that this was possible. She elaborated that the minimum cost for using this technology was £2.20 up to a maximum of £6.50 a day if the service has been used.

In response to an example of a situation where the service timetable was inconvenient to some users, the Cabinet Member for the Environment acknowledged that these challenges did come up in some circumstances but that the service worked for a high percentage of service users.

In response to an enquiry regarding consideration of students' use of the public transport services, it was emphasised that the network was very complex. The Assistant Head of Environment Department thanked Transport for Wales for their cooperation in ensuring a usable network for the rural areas of the County. He added that several partners and networks formed part of the public transport service and that maintaining an on-going discussion with them was crucial to the success of the service.

Examples were shared of some areas where it was felt that the standard of service had deteriorated following amendments to the service. It was felt that inadequate engagement with service users had led to the frequency of the service being cut, leaving some communities without public transport at times, for example after 5pm or on Sundays. In response to the concerns, it was acknowledged that they needed to improve the current engagement arrangements to ensure that service users and Elected Members had input into potential amendments to public transport timetables. In response, it was emphasised that changing services was not a straightforward process due to the complexity of the network and the partners linked to it. The members were assured that most residents and service users felt that the service had generally improved in recent months.

The Assistant Head of Environment Department (Transport) detailed the engagement arrangements that were currently being used, stating that many barriers had arisen. He stated that they needed to assess aspirations locally and further afield when engaging on services – with some users taking advantage of the entire route and others only travelling on a part of it. He noted that we needed to carefully balance any consultation with ensuring that services were financially viable and made the best sense environmentally. It was recognised that there was no way to ensure that every individual's wishes were fulfilled. However, they had ensured that communities that were not on the routes were not disregarded, and it had been arranged to hold a conversation to consider those communities, with Elected Members sharing their input.

The department was congratulated for introducing TrawsCymru and Flexi services. It was elaborated that these services were believed to have several users and that they filled the gaps arising from the traditional bus service. It was shared that residents who benefited from these services believed that it was very convenient and a great help for individuals with mobile difficulties and physical conditions to get to appointments. In response to these comments, the Cabinet Member thanked all partners for ensuring quality services for the residents of Gwynedd and hoped that residents would continue to make more use of them rather than personal cars in the future.

In response to a query about extending Flexi services, it was confirmed that this was possible, depending on future grants. The Assistant Head of Department confirmed that the desire would be to use this service to fill the gaps in the routes.

In response to a question about challenges in ensuring that services went out to tender, the Assistant Head confirmed that this was very challenging as public transport companies had faced several challenges in recent years such as a decrease in service users and rising costs. Despite this, pride was expressed that all services on the network were currently being maintained.



Concerns were expressed about additional costs for the Department as it invested in new technology to meet targets to reduce carbon emissions. In response, the Head of Department acknowledged that the investment in technology was significant as it was new but assumed that costs would decrease in the future as the technology was used more consistently. Further, he confirmed that the Department had received grants for operating electric buses, and work was underway to monitor the costs of operating in comparison with the costs of fuel buses. He shared an example of a saving the Council was currently making by gradually updating the car fleet to electric motors, noting that electric cars were around £350 cheaper to operate each month.

In response to enquiries about updates in the Arfon area, the Assistant Head confirmed that contracts had been agreed recently and that discussions about modifications would take place within the contractual period of up to four years. Consultation was an important element of this, but he explained that large firms dominated the field, and ultimately they determined the arrangements.

## **RESOLVED**

- (i) To accept the report, noting the observations made during the discussion.**
- (ii) To recommend to the Environment Department:**
  - **that Local Members should be included as soon as possible when considering changes to bus services;**
  - **that consultation with communities needs to be strengthened.**

## **7. WASTE AND RECYCLING SERVICES**

The report was submitted by the Cabinet Member for the Environment, the Head of Environment Department and the Assistant Head.

The members were reminded that this service had transferred from the Highways, Engineering and YGC Department back in October 2022 and that major changes had been implemented to improve the running of the service within the Environment Department. It was acknowledged that several challenges had arisen during the transfer period, which had led to difficulties with collection on routes, but they believed that the service had now stabilised.

They referred to the Welsh Government targets of ensuring that Local Authorities recycled 70% of all waste by March 2025. They emphasised that this was an incredibly challenging target and that work was being carried out to try to reach this target. They explained that the Council was managing to reach the Government's current target of recycling 64% of waste and were confident that the Department's frameworks would lead to increasing this percentage. They highlighted the fact that discussions with the Welsh Government had suggested that Local Authorities could be penalised financially if they failed to reach the 70% target.

It was explained that two factors had led to overspending within the service recently. It was detailed that these included the workforce sickness levels as well as overtime. They explained that a combination of short-term and long-term sickness had led to this, and they ensured that the service worked with the Byw'n Iach company to promote employees' well-being. The workforce was thanked for their positive response to the call for change in the way of working to ensure that services were delivered within the budget. All service staff were also thanked for their positive attitude and their readiness to undertake work to a high standard for the benefit of the County's residents.

During the discussion, the following observations were noted:-

In response to concerns surrounding the fines by the Welsh Government should we fail to recycle 70% of waste, the Assistant Head of Department assured the members that no Local Authority had been fined to date, despite some having failed to reach the targets. They stressed that no definite confirmation of this fine had been announced and believed that the Government would be looking at Local Authorities' targets over the years to see whether an effort had been made to reach the requested targets. It was pointed out that Gwynedd had consistently reached the Government's targets over the years and worked closely with officers, therefore they did not anticipate that Gwynedd would be fined if it failed to hit the 70% recycling target.

A member enquired about the Department's plans to charge for disposing of some waste items such as tyres, rubble and asbestos and whether this was likely to lead to more instances of fly-tipping. In response, the Assistant Head explained that around 80 tonnes of tyres reached the recycling centres annually, which costs around £20,000 to process. He emphasised that there were procedures in place within the Highways, Municipal and YGC Department to deal with cases of fly-tipping, and should these charges be introduced, work would be undertaken to monitor the effect they would have on those processes – recognising that an increase in fly-tipping numbers was an associated risk.

Reference was made to plans that had been discussed at a previous meeting, of introducing hessian sacks to hold recycling waste rather than the current plastic carts. In response, the Assistant Head of Department confirmed that the Department was keen to trial these sacks in some areas because they had a larger capacity whilst also taking up less space and were cleaner. It was confirmed that the Department had already considered trialling them, but this had not happened because of the recent general election. The Department was still keen to trial this and were in the process of finding a suitable area to do so.

It was explained that the report referred to new software that had recently been installed in the lorries, and the Department was asked what kind of response there had been from the workers to the use of cameras within the lorries. In response, the Assistant Head of Department confirmed that the workers had been focal to the conversation, and he noted that the cameras were a means of assisting the workers rather than monitoring them. He emphasised that the purpose of the cameras was to verify where the lorries had been during the routes. He added that the cameras could be re-examined if a query or complaint was made, in order to assess the situation – this enabled them to confirm whether a complainant had placed their recycling trolleys in a suitable location etc. He acknowledged that there had been a negative response to the cameras by the workers initially, but they now supported them because they could see the benefit of the cameras to the efficiency of the service and allowed them to deal with enquiries more easily.

In response to an enquiry about the recycling arrangements for businesses, it was acknowledged that more could have been done to raise awareness of the necessary recycling arrangements that the Welsh Government had introduced for businesses. It was explained that the Department had not been fully ready for these new regulations, but work was now underway to support businesses.

A member asked whether enough recyclables were being collected to make a profit to contribute towards the Council's costs? It was enquired whether green waste was composted and offered back to residents for their use? In response, the Assistant Head of Department confirmed that the Department relied on the market to see how much money was paid for the materials. Although, he noted that, in general, not enough was being collected to create adequate profit. He explained that the Department was investing in new processing centres in Ffridd Rasus, Harlech and Caergyfchu, Caernarfon to improve the quality of the materials in the hope that they would be

purchased by outside companies for more profit in future. Similarly, he confirmed that a partnership had been established with the Isle of Anglesey County Council for composting garden waste. It was also noted that a private provider received a portion of it. He explained that it was a matter for the provider regarding what was done with the compost.

It was confirmed that the cost of residual waste disposal was currently around £4 million. Attention was drawn to the fact that a new tax on carbon emissions was likely to be introduced by 2028 which would lead to an increase in costs of £0.6 million - £1.5 million to the Council. In response to an enquiry on how this cost increase would be met, the Assistant Head of Department explained that the Council was in a long-term partnership with Parc Adfer. He emphasised that the best approach to reducing this financial risk was to ensure that we had robust recycling arrangements in place to reduce the amount of residual waste in the green bins.

The Head of Department added that work needed to be done to change people's mindset and educate residents on recycling issues. It was reported that 57% of the waste seen in the green residual bin were materials that could be recycled.

In response to concerns that holiday homes, holiday lets and AirBnBs led to waste being left for days before the collection day, the Assistant Head of Department confirmed that these were charged fees as commercial waste. He encouraged any Member to get in touch with the service if there were such difficulties in their wards.

The service was congratulated for its work, and it was confirmed that the work was of high quality and that Local Members no longer received any negative comments about it. All the workers were thanked for their hard work. The office staff were also thanked for responding promptly and meaningfully to e-mails about concerns.

## **RESOLVED**

**To accept the report, noting the observations made during the discussion.**

### **8. PUBLIC SPACES PROTECTION ORDER (PSPO) (DOG CONTROL)**

The report was presented by the Cabinet Member for Highways, Engineering and YGC, the Head of Highways, Engineering and YGC Department and the Street Services Manager.

It was explained that a dog control order had been in force since 2013 and that it had now been extended until August 2027. They elaborated that the order related to a failure to clear or pick up dog waste, allowing a dog to enter land where dogs are prohibited, and not controlling and keeping a dog on a lead when a person is asked to do so by an authorised officer.

It was confirmed that the Department was aware that these issues were important to the residents of Gwynedd, stating that a public consultation had been carried out recently, in accordance with the statutory requirement to renew the order every three years. It was emphasised that 1,100 responses had been received to this consultation, compared with 75 responses to the Department's consultation on a flooding strategy recently.

It was explained that enforcement within this service had been challenging in recent years, following the sudden death of a key member of staff. The committee sympathised with the workers on their loss. It was explained that staffing issues had now improved

and that the number of penalties was increasing, and the team's presence was more visible as they dealt with several enforcement aspects such as graffiti and dog fouling.

The members were reminded that the Department had combined three services to establish a Streetscene Service. These included the enforcement, street cleaning and Ardal Ni tidying up teams. It was noted that the teams worked closely and effectively together to educate residents, install dog mess bins, signs and to tidy the streets. They elaborated that educating and running campaigns was a consistent feature of dog control work and referred to several projects such as the red signs seen in communities in recent years. It was reported that the focus of the services changed every season – they had worked with the maritime services over the summer to ensure that visitors were aware of the dog regulations, and were preparing to shift the emphasis to streets and parking over the winter.

It was reported that the Department would look at the dog control situation more widely in the future to determine how they could work together across departments, regionally and nationally to tackle the matter. Reference was made to new plans currently being developed by the Welsh Government which would provide guidance to the Local Authorities soon.

During the discussion, the following observations were noted:-

In response to a query, the Street Services Manager confirmed that the service was working with vets. It was noted that the service provides information packs and posters for them and that it was an important element of sharing information with dog owners about the regulations that were in force. The vets were thanked for their willingness to work alongside the service.

The Street Services Manager explained that small packs of dog waste bags were available to Elected Members and encouraged them to get in touch with the service if they wished to receive them for use within their communities. Examples were shared by a Member who received these kits from the Department and they were being used regularly by dog owners in their ward. The members noted that the breach of dog regulations was not always deliberate and that giving these bags to owners helped them comply if they had forgotten to bring the bags with them. It was pointed out that ensuring the dog waste bins were emptied on a regular basis was an important part of this cooperation.

A member requested more information about how the service adapted the locations it targeted over the winter and what campaigns would be in place. The Street Services Manager confirmed there would be several campaigns over the winter including posters, collaboration with the press and providing information on social media up to twice a week over the next few months. He added that they were placing emphasis on the penalties that could be incurred through non-compliance with regulations. He reported that the service was constantly looking for new solutions such as working with schools, and red signs to attract attention. Anyone who had ideas on how they could further raise awareness was encouraged to get in touch with the service.

## **RESOLVED**

- **To accept the report, noting the observations made during the discussion.**
- **To recommend that the Highways, Engineering and YGC Department contact Councillors to offer a supply of the dog waste bags kits to be used in their communities.**

## **9. COMMUNITIES SCRUTINY COMMITTEE FORWARD PROGRAMME**

The report was presented by the Scrutiny Advisor.

The advisor provided an update on the matters to be scrutinised. She noted that after receiving a request for the Committee to scrutinise 'Parking Fees' at this meeting, the relevant departments had been contacted to identify an item to re-schedule. She explained that the Chair was consulted after receiving responses from the departments.

It was suggested that the item on 'Introducing public charging points for electric vehicles' should be rescheduled to the 20 March 2025 meeting. She noted that re-scheduling the item to the March meeting would provide an opportunity for this workstream to develop further, giving more scope for scrutiny to add value.

**RESOLVED to adopt the Communities Scrutiny Committee's revised work programme for 2024/25.**

The meeting commenced at 10:30am and concluded at 15:00pm

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CHAIR

<b>MEETING</b>	Communities Scrutiny Committee
<b>DATE</b>	7 November 2024
<b>TITLE</b>	Planning and Welsh-speaking Communities
<b>REASON FOR SCRUTINY</b>	Assurance in relation to implementation
<b>AUTHOR</b>	Gareth Jones, Assistant Head
<b>CABINET MEMBER</b>	

## 1. Why it needs scrutiny?

- 1.1 Assurance is needed that the planning system takes seriously the impact of developments (large and small) on vulnerable Welsh-speaking communities.
- 1.2 The Supplementary Planning Guidance – 'Maintaining and Creating Distinctive and Sustainable Communities' states:
  - A Language Statement will be necessary to obtain more information about a development that meets the thresholds in criterion 1 a – c, Policy PS 1.
  - In accordance with criterion 2, Policy PS 1, any large unexpected major development not noted or anticipated in the Joint Local Development Plan will require a Language Impact Assessment.
- 1.3 The Guidance provides applicants with information on the methodology for preparing a statement and impact assessment.
- 1.4 Given that the applicants are responsible for providing a Language Statement/Language Impact Assessment, scrutiny of whether applications are submitted in accordance with this methodology should occur. Also, is consideration given to the cumulative impact of applications on vulnerable Welsh-speaking communities when the Council addresses the statements/impact assessments when dealing with planning applications.

## 2. What exactly needs scrutiny?

- 2.1 What process is followed when a language statement/language impact assessment is submitted?
- 2.2 How is the content/standard of language statements/language impact assessments assessed?

- 2.3 What is the input of the Language Unit?
- 2.4 What is in place to ensure that the cumulative impact of developments is considered?

### **3. Summary of the Key Matters**

3.1 The Communities Scrutiny Committee's attention is brought to the key matters below:

- The consideration that Cyngor Gwynedd can give to the Welsh language within the planning system is limited as a result of legal requirements and what is set out in national planning policy and Technical Advice Note (TAN) 20 (Welsh Government).
- It is thought timely for the Welsh Government to consider reviewing Technical Advice Note (TAN) 20 (Welsh Government) if the Welsh language is to be properly considered in Planning authorities across Wales.
- The Joint Local Development Plan (Gwynedd and Anglesey) and the Supplementary Planning Guidance which provide more detailed guidance on how to consider the Welsh language, exceed the requirements of national policy and TAN 20.
- The Council's role as a planning authority relates to assessing evidence submitted with planning applications in the context of the JLDP requirements (and any other material planning considerations) – not preparing assessments etc. on behalf of an applicant.
- In terms of consideration of the Welsh language with planning applications, arrangements have been put in place which include the expert input of the Council's Language Unit.
- The Planning Policy Service, in accordance with the statutory requirement, monitors the JLDP and prepares Annual Monitoring Reports for a series of indicators which include those relating to the Welsh language.
- The new Local Development Plan will include an assessment of impact on the Welsh language as part of the preparation process and will include a review of all relevant planning policies, providing a new monitoring framework and new Supplementary Planning Guidance.
- With the consultations and engagement, including reporting to the Communities Scrutiny Committee, which will take place as part of the preparation of the new Local Development Plan, all Members will have the opportunity to provide input.

### **4. Background / Context**

- 4.1 Before responding to the matters requiring scrutiny, it is thought essential to clarify the statutory context, national and local policy position relevant to the planning field and consideration of the Welsh language. This part of the report will then explain the context for how the Council implements the relevant policies while also addressing the matters that require scrutiny.

#### **THE STATUTORY CONTEXT AND PLANNING POLICY CONTEXT**

## **Statutory framework and requirements**

- 4.2 The planning system operates within a statutory framework which includes three tiers namely primary legislation, secondary legislation and then the material planning policies and guidance. The primary legislation includes the Planning (Wales) Act 2015, with other primary legislation including the Town and Country Planning Act 1990, The Planning and Compulsory Purchase Act 2004 and the Planning Act 2008.
- 4.3 The Planning (Wales) Act 2015 refers specifically to the Welsh language and notes the need to give any relevant consideration to the use made of the Welsh language when it is a material consideration in the application in question. At the time, this raised the profile of the Welsh language in relation to the statutory framework; however, it must be borne in mind that the language was already a planning consideration prior to the Planning (Wales) Act 2015.
- 4.4 In terms of determining planning applications, section 38(6) of the Planning and Compulsory Purchase Act states that decisions must be made in accordance with the development plan unless material planning considerations state otherwise. This is the statutory test when making decisions on planning applications, and the Joint Local Development Plan (Gwynedd and Anglesey) is the current Local Development Plan for the Gwynedd planning authority area. There are three tiers of development plans in Wales which include at national level Future Wales: The National Plan 2040, at regional level Strategic Development Plan (not adopted) and the Joint Local Development Plan (Gwynedd and Anglesey) for the Gwynedd local planning authority area.

## **National Planning Policy**

- 4.5 The planning system controls development and land use in the public interest, prioritising long-term collective benefit, contributing to improving the economic, social, environmental and cultural well-being of Wales. Planning Policy Wales (PPW) outlines Welsh Government policies on land use planning. It is supported by a series of Technical Advice Notes (TANs), Welsh Government Circulars and policy clarification letters. This is the national planning framework in Wales. The following part highlights the guidance found within PPW and TAN 20 for the Welsh language:

### **Planning Policy Wales (PPW) (Issue 12 February 2024) –**

- 4.6 Paragraphs 3.25 to 3.29 refer to 'The Welsh language and Place-making'. The main issues it highlights are:
- The land use planning system should consider the conditions essential to the Welsh language and, in doing so, contribute to its use and the well-being aim of A Thriving Welsh Language.
  - The likely impacts of the development plan on the use of Welsh as part of the Sustainability Appraisal must be considered.
  - Phased distribution and development should be sought to be achieved that takes into account the ability of the area or community to allow the development without adversely affecting the use of the Welsh language.



- A Development Plan should include a statement on how consideration has been given to the needs and interests of the Welsh language in preparing the plan and how any policies relating to the Welsh language interact with other policies.
- Considerations relating to the use of the Welsh language may be taken into account by decision-makers so far as they are material to applications for planning permission.
- Policies and decisions must not introduce any element of discrimination between individuals on the basis of their linguistic ability and should not seek to control housing occupancy on linguistic grounds.
- If necessary, language impact assessments may be carried out in relation to major developments not allocated in a development plan being proposed in areas of particular sensitivity or importance to the language. Any such areas should be clearly defined in the development plan.

### **Technical Advice Note (TAN) 20 Planning and the Welsh Language (October 2017)**

4.7 Chapter 2 within TAN 20 refers to Local Development Plans and the Welsh language: [Technical Advice Note \(TAN\) 20 Planning and the Welsh Language | LLYW.CYMRU](#)

- It highlights the need to consult on linguistic matters within the Plan area identifying any additional work for gathering an evidence base about the Welsh language.
- The mechanism for considering the Welsh language in terms of its relevance to land use is the Plan's Sustainability Appraisal (SA) which will consider likely impacts on the use of the Welsh language.
- Paragraph 2.5.2 states the Plan's strategy to support the language may include:
  - promoting local heritage and culture;
  - planning the dispersion and scale of developments to help communities be sustainable;
  - phased introduction of housing and strategic employment developments;
  - identifying areas of linguistic sensitivity or significance, these must be shown on a proposal map;
  - referring strategic sites to communities where there is evidence to suggest that they will have a likely positive impact on the use of the Welsh language; and
  - developing mitigation measures if an impact on the Welsh language is likely to be negative.
- Paragraph 2.6.4 states planning policies must not seek to control housing occupancy on linguistic grounds.
- Mitigation measures should be identified to reduce or eliminate potential negative impacts from a development. Mitigation measures may include phased introduction of development policies, adequate affordable housing, dedicating entire sites of affordable housing to meet local needs and providing job opportunities and social infrastructure to sustain the local communities.
- Indicators may be included in connection with the mitigation measures contained in the plan. Mitigation measures must be acceptable from a

planning point of view and directly related to the development and must comply with all applicable laws.

- The Welsh Language Commissioner should be consulted in preparing the Plan.

4.8 Chapter 3 of TAN 20 refers to Development Control issues, and how consideration should be given to the Welsh language in the process of dealing with planning applications. It is believed that the following issues should be considered from this section which can also influence the Development Plan namely:

- An assessment of the impact of planning applications on the Welsh language should not normally be carried out as that would duplicate the work of the SA and the LDP site selection processes.
  - The only exception to this is an application for a major development on a windfall site within an area defined as linguistically sensitive or major one, then an assessment of the likely impact of the development on the Welsh language could be undertaken.
  - A major development for the purpose of this is 10 or more residential units or a development of over 1,000 square metres or 1 hectare although a Local Planning Authority may set its own definition in the Local Development Plan based on evidence.
  - Careful consideration should be given to whether it is beneficial to request an assessment of employment, retail or commercial developments.
  - The Local Planning Authority will be responsible for carrying out any assessment and the form of the assessment.

4.9 Chapter 4 of TAN 20 refers to Signage and Advertisements stating:

- Local Development Plan policies may promote the provision of bilingual signage.
- People could also be encouraged to keep traditional Welsh names for new developments and streets.

### **Local Planning Policy - Gwynedd and Anglesey Joint Local Development Plan 2011-2026**

4.10 The following highlights the consideration given to the Welsh language during the preparation of the current joint Local Development Plan:

- Evidence Base – as part of the evidence base the following documents were prepared:
  - PT.019 Topic Paper 10 Welsh language and Culture
  - PT.020 Topic Paper 10A Language Profile - Gwynedd
  - PT.021 Topic Paper 10B Language Profile - Anglesey
  - DC.014 Housing and the Welsh language Survey
- Assessments – to assess the impact of the Plan, the following was provided:
  - CDLL.007 Sustainability Appraisal (March 2016) (Welsh language is one of the Objectives within the Sustainability Appraisal Framework)
  - CDLL.011 Welsh Language Impact Assessment (2013)
  - CDLL.012 Welsh Language Impact Assessment (2015)

- CDLL.013 Welsh Language Impact Assessment (March 2016)
- Consultation on the Plan – throughout all the statutory stages of preparing the Plan a large number of Stakeholders including the Welsh Language Commissioner were consulted.
- Area of Linguistic Sensitivity / Significance - The Plan does not identify areas of linguistic sensitivity or significance on the proposals map as the Plan was prepared before this became a requirement in the current PPW and TAN 20. However, the following highlights the importance of the Welsh language in the Plan area:
  - Part of the Plan Vision states the Plan area is "**where the Welsh language is an integral part of Communities**"
  - Strategic Objective SO1 states the Plan will "**Safeguard and strengthen the Welsh language and culture and promote their use as an essential part of community life.**"
  - The Plan Strategy in chapter 5 refers to the Welsh language and given the importance of the language within the Plan area states "**It is therefore considered necessary for the Plan to include a specific policy to stipulate those circumstances where the Council will need to consider a development's impact on the Welsh language and culture. In addition, safeguarding and enhancing the language within the Plan area is promoted through various policies in the Plan. The policies facilitate the type of development that can contribute to creating the right circumstances to contribute to the maintenance and creation of Welsh-speaking communities, e.g. a mix of tenured housing and type of employment opportunities, services and community facilities.**"
- Strategic Policy PS 1 The Welsh language and Culture – this policy sets the context for assessing the impact that proposals may have on the language and culture (see a copy of the Policy in Appendix 1 to this report)
  - The Policy sets out thresholds for requiring a Welsh Language Impact Assessment for large-scale developments on windfall sites for housing and a significant flow of workforce to employment developments.
  - There are thresholds for a linguistic Statement which are:
    - A retail, industrial or commercial development employing more than 50 workers and/or with a surface area of 1,000 square metres or more; or
    - A residential development that either alone or cumulatively provides more than the indicative housing provision set for the settlement; or
    - A residential development of 5 or more housing units on allocated or windfall sites that does not address evidence of housing need and demand.
  - There is a criterion for proposals that would cause substantive harm to the character and language balance of a community that cannot be avoided or mitigated satisfactorily.
  - There is also a criterion requiring a bilingual signage scheme and an expectation that Welsh names will be used.
  - A Supplementary Planning Guidance has been prepared to accompany Strategic Policy PS 1 which is 'Maintaining and Creating Distinctive and Sustainable Communities'. This provides guidance for the implementation of Policy PS 1 including a methodology for preparing a Welsh Language

Impact Assessment and a Welsh Language Statement. A copy of this Guidance can be found at the following link - [Canllaw-Cynllunio-Atodol-Cynnal-a-Chreu-Cymunedau-Nodedig-a-Chynaliadwy-Gorff-2019.pdf \(llyw.cymru\)](#)

- Windfall housing developments. If a windfall site considered significant was unexpectedly introduced, the Plan's policies would provide the basis for exercising the necessary controls such as phased development, such as for example policy PS 1 in response to concerns about potential impacts on the Welsh language and culture. It must be remembered that no housing strategic site has been identified in the Plan where it may be appropriate to have a phased development policy.
- The Plan's Monitoring Framework includes indicators relating to the Welsh language.
- The Annual Monitoring Report which is prepared responds to the monitoring framework within the Plan. The monitoring framework includes indicators about the Welsh language.

4.11 As can be seen from the above, the joint Local Development Plan addresses and exceeds the linguistic issues highlighted within PPW and TAN 20. Indeed, the thresholds for a Welsh Language Impact Assessment or Welsh Language Statement exceeds what is found within the national Policy on TAN 20. Policy PS 1 applies to the whole area of the Plan and so although the Plan does not specify areas of linguistic sensitivity or significance, this clearly applies to the whole Plan area.

#### **New Local Development Plan (Gwynedd Local planning authority area)**

4.12 The process of preparing a new Local Development Plan has begun and the Plan has been included as one of the priorities, under the A Green Gwynedd theme in the Council Plan 2023-28. On linguistic matters, the guidance within PPW and TAN 20 will be followed as well as gathering a relevant evidence base. There will be an opportunity in the process of preparing the new Plan to re-examine the policies of the existing Plan, including of course the consideration given to the Welsh language with planning applications.

#### **Article 4 Direction**

4.13 The amendments carried out to the Town and Country Planning (Use Classes) Order 1987<sup>1</sup> for the creation of three new use classes (use class C3: Main home, C5: Second Home and C6: Short-term holiday let) together with the amendment of the Town and Country Planning (General Permitted Development) Order 1995<sup>2</sup> allows unrestricted changes between the 3 new use classes. Cyngor Gwynedd has followed the appropriate steps to introduce the Article 4 Direction, which repeals some of the rights to switch between the use classes without receiving planning permission. The Article 4 Direction has been in effect since 1 September 2024 within the Gwynedd planning authority area, and it is noted that this work is also included in the Council Plan under the theme of A Homely Gwynedd.

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<sup>1</sup>[Town and Country Planning \(Use Classes\) Order 1987 \(as amended\)](#)

<sup>2</sup>[Town and Country Planning \(General Permitted Development\) Order 1995 \(as amended\)](#).

- 4.14 In accordance with the requirements associated with the introduction of an Article 4 Direction, evidence supporting the exceptional circumstances was required to be gathered to justify the implementation of the Direction. The Article 4 Direction Notice was issued on 2 August 2023 and was accompanied by a public engagement exercise for a period of 6 weeks.
- 4.15 Among the considerations given to justify the introduction of the Article 4 Direction (the Justification Paper) was to consider the impact of the provision of short-term holiday accommodation and second homes on Gwynedd communities, including the housing market, social fabric and the Welsh language.
- 4.16 One of the main aims of acting on the Article 4 Direction is to seek to protect the existing housing stock and thereby ensure that there is adequate provision of housing available to meet local needs. As well as ensuring the provision of housing to satisfy local needs, a side-effect of this will be ensuring that there is a permanent population living in our communities to sustain services and facilities, thereby hopefully contributing to the prosperity of the Welsh language.
- 4.17 Along with the consideration given to the linguistic benefits in justifying implementing the Article 4 direction, consideration has also been given to the related impact. A specific question was asked during the public engagement period about how the Article 4 Direction would affect people's ability to use the Welsh language and the status of the Welsh language. The responses were used to update an integrated Impact Assessment (which considered the impact of the proposal on the Welsh language).

#### **Implementation of planning policies and responding to the matters for scrutiny.**

#### **What process is followed when a language statement/language impact assessment is submitted?**

- 4.18 In assessing a planning application, it must be noted that the Welsh language is one planning consideration among many other considerations. Policy PS 1 establishes when a linguistic assessment or statement is required to support a planning application and more guidance about that can be found within the Supplementary Planning Guidance, Maintaining and Creating Distinctive and Sustainable Communities.
- 4.19 In circumstances where an application is submitted without an assessment or statement but one is required due to the scale or nature of the development, the case officer shall request the information from the agent or applicant. It is not possible to invalidate a planning application on the basis that an assessment or statement is not included where one is required, due to the requirements that apply with the verification process. However, a number of planning applications have been refused in recent years on the grounds of a lack of consideration for the Welsh language. During the period April 2023 to March 2024, 3 planning applications were refused partly due to various language issues. In the same period 1 Linguistic Assessment and 17 Linguistic Statements were received with determined applications that met the thresholds within Planning Policy PS 1.

- 4.20 If it is unclear if a Welsh language assessment or statement is required, the case officer will seek an opinion from the Planning Policy Service.
- 4.21 The need to prepare and submit a linguistic assessment or statement is the responsibility of the agent or applicant. The Council's role as a local planning authority is to assess planning applications and the information submitted, and not to prepare assessments on behalf of the agent or applicant.
- 4.22 When a linguistic assessment/statement is received, the Planning Service consults with the Language Unit, and an explanation of the Unit's role is given further on in the report. The Language Unit does not offer an assessment of the likely impact of the development as a whole. In assessing an application, the role of the case officer is to assess the development as a whole. The Case Officer assesses all information and evidence in the context of the JLDP and any other material planning considerations (which includes national policies), in a planning report for a delegated decision or for a decision by the Planning Committee. The report will include an assessment of any likely impact against PS 1 policy requirements and the advice within the SPG. Should an application be granted, planning conditions can be imposed where justified and that may include measures to mitigate the impact of the development on the language.

#### **How is the content/standard of language statements/language impact assessments assessed?**

- 4.23 Early identification of the characteristics of the community and the factors influencing the viability of the language offers the best opportunity to ensure that the Welsh language is given fair consideration in developments. The qualified person advising the applicant is expected to contact the officers responsible for promoting the Welsh language to discuss the measures as well as discuss with the Planning Officer. As a result, each assessment or language statement is expected to have regard to specific factors to demonstrate that fair consideration has been given to the potential impacts of the development on the Welsh language, in line with what is set out in the supplementary planning guidance.
- 4.24 A checklist is used by language unit staff to ensure adequate information, statistics and evidence are included. Data such as ward and surrounding area census statistics, demand for local housing and empty spaces in local schools is expected. Further details on this can be found in Appendix 2.
- 4.25 The linguistic assessment/statement is a stand-alone document so the Language Unit expects the applicant to include all relevant information in the document so that there is no need to look in another document for the details. If no sufficient and up-to-date evidence has been presented to justify the impact set out in the assessment, this is stated in the comments on the assessment/statement.
- 4.26 A fortnightly meeting of Language Unit staff is held to discuss the assessments/statements and try to ensure that there is consistency in the comments submitted. This is also an opportunity to check that consideration has been given to other developments in the affected area when checking the application.

### **What is the input of the Language Unit?**

- 4.27 The role of the Language Unit is to offer an objective and independent view on the content of the Language Assessment or Statement submitted by the developer as a part of the planning application. The unit does not offer an assessment of the likely impact of the development, but rather it looks at the opinion provided in the documents and the evidence submitted to support that view.
- 4.28 The accuracy of the evidence will be examined, and if there is not thought to be sufficient evidence to support the view presented, recommendations may be made to the developer about issues they should consider and changes that should be made to the documentation so that they can offer a fair assessment of the likely impact on the community and language. Any changes are expected to be incorporated into the documents by the time an application goes to Committee.

### **What is in place to ensure that the cumulative impact of developments is considered?**

- 4.29 Within Appendix 5 to the Joint Local Development Plan there is an indicative growth level for all Centres and Villages contained in the Plan. Criterion 1(b) of Policy PS 1 (Welsh Language and Culture) refers to residential development that will either alone or cumulatively provide more than the indicative housing provision. A housing survey is carried out annually to identify what has happened over the year to all sites with planning permission. Therefore, when considering any new planning application, the cumulative effect of the number of units completed since 2011 together with sites in the existing land bank (i.e. sites with planning permission) is assessed to see if a linguistic Statement is required to support any application i.e. if the proposal does not reach the threshold at which a Welsh Language Impact Assessment is required. This may require the submission of a linguistic statement for the erection of only 1 house within a Centre or Village which cumulatively has or can achieve its indicative growth level. This means that the Plan thresholds require statements well below what is recommended within PPW and TAN 20.
- 4.30 Within the SPG 'Maintaining and Creating Distinctive and Sustainable Communities' in directing developers to preparing an Assessment or Statement or Supporting Evidence, it is emphasised that it is essential that applicants ensure they have all the necessary knowledge of the community, and planning policy knowledge and use the conclusions of the assessment of the information objectively to predict the most likely cumulative impact on the Welsh language. Further, in Appendix 7 of the Guidance it is expected that the qualified officer within the Council will check the Statement to see whether or not the analyses and conclusions based on the accumulated information presented are reasonable. Within Appendix 8 of the Guidance which is the methodology for preparing a Welsh Language Impact Assessment, the question at the end of each part refers to the possible cumulative impact of the proposal.
- 4.31 Each application will be considered individually to ensure that attention is paid to the cumulative impact of developments. Planning officers mainly work in specific areas, which means they are familiar with the planning history of an area and other

undetermined applications and therefore the cumulative impact can be more easily assessed when necessary. Comments submitted will be looked at and arrangements will be made for further discussions and information if necessary.

## **5. Consultation**

- 5.1 There are statutory requirements with consultation and publicising planning applications. In terms of Welsh language considerations there is consultation between the Planning Service, Planning Policy Service and the Language Unit on planning applications.
- 5.2 The process of preparing the JLDP and SPG are subject to statutory consultations as will be the case with the new Local Development Plan.

## **6. The Well-being of Future Generations (Wales) Act 2015**

- 6.1 The Well-being of Future Generations (Wales) Act 2015 sets a duty to improve the economic, social, environmental and cultural well-being of Wales, in line with the sustainable development principle. All planning application reports show consideration to the Well-being Act. As the Joint Local Development Plan was submitted to the Welsh Government prior to April 2016, it did not have to align directly with the well-being goals highlighted in the Well-being of Future Generations Act.
- 6.2 However, as part of the examination of the Plan, the legislative framework was updated, and the ways of working outlined in section 5 of the Well-being of Future Generations Act were considered. As a response to Action Point S16/PG41 the Council demonstrated that the Plan aligns with the well-being goals highlighted. The Inspector's conclusion in his report to the Plan was "... Indeed, the Plan, as modified, will contribute towards the economic, social, environmental and cultural well-being of Wales and, in this sense, we are satisfied that it conforms to the overarching principle of achieving sustainable development...".

### **Have you included residents / service users? If not, when and how do you intend to consult with them?**

- 6.3 As part of the process of determining a planning application, a statutory consultation period must be completed which includes informing statutory consultees, community and town councils, neighbours / neighbouring landowners, local members and a site notice will usually be displayed on public land close to the site. A copy of planning applications is also available on the council's website and there are several options to be able to search for applications. A copy of any linguistic statement/assessment on a planning application forms part of the public planning file and it is not uncommon for the service to receive comments on the content of linguistic assessments and statements. In assessing and determining, any comments received must be taken into account.



### **Have you considered working together?**

- 6.4 The Planning Service forms part of the Gwynedd Native Place Names Protection Project Board and therefore collaborates on the board with other services within the Council. Through the use of policy PS 1 a planning condition is imposed on any new housing developments and commercial developments to ensure a Welsh name is used. During 2023/24, a condition was placed on 35 planning permissions which ensures a Welsh name for new businesses and over 120 new homes.
- 6.5 The Planning Service has also been collaborating with the Council's Language Unit on the work of Welsh in Business. A note that raises awareness and also offers advice goes out with pre-application advice responses and an information note is also available for officers to use on planning decisions.

### **What has been done or will be done to prevent problems arising or getting worse in the future?**

- 6.6 Continued collaboration and communication between Council departments is key, and the evidence from the Joint Local Development Plan Annual Monitoring Reports will contribute to the process of preparing the new Local Development Plan which will include reviewing the planning policies.

### **How have you considered the long-term and what people's needs will be in years to come?**

- 6.7 Decisions on planning applications need to be made in accordance with the Joint Local Development Plan, which provides a planning policy framework for meeting the social, economic and environmental needs of the area and residents for a period of 15 years.

### **To ensure integration, have you considered the potential impact on other public bodies?**

- 6.8 The statutory process of consultation on planning applications, and the process of preparing the Joint Local Development Plan – and the new Local Development Plan (Gwynedd) gives consideration where necessary to the potential impact on other public bodies.

## **7. Impact on Equality Characteristics, the Welsh Language and the Socio-Economic Duty**

- 7.1 The Public Sector Equality Duty requires the Council to give due consideration to the need to eradicate discrimination, promote equality of opportunity and build good relationships between different communities. The Council has undertaken and publicised a Joint Local Development Plan Equality Impact Assessment to ensure

that equality issues have been considered throughout the process of preparing the Plan. This process has been repetitive to ensure that the Joint Local Development Plan promotes equality of opportunity and diversity and does not adversely affect or discriminate against any people protected under the Equality Act 2010.

- 7.2 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. As highlighted in part 3.6 above as part of the process of preparing the Plan, a Welsh Language Impact Assessment was prepared which looked at the Plan Strategy, the Deposit Plan, the Detailed Policies of the Plan and Growth Areas namely the Service Centres and Villages of the Plan.
- 7.3 From 1 April 2021, the Council has a duty to give due attention to addressing socio-economic disadvantage in strategic decisions. This duty has come after the adoption of the Joint Local Development Plan.
- 7.4 The new Local Development Plan will be prepared in accordance with these duties.

## **8. Next Steps**

- 8.1 The Council has published a [Delivery Agreement](#) which sets out a timetable for all the statutory steps of preparing the new Local Development Plan for the Gwynedd Local Planning Area. It is anticipated that the new Plan will be adopted in September / October 2027.

## **Background Information**

Technical Advice Note (TAN) 20 Planning and the Welsh Language (October 2017)

[Technical Advice Note \(TAN\) 20 Planning and the Welsh Language | LLYW.CYMRU](#)

Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities

[Canllaw-Cynllunio-Atodol-Cynnal-a-Chreu-Cymunedau-Nodedig-a-Chynaliadwy-Gorff-2019.pdf \(llyw.cymru\)](#)

Gwynedd's new Local Development Plan Delivery Agreement

[Delivery Agreement](#)

## **Appendices**

Appendix 1 Policy PS 1 'The Welsh Language and Culture' from the Joint Local Development Plan.

Appendix 2 Language Unit checklist

## **APPENDIX 1 – Policy PS 1 'The Welsh Language and Culture' from the Joint Local Development Plan**

### **THE WELSH LANGUAGE AND CULTURE**

#### **6.1.1 Background**

- National planning policy advises that local planning authorities should consider whether they have communities where the use of the Welsh language is part of the social fabric, and if so, it is considered appropriate to take that into account when creating land use policies.
- Promoting the Welsh language and culture is one of the principles central to the Single Integrated Plan.

#### **Introduction**

- 6.1.2 The Welsh language plays an important role in the social, cultural and economic life of residents and visitors of the Plan area. In 2001, 60% and 69% of the population of Anglesey and Gwynedd (County) were Welsh-speakers. Use of the language varies from place to place in the area. The first volume of information on the Welsh language from the 2011 Census shows lower levels of Welsh-speakers in both Counties: 57% and 65% in Anglesey and Gwynedd, respectively.
- 6.1.3 Where development is proposed, consideration must be given to improving and preserving the language and culture. Maintaining existing communities is key to this. The Plan, together with national planning policy and guidance proposes a number of policies that, while they do not specifically mention the Welsh language, in conjunction with partner initiatives, will have a positive impact. The strategy recognises that a high percentage of the current population lives in rural settlements and therefore supports both rural and urban communities.
- 6.1.4 The need to promote healthy local economies is likely to be very important to sustain communities and strengthen the language. This way provides opportunities for people to stay within the Plan area rather than going elsewhere to look for work. The Plan includes a series of policies that will further this objective, encouraging economic opportunities close to where people live that will have a positive impact on the vitality of the community and the Welsh language. In addition to that, any retail, industrial or commercial development is expected to demonstrate an understanding of the linguistic make-up of the area in which they are applying for planning permission and recognition of the status of the Welsh language as an official language in Wales. There should be a demonstrated commitment to treating Welsh and English equally. Policies will help to ensure that the right level and the right type of demand for homes is addressed and that when development takes place enables it to happen without significant disruption to the character of the community. In addition, policies will aim to retain existing community facilities and promote alternative or new facilities, if appropriate. A Supplementary Planning Guidance will reinforce policies by providing guidance about the type of information or assessment that will be necessary at the time of a planning application to enable assessment of the impact, any potential damage, and the potential need for mitigation and/or measures to promote positive impacts.
- 6.1.5 Strategic Policy PS 1 sets the context for assessing the impact that proposals may have on the language and culture, and also provides information as to the scale and location of a new development as intended within the settlement strategy.

## STRATEGIC POLICY PS 1: THE WELSH LANGUAGE AND CULTURE

The Councils will promote and support the use of the Welsh language in the Plan area. This will be achieved by:

1. **Requiring a Welsh Language Statement which will indicate how a proposed development will protect, promote and enhance the Welsh language, where the proposed development falls within one of the following categories:**
  - a. **Retail, industrial or commercial development which employs more than 50 employees and/or has a floor area of at least 1,000 m sq.; or**
  - b. **Residential development which will either itself or accumulatively provide more than the indicative housing provision set for the settlement in Policy TAI 1 - TAI 6; or**
  - c. **Residential development of 5 or more housing units on allocated or windfall sites within development boundaries that does not address evidence of need and demand for housing recorded in a Housing Market Assessment and other relevant local sources of evidence.**
2. **Requiring a Welsh Language Impact Assessment, which will set out how the proposed development will protect, promote and enhance the Welsh Language, where the proposed development is on an unexpected windfall site for a large-scale housing development or large-scale employment development that would lead to a significant workforce influx;**
3. **Refusing proposals which would cause significant harm to the character and language balance of a community that cannot be avoided or suitably mitigated by appropriate planning mechanisms;**
4. **Requiring a bilingual Signage Scheme to deal with all operational signage in the public domain that are proposed in a planning application by public bodies and by commercial and business companies;**
5. **Setting an expectation that Welsh names are used for new developments, house and street names.**

### Explanation:

- 6.1.6 It is intended that all measures broadly described in the paragraphs ahead of this Policy will support communities and the Welsh language. The Plan's key objectives demonstrate a commitment to the promotion of balanced, sustainable and distinctive communities. This means that the Plan includes policy tools to allow local communities to change and grow sustainably and to address the needs of all members of society. There are a number of strategic and detailed policies that will provide an explanation about how development proposals will be managed. On the whole the Sustainability Assessment (that was enlightened by the Language Impact Assessment) takes a positive view of the Plan's policies and proposals on the grounds that the development takes place on an appropriate scale and in appropriate places and includes measures to promote the positive impacts and measures to mitigate negative impacts.
- 6.1.7 As evidenced by criterion 1 and 2 in Policy PS 1, in order to make an informed decision at the time of a planning application information is sought about applications where a development may occur, should it be granted planning permission, at a pace or scale different from what was envisaged at the time of preparing the Plan. Policy PS1 reinforces other relevant policies in the Plan which describe the assumptions made, e.g. the housing growth level per settlement (Policies TAI 1 - TAI 6); that the housing development provides an appropriate choice of market housing and affordable housing (Policy TAI 8). If there is uncertainty, pre-application advice should be sought from the Local Planning Authority to see if a Statement or Assessment is required. Having signs in Welsh and English, and Welsh place and property names are a clear indication of the character of the area, including its linguistic character. The 'Maintaining

and creating distinctive and sustainable communities' and 'Type And Mix Of Housing' Supplementary Planning Guidance (SPG) will be published to provide further guidance on the matter. They will explain the type and location of development that is likely to be acceptable in the Plan area, explaining the planning considerations that apply. The 'Creating and Maintaining Distinctive and Sustainable Communities' SPG will describe the signage expected to be bilingual, e.g. public information signs, advertisements, display advertisements. The Statement or report on the Assessment will allow the developer to explain the application in more detail and to consider the possible positive and negative impacts on the community and its linguistic balance. The SPGs, for example, will look for evidence that the proposal has been discussed with Community, City and Town Councils and local community groups to obtain information and ask for their opinion, and that consideration has been given to surveys about the local housing market, and/ or the labour market. In addition, they will refer the applicant to such assistance as is available from the Office of the Welsh Language Commissioner about designing bilingual signage and marketing material, the advice that is available to the private sector by the Welsh Government/Business Wales regarding bilingualism.

## APPENDIX 2 - LANGUAGE UNIT CHECKLIST

<b>Application Number</b>	
<b>Developer:</b>	
<b>Nature of application:</b>	
<b>Document submitted:</b>	
<b>Prepared by:</b>	
<b>The risk/impact on the language identified by the applicant:</b>	
<p><b>Language Unit's brief opinion:</b>            Agree or Disagree that the document includes a fair analysis of key factors.</p> <p>Evidence to support the opinion and the assessment of impact.</p> <p>Any changes that are needed.</p>	

### Statement of purpose:

The role of the Language Unit is to offer an objective and independent opinion on the content of the Linguistic Assessment and Statement submitted by the developer as a part of their planning application. We do not offer an assessment of the likely impact of the development ourselves, but rather we look at the opinion provided in the documents and the evidence submitted to support that view. We look at the accuracy of the evidence, and if we believe there is insufficient evidence to support the view presented, we can provide recommendations to the developer about issues they should consider and changes that should be made to the documentation so that they can offer a fair assessment of the likely impact on the community and language. Any changes are expected to be incorporated into the documents by the time an application goes to Committee.

The main issues we consider when looking at the contents of the documents:

Issues to consider/check	X / ✓	Comments
<p><b>Statistical picture:</b>  <b>Does the statement/assessment include an adequate assessment of census statistics for the area concerned?</b></p>		
<p><b>Residential</b></p>		
Number and percentage of Welsh-speakers in the latest census.		
Changes in the number/percentage of speakers since the previous census.		
Breakdown by age groups. <i>e.g. Are there more speakers in one age group than another? What does this tell us about the nature of the area in question?</i>		

<p>Is the "study area" adequate?  <i>Depending on the size of the development it may be necessary to look beyond the ward where the development is located and look at the wider area. This is especially true in urban areas.</i></p>		
<b>Commercial</b>		
<p>Does the statement/assessment include an analysis of the area's employment profile?  <i>How does the development add to existing employment opportunities?  Does it offer the kind of opportunities needed to enrich the local labour market and to encourage young people to see opportunities</i></p>		
<b>Nature of development:</b>		
<p><b>Is there enough general information in the documentation about the nature of the development and what change it represents to the local area?</b>  <i>Size of development/ number of units/jobs (direct and indirect)</i></p>		
<b>Nature of potential change:</b>		
<p>Is there sufficient evidence of how it contributes to local housing need or demand? of need for housing development?  <i>(Tai Teg, Council Housing Register statistics)  (Housing Market Questions)</i></p>		
<p>Does the document include information about the potential market price of the development <i>(and how this compares to market price figures and numbers priced out of the market locally)</i></p>		
<p>Is there a consideration of cumulative and indirect effects?  <i>How does the development contribute to other developments within the same area (applications or approved) and any indirect impact on house price, housing stock etc</i></p>		
<p>Number of people the development could attract (maximum possible plus median)  <i>Potential age profile of new residents / "target market".  The number of children likely to be in the development.</i></p>		



<p>Is there any evidence in the content of the document that the development could attract new residents from outside the local area/Gwynedd/Wales?</p> <p><i>The location of the development and the type of other developments in the surrounding area.</i></p> <p><i>Remember that local is not synonymous with Welsh-speakers. If the new residents are likely to come from the surrounding local area, what does that mean in terms of a change to the demographic profile of the local wards?</i></p>		
<p>Does the document contain evidence that they have considered the impact of the population changes on the local community?</p> <p><i>Number of children that could go to the local schools.</i></p> <p><i>Opportunities or competition for local businesses.</i></p> <p><i>(Infrastructure Questions)</i></p>		
<p><b>Visual elements</b></p> <p>Is there evidence that the developer has considered all possible uses of the Welsh language – beyond signage.</p> <p><i>(if relevant to the nature of the development)</i></p> <p><i>e.g. marketing/websites/social media</i></p>		
<p><b>Economic Factors</b></p>		
<p>Is there enough information on how the development contributes to/enriches the local economy?</p> <p><i>Type of jobs. High value. Create employment diversity.</i></p>		
<p>Is there consideration of the likelihood that it would be necessary to look beyond the local area for labour skills</p> <p><i>(and consequently affecting the above inward-migration element)</i></p>		
<p>Are there considerations about language use in service delivery? Employee language skills?</p>		
<p>Is there a consideration of the opportunities for other businesses within the community – supporting local businesses?</p>		



<b>MEETING</b>	COMMUNITIES SCRUTINY COMMITTEE
<b>DATE</b>	7 November 2024
<b>TITLE</b>	Communities Scrutiny Committee Forward Programme
<b>PURPOSE OF THE REPORT</b>	To adopt an amended work programme for 2024/25
<b>AUTHOR</b>	Bethan Adams, Scrutiny Advisor

1. A revised Forward Programme for 2024/25 was adopted at the Committee's meeting on 12 September 2024.
2. The item 'New Local Development Plan - Strategic Options, Vision and Objectives' was scheduled to be discussed at this meeting.
3. At the Chair's liaison meeting with the Cabinet Member for Environment and the Head of Department on 30 September 2024, it emerged that the strategic options would not be ready to be presented to the Committee today. The item therefore moves from this meeting to the Committee meeting on 23 January 2025. A report will be submitted to a meeting of the Planning Policy Working Group on 22 November 2024 before being submitted for scrutiny.
4. As a result, a request was made to the Highways, Engineering and YGC Department, as to whether the 'Public Toilets' item could be moved from the January meeting to this meeting.
5. Confirmation was received that the item could be scrutinised at this meeting and this was reported at the Committee's informal meeting on 7 October 2024.
6. Before publishing the agenda, we were informed that it would not be possible to present the report to this meeting. It was noted that it would be possible to present a comprehensive report to the meeting of 20 March 2025. Scrutinising the item at this time would be an opportunity for scrutiny to add value before the Cabinet considers the 'Public Toilet Strategy'.
7. The item 'Climate and Nature Emergency Plan: Annual Report 2023/24' was programmed to be discussed at this meeting. A request was received before publication of the agenda to defer the item to another meeting. A request was made for the Committee to consider programming the item for the 23 January 2025 meeting.
8. See attached as an appendix to the report, the amended work programme for 2024/25. Programming the items that have been deferred in accordance with the above would mean that there would be 4 items on the agenda for the 23 January and 20 March 2025 meetings.

9. **The Communities Scrutiny Committee is asked:**
- (i) to consider programming the following items:**
    - **'Climate and Nature Emergency Plan: Annual Report 2023/24' for the 23 January 2025 meeting;**
    - **'Public Toilets' for the 20 March 2025 meeting.**
  - (ii) to adopt an amended work programme for 2024/25.**

## COMMUNITIES SCRUTINY COMMITTEE FORWARD WORK PROGRAMME 2024/25

Date	Items	Reason for scrutiny
16/5/24	<ul style="list-style-type: none"> <li>Article 4 Direction – Public Consultation</li> <li>Ash Dieback Disease</li> </ul>	Pre-decision Scrutiny / Council Plan 2023-28 - A Homely Gwynedd
		A matter on the risk register
12/9/24	<ul style="list-style-type: none"> <li>Parking Fees</li> <li>Developments in the Public Transport field</li> <li>Waste Collection and Recycling Services</li> <li>Dog Control Orders</li> </ul>	Pre-decision Scrutiny
		Council Plan 2023-28 - A Green Gwynedd
		Council Plan 2023-28 - A Green Gwynedd
		Assurance in relation to implementation
7/11/24	<ul style="list-style-type: none"> <li>Planning and Welsh Communities</li> </ul>	Assurance in relation to implementation
23/1/25	<ul style="list-style-type: none"> <li>Annual Update by the Gwynedd and Anglesey Community Safety Partnership</li> <li>Gwynedd and Anglesey Public Services Board Progress Report</li> <li>New Local Development Plan - Strategic Options, Vision and Objectives</li> </ul>	The Committee's role as a Crime and Disorder Committee
		The Committee's role to scrutinise the Public Services Board's work
		Role to scrutinise the Local Development Plan / Council Plan 2023-28 - A Green Gwynedd
20/3/25	<ul style="list-style-type: none"> <li>New Local Development Plan – Preferred Strategy</li> <li>Grass Cutting and Maintenance of County Roads Verges</li> <li>Introducing public charging points for electric vehicles</li> </ul>	Role to scrutinise the Local Development Plan / Council Plan 2023-28 - A Green Gwynedd
		Follow-up following scrutiny at the 22 February 2024 meeting
		Council Plan 2023-28 - A Green Gwynedd

Consider reprogramming the following items – ‘Climate and Nature Emergency Plan: 2023/24 Annual Report’ and ‘Public Toilets’

Items to be programmed in 2025/26 - Streetscene Service, Ash Dieback Disease