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# THE MINUTES VOLUME

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## THE COUNCIL 8/10/15

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**Present:** Councillor Dilwyn Morgan (Chairman);

**Councillors:** Craig ab Iago, Endaf Cooke, Annwen Daniels, Anwen Davies, Dyfed Edwards, Elwyn Edwards, Trevor Edwards, Thomas Ellis, Alan Jones Evans, Aled Evans, Jean Forsyth, Simon Glyn, Gwen Griffith, Selwyn Griffiths, Alwyn Gruffydd, Siân Gwenllian, Annwen Hughes, Chris Hughes, John Brynmor Hughes, Sian Wyn Hughes, Jason Humphreys, Peredur Jenkins, Aeron M. Jones, Charles W. Jones, Dyfrig Jones, Elin Walker Jones, John Wynn Jones, Linda Wyn Jones, Sion Wyn Jones, Eryl Jones-Williams, Dilwyn Lloyd, Christopher O'Neal, Dewi Owen, Michael Sol Owen, William Tudor Owen, Caerwyn Roberts, John Pughe Roberts, W. Gareth Roberts, Mair Rowlands, Angela Russell, Dyfrig Siencyn, Gareth Thomas, Glyn Thomas, Ioan Thomas, Ann Williams, Eirwyn Williams, Elfed Williams, Gethin Glyn Williams, Gruffydd Williams, Hefin Williams, John Wyn Williams, Owain Williams, R. H. Wyn Williams, Mandy Williams-Davies and Eurig Wyn.

**Officers present:** Dilwyn Williams (Chief Executive), Morwena Edwards and Iwan Trefor Jones (Corporate Directors), Dafydd Edwards (Head of Finance Department), Geraint Owen (Head of Corporate Support Department), Iwan Evans (Head of Legal Services / Monitoring Officer), Rhun ap Gareth (Senior Solicitor / Deputy Monitoring Officer), Arwel E. Jones (Senior Manager – Democracy and Delivery), Llyr Beaumont Jones (Senior Manager – Economy and Community), Anthony Williams (Performance Officer) and Eirian Roberts (Member Support and Scrutiny Officer).

**Also present:-** Dr Einir Young (Chair of the Standards Committee)

**Apologies:** Councillors Stephen Churchman, Lesley Day, Gweno Glyn, Louise Hughes, Anne Lloyd Jones, Brian Jones, Eric Merfyn Jones, Beth Lawton, June E. Marshall, Dafydd Meurig, Linda Morgan, W. Roy Owen, Nigel Pickavance, Peter Read and Mike Stevens.

### 1. MINUTES

The Chairman signed the minutes of the previous meeting of the Council held on 9 July 2015 as a true record.

### 2. DECLARATION OF PERSONAL INTEREST

Councillor Aeron Jones declared a personal interest in item 12 on the agenda - Urgent Decision Notice by a Cabinet Member - as he was the manager of a company in Caernarfon that could benefit from the proposal in question.

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

The following members declared a personal interest in item 13(B) on the agenda – Notice of Motion from Councillor Ioan Thomas, for the reasons noted:-

- Councillor W. Tudor Owen – as he was the Chairman of the Gisda Board.
- Councillor Siân Gwenllian – as she was a member of the Gisda Management Board.
- Councillor Gwen Griffith – as she was the Chair of Mantell Gwynedd.
- Councillor Linda Wyn Jones – as she was a member of the Seren company.

The members were of the opinion that they were prejudicial interests, and they withdrew from the meeting during the discussions on those items.

### 3. CHAIRMAN'S ANNOUNCEMENTS

#### (1) Condolences

Reference was made to the sudden death of Councillor Bob Wright who had represented the Pwllheli (South) Ward on this Council since 2008, and previously the Dwyfor District Council for many years prior to the re-organisation of local government in 1996. The Chairman read out a tribute to him which had been prepared by Councillor Peter Read, and condolences were extended to the family in their loss.

Condolences were also extended to the family of 20 year old Robin Llyr Evans from Llanbedrog who had died following a horrific accident in China.

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

The Council stood as a mark of respect.

#### (2) Speedy Recovery

A speedy recovery was wished to Councillor Linda Morgan who was currently receiving treatment and also to Councillors Peter Read and Louise Hughes following recent ill-health.

#### (3) Best Wishes

Best wishes were extended to former councillors Eddie Dogan and Llywarch Bowen Jones who had had to give up their work as councillors due to ill-health.

Eddie Dogan had served local government for over forty years starting with the former Gwyrfa Council and he then had become a member of the Arfon Borough Council before being elected to represent the Dewi Ward on this Council in 1996. He had also been a member of Bangor City Council for 43 years. Llywarch Bowen Jones had been elected to represent the Llanaelhaearn Ward in 2012 and he had also been a valuable member of this Council.

It was noted that they would be sorely missed and that the Council would send its best wishes, along with its gratitude, to both.

It was noted that plans were in place to hold the Dewi and Llanaelhaearn by-elections on 19 November and the Pwllheli (South) by-election on 26 November.

Councillor Roy Owen and his family were also wished well following recent events and it was also noted that everyone's thoughts were with Councillor Eric Merfyn Jones and his family.

#### (4) Welcome

Councillor Sian Hughes, the new member for the Morfa Nefyn Ward, was welcomed to her first meeting of the Council.

**(5) Congratulations**

Elfyn Evans was congratulated on securing the best ever result for a Welshman in the World Rallying Championship. Elfyn Evans managed to be the runner-up in the Tour de Corse, namely the French round of the FIA World Rally Championship this year and he was wished every success in the Wales Rally GB on 12-15 November.

The National Team was congratulated for doing so well in the Rugby World Cup competition and they were wished well in their match against Australia the following Saturday. The National Football Team was also wished well in the Euro 2016 qualifying rounds in a key match against Bosnia-Herzegovina on the following Saturday night and it was noted that the Council took pride in the success of the members of both squads who had a close connection with Gwynedd.

**(6) Note**

It was noted that the draft proposals of the Independent Panel on Members' Salaries and Expenses was now available and that there was an intention to circulate the document through Rhaeadr and invite members to provide observations.

**4. QUESTIONS****Question from Councillor Sion Jones**

"What is the Leader's view on wasting public money on external consultants?"

**Answer from Councillor Dyfed Edwards, Council Leader**

*(The Leader's written response had been circulated to members in advance.)*

"It is likely that all of us in the Chamber can state that we are not keen to see public money being wasted in any situation. I believe that all of us have work to do to ensure that any public expenditure is undertaken in the most appropriate and efficient manner. As the answer outlines, there is always a need to enquire about and scrutinise the Council's expenditure and indeed that is the work of the scrutiny committees and the Audit Committee and the Audit Committee has decided to undertake a piece of work to examine expenditure on external consultants and that report will be available for members in due course. I do not anticipate what the outcome of that work will be but I have said that there is a need for us to commission work from external bodies and external agencies to assist us in the process. The examples I think about are those where the Council seeks to create change. Clearly, we must have an independent person to be involved in that work and we should not support both sides of the argument at the same time. That is not possible. The presence of independent people in the situation is required to ensure fairness for everyone and of course expenditure is associated with that. Let us see what results are achieved by the working group that is looking at this."

**A supplementary question by Councillor Sion Jones**

"The Leader states in his written response that if the specialist skills or necessary capacity is not available within the Council, that we will be using external consultants. I think that that is quite insulting. We have 7000 members of staff working for Gwynedd Council and I believe that there are fantastic skills in this Council to deal with the work that is required by these external consultants. Is the Leader willing to apologise for wasting public money?"

### **Answer from Councillor Dyfed Edwards, Council Leader**

“It is not insulting to recognise that we do not always have all the skills. Is this not the reality of the situation? We are not all experts on everything. There are situations where we require specialist support and advice. In that situation, is not ensuring that we receive the appropriate and suitable advice the responsible thing to do? Indeed, unless we do that, we could be challenged. The Wales Audit Office would be after us and there would be situations where we could be challenged. There is also a bit of reality involved, i.e. as we reduce the workforce, we do not have the capacity to do everything. That is impossible. There are not enough hours in the day to do everything and that is a by-product of facing cuts which means that we reduce staff numbers. With regards to public expenditure, I am not in favour of wasting money, whether it be at home or in any public organisation, and we must keep a close eye on it. If you want to look at public expenditure, and coming to a conclusion about the efficiency and effectiveness of that expenditure is a matter for everyone, visit the website of the Wales Audit Office. It is noted on the website what every public body has spent on consultants. The Welsh Government has spent millions on consultants. I am not saying that that is wasting money, but I draw your attention to the need for public bodies to spend money outside that body. I am not going to apologise for what the Council has done in terms of expenditure. Let us look at the report that is going to specifically examine expenditure on consultants in detail. Let us come to conclusions then. How can we come to a conclusion about the pattern of the Council's expenditure without seeing the facts? I am astounded that a member can stand in the Chamber and make such a statement when he is a member of the committee that has commissioned the work! Was the member present at the committee when a decision was made to commission the work? Perhaps he was not – no he was not! The Committee has commissioned the work and let us see what the result of that work will be before coming to any conclusions. Doing anything else would be total madness, if I may add.”

#### **5. GWYNEDD COUNCIL PERFORMANCE REPORT 2014/15**

The Leader submitted a report which recommended that the Council approved the document as a balanced, fair and accurate reflection of the Council's performance during 2014/15, and to adopt the report.

The Leader thanked the officers who had been involved with the work.

**RESOLVED to approve the report as a balanced, fair and accurate reflection of the Council's performance in 2014/15, and to adopt the report.**

#### **6. GWYNEDD OVERVIEW AND SCRUTINY ANNUAL REPORT 2014/15**

The annual reports of the three scrutiny committees for 2014/15 were submitted together with their work programmes for 2015/16.

##### **Corporate Scrutiny Committee**

The Chairman of the Corporate Scrutiny Committee, Councillor Dyfrig Jones provided details on the terms of reference and work of the committee during 2014/15, and he thanked the Vice-chair, Councillor Jason Humphreys, members of the committee and officers for their support.

##### **Services Scrutiny Committee**

In the absence of the Chairman and Vice-chair of the Services Scrutiny Committee, Councillor Alwyn Gruffydd provided details on the terms of reference and work of the committee during 2014/15, and he thanked the Chairman, Councillor Peter Read, the Vice-chair, Councillor Beth Lawton, members of the committee and officers for their support.

During the discussion the following matters were raised:-

- Reference was made to the very heavy workload of the Services Scrutiny Committee and the need to review the Constitution was noted so that the three scrutiny committees shared the work fairer. The Chairman of the Corporate Scrutiny Committee noted that the current system was based on a model that had been forced on the Council following the last election and that the Corporate Scrutiny Committee would support the attempt to ensure a better balance between the workloads of the different scrutiny committees.
- It was enquired whether the Leader and Cabinet were paying enough attention to the recommendations of the scrutiny committees? It was suggested that the member should raise the point directly with the Leader and the Cabinet. It was further noted that the scrutiny committee had not been informed of how many times the Cabinet had accepted / refused their recommendations.
- The Vanguard project in Ysbyty Alltwen was praised and a wish was expressed to see Morwena Edwards, Corporate Director, drawing up a report to inform the people of Gwynedd of the pilot's success.
- It was noted that the scrutiny committee had asked on numerous occasions how much money was being spent on consultants, but it had not received a response.

#### Communities Scrutiny Committee

The Chair of the Communities Scrutiny Committee, Councillor Angela Russell, provided details on the terms of reference and work of the committee during 2014/15, and she thanked the Vice-chairs during the year, Councillors Mandy Williams-Davies and Caerwyn Roberts, members of the committee and officers for their support.

The Leader thanked the chairs, vice-chairs and members of the three scrutiny committees for all their work and noted that the report clearly highlighted what topics had been scrutinised, what had been the purpose of the scrutiny and what had happened to the resulting recommendations.

#### **7. ANNUAL REPORT OF GWYNEDD COUNCIL'S STANDARDS COMMITTEE 2014/15**

Dr Einir Young, Chair of the Standards Committee was welcomed to the Council to submit the annual report of the Standards Committee for 2014/15.

Dr Einir Young provided details about the main purpose of the committee of promoting and maintaining high standards of conduct by the councillors and co-opted members of Gwynedd Council and Gwynedd community and town councils and referred to the membership of the committee and the work that it had achieved during 2014/15. She thanked Gwilym Ellis Evans, who had been the Chairman of the committee for 10 years, for his diligent work and commitment and also Sam Soysa, who had been a Vice-chairman, before his time on the committee came to an end. She also thanked the Monitoring Officer and other officers who had supported the committee.

Dr Einir Young was thanked for submitting the report.

## 8. **CONSULTATION ON THE DRAFT DIRECTIONS BY THE WELSH GOVERNMENT TO THE REVIEW BY THE LOCAL DEMOCRACY AND BOUNDARY COMMISSION WALES**

Councillor Tom Ellis, Chairman of the Democratic Services Committee, submitted a report by the Head of Democratic Services which noted that as part of its programme of local government reform, that the Welsh Government would require the Local Democracy and Boundary Commission Wales to conduct reviews of electoral arrangements for proposed new local authority areas. The Council was asked to consider the recommendations of the Democratic Services Committee together with the committee's view on the changes proposed for the 2017 elections.

A member expressed a lack of confidence in the whole process on the grounds that bribing councillors with an additional year without any mandate and on full pay indicated how low the process had sunk.

### **RESOLVED**

- (a) To submit the observations on the contents of the Draft Directions to the Boundary Commission that have been summarised in Appendix A of these minutes.**
- (b) To write to the Welsh Government to state the view that it would be inappropriate to implement the proposed changes for the 2017 elections with such a fundamental change in the boundaries to follow so soon with the reorganisation.**

## 9. **CABINET MEMBER DECISION NOTICE**

The Cabinet Member for Economy submitted a report for information noting that a Cabinet Member Decision Notice had been submitted regarding the Proposed Bangor and Caernarfon Business Improvement District (BID) - Gwynedd Council voted that it was an urgent decision in accordance with section 7.25.2 of the Constitution so that the call-in procedure would not apply in this case to ensure that the Council could submit votes before the closing date. She noted that this procedure allowed for a decision to be made with the agreement of the Chair of the Council but it would be required to report on that to the next meeting of the Council. Agreement from the Chair of the Council had been received in that the decision was an urgent matter and that the proposed decision was reasonable under the circumstances.

During the discussion:-

- The fact that a scheme was in place was welcomed and the Cabinet Member was thanked for her work.
- It was noted that the central Government in England had decided that local councils in England would get to keep all of the business rate for it to be invested locally and a suggestion was made that the Welsh Government should be contacted to ask for the same conditions to be introduced in Wales. The Chief Executive responded that a scrutiny committee would have to look at this first in order to see whether or not such a system in Wales would lead to benefits for Gwynedd.

**RESOLVED to note the report for information.**

## 10. NOTICES OF MOTION

- (a) The following notice of motion was submitted by Councillor Elin Walker Jones, in accordance with Section 4.20 of the Constitution and it was seconded.

**“I call upon my fellow councillors to support a request to write to John Penrose, MP to request a change in the legislation to allow us who wish to be identified as Welsh rather than British, to be identified as such on the Electoral Roll, passports and any other relevant official documentation.**

Recently, an Electoral Enquiry Form was sent to every home in Gwynedd. One of the things registered on the Form is nationality; however, a Welsh person does not have the right to register as Welsh. The Form is sent by our Council to every home in Gwynedd, and although the Council is responsible for administering the Electoral Roll in Gwynedd, it is a system which implements a statutory procedure to hold elections. The system must be followed in order to maintain the electoral roll in order to ensure that the citizens of Gwynedd have the right to vote.

Gwynedd is not responsible for the system. Welsh Government is not responsible for the system. In order to change the system, we must contact John Penrose, MP, the Government whip, the Lords Commissioner from Her Majesty’s Treasury and Parliamentary Secretary (Minister for Constitutional Reform).

**I call upon my fellow councillors to support the right of Welsh people to call themselves Welsh. I call upon my fellow councillors to express support in order for us, as Gwynedd Council, to write to John Penrose to change the legislation.”**

The motion was supported.

**RESOLVED to accept the motion.**

- (b) The following notice of motion was submitted by Councillor Ioan Thomas, in accordance with Section 4.20 of the Constitution and it was seconded.

**“That Gwynedd Council:-**

**(1) Recognises and supports the good work that Gwynedd has done in terms of providing a range of accommodation and/or support services for vulnerable people to help them to retain or regain their place in the community in Gwynedd.**

**(2) Supports the continuation of the Supporting People preventative programme funded by Welsh Government to assist and support vulnerable people and people on the periphery to live independently and with dignity in their communities by providing support with housing and Council services.**

**(3) Calls upon Welsh Government to protect the Supporting People grant, rather than reduce it further.**

**(4) Supports a joint campaign between Cymorth Cymru and Community Housing Cymru “Let’s Keep on Supporting People”, to protect the Supporting People grant.**

**(5) Invites the Welsh Assembly Regional and Constituency Members to support this proposal.”**

The motion was supported.

**RESOLVED to accept the motion.**

- (c) Submitted, for information, a letter from Alun Cairns, MP, Parliamentary Under-Secretary of State for Wales, in response to Councillor Wyn Williams's notice of motion to the previous meeting regarding devolving the powers of the Crown Estate.

**RESOLVED to note the letter with disappointment.**

The meeting commenced at 1.00pm and concluded at 2.30pm.

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**CHAIRMAN**

**Appendix A****Question 1: Do you think the suggested ratio provides for effective and convenient local government?**

No. The ratio is completely inappropriate for a rural dispersed area. At the moment, the current ratio for Gwynedd as a county is 1,089 with Gwynedd wards ranging between 480 and 2,428 electors with the two largest having two members.

An approach of using a simple ratio regarding the number of electors does raise concerns. That pays no regard to the workload of local councillors that can arise from students who have not registered, seasonal population arising from tourism and second homes.

It also goes completely against the direction that the Welsh Government sets out in its consultation document (Reforming Local Government – Power to Local People” which talks of the importance of “Councillor-led community governance”. It is difficult to see how councillors can cope with this challenging role on top of their institutional responsibilities as committee members etc. if they are to serve such large electorates.

If such a move did take place, there would have to be a move to a system of full-time councillors in order to shoulder that workload.

**Question 2: Do you think there is a minimum number of councillors required to ensure the effective and democratic working of a local authority? If so, what is it and why?**

Some minimum is required for effective democracy but the sort of figures noted are far too small. Within the Cabinet system, with a need for about 10 members on a cabinet, that leaves the rest of the Council’s work (Scrutiny, Audit, Planning, Licensing etc.) on too small a number of councillors placing unreasonable pressures on them. The minimum number of members should be at least 45-50 members.

The above comments are based on views of the current councils’ workload. That would obviously increase significantly following re-organisations in areas such as Planning and Licensing, with the number of applications requiring attention increasing.

The other issue to consider is that the allocation of seats to political groups may prove more complex on councils with smaller numbers. It could be harder to fill seats and the burden on a small group of councillors could increase.

**Question 3: Do you think a minimum number of elected members per local authority should be specified in the Draft Directions?**

Yes, as explained in the answer to Question 2. The Draft Directions should recognise the governance needs of running a modern council. However, once that has happened, each council should be considered separately considering the circumstances of the individual council. Travelling times should be considered (for travelling to meetings in addition to travelling to see electors within the ward) in addition to the need to have wards that reflect natural communities.

**Question 4: Do you think that there should be a cap on the maximum number of elected members per local authority? If so, what do you think the maximum number should be and why?**

There is certainly some sense in having a cap but that should reflect the area of the individual council.

**Question 5: Do you agree that each ward within a local authority area should have roughly the same number of electors per elected member?**

No. The nature of wards is so varied, even within individual councils. As a result, it is not sensible to do so. It is quite appropriate to have a range for the purposes of the Boundary Commission but the Commission must have the freedom to make exceptions if the nature of a natural community means that it would not be sensible to link it with another area.

On a related point, it is recommended that multi-member wards should be avoided since having one member per ward is simpler for residents and councillors.

**Question 6: What effect should the particular characteristics of an area have on the number of councillors needed to represent the population?**

They should be the main considerations and they should be very influential. If councils are to reflect the characteristics of their areas, all the characteristics of the area (population, travelling distances, the nature of natural communities etc.) should influence the decision.

**Question 7: Do you agree that commonly used Welsh language names for wards do not also need an English language equivalent? If not, do you think that each ward should have an English and Welsh name?**

Agree that there is no need for a corresponding English name for wards that have familiar Welsh names.

## **COUNCIL CABINET 6/10/15**

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### **Present –**

Councillors: Dyfed Edwards (Chairman), Peredur Jenkins, John Wynn Jones, Dafydd Meurig, W. Gareth Roberts, Mair Rowlands, Dyfrig Siencyn, Gareth Thomas, Ioan Thomas, Mandy Williams-Davies.

### **Also present –**

Dilwyn Williams (Chief Executive), Iwan G D Evans (Legal Services Manager), Dafydd Edwards (Chief Finance Officer), Bethan Richardson (Cabinet Support Team Leader - Taking the minutes).

#### **1. WELCOME/APOLOGIES**

Cabinet members and officers were welcomed to the meeting.

Apologies were received from Cllr Dafydd Meurig.

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

There were no declarations of personal interest.

#### **3. URGENT ITEMS**

There were no urgent items.

#### **4. MATTERS ARISING FROM SCRUTINY COMMITTEES**

There were no matters arising from scrutiny committees.

#### **5. MINUTES OF THE PREVIOUS MEETING**

The Chairman signed the minutes of the Cabinet meeting held on 15.09.15.

#### **6. DOLGELLAU MAGISTRATES' COURT – RESPONSE TO THE COURT CONSULTATION**

The report was submitted by Cllr Ioan Thomas.

It was seconded by Cllr Dyfrig Siencyn.

#### **DECISION**

Recommend that the Council objects to the proposal within the consultation document to close the Dolgellau Magistrates' Court and Crown Court, noting also that should the Ministry of Justice keep a presence at Dolgellau it could be possible to collaborate to ensure an appropriate location for the provision of Justice Services in the Dolgellau area.

#### **7. GWYNEDD COUNCIL CABINET'S FORWARD WORK PROGRAMME**

The report was submitted by Councillor Dyfed Edwards.

**DECISION**

Approve the Forward Work Programme included with the meeting papers, adding the following:

- an item to discuss the liaison arrangements between the Cabinet and Scrutiny Committees
- an item to discuss the liaison between Council representatives on Outside Bodies and the Cabinet

The meeting commenced at 1.00pm and concluded at 1.30pm.

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**CHAIRMAN**

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## COUNCIL CABINET 3/11/15

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### **Present –**

Councillors: Dyfed Edwards (Chairman), Peredur Jenkins, John Wynn Jones, Dafydd Meurig, W. Gareth Roberts, Mair Rowlands, Gareth Thomas, Ioan Thomas, Mandy Williams-Davies.

### **Also present –**

Dilwyn Williams (Chief Executive), Iwan G D Evans (Legal Services Manager), Morwena Edwards (AME), Dafydd Edwards (Chief Finance Officer), Geraint Owen (Head of Corporate Support Department), Hawis Jones (Strategic Planning and Performance Manager), Bethan Richardson (Cabinet Support Team Leader - Taking the minutes).

### **1. WELCOME/APOLOGIES**

Cabinet members and officers were welcomed to the meeting.

Apologies were received from Cllr Dyfrig Siencyn and Iwan Trefor Jones.

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

Councillor Gareth Thomas declared a personal interest in Item 6 on the agenda because his son-in-law worked for the Council's Libraries Service. The member was of the opinion that it was a prejudicial interest, and withdrew from the Chamber during the discussion on the item.

### **3. URGENT ITEMS**

There were no urgent items.

### **4. MATTERS ARISING FROM SCRUTINY COMMITTEES**

There were no matters arising from scrutiny committees.

### **5. MINUTES OF THE PREVIOUS MEETING**

The Chairman signed the minutes of the Cabinet meeting held on 6 October 2015.

### **6. LIBRARIES SERVICE**

The report was submitted by Cllr Ioan Thomas.  
It was seconded by Cllr Dafydd Meurig.

### **DECISION**

To defer the final decision on the Gwynedd Library Service Strategy until after *Her Gwynedd*.

### **7. OVERVIEW OF GWYNEDD COUNCIL'S 2015/16 - FIELDS OF ENVIRONMENT, DEPRIVATION, ECONOMY AND COMMUNITY AND HEALTH, CARE AND WELL-BEING**

The report was submitted by Councillor Dyfed Edwards.

It was seconded by Cllr W. Gareth Roberts.

**DECISION**

To accept and note the information submitted in the report at the meeting, and thanking Council staff for maintaining performance levels.

To act on the following -

- Hold discussions with the Minister for Health and Social Services and the Deputy Minister for Health in order to highlight the recruitment concerns as noted in clause 4.3 of the report, and to seek a solution.
- Continue to seek to find ways to improve performance, focussing on finding solutions for fields where the Council does not succeed to respond to the requirements of the people of Gwynedd.

The meeting commenced at 1.00pm and concluded at 1.35pm.

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**CHAIRMAN**

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## COUNCIL CABINET 24/11/15

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### **Present –**

Councillors: Dyfed Edwards (Chairman), Peredur Jenkins, John Wynn Jones, Dafydd Meurig, W. Gareth Roberts, Mair Rowlands, Dyfrig Siencyn, Ioan Thomas, Mandy Williams-Davies.  
Councillor John Pughe Roberts - items 7 to 9.

### **Also present –**

Dilwyn Williams (Chief Executive), Morwena Edwards (Corporate Director), Iwan Trefor Jones (Corporate Director), Iwan G D Evans (Head of Legal Services), Dafydd Edwards (Chief Finance Officer), William Jones (Senior Finance Manager), Geraint Owen (Head of Corporate Support Department), Dafydd Wyn Williams (Head of Regulatory Department), Dafydd Gibbard (Senior Manager - Corporate Property), Hawis Jones (Strategic Planning and Performance Manager), Arwel Ellis Jones (Senior Manager - Democracy and Delivery), Bethan Richardson (Cabinet Support Team Leader - Taking the minutes).

### **1. WELCOME/APOLOGIES**

Cabinet members and officers were welcomed to the meeting.

Apologies were received from Councillors Gareth Thomas, W. Roy Owen and Gethin Glyn Williams.

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

Councillor Ioan Thomas declared a personal interest in Item 6 on the agenda as he was a member of the Caernarfon Harbour Trust. The member was of the opinion that it was not a prejudicial interest and he participated in the discussion on the item.

### **3. URGENT ITEMS**

There were no urgent items.

### **4. MATTERS ARISING FROM SCRUTINY COMMITTEES**

There were no matters arising from scrutiny committees.

### **5. MINUTES OF THE PREVIOUS MEETING**

The minutes that had been submitted with the meeting's papers had been corrected to note the attendance of an officer, and the Chair of the meeting signed the minutes of the Cabinet meeting held on 6 October 2015.

### **6. OFF-STREET PARKING ENFORCEMENT**

The report was submitted by Cllr Dafydd Meurig.  
It was seconded by Cllr Mandy Williams-Davies.

#### **DECISION**

Following the consultation process, to accept the changes noted in paragraph 2.4 of the report and proceed to establish a new Parking Order.

To delegate the right to the Head of Regulatory Department to make further minor amendments within the strategy which are required to complete the order, in consultation with the Cabinet Member for Regulatory matters, the Head of Legal Department and the Head of Finance Department.

To include the Council's staff car parks in the Parking Order to manage the misuse and health and safety aspects more efficiently.

### **7. CAPITAL PROGRAMME 2015/16 - SECOND QUARTER REVIEW**

The report was submitted by Cllr Peredur Jenkins.  
It was seconded by Cllr W. Gareth Roberts.

#### **DECISION**

To accept the report on the second quarter review (30 September 2015 position) of the capital programme, and approve the revised financing as shown in part 2.2 – 2.8 of the report, namely:

- an increase of £965,000 in the use of unsupported borrowing,
- an increase of £3,278,000 in the use of grants and contributions,
- an increase of £154,000 in the use of capital receipts,
- an increase of £300,000 in the use of revenue contributions,
- a decrease of £17,000 in the use of the capital reserve,
- an increase of £847,000 in the use of other reserves,
- a virement of £200,000 between the Bala Library scheme and the Berwyn catchment area schools' scheme.

### **8. REVENUE BUDGET 2015/16 – SECOND QUARTER REVIEW**

The report was submitted by Cllr Peredur Jenkins.

#### **DECISION**

To accept the report on the second quarter review of the Revenue Budget (position as at 30 September 2015) and consider the latest financial situation regarding the budgets of each department / service, asking the Cabinet Members and relevant heads of department to take appropriate steps regarding the matters under their leadership/management.

To note the various reviews noted in the report and the steps to be taken by departments to manage their budgets.

To give consideration to, and approve as appropriate, the recommendations relating to the Education, Economy and Community, and Regulatory Departments, and Corporate Budgets.

**9. FINANCIAL STRATEGY 2016/17 – 2019/20**

The report was submitted by Cllr Peredur Jenkins.  
It was seconded by Cllr John Wynn Jones.

**DECISION**

To accept the update and the summary of the 2016/17 – 2019/2020 Financial Strategy and continue with the current response plan, 'Gwynedd Challenge', for 2016/17 – 2017/18, while stating:

- a) That Gwynedd Council Cabinet opposes the cuts in its grant allocation enforced on the Council by the Westminster and Welsh Governments.
- b) That Gwynedd Council Cabinet will deliver on its statutory responsibility to agree on a balanced budget in order that it does not, ultimately, run out of money and fail to pay its employees and suppliers.

**10. GWYNEDD COUNCIL PERFORMANCE OVERVIEW 2015/16 - THE FIELDS OF CHILDREN AND YOUNG PEOPLE, SAFEGUARDING, THE WELSH LANGUAGE, AN EFFECTIVE AND EFFICIENT COUNCIL AND FINANCIAL PLANNING**

The report was submitted by Councillor Dyfed Edwards.  
It was seconded by Cllr W. Gareth Roberts.

**DECISION**

To accept and note the information submitted in the report to the meeting.

**11. 'YOUR SERVICES, YOUR CHOICES' - FIRE AUTHORITY CONSULTATION**

The report was submitted by Cllr Dyfrig Siencyn.  
It was seconded by Cllr Ioan Thomas.

**DECISION**

The Council should respond to the consultation by welcoming the proposal to limit the Fire Authority's spending over the next three years, whilst also expressing concern that no financial evidence has been presented in relation to the authority's capacity to achieve efficiency savings, and drawing attention to the impact that this could have on the Cabinet's ability to scrutinise the Consultation.

To ask for a regional scrutiny procedure to be established in order to scrutinise the value for money offered by the Fire Authority.

**12. REPORT ON THE WORK OF THE SAFEGUARDING VULNERABLE CHILDREN AND ADULTS BOARD STRATEGIC PANEL, AND THE SAFEGUARDING VULNERABLE CHILDREN AND ADULTS CORPORATE POLICY**

The report was submitted by Cllr Mair Rowlands.

It was seconded by Councillors Dyfrig Siencyn and W. Gareth Roberts.

**DECISION**

To accept the report submitted to the meeting on the work of the Strategic Safeguarding Children and Vulnerable Adults Panel (Appendix 1).

To approve the reviewed and updated Safeguarding Children and Vulnerable Adults Corporate Policy (Appendix 2).

The meeting commenced at 1.00pm and concluded at 2.50pm.

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**CHAIRMAN**

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## COMMUNITIES SCRUTINY COMMITTEE 17/9/15

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**PRESENT** - Councillor Angela Russell (Chair)  
Councillor Caerwyn Roberts (Vice-chairman)

Councillors:- Stephen Churchman, Annwen Daniels, Annwen Hughes, Eric M Jones, Dilwyn Morgan, W Tudor Owen, Mike Stevens, Gruffydd Williams and Eurig Wyn

**OFFICERS:** Arwel Ellis Jones (Senior Manager - Democracy and Delivery) and Lowri Haf Evans (Members' Support and Scrutiny Officer)

### ALSO PRESENT:

- i) In relation to item 5 on the agenda - Ffrancon Williams (Chief Executive, CCG), Llinos Iorwerth (Head of Communications, CCG), Gethin Armstrong (Customer Services Manager, CCG) and Enid Roberts (Customers and Communities Assistant Director, CCG).
- ii) In relation to item 6 on the agenda - Councillor John Wynn Jones - Cabinet Member for the Environment and Mr Peter Simpson (Street Services Manager).
- iii) In relation to item 7 on the agenda - Dafydd Wyn Williams (Head of Regulatory Department) and Cara Owen (Development Control Manager).
- iv) In relation to item 8 on the agenda - Councillor Ioan Thomas (Cabinet Member for Housing), Arwel W Owen (Senior Housing Manager), Catrin Roberts (Housing Development Strategic Officer).

### 1. APOLOGIES

Apologies were received from Councillors Annwen Davies, Louise Hughes, Linda Morgan, Robert J Wright.

### 2. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

### 3. URGENT ITEMS

None to note.

### 4. MINUTES

The minutes of the previous meeting of this committee, held on 21 May 2015, were accepted as a true record of the meeting. It was reported that discussions about the attendance of one of Plaid Cymru's representatives on the Fire Authority had been held.

### 5. CARTREFI CYMUNEDOL GWYNEDD

- (a) The Annual Report of Cartrefi Cymunedol Gwynedd (CCG) for 2014-2015 was submitted. Reference was made to the Transfer Agreement, and it was noted that it was required for them to note how they had realised the promises made to tenants in the Offer Document and implemented the obligations under the Transfer Agreement. Attention was drawn to some specific matters:

- 167 (98.8%) of the promises within the "Your Home, Your Choice" Offer Document had been successfully delivered since the end of March 2015. It was noted that CCG continued to prioritise local jobs ensuring that the expenditure was circulated locally. At the end of March 2015, 257 were employed on the Welsh Housing Quality Standard (WHQS) improvement programme across all service providers. As WHQS' work flow and improvement programme drew to a close, it was noted that Service Provider staffing levels were decreasing and as a result the number of apprentices and trainees was reducing.
- CCG had previously won the Association of Consultant Architects Innovation and Partnering award (2013), and the Outstanding Contribution award in the National Procurement Awards (2014). Following that, it had been praised for the way that local businesses and people had benefitted from the jobs and apprenticeships created. In 2015, it received an award from Wales National Procurement.
- Since CCG's inception and up to March 2015, 180 community projects had benefited from grants (a total of £975,699) through CCG's Community Investment Fund with additional investment of £5.6M secured through match funding.
- CCG's emphasis was changing. Over the past five years, the emphasis had been on ensuring that the association's stock complied with the standard, and this remained a definite commitment. By now, the business' direction was changing, and the Corporate Plan 2015/20 had been formed outlining the strategy and aspirations for the next five years. Welfare reform would affect tenants, and consideration had to be given to the provision that would be offered.
- The business continued to grow in order to ensure long-term viability - new developments in Maesgeirchen and Pwllheli together with achieving the target in the provision of affordable homes and investigating new sources of income. Although the expenditure would reduce from this year onwards, CCG would continue to invest and circulate funding within the County.
- Elements of collaboration with large companies and sub-contracting arrangements caused some concerns, but CCG continued to work through this.
- Continued to consult with tenants to include customers in everything it did.
- As a result of the change in emphasis, the relationship with the Council was changing from a monitoring perspective.

(b) During the discussion, the following observations were made:

- i. CCG was congratulated on its success in receiving a Wales National Procurement award and on its positive report. It was thanked for the success of the community fund and its willingness to improve the mixed property estates.
- ii. New developments were approved, but it was necessary to secure more units for older people as well as one-bedroom units. In response, it was noted that CCG was aware of the increase in the number of older people and of the clear statistics which evidenced the emphasis on keeping older people in their homes - the matter had already been discussed at the Housing Partnership and therefore the housing associations were collaborating to respond to the demand and to ensure that the developments were in the right locations.

- iii. The standard of kitchens, for example, was likely to decline at the same time and therefore it was foreseen that further investment would be needed in approximately 15 years. In response, it was noted that this had been considered in the business plan.
- iv. Request to strengthen the local members' and the District Council's links with local wardens in terms of sharing information. In response, it was noted that the Elected Member Protocol ensured the flow of information in one direction, with every enquiry and response being appropriately recorded. It was stated that establishing one point of contact had provided professional aspect to the procedure. In terms of contacting wardens, it was highlighted that this was not effective as the warden tended to be out in the field all day. It was also highlighted that a Members Champion had been purposefully appointed to share information. Members were reminded that the member protocol was effective and Gethin and the team were congratulated on their timely information and responses.
- v. In terms of housing sales it was noted that the average had reduced to between 5 and 7 houses being sold annually. It was noted that the Government had an intention to reduce the discount from £16,000 to £8,000 which would make the process less appealing for the tenant. The 'Right to Buy' initiative was ongoing, with an eligibility period of having lived in the property for two years prior to making an application. According to the Westminster Government, it was an aspiration, for every house sold that another should be built in its place, but it appeared as though Welsh Government had made a robust commitment to abolish the 'Right to Buy' project.
- vi. In response to a Member's request for information to share with tenants in terms of who received priority, it was noted that requests were managed by the Housing Options Team with good collaboration with the Housing Services. It was also highlighted that Information Security had to be respected, and therefore information on tenants could not be shared. The work that members did to mitigate situations was appreciated.
- vii. In response to a comment noting disappointment that CCG had appointed two non-Welsh speaking senior officers and the ill-feeling that had been created as a result, it was highlighted that it was not an easy decision. It was noted that there had been recruitment problems and that they had sought to respond to the situation. CCG's work towards the Welsh language continued, but as a business it was necessary to ensure that the right people were in the right posts and therefore this was a priority.
- viii. In response to an observation regarding improving collaboration arrangements in terms of the Empty Housing situation, it was noted that empty housing was a financial problem for CCG and therefore if local members could support CCG by promoting empty housing it would be very grateful.
- ix. In terms of land ownership, it was highlighted that CCG would contact local members.
- x. In terms of a changing relationship, it was highlighted that the members would like to see the relationship continuing between the Council and CCG as the collaboration was beneficial. An initial suggestion was made that it would be possible to hold an annual discussion at the Communities Scrutiny Committee to discuss / scrutinise the work of all housing associations that provided houses in Gwynedd.

Everyone was thanked for their contribution to the debate and representatives from Cartrefi Cymunedol Gwynedd were thanked for attending the meeting. The report was accepted.

## 6. USE OF ENFORCEMENT RIGHTS

- a) An initial brief was submitted for a Scrutiny Investigation into the use of on-street enforcement. It was highlighted that Gwynedd Council's Street Service was a comparatively small team working within a net budget of £300k. The service was responsible for raising awareness and teaching the public about ensuring a clean and safe environment, operating policies on graffiti, needles and lanterns, monitoring the performance of street hygiene and maintaining and assisting in a range of relevant campaigns. The scrutiny investigation would run for a period of six months with the intention of forming clear recommendations based on evidence to be considered by the Cabinet Member.
- b) During the discussion, the following observations were made:
- The dog fouling problem was an obvious one for the man on the street, but it must be remembered that this was not only an investigation into dog fouling - the brief must be considered in its entirety.
  - It needed to be ensured that every area in the County was focussed upon and not the busy areas only.
  - The investigation was not seeking to scrutinise the work of the department, rather to support the department's work and to seek to expand the scope of the work the department did.
  - Multipurpose bins were being trialled in Tywyn - very successful but awareness needed to be raised.
  - Clear and specific training and publicity were required
  - Confirmation of service arrangements was required – who was collecting? Who placed the bins?
  - Needed to consider chewing gum - there was potential to collaborate with schools on this.
- c) **RESOLVED** to accept the brief and nominate the following Members to serve on the investigation. Councillors Dilwyn Morgan, Mike Stevens, Tudor Owen, Annwen Hughes, Annwen Daniels and Angela Russell to serve on the investigation.

## 7. PLANNING AND THE WELSH LANGUAGE

- a) Submitted - the report of the Senior Manager - Democracy and Delivery responding to two concerns amongst Councillors and members of the public regarding the Planning and the Welsh Language procedure. The first concern was the Council's internal arrangements when dealing with linguistic impact assessments in planning committees. The second concern was a broader one regarding the status of the Welsh language in the Planning System.

It was reported that the first matter, following a discussion with officers from the Planning Service and Councillor Elwyn Edwards, had been solved with a link on the agenda referring to the relevant plans and background information.

- b) In terms of the status of the Welsh Language in the Planning Procedure (national and local level), it was highlighted that it was intended to schedule a purposeful item for the next meeting of this Committee on 17 November to discuss in full. In considering fields for the discussion, initial observations were submitted with a request for members to expand on them;
- Set the statutory context in terms of the Planning Bill etc.
  - Explain the National Planning Policy (TAN 20)
  - Explain the Current Local Planning Policy (The Unitary Development Plan and the Supplementary Planning Guidance: Planning and the Welsh Language)
  - Explain how the Service operates within the current policy context

- Provide information regarding the Joint Local Development Plan (Draft)
  - Explain how, in the context of the requirements of TAN 20, we would be required to deal with the Welsh language when deciding on planning applications after the Joint Local Development Plan would be adopted and how the Service sought to respond to this.
- c) In response to the initial observations to hold the discussion, the Planning officers highlighted;
- in the context of TAN 20, that there were new draft guidelines for linguistic and community assessments, but that there was no intention to implement them until the next election - the Planning committee therefore continued with the current policies
  - that appeal inspectors specialised in relevant planning fields and not solely in the Welsh language
  - Gwynedd Council went beyond what was required in the context of guidelines.
- ch) During the discussion, the following observations were made:
- Accepted that the link was a good and effective idea
  - Needed a definition of the 'Planning Instruction' term
  - Needed to ensure that the linguistic assessment was addressed by appropriate officers - need the inspections to be completed by officers who understood the linguistic and community situations
  - Carl Sargeant encouraged consideration for the Welsh language, therefore why was it not possible to consider the Welsh language before the election

**RESOLVED to accept that the procedures in terms of the papers of the Planning Committee had improved adequately and agree to seek a report for the next meeting of the committee as outlined, but to add the following elements to it;**

- **Linguistic assessment guidelines and who conducts them**
- **Address the role of the planning inspectorate**
- **Need a definition of the 'Planning Instruction' term**

## **8. SUBMITTING THE RECOMMENDATIONS OF THE HOMELESSNESS SCRUTINY INVESTIGATION**

- a) Submitted - the report of the Homelessness scrutiny investigation to the Cabinet Member, Ioan Thomas. Everyone was reminded by the chair of the investigation, Councillor Eric Jones, of the background of the brief and a summary of the work undertaken was provided. It was proven that the investigation had been extremely valuable, an insight into a challenging and difficult field which dealt with individuals and families across the community. It was outlined that excellent work was being undertaken, but recommendations had been identified where there was room for improvement. It was noted that this was not a criticism of the officers in the field, but rather a matter in which some adaptations could improve the provision. The members of the investigation were thanked for their commitment, and to Councillor Stephen Churchman for attending every hostel visit in order to ensure consistency of opinion and the officers were thanked for their work, especially Susan Griffith (Homelessness and Supportive Housing Manager) and Catrin Roberts (Housing Strategic Development Officer).
- b) The Cabinet Member reiterated his thanks to the members for their commitment to the investigation which had provided a valuable scrutiny role in a challenging field. It was outlined that due to the financial challenge it was difficult to accept every recommendation, but the hope was to implement most of them. The Senior Housing Manager reiterated his appreciation for the work and the valuable insight provided into the field. He highlighted that

some recommendations had already been realised or prioritised (with financial limitations to others). Each member was encouraged to visit a Hostel.

c) During the discussion, the following observations were made:

- It was important to collaborate to get the best for the Homelessness service - the service provided was essential
- Early intervention must be ensured and a focus on preventative services
- The report was congratulated and a request was made for an update in 6-9 months

**RESOLVED to accept the report, adopt the recommendations in it and that the Cabinet Member reports back within 6-9 months on what has been achieved as a result of the recommendations.**

The meeting commenced at 10.00am and concluded at 12.05pm.

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**CHAIRMAN**

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## SERVICES SCRUTINY COMMITTEE 22/9/15

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**Present:**

Morning Session

**Councillor Beth Lawton (Chair)**

Councillors: Anwen J. Davies, Alan Jones Evans, E. Selwyn Griffiths, Chris Hughes, Alwyn Gruffydd, Elin Walker Jones, Linda Ann Wyn Jones, Eryl Jones-Williams, Dewi Owen, Ann Williams, Eirwyn Williams, Hefin Williams and R H Wyn Williams.

**Officers:** Arwel Ellis Jones (Senior Manager Corporate Commissioning Service), Gareth James (Members' Manager – Support and Scrutiny) and Glynda O'Brien (Members' Support and Scrutiny Officer).

**Also in attendance:**

**For Items 4, 5, 6 and 7 below**

Councillor Gareth Thomas, Cabinet Member for Education

**Arwyn Thomas, Head of Education**

**Garem Jackson, Education Quality Improvement Officer**

**For Item 4 below**

**Gwern ap Rhisiart, Senior Manager Additional Educational Needs and Inclusion**

**Present:**

Afternoon Session:

**Councillor Beth Lawton (Chair)**

Councillors: Anwen J. Davies, E. Selwyn Griffiths, Siân Wyn Hughes, Elin Walker Jones, Eryl Jones-Williams, Dewi Owen, Ann Williams, Hefin Williams and R H Wyn Williams

**Officers:** Gareth James (Members' Manager - Support and Scrutiny) and Glynda O'Brien (Members' Support and Scrutiny Officer).

**Also in attendance:**

Councillor W. Gareth Roberts, Cabinet Member for Adults and Health

Aled Davies, Temporary Head of Adults, Health and Wellbeing Department

Caryl Elin Lewis, Customer Care and Information Unit Manager

Bethan Eluned Jones, Commissioning Officer

Emyr Edwards, Strategic Policy Manager - Resources

**Apologies:** Councillors Alan Jones Evans (p.m.), Alwyn Gruffydd (p.m.), Siân Wyn Hughes (a.m.), Linda Ann Wyn Jones (p.m.), Siôn Wyn Jones, W. Tudor Owen, Peter Read, Neil Foden (Teachers' Union) and Morwena Edwards (Corporate Director) - (a.m./p.m.).

## 1. CHAIRMAN'S ANNOUNCEMENTS

- (a) The following were welcomed to their first meeting of this Scrutiny Committee:
- Councillors Anwen Davies, Siân Wyn Hughes and R H Wyn Williams.
- (b) A speedy recovery was extended to the Chair of this Scrutiny Committee, Councillor Peter Read, and all looked forward to his return.
- (c) A reference was made to the sudden and untimely death of Councillor Robert J. Wright, Member for the Pwllheli South Ward, and the huge loss to the area. All present were asked to stand for a minute's silence as a mark of respect to his family in their sad loss.

## 2. DECLARATION OF PERSONAL INTEREST

Councillor Selwyn Griffiths declared a personal interest in Item 6 – Trac Scheme, as his daughter in law had been appointed as part of the scheme's workforce, however he would not be withdrawing from the Chamber as it was not a prejudicial interest.

## 3. MINUTES

The Chair signed the minutes of the previous meeting of this committee that took place on 4 June 2015.

## 4. TRAC SCHEME

- (a) The Cabinet Member for Education's report was submitted outlining the background of the above scheme that was led by the six local authorities to provide skills and suitable support to the County's most vulnerable pupils and young people.
- (b) It was explained that Denbighshire County Council lead on the management and monitoring of the regional business scheme and they were financed via the European Social Fund with the intention of commencing the scheme in September 2015 until August 2018 with the possibility of extension until August 2020. It was explained that the aim of the scheme would be to "adopt a method of implementation to identify vulnerable pupils early and respond to their needs by providing a suitable curriculum and support for them".
- (c) Committee Members were given an opportunity to ask questions and the Cabinet Member for Education and the officers responded as follows:
- Eight posts were part of the scheme with the Manager already appointed to commence in November. It was explained that six of the posts were operational and two had the title of Education Social Workers who would be able to work with families with children to overcome obstacles that do not meet with the Social Services needs criteria. The other four posts would focus on attendance, youth workers to inspire children and young people to gain accreditations and a sports worker who would be part of a team to target the needs of young people and support them to continue in education when they had left school.
  - That match funding was contributed from the service that was already in schools in terms of the inclusion strategy, supporting children in mainstream, welfare service and the central behaviour support service.
  - They would be targeting children from Year 7 upwards and could support pupils along their educational journey and especially during transition at 16 years old and this would assist pupils to make decisions earlier regarding their careers.

- It was confirmed that 480 pupils from Gwynedd was the number of participants who were at risk and it was explained that they had been identified via the engagement framework
- In terms of qualifications, it was emphasised that the relevant officers would work with children daily and in addition that training with a wide number of courses would be available to them for employment.
- That the number of disaffected children was lower in Gwynedd in terms of the NEET (Not in Education, Employment or Training) percentage namely approximately 7 – 8%, however, it was explained that the Trac scheme would address the needs of children once they had left Colleges and were unable to gain employment.
- In terms of training implications to school staff, it was explained that school staff were very well versed in the fields in question but were under increasing pressure and this scheme would lighten the load of schools by having an officer to work for an extended period jointly with the children. It was not anticipated that it would be necessary to train school staff and there would be no additional pressure on them.
- There was a significant percentage of disaffected children on the additional learning needs list and there was a group of children with profound behavioural difficulties and through the scheme it was possible to get to grips with the problems early on.
- That strengthening the link with the Youth Justice Service was currently under consideration and the number who are open to the above Service had reduced significantly nationally and the Department had not invested as much as in the past. It was trusted that through the Trac scheme that the number of pupils who offend could be reduced and they could continue to live and flourish locally.
- Regarding contact with local employers, it was explained that the training needs had been developed at the level of the six north Wales authorities and that a wide range of general courses had been put in place and there was no training for specialist fields. However, further consideration may be given to the training framework and it would be possible to hold discussions with more local employers regarding their requirements.
- That there was a slippage with the receipt of grant, however, it was trusted that they would move forward soon with the financial allocation.
- In terms of balancing the statutory service against the non-statutory, it may be argued that having made an investment early on that money would be saved in the long term.
- That the Area Access Panels would operate at an area level and give consideration to priorities and the type of services offered. The Panels would comprise Trac scheme workers together with school representatives.
- In terms of developing an action framework, assurance was given that they would collaborate with the Careers Wales Service.
- It was further assured that stemming from the concerns regarding the geographical tension with the allocation of funding between the six authorities, that the money would be directed in accordance with the criteria and where the need existed.

**Resolved:**

- (a) To accept and note the contents of the report on the project that was in its early days.**
- (b) To request that the Education Service submits an update on the scheme within a year of its implementation.**

## 5. CONDITIONS FOR LEADERSHIP AND ALTERNATIVE MODELS

- (a) The Cabinet Member for Education's report was presented outlining the project to improve the conditions for leadership in order to raise standards.
- (b) Reference was made to the project's aim that would look at five specific fields, namely:
- Commission a report on the leadership and management conditions within the County's schools and implement the agreed recommendations
  - Monitor and challenge every school and use all the available powers at the authority's disposal to improve leadership and management at underperforming schools.
  - Develop managers and prospective managers within services and identify future leaders
  - Develop a strong school to school system and ensure that arrangements are in place to share best practice and avoid duplication; and
  - Ensure that capital investment leads to improving leadership and management conditions.
- (c) The next steps were elaborated upon and the intention to conduct a further meeting with Independent Consultants with international experience in the field and they would welcome the opportunity to interview members of the Services Scrutiny Committee as part of their research.
- (ch) Members were given an opportunity to ask questions and the following observations were made:

- (i) Do the problems with recruitment only deal with a small section of the County and would joining with other Counties not be of benefit when sharing expertise?

In response, it was explained that the County's geographical nature was huge and challenging as the needs of different areas of the County were quite different. The intention of the Education Department was to re-establish Area Offices in order to conduct local discussions to satisfy the needs of the children. In terms of the development of individuals as leaders, especially in the smallest schools, they had to be given an opportunity to lead on strategic areas in order to show experience in different fields for the NPQH qualification.

- (ii) Was there evidence that some schools compete against each other for pupils?

In response, it was noted that if there was joint-ownership of the project to improve leadership and management then an eye should be kept to ensure that every catchment-area was dealt with fairly.

- (iii) In terms of agreeing on the attainment levels of pupils during the transition from primary to secondary it was noted that the current information on any child had to be correct from the initial step through the educational stage. It was noted further that assessment was a continuous discussion, however, for a successful transition between primary and secondary there had to be an understanding and the interpretation of the criteria had to be clear.

- (iv) In response to concern regarding the findings by parents that some schools were more Anglicised and as a result numbers were reducing in some catchment-areas, it was noted that it was a challenge to reconcile the implementation of the language policy. Again, in the same manner discussion could be conducted locally in order to ensure that children have the same type of experience and provision.

- (v) In the context of the federalisation of primary and secondary schools in the future, it was noted that this would be part of the investigation into leadership and alternative models. Although there were specific ideas within the Service it was accepted that the response of the community regarding arrangements and provision were important. In terms of organisation, infrastructure would have to be ensured in order that children get the best results. In light of the current financial climate, if leadership and school middle management were to be improved, then other methods of working such as work sharing across the catchment-area had to be considered.
- (vi) In terms of the current level of the recruitment problem, it was noted that Gwynedd had a successful record last year as nine persons had managed to gain the NPQH qualification and this represented nearly half the north Wales quota. However, a system had to be created that would be viable and would give an opportunity for prospective leaders to show the skills to be able to lead and manage. It was further noted that some schools were too small to have a Management Team that was more than just the Head alone, and therefore made it difficult for individuals to gain experiences and a system had to be created to get individuals to be future leaders. In the context of the lack of recruitment across the County, it was noted that it was getting more difficult and the culture had to change from being independent to that of collaboration.
- (viii) In response to concern regarding funding the programme for schools in the twenty first century, it was trusted that the Council could invest as much as possible in order to ensure that the buildings would offer the best for teachers and young people.
- (viii) In the context of the Schools Organisation Team, it was noted that the Team had been established for specific work with the schools in the twenty first century programme and was dependent on the capital budget and the findings of the leadership investigation. Consideration would have to be given to re-structuring within the Department to address wider issues than organisation such as the role of supporting leadership in the local area.

**Resolved:**

- (a) To accept and note the contents of the report.**
- (b) To nominate the following members of this Scrutiny Committee to meet with the Independent Consultants dealing with the project to offer observations and recommendations on issues that require getting to grips with.**

**Councillor Beth Lawton – (Vice-chair of the Services Scrutiny Committee)**  
**Councillor Selwyn Griffiths**  
**Councillor Alwyn Gruffydd**  
**Councillor Elin Walker Jones**  
**Councillor Dewi Owen**  
**Councillor Hefin Williams**

## **6. SCRUTINY INVESTIGATION – WELSH LANGUAGE EDUCATION**

- (a) The report of the Scrutiny Investigation on Welsh-medium education was submitted. This investigated into the reality and performance of Welsh language education in Gwynedd.
- (b) Councillor Alwyn Gruffydd, Chairman of the Scrutiny Investigation Group, reported that the investigation had concentrated on three catchment-areas, namely Arudwy, Bangor and Botwnnog due to the linguistic demography of the three specific areas. They looked at how the authority's Language Policy was implemented at grassroots level in individual schools

and the extent to which the provision assists in promoting the social use of Welsh by children and young people. Attention was drawn to the attached appendices which stated how they had come to a conclusion and recommendations. It was recognised that excellent work was undertaken in schools; however, there was always room for improvement to ensure the continuation of Welsh within and outside its curtilage.

- (c) In conclusion, the Investigation's Chairman took the opportunity to thank his fellow members and the officers for a comprehensive and clear report. He also thanked everyone who had been part of the Investigation by openly sharing their experiences.
- (ch) During the ensuing discussion the following points were highlighted: by individual Members:
  - (i) Concern was expressed of what was being implemented in private schools in the County with more and more pupils leaving these schools without any Welsh.

In response to the above, it was explained that the public sector had to follow the national curriculum, however the independent sector had freedom, in accordance with Section 163 of the Inspection Department, to offer a wide curriculum where Welsh did not have to be part of that curriculum. It was noted that the education authority did not have supervision over them but they could contact the Welsh Government / ESTYN to find out what are the requirements of the specific Section of the Act and if the inspectorate measured in accordance with local needs.

- (ii) Children made good progress at the Latecomers Centres however, frustration was expressed that the taxi drivers of pupils to and from these centres were not Welsh speakers. It was suggested that a request should be made to the companies who win the transport contracts that it is essential for the drivers to be able to speak Welsh.

In response, it was confirmed that the Education Service would investigate the above.

- (d) It was noted for information to Members that an application had been received from the Welsh Government for the authority to share the Language Charter across Wales.
- (dd) The Cabinet Member for Education thanked the Scrutiny Investigation for the thorough work undertaken by them and all the recommendations were welcomed and accepted.

**Resolved:**

- (a) To accept the contents of the report and approve the recommendations submitted to the Cabinet Member for Education and to request that he submits a progress report on the actions within six months.**
- (b) To request that the Lead Officer of the Scrutiny Investigation shares the findings of the Scrutiny Investigation with the County's schools and language centres.**
- (c) To convey to the Welsh Government / ESTYN the concern of this Scrutiny Committee regarding the school curriculum in the independent sector and the use of the Welsh language as outlined in (i) above.**

## **7. EDUCATIONAL SUPPORT SERVICES SCRUTINY INVESTIGATION – DRAFT BRIEF**

- (a) A draft brief was submitted to undertake a scrutiny investigation into the Educational Support Services and the Senior Corporate Commissioning Service Manager outlined the contents of the brief.
- (b) The brief was welcomed by Members and in response to a query regarding the timetable it was noted that it was expected that the investigation would be achieved in approximately six to nine months.

### **Resolved:**

- (a) **To accept and approve the draft brief**
- (b) **To nominate the following Members to serve on the Education Support Services Scrutiny Investigation:**

**Councillor Beth Lawton (Vice-chair of the Services Scrutiny Committee)**  
**Councillor Selwyn Griffiths**  
**Councillor Alwyn Gruffydd**  
**Councillor Eirwyn Williams**  
**Councillor R H Wyn Williams**  
**Member to be nominated from the Arfon area (with Councillor Hefin Williams in reserve if needed)**

The morning session commenced at 10.00am and concluded at 12.00

## **8. SOCIAL SERVICES ANNUAL COMPLAINTS REPORT 2014-15**

- (a) The annual report was submitted by the Cabinet Member for Social Services, Adults and Health, giving an overview of the statistics and the main issues that had stemmed from complaints during the 2014-2015 together with a response to questions asked by the Members of this Scrutiny Committee at its preparatory meeting on 28 July.
- (b) Members were reminded that the complaints procedure was statutory and outside the Council's corporate complaints procedure.
- (c) Members were afforded an opportunity to ask questions and the Cabinet Member and the officers responded appropriately as follows:
  - (i) That the statutory Social Services complaints procedure was separate to the corporate complaints procedure and dealt directly with the care of individuals, however, complaints were received outside the statutory procedure and in these cases they would be dealt with under the corporate complaints system. It was explained that there were two steps to the Social Services complaints procedure, namely step 1 - local response and step 2 appointing the services of an independent investigator to investigate the complaint.
  - (ii) In response to a concern highlighted regarding a failure to provide specialist equipment such as purpose-built beds for patients requiring care at home and specifically in terraced housing in the Blaenau Ffestiniog area, it was noted that the Service was aware of the issue and it was the subject of a discussion with the Health Board.
  - (iii) The officers noted the comments that it was necessary to interpret the responsibilities of the Health Board and Social Services because of the lack of clarity amongst the County's residents and it would be further considered how this issue can be addressed.

- (iv) Regarding patients being sent to Community Hospitals rather than to residential care homes, it was explained that the solution to this matter was difficult due to the need to try and give the correct support to families.
  - (v) A concern highlighted regarding a taxi travelling from the north of the County to the south to transport a patient to a local hospital and the matter would receive attention jointly with the Health Board if the Member submitted additional information to the Head of the Adults, Health and Well-being Department.
  - (vi) That a special complaints form for children and young people was ready and would be launched soon and it was further noted that there was a separate sheet for adults that was already being used.
  - (vii) In response to a comment that the number of enquiries was higher than the complaints and vulnerable people were perhaps less likely to complain, it was noted that although every enquiry / comment were noted as a complaint, it was ensured that the Service would try to resolve the enquiries.
  - (viii) In terms of the comment made that clear communication should be ensured with users regarding arrangements to pay for care, from the complaints submitted it was seen that discussions had been undertaken but no written evidence had been recorded. Assurance was given that a piece of work was proceeding in this context to find a solution to this matter.
- (ch) During the ensuing discussion the following general comments were highlighted:
- (a) The Cabinet Member for Social Services, Adults and Health noted that arrangements on the new way of working at Ysbyty Alltwen were vitally important to try and abolish the split between the responsibility of the Health Board and Social Services. It was further noted that patients who had received a service via the new procedure at Ysbyty Alltwen had expressed satisfaction with the service.
  - (b) That the report was fairly positive and obviously via discussions the Service offered solutions for users. However, it was further noted that the Team that operates is part of the proposals system for cuts and if the resources were halved this may have an impact on the service offered.
  - (c) The opportunity was taken to thank the Service for their work.

**Resolved: To accept, note and thank the officer for the report.**

## **9. END TO END - ADULTS**

- (a) The Cabinet Member for Social Services, Adults and Health presented a draft report on the End to End review of older people's services.
- (b) A presentation was received from the Head of Adults, Health and Wellbeing Services in a slide format and he noted that the direction set for the review was not new with much of it based on existing arrangements and the Council's resolutions over the last few years. Attention was drawn to the vision, nature of the vision and a series of service principles. It was further noted that specific requirements had been set under the Social Services and Well-being Act (2014) and attention had to be drawn that the percentage of the older population was increasing. In the future the budget would be significantly less than in the past and it would be necessary to keep an eye on the impact of this.
- (c) He referred to the review's methodology and noted the following fundamental steps:
  1. Good Practice – to learn lessons from others on pioneering methods of operation accepting there is no one best method in every case or field. There are several methods that may work and it will be necessary to be wise and choose what would be appropriate and best for Gwynedd.
  2. Comparison – mainly with the 'family' of comparative authorities to measure progress / Gwynedd's performance.

3. Look at the progress not only with hard data but also in terms of gathering information and response at a local level.

Regarding well-being and managing the demand, it was noted:

1. That well-being was a responsibility across the Council, not a matter for Care Services / Social Services only and well-being needed to be considered before profound problems occurred.
2. The need to use intervention and prevention as early steps on their own but these could also make an important contribution towards managing the demand for formal care services.
3. There was no one general ideal answer to shape frontline services. Also integrated methods could be included such as Ffordd Gwynedd work at Ysbyty Alltwen and the third sector contribution.
4. That the relationship with communities received specific attention in the Council's Strategic Plan. Resources will have to be directed to achieve this and it had to be accepted that neither Gwynedd nor any other local authority would succeed without strengthening this element of the Service.
5. That restructuring the Department was key to the provision of services in a new way and to meet with the expectations of the Act and those of service users.

In the context of the development of social work practice, it was explained

1. That it was inevitable that social work practice would change in order to respond to the requirements of the Act and the need to transform services
2. Evidence indicated that culture and standard of the work practice were key to find appropriate and better methods to meet the needs of individuals.
3. It was necessary to try and support individuals to live at home with appropriate support and over time in order the dependency on residential care could be reduced.
4. That offering and promoting direct payments placed the focus on the outcomes to the individual were two important aspects when developing social work practice.
5. That the Care Workforce Development Team had a key role to develop the Council's ability to achieve the changes.

In order to achieve the aims and requirements of the Act, it was noted that it was required to strengthen the support to live at home and focus on the following specific aspects:

1. Dementia and vulnerability
2. Day Care in Gwynedd
3. Role of the third sector, especially in terms of providing support in the home and in the community
4. Home Care – it was recognised that it was necessary to look at the correct balance in terms of internal / external provision in Gwynedd as approximately 50% / 50% currently had an internal and external provision and this was a cause of concern in terms of recruitment in Meirionnydd.

Regarding accommodation provision, it was noted that an alternative option had to be ensured for older people such as extra care housing. It was noted that clarity regarding the role of local hospitals was important in terms of planning for nursing and residential care in the future and as a context to prioritise options over the next few years. The priorities will have to reflect the requirements that will be highlighted as a result of the needs assessments.

Integration with NHS services may achieve positive results, however, this may vary from area to area. It was noted that the Intermediate Care Fund programme leads us towards better commissioning and facilitating movement in the correct direction.

To conclude, it was noted that the methodology was dynamic with decision to be made over the next 18 months, some of these were strategic and operational decisions that would shape the future and would entail huge and inevitable changes.

- (ch) Members were given an opportunity to express their comments and the following points were highlighted:
- (i) It had to be ensured that the third sector operated across the whole of Gwynedd
  - (ii) There was praise in the Bangor area for the additional care housing provision
  - (iii) The importance of including respite care provision within the strategy to support carers
  - (iv) The importance of forging a relationship with other partners e.g. Môn / Menai the north of the County and Ceredigion / Powys for the south.
  - (v) The good practice undertaken in Dolgellau Hospital was mentioned.
  - (vi) The importance that elected members supported the Social Services Department and that early intervention and preventative work was vitally important.
  - (vii) Would the arrangements of implementing the pool budget be suitable and work for the changes in this field?
  - (viii) Why cannot the Council operate dual registration in order that community nurses can give them a service in residential care homes?
  - (ix) That home care worked successfully if the facilities were available, however it was known that individuals had to move from their home area to get residential care provision and this caused difficulties for families to visit and to travel etc.
  - (x) Concern regarding the lack of recruitment of carers in competition with the better wages offered by supermarkets.
  - (xi) Can lessons be learnt from other authorities that perform better within the family, and was it possible to make more use of private residential homes?
- (d) The officers responded to the above observations as follows:
- Perhaps it would be possible to give consideration to experiment with the implementation of the pool fund in certain pockets of the County, but certainly this would have to be considered step by step.
  - In terms of comparing performance with other authorities, it was assured that this had been considered and incorporated in the report's recommendation.
  - That the scenario regarding the living wage might possibly close the gap in the future in terms of residential and private care.
  - Although respite care had not received specific attention within the report, it was recognised that there was room to make use of respite care by considering other methods to reduce the dependency on respite care.

**Resolved: To accept the contents of the draft report and to request that the Cabinet Member for Social Services: Adults and Health and the Head of Social Services give consideration to the relevant comments outlined by members in (i) – (x) above as part of the final report.**

## 10. THE CARE CHALLENGE PROJECT

- (a) A report on the Care Challenge project was submitted. This project was one of the projects of the Council's Strategic Plan and was crucial to transform social services in response to the Social Services and Well-being (Wales) Act and the challenging financial agenda that they were facing.
- (b) The Cabinet Member for Social Services: Adults and Health explained that it was proposed to conduct Focus Groups with Members on 29 September between 2.00 – 4.00 pm at Porthmadog and work was on-going to engage with users, key partners and communities.

- (c) Observations by Members were requested on the project brief and an appeal was made for them to take part in the Focus Group on 29 September.
- (ch) During the ensuing discussion the following points were highlighted: by individual Members:
- (i) Concern that private care homes were closing due to the inability to recruit staff
  - (ii) A Member noted that specialist nurses were available and wanted to work and consideration should be given to the method of recruitment by offering additional financial incentives to work night shifts, travelling costs etc., and therefore it would not be necessary to recruit nurses from overseas. This would also ensure the use of the Welsh language which was so important to the older generation.
  - (iii) Administrative work had increased compared with the past when nurses could focus on caring for patients, however by today they were expected to undertake a great deal of administrative work as well as nursing.
  - (iv) Disappointment that only one session was offered to the Focus Group.
- (d) The Cabinet Member for Social Services: Adults and Health and the officer responded to the above and noted:
- It was recognised that it was difficult to recruit but an assurance was given that the work was being commissioned by the Local Services Board together with further work with Bangor University in terms of having the provision of a School of Medicine.
  - That it was proposed to conduct more sessions with the Focus Group, however it was difficult to find a suitable date for all.
  - It was confirmed that the e-mail will be sent once more to Members to remind them of the date of the first session of the Focus Group on 29 September, where ideas would be discussed.

**Resolved: To accept and note the contents of the report.**

The afternoon session commenced at 1.00pm and concluded at 3.00pm

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**CHAIRMAN**

**ANNUAL MEETING OF THE GWYNEDD PENSION FUND  
BETWEEN MEMBERS OF GWYNEDD COUNCIL'S PENSIONS  
COMMITTEE AND REPRESENTATIVES OF THE EMPLOYERS  
AND UNIONS  
8/9/15**

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**Present:**

**Members of the Pensions Committee**

Councillors W. Tudor Owen, Stephen Churchman, Trevor Edwards, Peredur Jenkins, John P. Roberts, (Gwynedd Council), Councillor Margaret Lyon (Conwy Borough County Council) and Councillor H. Eifion Jones (Isle of Anglesey County Council)

**Employers' Representatives**

Geraint Owen (Head of Corporate Support), Eleanor Jones (Salaries Supervisor), Einir Griffith (Senior Salaries Officer), Huw Trainor (North Wales Police / Pension Board), Huw Jones (Conwy), Osian Richards (Pension Board), Lynn Patterson (Cynnal), Marc Jones (Cartrefi Cymunedol Gwynedd), Tony Deakin (Cartrefi Conwy / Pension Board), Alison Evans (Llandrillo Menai Group), Nia Jones (Cwmni'r Fran Wen)

**Members of Staff who Serve the Fund**

Dafydd Edwards (Head of Finance), Caroline Roberts (Investment Manager), Gareth Jones (Pensions Manager), Nicholas Hopkins (Deputy Pensions Manager), Delyth Jones Thomas (Pensions and Treasury Management Accountant), Marina Parry Owen (Investments and Pensions Officer), Gwennan Williams (Pensions Officer), Meirion Jones (Communication Officer (Pensions)), Susan Edwards (Communication Officer (Pensions)), Richard Owen (Senior Pensions Officer), Gruff Thomas (Pensions Unit Systems Officer), and Lowri Haf Evans (Members' Support and Scrutiny Officer) (Gwynedd Council);

Apologies - Councillors Glyn Thomas, Gethin Glyn Williams (Gwynedd Council), Jo Worrall (Snowdonia National Park Authority), Wendy Jones (Conwy Voluntary Community Support), Katherine Owen, Caernarfon Town Council Clerk, Sharon Warnes (Pension Board Chair), Victoria Hallaron (Cartrefi Cymunedol Gwynedd / Pension Board), and Colwyn Bay Town Council.

**1. ELECTION OF CHAIR**

**RESOLVED to elect Councillor W. Tudor Owen as chairman of the meeting.**

**2. ELECTION OF VICE-CHAIR**

**RESOLVED to elect Councillor Stephen Churchman as vice-chairman of the meeting.**

**3. DECLARATION OF PERSONAL INTEREST**

No declarations of personal interest were received from any member present.

#### 4. URGENT ITEMS

None to note

#### 5. THE PENSION FUND

The Annual Report of the Pension Scheme for 2014/15 was submitted by the Head of Finance, who drew attention to an information sheet on the Pension Fund which summarised the Fund's background and the main facts.

Particular attention was given to the main matters of the report, namely:

- **Investment Performance**

In 2014/15, an increase in the value of the Fund's assets had been successfully secured from £1.3bn (31/03/2014) to almost £1.5bn (31/03/2015) - an increase of £187m during the year. Following an improved performance than the 2013/14 market, 2014/15 had been a mixed year for companies who invested on behalf of the Pension Fund. In terms of the expectations of investment (5.9% returns per year), this year's extremely encouraging returns of 12.2% for the Fund reflected the great performance of the stock market in general.

In 2014/15, the markets had produced a better performance than the previous year in general. Equity had been performing well and property had performed exceptionally well, although our fund had suffered relatively as a result of failing to achieve the unexpectedly high returns on this year's bonds. Reference was made to the outstanding performance of the Fidelity company, who invested in equity on behalf of the fund, and also the very good performance of UBS and Threadneedle when investing in property. Several companies had reached their benchmarks, while improved returns were expected in the medium-term from Veritas and Partners, who had niche markets.

- **Triennial actuarial valuation 31 March 2016 -**

The high price of bonds, with a low level of returns on bonds, would have a negative impact on the discount rate, and would inflate the estimated value of our pension commitments. Thus, despite a very significant increase in the value of our assets on the stock market, that would be counter-balanced by a significant increase in commitments. Employers would be aware of the increase in commitments, which had been calculated in accordance with the international accounting standard (FRS17, IAS19, etc). A "snapshot" of that was given in its context.

- At the Triennial Actuarial Valuation 2013, the funding level of the Scheme had been 85%, ahead of the 79% average across the whole of the LGPS in England and Wales, where funds used a variety of actuarial assumptions and methodologies.
- This would place Gwynedd comfortably for both deficit and recovery period across all LGPS, but pension funds' own published results were not on a like-for-like basis. Following on from the release of the valuation results, the Gwynedd Fund's actuary, Hymans Robertson, had conducted an in-depth review and had rebased these results on a single set of assumptions. When the true relative picture had been revealed, Gwynedd's funding position had been amongst the top ten English and Welsh funds overall.
- Gwynedd's implied deficit recovery period, on a common funding basis, was eight years, the shortest of all Welsh funds, and the seventh shortest of all 88 LGPS

funds. Other Welsh funds' implied deficit recovery periods ranged from 11 to 44 years, hence our Fund had a lower risk funding strategy and a relatively credible funding plan.

- Earlier on this year, SAC and PWC had reported to Welsh Government on the situation of Wales' funds, and it had been noted on a like-for-like basis that Gwynedd's Fund had been notionally funded 99%, compared with a range of between 71% and 97% for the 7 other funds.
- While the position of individual employers within our Fund would differ, generally, the Fund's strength should allow us to take a flexible approach to contribution rates after the next valuation (2016). Clearly, minimising any increase in pension contribution rates by 2017,18 would be important, especially given the ongoing squeeze on public spending.
- The primary objective was to ensure that employers would have affordable, fair and sustainable contribution strategies which reflected their own individual circumstances.

- **Pensions Administration**

The administrative unit had continued their effective performance as measured against their targets, and a significant amount of work had been undertaken to implement new systems to ensure as smooth an implementation as possible, in the context of a significant increase in requests for pension estimates due to several employers' savings plans. It was highlighted that the number of pensioners was still rising, from 7,584 to 7,940 in 2014/15.

- **Recent Developments**

For the Pension Fund, it was reported that several amendments and consultations were in the pipeline. The collaboration project which had been developed by the eight Welsh funds had identified that better efficiency could be achieved by collaborating to invest through one framework or a common investment tool. A further investigation into this would be held during 2015/16. It was reported that Welsh Government, encouraged by trade unions on its Partnership Council, was considering encouraging the merging of Welsh funds. By now, they had received the SAC and PWC report in May, which supported the establishment of a joint investment tool, rather than merging. The Government was expecting cost savings as investment pool funds, and if the voluntary proposals did not go far enough, the Government would enforce their blueprinting. The Pensions Committee would discuss these matters.

- **Pensions Board**

Gwynedd's Fund had always believed that good governance was essential to achieving a successful management plan and was supportive of the national focus on LGPS governance. Gwynedd's Pensions Committee had comprehensively governed our Fund for several years, with elected members of other large employers voting side by side with Gwynedd Council members. However, it was reported that a Pensions Board had been established this year to scrutinise the fund's governance methods.

The members of the Pensions Committee were thanked for their positive and conscientious contributions over the last year. Councillor Peter Read, former chair of the Pensions Committee who had stood down due to suffering from an injury, was wished a speedy recovery. Gareth Jones was also thanked, who was attending his last meeting in the role of

the Manager of the Administrative Unit prior to retiring in December, following years of loyal service to the Fund. Employers were also thanked for their support.

The Chairman thanked the Head of Finance and his staff for a clear and comprehensive report.

In response to a question, what risk was there for the fund's employers should one employer fail to pay debts in future, it was noted that the fund looked at the existence of a guarantor or that tax bodies raised funds from taxing. If an employer stood alone and went bankrupt without a resource to support him, then the debts would be shared equally across the fund. As a result, and to avoid risk, it was emphasised that access checks to the fund were essential.

In response to a question regarding forming one fund and as a result, potentially losing out on our own successes, it was noted that Welsh Government's emphasis on merging had been put to one side, and that there was now a focus on a joint 'investment tool'.

**RESOLVED TO ACCEPT THE ANNUAL REPORT OF THE PENSION FUND FOR 2014/15.**

The meeting commenced at 2.00pm and concluded at 2.50pm.

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**CHAIRMAN**

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## PENSIONS COMMITTEE 8/9/15

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**Present:** Councillors: Stephen Churchman, Trevor Edwards, Hywel E. Jones (Isle of Anglesey County Council Representative), Margaret Lyon (Conwy Borough County Council Representative), W. Tudor Owen a John P. Roberts

**Officers:-** Dafydd Edwards (Head of Finance Department), Caroline Roberts (Investment Manager) and Lowri Haf Evans (Member Support and Scrutiny Officer).

### 1. APOLOGIES

Apologies were received from Councillors Peredur Jenkins, Glyn Thomas and Gethin Glyn Williams.

### 2. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

### 3. URGENT ITEMS

- (a) A note was received from Councillor Peter Read expressing his thanks to the members of the Pensions Committee, and the relevant officers, for their kindness and humour over the years he had been a member of the Pensions Committee. In response, Councillor Peter Read, former Chair of the Pensions Committee was wished a speedy recovery as he had stood down due to suffering from an injury. It was resolved to send him a card thanking him for his service.

(b) **CONFERENCE ATTENDANCE AT THE LOCAL AUTHORITY PENSION FUND FORUM (LAPFF) ON 2 - 4 DECEMBER 2015**

A request was made by the Investment Manager asking the Committee to nominate a representative to attend the conference in Bournemouth. It was proposed that the Chairman of the Committee, Councillor W. Tudor Owen would attend. He accepted the request.

**RESOLVED THAT THE CHAIRMAN OF THE PENSIONS COMMITTEE WOULD ATTEND THE LAPFF CONFERENCE 2 - 4 December 2015.**

### 4. MINUTES

The Chairman signed the minutes of the previous meeting of this committee, held on 16 June 2015, as a true record.

### 5. WELSH LOCAL GOVERNMENT PENSION FUNDS – WORKING TOGETHER

- (a) Submitted - the report of the Investment Manager updating Members on the Welsh Pensions Collaboration Project together with a report formed by Mercer business consultants who had been investigating the possibility of advantages / the value of merging the assets of the eight Welsh funds.

In response to a request from the Government, it was necessary to ensure that funds co-invest in order to significantly reduce costs, while maintaining general investment performance. The Government would invite local authorities to submit their own proposals

to meet the general criteria of achieving savings. A further consultation would be published later on this year which would set the criteria in detail as well as legislation to ensure that the administrative authorities who had not submitted ambitious enough plans must accumulate. The work that had been undertaken by Welsh funds had showed that joint investment was the way forward and that a further development of the collaboration on business cases displayed the commitment expected by the Government.

The next step would be to establish a joint-contribution framework for Welsh Funds with the aim of reducing fees and initially concentrating on equity investments.

- (b) The recommendations were proposed and seconded
- (c) During the discussion, the following observations were noted
- If investment decisions were made jointly, the Pensions Committee would lose some control as a result.
  - Agree on the element that fees needed to be saved, but it must be considered what the implications of this would be for Gwynedd's Fund (which was currently amongst the best in the country).
  - The best for Gwynedd needed to be considered, but also the best for the members of the fund and that we were not pushed by the Government to make decisions that could place the fund at risk.
  - The value of a reduction in fees would be less significant than the change in the level of investment value returns if we accepted smaller returns?
  - One element of collaboration should be focused upon first e.g., passive investments
  - In terms of the leftover investment control elements, it was necessary to assess the situation further.
- (ch) In response to the above observations, the Head of Finance noted that there would be an option to join a wider framework in November on the passive investments element. In terms of the remaining investment control, we had a duty to continue to look in more detail on the business case.
- (d) It was agreed to support further work and accept the recommendations, adding that it was necessary for the business case to identify governance matters in suggested frameworks including the investment company selection procedure.

**RESOLVED to support further work, specifically to:**

- 1. Research opportunities to reduce fees for passive investments**
- 2. Jointly assess the detailed business case for suggested pooling frameworks.**
- 3. Ensure that the business case identifies governance matters in suggested frameworks.**

## **6. TREASURY MANAGEMENT 2014/2015**

- (a) A report was submitted by the Investment Manager detailing how the Pension Fund's cash was invested along with the Council's money in 2014/15. The report responded to the requirements of the Welsh Government's Statutory Guidance.
- (b) The report outlined how money was managed to maximise the benefits. Additionally, an update was provided on the situation of recovering the investments made by the Heritable

Bank. It was reported that 98% of the investments had now been recovered, and that there was more to follow.

- (c) The recommendation to accept the report was proposed and seconded.

**THE REPORT OF THE INVESTMENT MANAGER WAS RECEIVED FOR INFORMATION**

**7. 'KNOW YOUR ONIONS' - LOCAL GOVERNMENT PENSION SCHEME TRUSTEES' CONFERENCE**

- (a) Submitted - the report of the Head of Finance notifying Members of the content and value of the Local Government Pension Scheme Trustees' conference, which had been held in June 2015. Specific attention was drawn to the complexities of reconciling the pension scheme's commitments (GMP) with HMRC records, which would be an enormous task for the Pension Fund's administrative staff. This needed to be completed by April 2018. It was added that internal discussions were being held to seek a solution for the situation.

**ACCEPTED, FOR INFORMATION, THE REPORT OF THE HEAD OF THE FINANCE DEPARTMENT**

The meeting commenced at 3pm and concluded at 3.30pm

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**CHAIRMAN**

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## PENSIONS COMMITTEE 10/11/15

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**Present:** Councillors: Stephen Churchman, Trevor Edwards, Seimon Glyn, Margaret Lyon (Conwy County Borough Council Representative), W. Tudor Owen (Chair), Peredur Jenkins and Glyn Thomas

Officers: Dafydd Edwards (Head of Finance Department), Caroline Roberts (Investment Manager), Gareth Jones (Pensions Manager) Nicholas Hopkins (Deputy Manager - Pensions) and Lowri Haf Evans (Member Support and Scrutiny Officer).

### 1. APOLOGIES

Apologies were received from Councillors H. Eifion Jones (Isle of Anglesey County Council Representative) and John P. Roberts

### 2. DECLARATION OF PERSONAL INTEREST

Declarations of personal interest were received from the Investment Manager and the Deputy Investment Manager for item 11. The officers left the room during the discussion.

### 3. URGENT ITEMS

The Members were reminded of the discussion that had been held at the September 2015 meeting on the Welsh Pensions Collaboration Project together with a report formed by *Mercer* business consultants who had been investigating the possibility of merging the assets of the eight Welsh funds. It was explained that only unofficial statements had been published up to now, but it appeared that a response to the consultation may be necessary before the next meeting of the Pensions Committee (26.01.16). In order to secure a response from Gwynedd on the benefits, it was suggested for the Head of Finance Department and the Investment Manager to review the benefits, while consulting with the Chair of the Pensions Committee.

### RESOLVED TO ACCEPT THE RECOMMENDATION

### 4. MINUTES

The Chairman signed the minutes of the previous meeting of this committee, held on 8 September 2015, as a true record.

### 5. STATEMENT OF INVESTMENT PRINCIPLES

Submitted - the report of the Investment Manager highlighting the need to review the Pension Fund's Statement of Investment Principles (SIP) together with agreeing on a full consultation process with interested parties by March 2016. Members were reminded of the decision that had been made at the Pensions Committee 23.03.2012 to increase some of the limits to the maximum amounts as permitted under the regulations as follows:

- Increase the sum that could be invested in any single insurance contract to 35%.
- Increase the limit for all contributions to any single partnership to 5%.
- Increase the total of all contributions to partnerships to 15%.

and that these decisions would be reviewed within three years.

As the three year period was nearing its end, the need to review the decisions that had been made was highlighted, as well as considering whether they remained suitable for the Pension Fund. When deciding on the progress it would be necessary to comply with appropriate requirements and as a response to that, advice was sought from Paul Potter, the Fund's advisor.

It was noted that an initial review of the Statement of Investment Principles would be produced by the officers, with a draft to be circulated to interested parties during November and December 2015. The intention was to submit a final version, following the consultation, to the Pensions Committee in March 2016 for discussion and approval.

**RESOLVED TO APPROVE THE REPORT AND SUPPORT THE LIMITS (35% / 5% / 15%) IN LINE WITH THE RECOMMENDATIONS, TOGETHER WITH THE CONSULTATION ARRANGEMENTS**

## **6. TREASURY MANAGEMENT 2014/15**

The Head of Finance submitted the report's background for information, and it was explained that it was mandatory under the CIPFA Code of Conduct to report on the results of the Council's actual Treasury Management on behalf of the Pension Fund in the last financial year against the expectations. A summary of where the pooled money had been invested during the year 2014-2015 was highlighted, and in line with amended Welsh Assembly Government guidance on Investments, the security and liquidity aspects had been prioritised rather than yields. It was also explained that interest rates had been very low, but that there was no recommendation to consider changing the decision to pool the fund's money with the Council's general cashflow.

In response to a question regarding who provided an overview of CIPFA principles, it was noted that Wales Audit Office checked this and the importance of prioritising security over yields was reiterated.

**RESOLVED TO ACCEPT THE REPORT FOR INFORMATION**

## **7. TREASURY MANAGEMENT 2015/16 – MID YEAR REVIEW**

The Head of Finance Department provided the introduction and background of the report for information, explaining that it was required under the CIPFA Code of Conduct for councils to report on the performance of the treasury management function at least twice a year. The report highlighted the treasury's activities together with the risk monitor and associated risk control.

In the context of Heritable Bank investments, it was noted that the authority had now reclaimed 98% of Heritable Bank investments with the probability of further distributions.

**RESOLVED TO ACCEPT THE REPORT FOR INFORMATION**

## **8. KNOWLEDGE AND SKILLS**

The Investment Manager submitted a report notifying Members of training arrangements. Members were reminded that the Pension Fund had adopted a Skills and Information statement to ensure that all staff and members who were responsible for financial administration and for making decisions in relation to the pension scheme, had all the information and skills to undertake the responsibilities and duties allocated to them.

As a result, the establishment would provide appropriate training for those individuals so that they maintained a suitable level of expertise, information and skills.

It was highlighted that the Council would undertake a training needs assessment. The intention was to present members of the Pensions Committee and the Pension Board with a self-assessment questionnaire for them to note their training needs. The results of the questionnaire would highlight the training needs and the information they would require. The information would secure appropriate training for individuals through current meetings, specific sessions or external courses. The intention was to distribute the questionnaire after Christmas and members were encouraged to co-operate.

**RESOLVED TO ACCEPT THE INFORMATION AND COMPLY WITH THE REQUIREMENTS OF THE INFORMATION AND SKILLS POLICY**

**9. PROPOSAL TO IMPLEMENT AN INTEGRAL DOCUMENT IMAGING SYSTEM WITH ALTAIR**

The Pensions Manager submitted a proposal for the Committee's approval to fund the purchase of an integrated document management system to store documents and to respond to the retrieval requirements of a modern pension administration office. The original solution had been the use of the corporate EDRMS management system, but it had been highlighted that EDRMS would not accomplish the full requirements of the Pensions Unit as projected. In order to adapt and work efficiently to the individual records retrieval requirements for each current and former member of the pension scheme, it was proposed to move towards the use of Heywood's 'Altair Image' system, which was a completely integrated system with an associated workflow system.

In line with the membership of the entire fund (which was more than 38,000 at present), the following costs were proposed to implement and run this specialist software. Costs for initial licence - £58,525 together with an implementation and consultancy fee of £20,560. Total of £79,085. It was noted that the amount was significant, but the need for an investment in a system was recommended so that the Pensions Unit could progress and work in a more effective manner.

In response to a question, it was noted that the funding would be released from the administrative costs of the Pension Fund. It was difficult to cost efficiency savings, but a saving of half a post was projected. It was also noted that it would be necessary to become familiar with the system prior to seeing yields and therefore it was recommended to re-assess the situation in two years' time.

In response to a question regarding whether the Pensions Unit could cope without the software or not, it was noted that the service would exacerbate without it.

**RESOLVED TO APPROVE THE PROPOSAL TO FUND THE PURCHASE OF 'ALTAIR IMAGE' SOFTWARE AND THE ANNUAL LICENSING FEES.**

The Chair took the opportunity to thank Mr Gareth Jones, Pensions Manager, on behalf of the Committee for his service to the Pensions Unit, and expressed well wishes to him on his retirement following 42 years of service to the Council. The Head of Finance Department added that Mr Gareth Jones had been a very reliable manager and a key member of the Department and the Pension Fund.

**10. ADMINISTRATION AUTHORITY DISCRETIONS**

The Pensions Manager submitted a report requesting to review and update policies in the context of the Local Government Pension Scheme Regulations 2014. The information was highlighted, which listed the discretions available under the main Pension Scheme regulations together with a list of the discretions available under the transitional and savings provisions. It was also highlighted that the information formalised the procedure.

**RESOLVED TO AGREE ON THE ADMINISTERING AUTHORITY'S POLICIES IN LINE WITH THE RECOMMENDATION**

**11. ADMINISTRATION UNIT STAFFING FROM JANUARY 2016**

*(Mr Gareth Jones and Mr Nicholas Hopkins left the room)*

Submitted - the report of the Head of Finance Department to approve funding for resourcing a team to reconcile the Guaranteed Minimum Pensions (GMP) and to accept a new administration unit structure - projected cost of £53,573 in the first 12 months. At the June 2015 Pensions Committee meeting, it had been reported that there was a need for Gwynedd's Pension Fund to reconcile the GMP of individual members against that held by HMRC. At that meeting, it had been agreed to fund £8,300 per annum for appropriate software so as to start on preliminary work of comparing HMRC's figures with the fund's data. In response to a request by the Local Government Pensions Committee, the estimated cost of the exercise would be £200,000 based on basic research work undertaken by other funds which had already commenced the exercise, and the number of records that needed to be reconciled by Gwynedd.

In response to these challenging requirements of reconciling the GMP and the 2016 valuation, a request was made to the Pensions Manager (who would retire in December), to return for two days per week to establish and supervise a team to undertake the reconciliation work and to share his experience and expertise with his successor. In addition, the need for two other staff members to join the team was noted. It was reported that the task would take at least two years to complete, with the 'Supervisor' role ending 12 months after establishing the procedures.

It was highlighted that the timetable was tight and that there was an open opportunity here for external consultants to take advantage of the situation as inadequate resources were in place within authorities to complete the work. It was noted that the Pensions Manager was willing to continue for a year and it was added that this was a great opportunity to take advantage of individuals' experience rather than paying more for a consultative company to undertake the work.

In response to the report, it was noted that the internal resources should be taken advantage of, and that using expensive external consultants should be avoided. The recommendation was accepted as a good option and it was noted that the situation should be reviewed in six months' time.

**RESOLVED TO APPROVE THE EXPENDITURE TO FUND STAFF RESOURCES TO RECONCILE THE GUARANTEED MINIMUM PENSION**

The meeting commenced at 3pm and concluded at 3:45pm

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**CHAIRMAN**

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## CENTRAL LICENSING COMMITTEE 14/9/15

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**Present:** Councillors Annwen Hughes, W.Tudor Owen, Angela Russell, Elfed W. Williams, Ann Williams and Eryl Jones-Williams

**Also in Attendance:** Gareth Jones (Senior Planning and Environment Manager), Sheryl Le Bon (Licensing Manager), Geraint B. Edwards (Solicitor) and Lowri Haf Evans (Member Support and Scrutiny Officer)

### 1. WELCOME AND APOLOGIES

Everyone was welcomed to the meeting by the Chairman, Councillor Eryl Jones-Williams. Apologies were received from Councillors Craig ab Iago, Llywarch Bowen Jones, Louise Hughes, Dilwyn Lloyd and Peter Read.

Councillor Eddie Dogan was thanked for his service to the Licensing Committee over the years – it was noted that the Councillor was standing down as a Councillor due to his health.

### 2. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

### 3. URGENT ITEMS

None to note

### 4. MINUTES OF THE PREVIOUS MEETING

The Chairman signed the minutes of the previous meeting of this committee, held on 22 June 2015, as a true record.

### 5. MINUTES OF THE CENTRAL LICENSING SUB-COMMITTEES

Submitted - for information, the minutes of a meeting of the Central Licensing Sub-committee held on 16.07.15.

The meeting commenced at 10:55am and concluded at 11:00am

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CHAIRMAN

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**CENTRAL LICENSING COMMITTEE 3/11/15**

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**Present:** Councillors Annwen Daniels, Annwen Hughes, John Brynmor Hughes, Eryl Jones-Williams, Angela Russell, Ann Williams, Elfed W. Williams and Wyn Williams

**Also in Attendance:** Gareth Jones (Senior Planning and Environment Manager), Sheryl Le Bon (Licensing Manager), Geraint B. Edwards (Solicitor) and Lowri Haf Evans (Member Support and Scrutiny Officer)

**1. WELCOME AND APOLOGIES**

The Chair, Councillor Eryl Jones-Williams, welcomed everyone to the Committee especially Councillors Annwen Daniels and Wyn Williams as new Members of the Licensing Committee. Apologies were received from Councillors Craig ab Iago, Louise Hughes, Dilwyn Lloyd, W. Tudor Owen and Peter Read.

Regards were sent to Councillors Peter Read and Louise Hughes for a speedy recovery.

A concern was again highlighted that it was necessary to review members' attendance at committees to ensure that a Councillor accepted his / her responsibility to attend the committees of which they were members.

**2. DECLARATION OF PERSONAL INTEREST**

No declarations of personal interest were received from any members present.

**3. URGENT ITEMS**

None to note

**4. MINUTES OF THE PREVIOUS MEETING**

The Chairman signed the minutes of the meeting held on 14 September 2015, as a true record.

**5. MINUTES OF THE CENTRAL LICENSING SUB-COMMITTEES**

Submitted - for information, the minutes of a meeting of the Central Licensing Sub-committee held on 2.9.15.

**6. APPROVAL TO COMMENCE A STATUTORY CONSULTATION ON A DRAFT POLICY STATEMENT - LICENSING ACT 2003**

Submitted – the report of the Licensing Manager. The report's background information was set, noting the need for all licensing authorities to publish their licensing policy statement every 5 years in line with Section 5 of the Licensing Act 2003. Each authority would review its policy, making any amendments considered appropriate within the five year period.

In the context of Gwynedd Council, it was noted that the existing policy had been approved by the Full Council on 16 December 2010, and the five year period would come to an end on 6 January 2016. A suitable consultation period would be implemented prior to deciding on and publishing a new policy.

It was highlighted that, as part of the Public Protection collaboration project across north Wales, a Task Group had been established to create a 'general' licensing policy statement across north Wales. The policy's 'Content' structure had been agreed upon, but, due to the impact of economic and social factors on every authority, it was explained that every statement had been worded differently and was therefore relevant to a specific area.

In terms of the format of the new draft policy, it was explained that detailed consideration had been given to facilitating the reader's perception of the information. Sections and sub-sections had been created to provide additional information on matters and powers that had come to power since the existing policy had been adopted in 2010 (an example of this was the Early Morning Restriction Orders and the Late-Night Levy). In addition, it was highlighted that the wording of the policy had been adapted to refer to current legislation (an example of this was that the definition of regulated entertainment had been significantly adapted following the Live Music Act 2012 and the Deregulation Act 2015) and that the licensing objectives had been promoted throughout the policy.

In terms of formal consultation arrangements (which would be open for 21 days), it was noted that the policy would be shared with;

- North Wales Police
- North Wales Fire and Rescue Service
- Betsi Cadwaladr University Health Board
- People/Bodies who represented the county's businesses and residents
- People/Bodies who represented existing licence/certificate holders
- Councillors, Community Councils and responsible authorities
- Siop Gwynedd and the Gwynedd Council website

It was highlighted that there were no controversial matters in the policy and therefore a vast number of responses was not expected.

Following a discussion, the following observations were noted:

- Welcome good collaboration with officers from the North to ensure a structure to the statement
- Welcome the fact that an equality assessment had been distributed
- Welcome that child protection had been included in the statement
- Welcome the fact that the statement was easy to read and that the main matters had been highlighted.

The Licensing Manager was thanked for her work of updating and amending the statement.

## **RESOLVED**

**APPROVE THE RIGHT FOR THE HEAD OF THE REGULATORY DEPARTMENT TO COMMENCE A STATUTORY CONSULTATION ON THE DRAFT LICENSING POLICY STATEMENT.**

**THAT A REPORT IS TO BE SUBMITTED TO THIS COMMITTEE ON 1 DECEMBER 2015, WHICH WILL HIGHLIGHT THE RESPONSES RECEIVED AND SO THAT THE COMMITTEE CAN CONSIDER CHANGES TO THE DRAFT LICENSING POLICY STATEMENT ACCORDING TO THE NEED.**

**FOLLOWING RECEIVING APPROVAL FROM THIS COMMITTEE, SUBMIT THE NEW LICENSING POLICY STATEMENT FOR THE FULL COUNCIL'S CONSIDERATION ON 10 DECEMBER 2015**

The meeting commenced at 2pm and concluded at 2.30pm

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**CHAIRMAN**

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## GENERAL LICENSING COMMITTEE 14/9/15

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**Present:** Councillors Anwen Hughes, W. Tudor Owen, Angela Russell, Elfed W. Williams, Ann Williams and Eryl Jones-Williams

**Also in Attendance:** Gareth Jones (Senior Planning and Environment Manager), Sheryl Le Bon (Licensing Manager), Geraint B. Edwards (Solicitor) and Lowri Haf Evans (Member Support and Scrutiny Officer)

### 1. APOLOGIES

Everyone was welcomed to the meeting by the Chairman, Councillor Eryl Jones-Williams. Apologies were received from Councillors Craig ab Iago, Llywarch Bowen Jones, Louise Hughes, Dilwyn Lloyd and Peter Read.

Councillor Eddie Dogan was thanked for his service to the Licensing Committee over the years – it was noted that the Councillor was standing down due to his health.

Concern was raised regarding the number of Members present and the number of vacant seats on the Committee. It was agreed to draw the matter to the attention of the Monitoring Officer.

### 2. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

### 3. URGENT ITEMS

None to note.

### 4. MINUTES OF THE PREVIOUS MEETING

The Chairman signed the minutes of the previous meeting of this committee, held on 22 June 2015 as a true record.

### 5. MINUTES OF THE GENERAL LICENSING SUB-COMMITTEE

Submitted - for information, the minutes of the General Licensing Sub-committee meeting held on 12.06.15.

### 6. PROPOSED TAXI LICENSING FEES FOR 2015

Submitted - the report of the Head of the Regulatory Department, recommending that the Committee supported the intention to increase the Taxi Licensing Fees to the recommended levels, in order to achieve full cost recovery, prior to their approval by the Head of the Regulatory Department for implementation from 1 October 2015.

The Council was required to review its fees in respect of taxi licensing (i.e. hackney carriage licences, private hire vehicle licences, private hire operator licence and driver licences) on a regular basis. Sections 53 and 70 of the Local Government (Miscellaneous

Provisions) Act 1976 provided that fees could be charged at a level sufficient to recover reasonable costs. On 24 June 2013, this Licensing Committee decided:

- To review the fees annually
- That taxi licensing fees must be increased in order to achieve full cost recovery.

This year, the Treasurer's Department had calculated that the amount which the Council was permitted to recover the cost of providing the taxi licensing function in 2015/16 is £141,626.

In 2014/15, the actual income from taxi licensing had been £127,848. There was therefore a **projected** income shortfall of £13,778 for 2015/16. It was therefore suggested, in order to achieve full cost recovery and to ensure that the Unit was self-sufficient, that this year's fees should be increased by 10.78%.

It was reported that the proposed fees had been consulted upon internally with the Head of Finance who supported increasing the fees to achieve full cost recovery. A public notice had been placed in the local press on 20 August 2015 and a copy made available for inspection in Siop Gwynedd Caernarfon, Pwllheli and Dolgellau in accordance with the statutory requirements. The consultation end date was 17 September 2015. In addition to the statutory requirements a copy of the public notice had been made available on the Council's website and the taxi trade had been informed of the consultation by letter on 14 August 2015. A total of 505 letters had been sent. The trade had been reminded in this letter that there would be an opportunity to submit formal representations during the consultation period. As at 14/09/15 the Licensing Unit had received **one** letter objecting to the new fees.

During the discussion, the following observations were made:

- Would the cost deficit be a recurring pattern?
- Were the numbers of drivers decreasing due to the increasing costs?
- What was the comparison with nearby counties
- Both operators and drivers needed to recover costs, therefore fairness must be ensured
- Historically, the Council had not regularly increased its fees, and therefore since 2013 the increase appeared to be high. However, the percentages had been increased at acceptable rates.
- 505 letters had been sent – one objector had responded to the review – which illustrated that the companies accepted the increase.

In response to the above observations, the Head of the Regulatory Department noted that the intention was for the fee to reach the costs of providing the service, in the hope that there would ultimately be no deficit. If income exceeded the costs, the profit would have to be considered against the following year's fees. The fees would be reviewed annually – it was difficult to anticipate the fees, but it was required to operate in accordance with the act.

The Licensing Manager noted that there had been no substantial change in the number of drivers / operators, but Members were reminded that the length of the licence period would change in October 2015 due to the requirements of the Deregulation Act 2015. The length of a licence would be 3 and 5 years, which would again have an impact on the income. It was also noted that information about the fees in neighbouring counties could be provided by the next meeting. Additionally, it was noted that every Council had to review its fees by 1.10.2015.

It was proposed and seconded to support the intention.

**RESOLVED to support the intention to increase the Taxi Licensing Fees to the suggested levels in order to achieve full cost recovery, prior to their approval by the Head of the Regulatory Department for implementation from 1 October 2015.**

## **7. REVISION OF GWYNEDD COUNCIL'S POLICIES**

- Combined Hackney Carriage/Private Hire Vehicle Driver Licence Policy**
- Hackney Carriage & Private Hire Vehicle Licensing Policy**
- Private Hire Operator's Licensing Policy**

Submitted – a report by the Head of the Regulatory Department requesting the committee's support to review the licensing policies and to create a unified policy to replace the three separate policy documents. It was also noted that during its meeting on 22 June 2015 this Committee resolved that the policies and working practices relating to Taxi Licensing needed to be updated and reviewed following the increase in the number of applications being made to license a vehicle contrary to policy and following the Deregulation Act 2015 and the measures affecting the Local Government (Miscellaneous Provisions) Act 1976.

In relation to a unified policy, it was noted that the Local Government Association: (ref 'Taxi and PHV Licensing – Councillor's Handbook' dated March 2015) strongly encouraged licensing authorities to create an unified policy that brought together all their policies and procedures in one place. Creating a single, unified policy that would be reviewed on a regular basis would provide clarity for drivers and operators, as well as strengthening the council's position if there was a challenge against a decision in court.

The attention of Members was drawn to the proposed high-level changes that would need consideration in relation to drivers, vehicles and operators, and in particular 'grandfather rights', 'vehicle age specifications' and 'wheelchair accessibility'.

Under 'grandfather rights' it was proposed:

Proposal 1: That the 'Grandfather Rights' status for Arfon hackney carriage proprietors be removed from the policy and all proprietors be subject to the same conditions and vehicle requirements. It is also proposed that the vehicle specification of all vehicles in all zones be unified to create a more transparent and relevant policy for all proprietors across the county.

Under 'vehicle age specifications' it was proposed,

Proposal 2: In all zones, an application to license a vehicle for the first time as a Hackney Carriage or Private Hire vehicle must be in respect of a vehicle that is less than 6 years old on the date when the completed application is received by the Licensing Authority.

Proposal 3: In all zones, an application to renew the licence of a Hackney Carriage or Private Hire vehicle must be in respect of a vehicle that is less than 12 years old on the date when the current licence expires.

Proposal 4: Gwynedd Council will permit the renewal of a licence of a Hackney Carriage or Private Hire vehicle beyond the upper age limit of 12 years if it can be shown that the vehicle is in 'exceptional condition'.

Under 'wheelchair accessibility' it was proposed:

Proposal 5: All proprietors will be encouraged to license as many wheelchair accessible hackney carriages as they deem necessary. However, Gwynedd Council will impose a requirement that for every 7 licensed hackney carriages in a proprietor's fleet at least 1

hackney carriage of that 7 must be a wheelchair accessible vehicle. Therefore if the fleet size was 14 hackney carriages, the requirement would be that at least 2 of the 14 vehicles be wheelchair accessible.

It was anticipated that Proposals 1 – 5 could be considered contentious changes to the current policy and conditions regarding Hackney Carriages and Private Hire Vehicles by some proprietors or users in the Arfon area. However, it was outlined that these changes would be made in the spirit of 'Ffordd Gwynedd' and would ensure consistency for everyone across the zones. It was noted that the process of amending requirements was complex, and that the intention was to introduce policies that met the needs of Gwynedd's citizens and ensured an effective Licensing service for all owners and users.

Regarding a timescale, it was noted that the Cabinet Member was eager for the Committee to receive a draft copy of the unified policy prior to the start of the consultation. Officials would aim to present a draft document at the next meeting (7 December 2015)

**RESOLVED to accept the report in accordance with the amended recommendations:**

**The Committee authorises the Head of the Regulatory Department to commence a review of the licensing policies in relation to hackney and private hire operators, vehicles and drivers.**

**The Committee supports the overall direction of Proposals 1 to 5 as a starting point for the review.**

The meeting commenced at 10:00am and concluded at 10:55am

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**CHAIRMAN**

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## AUDIT COMMITTEE 24/9/15

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**Present:** Councillor John Pughe Roberts (Chairman)

**Councillors:** Trevor Edwards, Tom Ellis, Aled Ll. Evans, E. Selwyn Griffiths, Sian Gwenllian, John B. Hughes, Aeron M. Jones, Charles Wyn Jones, W. Tudor Owen, Angela Russell, Gethin Glyn Williams, John Wyn Williams and Peredur Jenkins (Cabinet Member for Resources)

**Lay Member:** Mr John Pollard

**Also in Attendance:** Dafydd Edwards (Head of Finance Department), William E. Jones (Senior Finance Manager), Ffion Madog Evans (Finance Manager – Resources and Corporate), Caroline Lesley Roberts (Investment Manager – for Item 5 and 6 on the agenda), Dewi Morgan (Revenue and Risk Senior Manager), Luned Fôn Jones (Audit Manager), Amanda Hughes (Financial Audit Manager, Wales Audit Office), Derwyn Owen (Engagement Leader, Wales Audit Office) and Bethan Adams (Member Support and Scrutiny Officer).

**Apologies:** Councillors Dilwyn Morgan, Michael Sol Owen and Glyn Thomas.

### 1. TRIBUTE

The Chairman paid tribute to the late Councillor Robert J. Wright (Vice-chairman of the Committee).

The members stood as a mark of respect.

A tribute was also paid to Councillor Eddie Dogan, a former member of this committee.

### 2. WELCOME

Councillors E. Selwyn Griffiths, Sian Gwenllian and W. Tudor Owen, who were attending their first meeting of this Committee, were welcomed.

### 3. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

### 4. MINUTES

The Chairman signed the minutes of the meeting of this committee held on 16 July 2015, as a true record.

### 5. FINAL ACCOUNTS 2014/15

#### i) Statement of the Accounts

The Head of Finance Department submitted the revised statutory financial statements for approval by the committee. He noted that Appendix 3 in the reports that followed by the Wales Audit Office (WAO) noted the main changes in the accounts since the pre-audit version had been submitted to the Committee meeting of 16 July.

#### ii) Report of the Appointed Auditor on the Audit of Financial Statements

**a) The Council's Accounts**

In accordance with the Annual Audit procedure, namely the Appointed Auditor's report for those charged with governance, the report of the WAO was submitted. The Engagement Leader and Local Manager, WAO, were present to submit the information.

It was noted that WAO was responsible for undertaking an audit on behalf of the Auditor General and for reporting whether it was of the view that the reports presented the financial position of the Council accurately and fairly at the end of every year. It was reported that the Appointed Auditor intended to issue an unqualified audit report on Gwynedd Council's accounts for 2014/15.

The WAO representatives noted the following main points:

- That there would be a delay before the accounts were certified as a member of the public had expressed an objection to the accounts relating to the expenditure of the Trunk Road Agency. Consequently, WAO could not formally conclude its audit responsibilities or issue the certificate of audit closure until the matter had been addressed.
- In the context of misstatements not corrected, WAO had identified an overstatement of £825,000 in the provisions, namely:
  - A provision of £490,000 to cover the future loss of Council tax as a result of householders with properties that were not fully occupied throughout the year transferring over to the National Non-Domestic Rate.
  - A provision of £335,000 to contribute towards the existing pension deficit.
- Whilst there was a past obligation in relation to these costs, it was not appropriate to have a provision in the accounts as the liability was already reflected in the accounts through the International Accounting Standard 19 – Employee Benefits (IAS19) entries.
- Although it was appreciated that it was prudent to set aside these funds in budgetary terms, they did not comply with the definition of 'provisions' from a technical accounting perspective and it would be more appropriate for these sums to be set aside in earmarked reserves.

In response to the above observations, the Head of Finance Department noted the following:

- That he was not of the opinion that the objection made by a member of the public was directly related to the accounts for 2014/15.
- In relation to the overstatements, these were two technical accounting matters. Two funds had been set aside prudently; however, the auditor suggested that they should not be treated as provisions. It was noted that there were grounds to consider the money set aside as either provisions or as funds; however, the procedure would be re-considered by 2015/16.

In response to a member's observations regarding the provision relating to Council Tax, the Head of Finance Department confirmed that a Scrutiny Investigation was in the pipeline on the subject of Holiday Homes and Taxes.

In response to a member's question, it was noted that the accounting method of presumptions and the historical pension deficit had changed, with a specific sum rather than a percentage of salary given as a contribution. It was reported that the number of jobs had not reduced as much as had been anticipated in 2014-15, and thus there had been more money allocated; however, due to the financial climate a reduction was anticipated in the number of jobs in the subsequent years, therefore it was prudent to set aside the relevant provision.

## b) Gwynedd Pension Fund Accounts

The Local Manager for the Wales Audit Office reported that the Council was responsible for preparing financial statements to present the financial position of the Gwynedd Pension Fund as at 31 March 2015.

It was noted that WAO was responsible for undertaking an audit and for reporting whether it was of the view that the reports presented accurately and fairly the financial position of the Pension Fund at the end of the year.

She notified the Committee that the Appointed Auditor intended to issue an unqualified audit opinion on the accounts of the Gwynedd Pension Fund for 2014/15.

The following main points were made by the Local Manager for the Wales Audit Office:

- In the context of uncorrected misstatements, that WAO had identified that death benefits and other lump sums had been understated by £119,000 with two payments relating to the 2014/15 financial year having been accounted for in 2015/16. She added that it was a minor issue; however, it was WAO's duty to draw attention to the matter.
- That the Pension Fund had not updated its Written Statement of Investment Principles (SIP) in accordance with the three-yearly timetable.
- Although the Council's accounts and the Pension Fund accounts were dealt with in separate reports, only one certificate would be issued. She noted that the Auditor General could not release the certificate until enquiries arising from an objection raised by a member of the public had been formally completed.

In response to the above observations, the Head of Finance Department noted the following:

- That the understatement was a relatively small amount considering the £1,400,000,000 value of the Pension Fund; therefore, it was not considered that this needed to be corrected.
- The Pensions Committee would review the Statement of Investment Principles and a consultation would be undertaken in 2015/16.

The Engagement Leader, Wales Audit Office expressed his gratitude for the many years of collaboration in terms of auditing the accounts considering that WAO's responsibility for auditing them was coming to an end. He added that the quality of the accounts had facilitated the audits over the years.

The Chairman and Head of Finance Department expressed their appreciation of the WAO auditors' work over the years.

It was explained that the Auditor General had decided to allocate the work of auditing the accounts to Deloitte. It was noted that the Council had no technical objection to the change but that it had emphasised to the Auditor General that the company would have to cope with the fact that Welsh was the internal administration language of the Council.

A member noted that a letter should be sent to the Auditor General to express gratitude for the work and cooperation of WAO officers over the years in relation to auditing the accounts.

### **RESOLVED:**

- (i) that the Audit Committee, with the power delegated by the Council to be "those charged with governance" in relation to approving the statutory financial statements and the relevant audit, approves the amended statutory financial statements, accepts the related reports by the Wales Audit Office, and authorises**

**the Head of Finance Department and Chairman of the Committee to sign the letters of representation and to submit them to the Appointed Auditor of the Wales Audit Office.**

- (ii) that a letter should be sent to the Auditor General to express gratitude for the work and cooperation of WAO officers over the years in relation to auditing the accounts.**

## **6. TREASURY MANAGEMENT 2015/16 – MID YEAR REVIEW**

The report of the Head of Finance Department was submitted on treasury management activity during the current financial year.

The Investment Manager confirmed that during the five months between 1 April and 31 August 2015, the Council's borrowing activity had remained within the restrictions originally placed and there were no banks where the Council had deposited money that failed to repay.

It was reported that 98% of the Council's investment in Heritable Bank had been reclaimed, with only £80,376 remaining unpaid, and that it was likely that a further apportionment would be received.

**RESOLVED to accept the report for information.**

## **7. REPORT OF THE CONTROLS IMPROVEMENT WORKING GROUP**

Submitted – the report of the Chairman of the Audit Committee regarding a meeting of the above-mentioned working group held on 20 August 2015 to consider seven audits that had received a category C opinion during the period between 1 February 2015 and 30 June 2015, namely -

- a) IT Backups and Service Continuity Arrangements
- b) Health and Safety - Lone Working
- c) First Aid Payments
- ch) Jobs System
- d) Travelling Costs of Community Care Workers
- dd) Children Services - Commissioning Care
- e) Gwynedd Museum and Gallery Development Plan

It was noted that consideration had also been given to the 'Parking Enforcement' audit that had received opinion category B, as well as a matter raised by a member at the Committee's meeting on 16 July in connection with the Rhyd Ddu Outdoor Centre Leasing Arrangements to Antur Nantlle Cyf.

Senior Managers had been invited to attend the meeting to discuss the matters arising from the audits and the work that had been completed since the audit reports had been published to strengthen the internal controls in question.

It was noted that assurance had been received from the Working Group that the issues highlighted by the Internal Audit Section were receiving due attention and that steps were being taken.

A member noted that it had not been possible for him to attend the Working Group meeting for the discussion on the Rhyd Ddu Outdoor Centre Leasing Arrangements to Antur Nantlle Cyf. as he had been away on holiday.

In response to a member's observation regarding risk assessments, the Audit Manager noted that Internal Audit had checked the Departments' risk assessments last year, as well as confirm that the Health and Safety Service checked the Departments' risk assessments.

Enquiries were made regarding the financial obligations for the Council in connection with the Community Care Staff Travelling Costs audit, following a European decision whereby the working time of community care staff commenced when they left their home. It was noted that the matter was being addressed by the Human Resources Service.

In response to a member's question in terms of monitoring the Services' progress on the recommendations, the Audit Manager noted that follow-up audits had been planned.

**RESOLVED to accept the report.**

## **8. OUTPUT OF THE INTERNAL AUDIT SECTION**

### **The work of the Internal Audit Section for the period up to 11 September 2015**

The report of the Audit Manager was submitted, outlining the work of the Internal Audit Section for the period between 1 July and 11 September 2015. It was noted that there had been eight reports regarding audits from the operational plan with the appropriate opinion categories shown completed during the period, as well as two follow-up audits.

Consideration was given to all the reports individually.

Consideration was given to each individual report and during the discussion reference was made to the following matters –

#### **Chairman's Fund**

In response to a member's enquiry, it was explained that the "fund" in fact was an annual budget.

#### **Main Accounting System – A Review of Key Controls**

A member drew attention to an issue highlighted in the Employment Appeals Committee on 18 September 2015 in terms of one Department's use of another's Department's expenditure codes. In response, it was noted that it was not uncommon for an individual to be employed in more than one Department and that there was a duty on managers to verify the information. The member noted that she would discuss the matter with the officers at the end of the meeting.

#### **RESOLVED:**

- (a) to accept the reports on the work of the Internal Audit Section for the period 1 July 2015 to 11 September 2015 and to support the recommendations that have already been submitted to the managers of the relevant services for implementation.**
- (b) that the Chairman of the committee, along with Councillors Tom Ellis, John B. Hughes and Angela Russell serve on the Working Group to consider the audits that have received opinion category 'C'.**
- (c) that it is the responsibility of any member who is unable to be present in the Working Group to arrange a substitute.**

## **9. INTERNAL AUDIT PLAN 2015/16**

The report of the Senior Audit and Risk Manager was submitted, providing an update on the current situation in terms of completing the 2015/16 internal audit plan.

It was reported that the Internal Audit Unit had surpassed the target of quarter 2, with 23.81% of the planned audits released in final draft, compared to a target of 20% by the end of the quarter.

**RESOLVED to note the contents of the report as an update of progress against the 2015/16 audit plan.**

The meeting commenced at 10.30pm and concluded at 11.40pm.

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**CHAIRMAN**

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## PLANNING COMMITTEE 28/9/15

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**Present:**                    **Councillor Michael Sol Owen - Chair**  
**Councillor Anne Lloyd Jones – Vice-chair**

**Councillors:** Elwyn Edwards, Simon Glyn, Gwen Griffith, Dyfrig Wynn Jones, Eric M. Jones (substitute), June Marshall, W. Tudor Owen, Eirwyn Williams, Gruffydd Williams, Hefin Williams, Owain Williams and Eurig Wyn.

**Others invited:** Councillors Aled Ll. Evans and Sion Wyn Jones (Local members).

**Also in attendance:** Gareth Jones (Senior Planning Service Manager), Cara Owen (Development Control Manager), Glyn Llewelyn Gruffydd (Senior Development Control Officer), Rhun ap Gareth (Senior Solicitor) and Bethan Adams (Member Support and Scrutiny Officer).

**Apologies:** Councillors Endaf Cooke, Dilwyn Lloyd (substitute), John Pughe Roberts and Councillors D.Gwynfor Edwards and Sian Gwenllian (Local Members).

### 1. CHAIRMAN'S ANNOUNCEMENTS

A new member of the Committee, Councillor Simon Glyn, who was attending his first meeting was welcomed.

The Chair referred to the late Councillor Robert J. Wright and noted that a tribute would be made in his honour at the Council's meeting on 8 October 2015.

The members stood as a mark of respect.

### 2. DECLARATION OF PERSONAL INTEREST

The following members declared that they were local members in relation to the items noted:

- Councillor Michael Sol Owen (a member of this Planning Committee) in relation to item 5 on the agenda (planning application C15/0282/45/LL);
- Councillor Aled Ll. Evans, (not a member of this Planning Committee) in relation to item 5 on the agenda, (planning applications number C15/0421/41/LL and C15/0751/41/LL);
- Councillor Eirwyn Williams (a member of this Planning Committee) in relation to item 5 on the agenda (planning application C15/0429/35/LL);
- Councillor Siôn Wyn Jones (not a member of this Planning Committee) in relation to item 5 on the agenda, (planning application number C15/0757/18/LL);
- Councillor Elwyn Edwards, (a member of this Planning Committee), in relation to item 5 on the agenda (planning application C15/0517/04/LL).

The members withdrew to the other side of the Chamber during the discussions on the applications in question and did not vote on these matters.

### 3. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 07.09.15, as a true record.

#### 4. PLANNING APPLICATIONS

The Committee considered the following applications for development.

Details of the applications were expanded upon and questions were answered in relation to the plans and aspects of the policies.

#### RESOLVED

##### 1. Application No C13/1298/11/AM – Land near Lôn Pobty, Bangor

Full application for the construction of a two-storey building providing 18 self-contained units for students, felling trees protected by a tree preservation order, amendments to existing vehicular access together with creating a new access for pedestrians and landscaping.

- (a) The Development Control Officer elaborated on the background of the application, and noted that the application site was located within the residential area on the outskirts of the city of Bangor.

Members' attention was drawn to the tables in the report that indicated the latest situation (September 2015) in terms of private purpose-built student accommodation developments in Bangor. It was noted that the information highlighted that not all student accommodation needs were being addressed by purpose-built student accommodation. Reference was made to an appeal decision on an application to provide student accommodation on the former Jewson site, Bangor, where the Inspector has noted that 'there was an obvious need to provide more student accommodation in Bangor'.

It was considered that a clear need existed for purpose-built student accommodation developments, and this type of development had the potential of having a positive impact on the local housing market as it could free up houses of multiple occupation to be used by local households that needed such housing and that it provided quality facilities for students and was formally regulated.

It was noted that the report recommended that the Committee should delegate powers to the Senior Planning Manager to approve the application subject to signing a 106 Agreement regarding a financial contribution to improve and maintain an open play area. It was reported that in order to ensure consistency in relation to applications for purpose-built student accommodation it was not considered reasonable to ask for such a contribution as it was believed that the University's sports provision currently responded to these needs.

Reference was made to objections received on grounds of road safety, access and increase in traffic. It was noted that the proposal involved improving the existing access and four parking spaces would be provided along with turning space for vehicles within the building's curtilage. It was added that having received a revised plan demonstrating the layout of the nearby roads and pavements, the Transportation Unit had no objection to the proposal.

The development complied with the Gwynedd Unitary Development Plan (GUDP) for the reasons noted in the report.

- (b) Taking advantage of the right to speak, an objector noted the following main points:-
- That she lived in the listed building opposite the site and was speaking on behalf of the community;

- That the local community was trying to adjust to the student accommodation development on the former St Mary's site, and that this development would be a step too far;
- That a number of applications had been submitted over the years for this site, and the most recent application in 1990 had been refused on appeal due to safety concerns relating to the access and the impact on the setting of the listed building;
- That the Design and Access Statement submitted as part of the application noted that access would be gained to the site from Lôn Bopty, however the access road would be from Bishops Mill Road, namely a steep single lane road with one turning space.
- The changes to the access in Lôn Bopty would improve visibility to some degree, however it would not improve access to the site;
- That the proposal did not comply with policies CH33 or D19 of the GUDP;
- Smaller vehicles were dispatched to collect waste along the road as it was narrow;
- The development would affect the setting of the listed building;
- Should the application be approved, it would affect the privacy and the peace and quiet of residents;
- Lôn Bopty currently received little natural light, and the development would add to this;
- There was a Tree Preservation Order on the site;
- There were bats and slow worm present on the site;
- The development would not meet the area's needs.

(c) Taking advantage of the right to speak, the applicant's agent noted the following main points:-

- The development site was within the development boundary;
- There was a need for student accommodation as noted in the Inspector's appeal decision in relation to the application for 110-114 High Street, Bangor.
- That the number of units had been reduced from 32 to 18;
- The design of the building had been revised;
- The building would be located at a sufficient distance from the listed building;
- The Transportation Unit was satisfied with the proposed access improvements;
- The original application had been revised to ensure that the development was acceptable.

(ch) A member noted that she had received an e-mail from the Local Member who noted that he had welcomed the development on the former St. Mary's site, but that he objected to this development due to the pressure on the community relating to parking and refuse collection arrangements. He was of the opinion that there was no need for more student provision in this area.

In response to these observations, the Senior Planning Service Manager noted that:

- there was clear evidence in terms of the need for purpose-built student accommodation;
- that the original scheme had been substantially revised and reduced.

Proposed and seconded to approve the application.

(d) In response to a comment by a member regarding the need for purpose-built student accommodation, the Development Control Manager noted that there was a lack of provision for half of the University's students.

A member proposed that the application should be postponed in order to undertake a site visit as previous planning applications on the site had been refused due to the site access.

**RESOLVED to undertake a site visit.**

**2. Application no C14/1222/30/LL – Bryn Gwynt, Anelog, Aberdaron**

Use of exempted Camping and Caravanning Club site as an independent site for ten seasonal touring caravans and five tents

- (a) It was reported that a request had been received from the applicant's agent to postpone a discussion on the application in order to undertake further discussions.

**RESOLVED to defer the application.**

**3. Application no C15/0282/45/LL – Villa Fioretta, Ala Road, Pwllheli**

The discussion on the above application was chaired by the Vice-chair.

Construction of a dwelling with attached garage and formation of access and parking / turning area along with associated work

- (a) The Senior Development Control Manager elaborated on the background of the application, noting that the site was within a C1 flood zone. It was reported that an amended flood consequence assessment had been received after receiving confirmation from Gwynedd Consultancy that the watercourse on the site was still operational. It was noted that the proposal now intended to realign the watercourse approximately 5 metres further towards the western boundary of the site and for the new watercourse to leave the site in the current location following concerns expressed by Natural Resources Wales (NRW).

Attention was drawn to the fact that observations had been received from the Biodiversity Unit noting that there were no biodiversity concerns.

The development complied with the GUDP for the reasons noted in the report.

- (b) Taking advantage of the right to speak, the applicant's agent noted his appreciation of the officers' work and his hope that the Committee would approve the application.
- (c) The local member (a member of this Planning Committee) made the following main points:-
- That it should be ensured in light of NRW's concerns that the watercourse exited the site in the current location;
  - That it was reasonable enough to include a condition that a brick of suitable colour, other than red, should be used on the plinth, as it was not characteristic of the area and there was a need for the building to blend in with the area's architecture;
  - That the conditions and the recommendations relating to installing a 1.7 metre high privacy screen on the eastern and western sides of the balcony at all times, and not installing any additional windows apart from those shown in the plans was of crucial importance in order to address privacy concerns.
  - It was crucial that the house's finished floor level was no lower than 4.717mAOD due to the site's location;
  - Realigning the watercourse would safeguard houses surrounding the site in light of the flood risk.

- (ch) Proposed and seconded to approve the application.

In response to a query by a member regarding the realignment of the watercourse, the Development Control Manager noted that the applicant would have to make a formal

application, outside the planning system, to do this, but she anticipated that there would be no problems.

**RESOLVED to approve the application.**

Conditions:

1. Commence within five years
2. In line with the amended plans received 24 July 2015.
3. Slates on the roof
4. Agree on the finish of the external walls, including the brick colour.
5. Privacy screen measuring 1.7 metres of height to be located on the western and eastern side of the balcony at all times.
6. No other windows (apart from those shown on the plan)
7. Landscaping.
8. Finished floor level to be no lower than 4.717mAOD.
9. Parking and turning spaces to be in operation before the property is occupied for the first time.
10. Welsh Water conditions in relation to the drainage of surface water, foul water and land drainage.
11. Construction hours restricted to 08.00 - 18.00 Monday to Friday, 08.00 - 13.00 on Saturday and not at all on Sunday or Bank Holidays unless otherwise agreed upon beforehand with the Local Planning Authority.

Note - Need to re-locate the watercourse before work on the remainder of the development is to commence.

**4. Application No C15/0421/41/LL – Llety Plu, Llanybi, Pwllheli**

Extension to existing garage (amendment to plan that was refused under application number C15/0012/41/LL).

Members of the Committee had visited the site before the meeting.

- (a) The Senior Development Control Officer elaborated on the background of the application, noting that the application had been deferred at the Committee meeting held on 7 September, 2015 in order to undertake a site visit.

It was noted that it was considered that a further extension to the garage would create a building of a scale and design that would be alien to the location in respect of such an ancillary building and it would be an incompatible overdevelopment of the site.

Attention was drawn to the fact that the application was located within the Llanybi Area of Conservation and it was not considered that the scale, size or form of the extension would be in keeping with buildings or pattern of the conservation area.

It was noted that the proposal was contrary to policies B4, B22 and B24 of the GUDP.

- (b) The local member (not a member of this Planning Committee) made the following main points:-
- That he appreciated having a site visit;
  - That describing the development as an 'alien' 'over-development' was rather going overboard;
  - The area of the house was sufficient to accommodate the size of the garage extension;

- That no objection had been received from neighbours;
- The curtilage had already been extended;
- The purpose of the building was to provide more room for the applicant to store equipment and old machines;
- That the development would not affect the area of conservation;
- He hoped that the application would be approved.

It was proposed and seconded to refuse the application.

(c) During the discussion, the following observations were made:

- No objections had been received to the proposal and that its size was a matter of opinion;
- There were no signs to denote the path that ran past the site as a public footpath, and should it be approved, there was a need to ensure that such a sign was erected there;
- Currently, the public footpath was not accessible to disabled people and the proposed extension would be nearer to the path;
- The applicant needed a building of this size to restore old furniture, which was crucial to secure the continuation and to safeguard tradition;
- Concern in terms of the size of the building after completing the proposed extension;
- That a large extension had already been approved and the proposed extension would be an overdevelopment.

(ch) In response to these observations, the Senior Planning Service Manager noted that:-

- Previous planning applications had been supported and this was seen as a fragmented attempt to create an extension of increasing size;
- That the extension approved under application C13/0162/41/LL meant that the total floor area of the garage would be 62m<sup>2</sup> and it was assumed that it would be sufficient for use that was ancillary to the use of the property;
- The proposed extension would not be in keeping with the conservation area as it would be very visible;
- There was a need for extensions to be commensurate with the original building and they needed to respect the location;
- That signs denoting the public footpath had been present in the past and discussions were being held with the Rights of Way Unit in terms of whether or not the development would affect the path.

(d) A vote was taken on the proposal to refuse the application and it fell.

Proposed and seconded to approve the application contrary to the officers' recommendation as the visual impact was acceptable.

**RESOLVED to approve the application.**

Conditions:

1. Five years
2. In accordance with the plans
3. Slate
4. Materials to be in-keeping
5. No business use of the building as a whole
6. Keep the public footpath clear

## 5. Application No C15/0429/35/LL – Llwyn Madyn, Muriau, Cricieth

First floor extension including raising the roof level, creation of balcony and changes to fenestration (re-submission following the refusal of planning permission C14/1152/35/LL).

Members of the Committee had visited the site before the meeting.

- (a) The Senior Development Control Officer elaborated on the background of the application, noting that the application had been deferred at the Committee meeting held on 27 July, 2015 in order to hold a site visit.

It was noted that the proposed extension would create a house that would be substantially larger than the current property in a housing estate dominated by bungalows and dormer bungalows, therefore it was not considered that the size, volume and height of the building in its new guise would respect the scale, appearance or developed form of the nearby townscape and it would create a prominent and incompatible feature in this fairly uniform estate.

It was noted that it was considered that the proposed design, due to its height and volume, would create an obtrusive element that would dominate the views in this part of the estate and that it would be an unacceptable and incompatible intrusion in the local residential pattern.

- (b) The local member (a member of this Planning Committee) made the following main points:-
- That he appreciated having a site visit;
  - The Town Council had no objection to the plan, neither did nearby residents;
  - The report noted that the site was in a prominent location on the junction between two public roads and not many people used this road, therefore there would be no visual impact.
  - When finished, the development would only be 1 metre taller than the adjacent house.

Proposed and seconded to approve the application contrary to the officers' recommendation as the visual impact was acceptable.

- (c) During the discussion, the following main observations were made:
- The estate had a cross-section of different houses;
  - Other houses in the estate had extensions;
  - The Town Council had no objection to the plan, neither did nearby residents;
  - There would be no overlooking from the rear of the extension and it would blend in with the estate;
  - There would be little difference in terms of the extension's height and the nearby house;
  - There was a need to retain the estate's character, therefore the application should be refused in accordance with the officers' recommendation.

- (ch) In response to the above observations, the Senior Planning Service Manager noted that although the design of the extension was of a good standard, it was considered that it would create a prominent and incompatible feature in this relatively uniform estate.

**RESOLVED to approve the application.**

Conditions:

1. Five years

2. In accordance with the plans
3. Slate
4. Materials to be agreed
5. Removal of PD rights – windows
6. Construction hours restricted to 08.00 - 18.00 Monday to Friday, 08.00 - 13.00 on Saturday and not at all on Sunday or Bank Holidays unless otherwise agreed upon beforehand with the Local Planning Authority.

**6. Application no C15/0751/41/LL – Fferm Bryn Bachau, Chwilog**

Installation of ground mounted photovoltaic energy (pv) system of up to 4.42 MW on 14.22 ha of agricultural land and associated works including two sub-station buildings, security fencing and transformer structures.

- (a) The Development Control Manager elaborated on the background of the application and noted that the site was in open countryside on undulating land located between the higher ground of central Llŷn and Cardigan Bay and the site's field along with other fields in the area were surrounded by 'cloddiau' and hedgerows.

It was noted that it was considered that the principle of the proposal was acceptable in terms of policies C1, C27 and C28 of the GUDP and that it coincided with Strategic Policy 9 relating to the provision of energy from renewable sources.

Attention was drawn to the objections received from the owner of a nearby farmhouse which mainly related to the impact on the landscape and views from the property. In accepting that it is possible that parts of the site will be visible from the property, due to the landform, current vegetation and the distance between the property and the site, more than 360m, it is not believed that the development would be obtrusive for the occupants of the farmhouse or that its impact on the landscape would be harmful enough to justify refusing the application.

Attention was drawn to the solar panel location plan which was circulated to the members at the meeting along with additional observations that had been received noting that the Tree Officer had noted that an ancient grey willow tree growing on the site and it was recommended that a condition should be included stipulating that the tree must be protected during the development process.

The development complied with the GUDP for the reasons noted in the report.

- (b) Taking advantage of the right to speak, an objector noted the following main points:-
- That their family farm was located near the application site, and whilst they supported solar developments, they were of the opinion that they should be installed on building roofs, rather than on land;
  - The Community Council was not aware of their concerns;
  - The members should visit the site;
  - Field 2 was located on a hill and looked down on their farm;
  - Planting trees was not an appropriate response in terms of screening;
  - Their concern in terms of the scale and size of the development that would equate to 15 football pitches;
  - The land would be industrial rather than agricultural if the application was approved;
  - There would be an impact on the amenities of the farm due to glint in addition to the increased risk of accidents.
- (c) Taking advantage of the right to speak, the applicant's agent noted the following main points:-

- That the report was an extensive assessment of the application and he concurred with the conclusions;
- The development would not cause significant visual impact;
- The land where it was intended to locate the development had been classed as grade 4 and 5, therefore the land lost would not be valuable agricultural land;
- The proposal was not contrary to any policy;
- He respected the opinion of the objector, however, the relevant matters had been considered in the assessment;
- Some parts of the development would be visible from other locations, but an attempt had been made to select the fields that would have least impact and it was intended to add to the mature screen of trees and hedges along the western boundary of the development;
- A letter of support was received from the representatives of Hafan y Môr and should the application be approved, they would hold discussions with the family in relation to meeting its green energy requirements.

It was proposed and seconded to approve the application.

(ch) The following observations were noted in favour of the recommendation:

- That the application met the requirements and it was of crucial importance to maintain industry in the countryside and to reach a compromise in terms of protecting the landscape and securing economic prosperity;
- That visual impact was subjective;
- That the way in which renewable energy developments were being funded would change at the end of the month, unless development had already received planning permission;
- Although they could sympathise with the objector, they supported the proposal as the application site was located near an electricity sub-station;
- That there was a local prospective buyer for the energy generated;
- Renewable energy developments were important given our over-reliance on oil and gas;
- That numerous international studies had shown that there was no impact on tourism.

(d) The following observations were noted contrary to the recommendation:

- It was explained that the application had been submitted by Gwynedd Council (Pen Llŷn a'r Sarnau Special Area of Conservation).
- It was noted that the development would not be seen much from the highway, but this had also been noted when the application for Parciau Farm, Griffiths Crossing, Caernarfon was being determined, which was visible from the highway.
- The development could not create local employment;
- The impact on the nearby farmhouse was unacceptable;
- Did not agree with green energy and the way it was funded;
- The development would cause a visual impact;
- That no impact assessment of this kind of energy on the landscape, as done with wind turbines, had been undertaken and there was a danger of setting a precedent for future applications without knowing the impact;
- The size of the plan and its impact on the landscape

(dd) In response to the above observations, the officers noted:-

- An assessment of this proposal in terms of the effect on protected species, trees and local amenities is a relevant consideration, and worthy consideration was given to this element in determining the application.
- Unlike on-shore wind energy, no Supplementary Planning Guidance had been submitted for solar energy, however; the Gillespies company had recently been

appointed to assess the sensitivity and capacity of the landscape in accommodating specific types of development;

- There was robust evidence of the capacity for such developments and the GUDP supports solar developments that are smaller than 5 MW;
- With regard to such applications in future, there was a need to reach a decision on this application by considering the current evidence and such considerations relating to the cumulative impact of these type of developments would be done when other applications were submitted;
- There was an attempt to mitigate the visual impact.

**RESOLVED to approve the application.**

Conditions:

1. Five years
2. To complete the development in accordance with the plans
3. The panels must be located as shown in the plans, or as agreed in writing with the Local Planning Authority.
4. Agree on the materials/colour of the frames and anti-glare covers
5. To agree on the colour of the fence and camera poles
6. Agree and complete a landscaping plan and a landscape management plan
7. Agree on and implement a Surface Water Management Plan and a Construction Environmental Management Plan.
8. Agree on and implement a Biodiversity Management Plan and a Biosafety Risk Assessment.
9. Agree on and implement a Traffic Flow Management Plan for the works
10. Agree on and implement an Archaeological Works Programme
11. Any electricity cables from the development to link to the electricity connection should be installed underground, and this should be agreed beforehand with the Local Planning Authority.
12. Within 25 years of completing the development or if the solar panels approved in this application remain unused for the purposes of generating electricity for 12 months, they must be permanently removed from the land and the site should be restored to its original condition
13. Welsh Water standard conditions
14. Agree on the external materials of all buildings
15. Highways conditions.
16. The details of the site's lighting system, including the type, exact location, luminosity level and the method of protection from pollution or light overflow must be submitted to the Local Planning Authority for written approval and to be fully operational before the permitted development is completed and before the site is operational.
17. Safeguard the ancient grey willow tree on the site.

**7. Application C15/0757/18/LL – Llain y Rhos, 2 Parc y Wern, Bethel**

Erection of side extension.

- (a) The Development Control Manager expanded on the background of the application noting that the proposal had been amended since its original submission by removing windows from the extension's rear gable-end and including Velux windows within the new roof, the internal layout of the extension's first floor had also been changed by removing one bedroom, however, the surface area of the proposed extension remained the same.

It was noted that reference had been made to concerns about the scale and volume of the proposed extension, compared with the existing property in the Service's formal response

to a pre-application enquiry and there was a need to reduce the size of the proposed extension in order to satisfy the requirements of relevant policies. However; it was added that the proposal had been submitted in the same form as the pre-application enquiry (without any change) and it is considered that the proposal appears to be an incompatible feature with the existing property.

It was acknowledged that there were relatively similar developments within the local area; however, it was not believed that the situation was the same, namely the nature and form of the existing property and its relationship with the parallel property. It was noted that the proposal was unacceptable in terms of Policy B23 of the GUDP as it would cause significant damage to the amenities of the local neighbourhood by overdeveloping the site.

Attention was drawn to the additional observations that had been received.

- (b) Taking advantage of the right to speak, the applicant's partner noted the following main points:-
- That she and her children lived in a rented house and they wished to live with her partner and his children in the house in question;
  - That the house in Bethel did not meet their needs, therefore, extending the house was their only option;
  - That her family were part of the community and she wanted this to continue;
  - That a letter of support had been received by their neighbours;
  - That Llanddeiniolen Community Council supported the application.
- (c) The local member (not a member of this Planning Committee) made the following main points:-
- That the house was not in a sensitive location and that applications for houses had been approved in the past in open countryside;
  - Neighbours, Llanddeiniolen Community Council and the community supported the proposal;
  - Four bedroom houses in Bethel would cost approximately £230,000 and therefore having an extension was the only option;
  - There was a need to support young people to enable them to remain in their communities;
  - The original plan had been amended by moving the location of the window on the rear of the proposed extension due to concerns of overlooking;
  - The maintenance of the Welsh language could be secured in the village by approving the application;
  - That he understood the officers' opinion, however there was a need to be flexible to local needs.

Proposed and seconded to approve the application contrary to the officers' recommendation.

- (ch) During the discussion, the following main observations were made:
- That the proposal was not an over-development
  - That the design was acceptable and the extension would be in keeping;
  - An opportunity to support the Local Member and local young people by approving the application;
  - It was acknowledged that the extension was large when compared with the original house, however a smaller extension would not meet the needs of the family;
  - There was already a high density of houses in the area and the extension would not have an impact;

- Special circumstances to approve the application as the area would lose a family should the application be refused;
- That policies worked against local people;
- Personal matters should not be a consideration and approving the extension would mean that the value of the property would be beyond the reach of individuals in future.

- (d) In response to these observations, the Senior Planning Service Manager noted that:-
- There was no justification to approving the application in terms of who lived at the property;
  - That the matters in question were purely related to design;
  - That the policies supported developments that reached the required criteria and there was a need for the extension to respect the size and scale of the existing property.

**RESOLVED to approve the application.**

Conditions:

1. Five years
2. In accordance with the plans
3. Removal of PD rights – windows
4. Slate
5. Materials to be agreed

**8. Application no C15/0760/20/LL – Laurence House, Tafarngrisiau Estate, Felinheli**

Erection of extensions to create an additional self-contained flat.

- (a) The Senior Development Control Officer elaborated on the background of the application and noted that the proposal was to construct two extensions, one on the side elevation and the other on the building's rear elevation to provide a bedroom for the existing ground floor flat and to enable another section of the ground floor to form a separate flat.

The development complied with the GUDP for the reasons noted in the report.

- (b) Taking advantage of the right to speak, the applicant's agent noted the following main points in terms of the objections received:-
- That the embankment would stay;
  - That the Transportation Unit had no objection to the proposal;
  - There would be space to park two additional cars and turning space would be provided;
  - That the extension was small and would be three metres lower than the houses of Tafarngrisiau therefore there would be no impact on the sunlight the houses received in the evenings.

- (c) It was noted that the Local Member did not object to the application.

**RESOLVED to approve the application.**

Conditions:

1. Five years
2. Complete in accordance with the plans
3. Agree on external materials
4. Slates on the pitched roof

5. The parking spaces must be completed prior to occupying the additional living unit hereby permitted

Welsh Water Note, Party Wall

## 9. Application no C15/0517/04/LL – Coed y Foel Uchaf, Frongoch

Installation of a wind turbine measuring 30.5m to the hub (48.01m to the tip of the blades) with a control box and associated works (resubmission of application previously withdrawn).

- (a) The Development Control Manager elaborated on the background of the application and noted that the site was located on elevated land near the A4212 road which ran as the main link between the town of Bala and the village of Trawsfynydd.

It was noted that the proposed structure would be tall and manmade and would stand alone on high ground and the site would be visible from various perspectives in the neighbouring area and beyond, the turbine would be particularly visible whilst travelling along the A4212 down the valley to the direction of the site from the west. This would be due to its elevated and prominent location on the skyline from near and distant views in and out of the National Park. It was considered that the impact on the area's visual amenities would be substantial, and although electricity pylons were located to the south of the site, it was not considered that this would alleviate the detrimental impact of the development on the rural character and landscape of the area as it was a substantial, moving structure that would stand isolated.

Attention was drawn to the fact that the application site was close to the boundary of the Snowdonia National Park and that SNP's objection to the development noted that there would be an impact on views within the Park boundaries. It was considered, due to the prominence of the development within the landscape and from a vast area within the Park that it would significantly affect the enjoyment of users of the National Park.

Additionally, it was noted that officers had not been convinced that the proposal was a valid diversification activity and that this had been supported by recent appeal decisions on applications for turbines on other sites within the County.

It was noted that it was considered that the proposal did not meet the requirements of the relevant policies, and that the turbine would have a significant and substantial impact on the features and special character of the National Park.

- (b) Taking advantage of the right to speak, a supporter of the application noted the following main points:-
- That the application site was part-industrial with two rows of pylons on the site that were taller than the wind turbine;
  - The turbine would only be visible from the road for 1.5 miles when travelling to the direction of Bala;
  - The tourism period was brief and that the argument in terms of the impact on tourism was ambiguous;
  - The applicant intended to make financial contributions to different community entities for a 20 year period and if possible, a condition should be included to ensure this.
- (c) The local member (a member of this Planning Committee) made the following main points:-
- That the objections of the Snowdonia National Park had come from an officer, rather than from a meeting of the Authority;
  - That the impact on the views was a matter of opinion;

- There were two rows of pylons in the area and some were as high as 47 metres, therefore the turbine would not add to the impact on the landscape;
- That Llandderfel Community Council supported the application;
- Neither Natural Resources Wales nor CADW objected to the proposal;
- Wind turbine developments did not affect tourism;
- Three turbines had already been approved near the river bank;
- That financial contributions to the community had been offered;
- That the feed-in tariffs for renewable energy developments were coming to an end, but that he hoped that the Government would reconsider.
- He asked the Committee to support the application.

(ch) In the context of the abovementioned observations, the senior Solicitor emphasised that financial contributions should not be considered, as these would be dealt with outside the planning system, this was also true for the feed-in tariff. The Committee needed to assess the application and consider the matters to hand.

Proposed and seconded to undertake a site visit.

**RESOLVED to undertake a site visit.**

**10. Application No C15/0783/42/MG – Site of Caersalem Chapel, Lôn Terfyn, Morfa Nefyn**

Reserved matters for the erection of four dwellings.

(a) The Senior Development Control Officer expanded on the application's background and noted that the site had received outline planning permission under application C06D/0703/42/AM, for a residential development of four houses, one of which would be affordable, however; the affordable plot had not yet been determined.

It was noted that size, appearance and landscaping were the matters to consider as part of this application.

The development complied with the GUDP for the reasons noted in the report.

**RESOLVED to approve the application.**

Conditions:

1. In accordance with the plans
2. 2.4m x 45m visibility splays

Highways notes – in relation to powers under Section 171/184 of the Highways Act 1980 to carry out work near the highway and to take care to prevent surface water from the curtilage discharging onto the highway.

Compliance with the conditions imposed on outline application C06D/0703/42/AM.

The meeting commenced at 1pm and concluded at 3.55pm.

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**CHAIRMAN**

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## PLANNING COMMITTEE 19/10/15

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**Present:**        **Councillor Michael Sol Owen – Chair**  
                       **Councillor Anne Lloyd Jones – Vice-chair**

**Councillors:** Elwyn Edwards, Simon Glyn, Gwen Griffith, June Marshall, W. Tudor Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Hefin Williams and Owain Williams.

**Others invited:** Councillors John Brynmor Hughes, Jason Humphreys, Aeron Maldwyn Jones and John Wynn Jones (Local members).

**Also in attendance:** Gareth Jones (Senior Planning Service Manager), Cara Owen (Development Control Manager), Idwal Williams (Senior Development Control Officer), Keira Sweeney (Senior Development Control Officer), Gareth Roberts (Senior Development Control Engineer), Rhun ap Gareth (Senior Solicitor) and Glynda O'Brien (Member Support and Scrutiny Officer).

**Apologies:** Councillors Endaf Cooke, Dilwyn Lloyd (substitute), Eurig Wyn and Councillors Jean Forsyth, Sian Gwenllian (due to a declaration of personal interest) and Ioan C. Thomas (Local Members).

### 1. DECLARATION OF PERSONAL INTEREST

(a) The following members declared a personal interest for the reasons noted:

- Councillor Michael Sol Owen in Item 5 on the agenda – Planning Applications (Planning Application Number C15/0337/11/AM), as he was a member of the Board of Cartrefi Cymunedol Gwynedd.
- Councillor Anne Lloyd Jones in Item 5 of the agenda – Planning Applications:
  - (i) Planning Application Number C15/0337/11/AM – as she was a member of the Board of Cartrefi Cymunedol Gwynedd.
  - (ii) Planning Application Number C15/0662/09/LL – as she was a member of Tywyn Town Council which would receive a financial contribution from the applicant.

The Members were of the opinion that they were prejudicial interests, and they withdrew from the Chamber during the discussion on the applications noted.

(b) The following members declared that they were local members in relation to the items noted:

- Councillor Elwyn Edwards (a member of this Planning Committee), in relation to item 5 on the agenda - Planning applications C14/0291/04/LL and C15/0517/04/LL
- Councillor Aeron Maldwyn Jones (not a member of this Planning Committee), in relation to item 5 on the agenda - Planning application number C14/0386/24/LL
- Councillor John Brynmor Hughes (not a member of this Planning Committee), in relation to item 5 on the agenda - Planning application C15/0341/39/LL
- Councillor Simon Glyn (a member of this Planning Committee), in relation to item 5 on the agenda – Planning application number C15/0424/46/LL
- Councillor John Wynn Jones (not a member of this Planning Committee), in relation to item 5 on the agenda – Planning application number C15/0507/11/LL
- Councillor Jason Humphreys (not a member of this Planning Committee), in relation to item 5 on the agenda – Planning application number C15/0748/44/LL

The members withdrew to the other side of the Chamber during the discussions on the applications in question and did not vote on these matters.

## 2. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 28 September 2015, as a true record.

## 3. PLANNING APPLICATIONS

The Committee considered the following applications for development.

Details of the applications were expanded upon and questions were answered in relation to the plans and aspects of the policies.

### RESOLVED

#### 1. Application number C14/029/04/LL – Land near Bodelith Isaf, Llandderfel, Bala

**Full application to erect two 57m wind turbines with a total height of 92.5m (instead of 115m) to the top of the blades (maximum output of 5MW) together with a track, building and ancillary equipment.**

**Members of the Committee had visited the site before the meeting.**

- (a) The Senior Development Control Officer elaborated on the background of the application and noted that the application included the construction of foundations, a transformer, underground cabling, construction of an electrical substation, creation of access track, creation of temporary security compound and a storage yard. An environmental assessment had been submitted with the application which considered the potential impacts of the development. Reference was made to the main policies and public consultations that had been noted in the report. Attention was drawn to the principal policy, namely policy C26 of the Gwynedd Unitary Development Plan as well as relevant criteria that dealt with wind turbine developments. As the proposed development would be able to generate 5MW, it was noted that the application was on the threshold of what was acceptable within the policy of the Unitary Development Plan and attention was drawn to the fact that Technical Advice Note 8 stated that it was acceptable to refuse planning applications for developments over 5MW. The Committee's attention was drawn to the fact that there was a need to carefully balance whether or not the proposed plan was acceptable in terms of the policy relating to developments outside the Strategic Search Areas as the main aim of the policy was to protect the landscape.

It was considered that it was possible to manage ancillary developments and decommissioning with relevant conditions. It was noted that neither the Biodiversity Unit nor Natural Resources Wales had any objection to the development except for relevant conditions and completion of the development in accordance with the environmental statement.

In terms of residential and general amenities, it was noted that a number of objections had been received regarding noise but the Public Protection Unit had not objected to the proposal and that it would be possible to manage this through relevant conditions. Should the application be approved, appropriate conditions would be required to ensure that the turbines were switched off at times if moving shadows were to cause problems.

The main concern of the planning officers was the impact on the residential amenities of neighbouring houses namely Cistfaen and Cae Iago and in response to this concern the applicant's agent had submitted two wireframe plans to show the scale of the potential impact of the turbines on both properties. Reference was also made to nearby wind turbines in Syrior and the potential impact of the cumulative noise of the turbine which was the subject of this application on the neighbouring houses.

In relation to highways and transportation matters, it was noted that many objections had been received based on the concern of highway safety especially during the construction period. Mitigation measures had been included in the environmental assessment which included a traffic management plan but in response to this no objection had been received from the Council's Transportation Unit. Since the report had been written, the Welsh Government's Trunk Road Department had submitted observations stating that granting a permission was not permitted until additional information would be received from the applicant.

Attention was drawn to the number of listed ancient monuments near the site with CADW and Gwynedd Archaeological Trust objecting to the application based on the impact of the development on the setting of the ancient monuments. In addition, reference was made to a listed Chapel in Bethel where the front of the chapel faced the site.

In terms of impact on the landscape, it was noted that the turbines would be visible from the Snowdonia National Park and the AONB. It was noted that Natural Resources Wales had raised a concern about the local impact but they did not object based on wider views from the designated landscapes.

In terms of impact on the landscape, although the National Park had objected to the application, it was noted that Natural Resources Wales and the local authority had assessed the application and were of the opinion that although it did not have a harmful impact on the National Park or the AONB it would have an impact on the local landscape and appearance in the landscape. It was emphasised that the landscape character of Bethel and Glanrafon valley could substantially change as a result of the proposal. Also, in terms of the cumulative impact of wind turbines and in accordance with the guidance of TAN8, wind turbine developments should not cause a substantial change to the landscape character.

The planning officers' recommendation was to refuse the application based on the impact on:

- Local landscape
- Setting of listed buildings
- Setting of listed ancient monuments
- Residential amenities

(b) Taking advantage of the right to speak, an objector noted the following main points:

- That the proposed application was contrary to the Council's planning guidance on wind turbine developments from the start, especially policy C26 which noted that only small or domestic community based developments would be granted permission – the application before the committee was not a small development.
- There was substantial specialist evidence noting that the development would have a detrimental impact on the landscape which contradicted the applicant's allegation that it would not have a cumulative impact with the developments that already existed.

- The above argument had been refused by CADW and also in the specialist report.
- Also, that a recent report by the Gillespies company had concluded that the area had no capacity for further wind energy developments and acted as a buffer between the surrounding protected landscapes.
- It was also noted in the report that the application was contrary to TAN8 guidelines which noted that outside search areas there should be no substantial change to landscape deriving from wind turbines – there would certainly be a substantial change deriving from this application.
- The Ministry of Defence had requested for red lighting to be fitted at the top of the masts which would flash 60 times per minute – this would certainly change the landscape character.
- Bearing in mind the disturbance which would derive from the main construction work, then a track, crane and permanent outbuildings as well as the wind turbines, this would industrialize open countryside of high quality and there was no room for such a development in a beautiful part of Gwynedd.

(c) Taking advantage of the right to speak, the applicant's Agent noted the following main points:

- Planning officers were thanked for the constructive process in dealing with the application and it was felt that the company had come up with a plan that managed to avoid impacts on the National Park and the AONB.
- The only matters that caused a concern between the applicant and the planning officers were local matters. Whilst the Agent did not deny that there would be a substantial local impact, given the context of climate change and the national order for renewable energy which had recently been submitted by the Minister for Natural Resources, Welsh Government, it was felt that local impacts were not sufficient enough to outweigh the positive recommendation to approve the application.
- In terms of impact on nearby residential properties, it was noted that the landowner who promoted the scheme owned one of the properties and from the wireframes that had been produced it was clear that only the front of the blades could be seen and that the turbines would be screened well in terms of topography.
- It was realised that CADW was concerned in terms of historic ancient monuments, but they were not certain whether or not the ancient monuments were pre-historic or medieval which suggested that it would be difficult to define the location and also the importance of the location.
- CADW also recognised the impacts of climate change on historic ancient monuments.

(ch) The Local Member (a member of this Planning Committee) noted the following main points:

- That it was difficult for him to object to the application as he had supported a 94m high wind turbine application in Braich Ddu
- Attention was drawn to the fact that the Community Council objected to the application.
- The Chapel in Bethel had been empty for at least 20 years and was in poor condition.
- The Company was offering a substantial financial contribution to the community.

(d) In response to the observation made regarding a financial contribution, the Senior Solicitor advised the Planning Committee that this should not be considered at all as it was outside the planning system.

(dd) It was proposed and seconded to refuse the application in accordance with the officers' recommendation.

- (e) The following observations were noted contrary to refusing the recommendation:
- That the application was similar to the Braich Du wind turbines planning application which had been granted permission.
  - The Minister for Natural Resources, Welsh Government was supportive of wind turbine developments.
  - Should the applicant refer the decision to an appeal, a concern about the likelihood that the authority would lose the appeal.

**RESOLVED: To refuse for the following reasons:**

1. **The proposal individually and jointly with turbines that are already close to the site would be harmful to the character and appearance of the local area due to the size, location and prominence of the proposed development and that it would have a detrimental impact on neighbouring residents' visual amenities and those who use the site and surrounding area for leisure/amenity purposes. It is considered that the proposal is contrary to policies B23 and C26, Onshore Wind Energy Supplementary Planning Guidance and guidance in TAN 8.**
  2. **Due to its size, location and prominence the proposal would have a detrimental impact on the location of the Grade II listed building known as Bethel Chapel. Consequently, it is considered that the proposal is contrary to policies C26 and B3 of the Gwynedd Unitary Development Plan, Chapter 6 Planning Policy Wales, Section 66(1) Planning (Listed Buildings and Conservation Areas) Act and the Welsh Office Circular 61/96 - Planning and the Historic Environment: Historic Buildings and Conservation Areas.**
  3. **Due to its size, location and prominence the proposal would have a detrimental impact on the location of the Registered Ancient Monuments known as Clostir Mynydd Mynyllod, Gwersyll Euni, Cylchoedd Cerrig Caer Euni and Carnedd Gron Cern Caer Euni. It is not clear either whether the development will have a detrimental impact on archaeology that has not been identified and whether impacts could be adequately mitigated. Consequently, it is considered that the proposal is contrary to policies C26 and B7 of the Gwynedd Unitary Development Plan, Chapter 6 Planning Policy Wales and the Welsh Office Circular 61/96 - Planning and the Historic Environment: Archaeology.**
  4. **As there is no sufficient information about the impact on residential amenities in terms of visual impacts which are specifically related to the properties known as 'Cistfaen' and 'Cae Iago', it is considered that the application is contrary to policies C26 and B23 of the Gwynedd Unitary Development Plan.**
2. **Application number C14/0386/24/LL – Land to rear of Tan y Celyn, Sŵn y Môr and Talardd, Llanwnda**

**Renewal of planning application number C08A/0568/24/LL for the erection of 24 dwellings, alterations to an existing entrance and the creation of estate roads.**

(a) The above application was submitted to the Planning Committee to update Members and remind them that the application had been approved at the Planning Committee dated 28.07.14 subject to the applicant signing a legal agreement under Section 106 which involved ensuring that six of the 24 houses were affordable houses for general local need together with providing an educational contribution as it had been

estimated that there was not enough capacity within Ysgol Felinwnda in the 2013-14 academic year for an additional increase of over 30 pupils.

However, during 2014, the capacity of Gwynedd schools, including the above school, had been reviewed and as a result of this review, the Education Department had confirmed that the school's capacity had increased from 30 to 56 pupils. Therefore, this meant that there was capacity in the school for additional pupils which would arise from this development. To this end, the applicant would no longer be required to provide a financial contribution.

Reference was made to the relevant policies and public consultations within the report and it was recommended to approve the application subject to material planning conditions.

(b) The Local Member (not a member of this Planning committee) noted the following main points:

- That on the whole he did not object to the application but that he questioned the increase in the school's capacity to 56 and as it was a modern development it was anticipated that more than 3 children would be likely to go to the school and he had asked the Director of Education how the capacity had increased.
- He appealed for the Planning Committee to visit the site as well as the school which included two classrooms and a hall.
- He was in favour of the development subject to discussions with the builder to provide a playing field for the village and a financial contribution for the school.
- The above would enable the builder to construct an additional house on the play area of the proposed estate which would make a total of 25 houses instead of 24.
- Should a playing field be provided on the estate, there was a need to remember that the road was dangerous.
- No problem was anticipated with policy A2 as Welsh was the language of the village of Dinas.
- The design was of good quality but nothing had happened since the submission of the application in 2009 and that there was a real need for housing for young people in the village.
- The Community Council had objected to the original application as the entrance and the road which led past the development were unsuitable for the number of houses but since then it had been understood that the developer had agreed to widen the main entrance.

(c) In response to some of the above observations, the Senior Planning Service Manager explained that the main consideration in this application was that the Planning Committee had approved the exact application in July 2014 for 24 dwellings (with 6 of them being affordable houses) but since then the Council's Education Department had undertaken an assessment of the school's capacity and that it was possible to make better use of the available space in the school. Therefore, based on the evidence submitted by the Education Department it would be possible to approve the application for 24 dwellings with the play area without an educational financial contribution.

(ch) It was proposed and seconded to approve the application in accordance with the recommendation.

(d) An amendment to the proposal was proposed, namely to visit the site and the following points in favour of the amendment were noted:

- That the local member had mentioned negotiating with the builder to relocate the playing field for the whole community.
- Concern as to how the Education Authority had reached a figure of 56 and that there were implications to this which meant that the school was currently half empty. There was potential to attract more budget to the school if there were 56 children in the school.
- The Planning Committee had a duty to visit the site.
- Children from the estate would protect the playing field on the estate and possibly prevent village children from using it.

(dd) Should the application be approved, a Member noted his wish to add a condition to protect most of the existing hedge on the road to Rhos Isaf.

(e) In response to an observation made regarding visiting the school, the Senior Solicitor explained that based on the matters at hand it could not be justified to visit the school as this would not affect the evidence that had been submitted by the Council regarding the school's capacity. It was explained that perhaps it would be wise for the Committee to ask for additional information from the Education Department as well as a justification of the increase in the school's capacity if this information was not clear to them. It was also noted that Committee needed to seriously consider whether or not there was justification for them to undertake a site visit in order to consider the open space within the site as this was in accordance with Council policies.

A vote was held on the amendment for a site visit and this amendment was carried.

**RESOLVED: To defer the application and ask the Planning Committee to visit the site.**

### **3. Application number C14/0532/14/LL – Plas Brereton, Bangor Road, Caernarfon**

**Convert building into a restaurant and hotel (nine bedrooms), alterations to the access, felling of trees, landscaping, parking areas, convert Dock Keeper's lodge into a cafe and construction of new holiday units making a total of 18 holiday units**

(a) The Senior Development Control Officer elaborated on the application's background and noted that the proposal involved the conversion, extension and alteration of the property as outlined above. The property was located outside the Caernarfon development boundary as included in the Gwynedd Unitary Development Plan and bordered with the Menai Straits which had been designated as a Nature Conservation Site of International Importance. The Anglesey Coast AONB was located further to the west. The public footpath/cycle route of Lôn Las Menai ran between Dock Keeper's lodge and Plas Brereton. This part of the Menai Straits had been recognised by Natural Resources Wales as an area that was located partly within a C2 Zone as referred to in Technical Advice Note 15 on "Development and Flood Risk" (2004) and that a part of the site was within the extreme flooding line.

Reference was made to the relevant policies and public consultations within the report.

In terms of visual amenities, it was not considered that the proposal would have a substantial or significant impact on the visual setting of the AONB and that the proposal was acceptable based on the requirements of the relevant policies.

It was noted that the proposal was acceptable in terms of general and visual amenities and complied with the requirements of the relevant policies.

It was noted that the Welsh Government was supportive of the application subject to including a number of conditions relating to the design to improve the existing access.

In terms of biodiversity matters, it was noted that evidence had been submitted confirming that there were bat roosts in Plas Brereton and that the applicant will need to undertake relevant mitigating measures to protect them.

It was ensured that the proposal complied with the relevant policies in terms of linguistic and community matters.

Should the application be approved, the development would be a boost for the local economy and prevent the building from deteriorating further.

Attention was drawn to the fact that the site of the proposed café was within a C2 Zone and within reach of flooding, but a consequence assessment was submitted stating that flood consequences could be managed throughout the lifetime of the development by incorporating mitigating measures in the plan to convert the building into a café.

Observations were received from the Local Member stating that he did not have any objection to the application but that he had a slight concern about the safety of the Dock Keeper's lodge as the structure of the dock was vulnerable in some places and there was a need to ensure that customers / the public did not fall into the water. He was also concerned about the access.

It was recommended to approve the application as it was considered that the proposal was acceptable and complied with the relevant policies and guidelines.

(b) Taking advantage of the right to speak, the applicant's Agent noted the following main points:

- That the site was currently empty and in poor condition.
- The proposal was to restore the Plas as a hotel with 9 bedrooms together with a moderate extension to locate a restaurant.
- Proposed café for the Dock Keeper's lodge on the Menai waterfront with the lodge on the highway being restored to store staff facilities.
- A suitable bat roost would be built.
- The site would be appropriately managed.
- The proposed development would be a valuable tourist attraction for the area, an important employer and have a positive impact on the local economy.
- The building's high quality design and finishes would attract visitors from near and far and create expenditure within the development and for the nearby area.
- The development would meet local and community requirements by providing leisure facilities namely a café and a restaurant in a well-known building which was appreciated locally.
- The application complied with local policies and that every relevant point had been considered.
- The site was close to the town of Caernarfon and Bangor with excellent accessibility to the nearby A55 and the design had been created to sit comfortably within the existing context and environment.
- There was huge demand for the property to become a successful development in order to prevent continued deterioration and provide an attractive view for the approach into Caernarfon.

(c) It was proposed and seconded to approve the application.

(ch) During the ensuing discussion the following points were highlighted:

- Sadness that Plas Coch was not part of the development.
- Should an environmental assessment be received to ease concerns regarding the possibility that asbestos would permeate into the sea from the former site of the Friction Dynamics (Ferodo) factory?
- Concern regarding the danger of transportation in terms of turning into the entrance of the site bearing in mind the narrow road and increased traffic during the summer and should a visibility splay be created?
- Would it be possible to include conditions for the following:
  - to plant trees to replace the ones that would be felled;
  - to ensure that holiday units do not change into permanent units;
  - to mitigate the noise and disturbance emanating from boats that would disembark to visit the café.

In response to the above, the officers noted:

- That the Trunk Road Unit, Welsh Government had held discussions with the applicant regarding the access and had submitted conditions stating that no additional road would now be required but rather to widen the existing access to ensure suitable visibility towards Caernarfon. In addition, Caernarfon's proposed by-pass would reduce the burden on transportation in the long term.
- The officers had consulted with the Council's Public Protection Department and that no specific concerns had been raised in terms of land pollution and it was ensured that assessments had been completed with the application in terms of draining the surface water.

**RESOLVED: To approve the application subject to conditions:**

1. **Five years**
  2. **In accordance with the plans.**
  3. **Natural slate.**
  4. **Landscaping**
  5. **Road safety (Welsh Government conditions – Transport).**
  6. **Conditions relating to biodiversity mitigating measures involving bats, vegetation and reptiles.**
  7. **Natural Resources Wales conditions relating to flood prevention mitigating measures, lighting, drainage and safeguarding protected species (bats).**
  8. **External materials with samples**
  9. **Details of the hard surface areas to be approved.**
  10. **Withdrawal of permitted development rights from the holiday accommodation.**
  11. **Restrict the use of the units to holiday use only and maintaining a register.**
  12. **Convert the hotel to be open to the public before the first nine holiday units are occupied.**
  13. **Restrict the café's opening hours.**
4. **Application number C15/0337/11/AM – Plas Llwyd, High Street, Bangor**

The meeting was chaired by Councillor Gwen Griffiths for this application as the Chair had declared a personal interest.

**Outline application for the demolition of the existing building together with the erection of a new building containing a total of nine flats (6 x 1 bedroom and 3 x 2 bedroom).**

(a) The Development Control Manager expanded on the background of the application and noted that the application had been deferred at the September meeting of the Planning Committee in order to confirm the land ownership situation and receive a confirmation of the applicants' exact intention regarding developing the site. It was noted that the site was located within a residential area on the high street in Bangor, which formed part of the residential area of Hiracl.

Reference was made to the relevant policies together with the public consultations within the report.

Although an outline application had been submitted, it was noted that all reserved matters had been included as part of the application together with the full plans including elevations.

The application was submitted by Cartrefi Cymunedol Gwynedd on land that was in their ownership and their intention was to develop the site themselves to provide flats for local people for affordable rent. Taking into consideration that the applicant was preparing new rented social housing for local residents under their statutory responsibilities, it was believed that the application could be dealt with as an exception to policy CH6. As Cartrefi Cymunedol Gwynedd was the developer, it was emphasised that a 106 agreement would not be required.

It was considered that the proposal complied with all relevant policies in the Unitary Development Plan and relevant national advice and that the proposal was not likely to cause significant detrimental effect on the amenities of the local area or on any neighbouring property.

(b) Taking advantage of the right to speak, the applicant noted the following main points:

- That there was slight uncertainty at the previous meeting of the Planning Committee of what was intended and he elaborated on the proposal to develop nine affordable flats for social rent specifically for local people in the Bangor area and not for students.
- There was a considerable need in the Bangor area for one-bedroom flats and that there were approximately 100 on Gwynedd Council's waiting list.
- The Council's Strategic Housing Department was supportive of the plan.
- The plan had been programmed on a contingency plan and it was hoped that a grant would be available during the current year.
- It was hoped that the reserved matters would also receive favourable consideration by the Planning Committee.

(c) It was proposed and seconded to approve the application in accordance with the recommendation.

(ch) The application was supported by the Committee which noted that there was a real need for housing for local people in the Bangor area.

**RESOLVED: To approve with conditions**

**1. Outline consent time condition**

2. **Condition regarding submitting additional information in the form of a reserved matters application.**
3. **Welsh Water conditions**
4. **No windows**
5. **The parking area must be completed as shown in the enclosed plan**
6. **A plan to dispose of waste must be submitted, agreed and implemented**
7. **External materials**
8. **Slates on the roof**

**Note: Highways, Welsh Water, Party Wall and nesting bats/birds.**

**5. Application number C15/0341/39/LL – Sant Tudwal (West) Island, Abersoch**

**Engineering works to create a new slipway.**

(a) The Development Control Manager elaborated on the background of the application involved with the construction of a slipway that could launch two boats. It was noted that many discussions had been held and specifically with Natural Resources Wales officers on the application in order to find an acceptable solution to the matter. Officers had also visited the site to be able to provide a strong opinion on the development.

Reference was made to all relevant policies together with the public consultations within the report.

In terms of the principle of the development, attention was drawn to the fact that policy CH47 supported proposals that improved and extended the variety of maritime facilities in the existing marinas. However, although the policy was supportive of proposals to improve provision, this was subject to complying with the remaining criteria of the policy which noted “provided the scale and design of the development is of the highest standard and is suitable for the site in question”.

It was appreciated that the location was quite sensitive in terms of biodiversity and it was ensured that the proposal had been fully assessed against the relevant planning policies and that it had been assessed in the context of ‘Habitats Regulations Assessment’ and ‘Appropriate Assessment’. As part of the application a non-statutory environmental assessment had been submitted that included a number of surveys and assessments concerning the side-effects of the proposal on all designated sites. It was considered that the proposal complied with the relevant policies and Natural Resources Wales supported this opinion.

In terms of visual amenities, following the completion of full assessments regarding the visual impact of the proposed development on the landscape and seascape it was confirmed that the proposal would have a minor harmful impact. Members’ attention was drawn to points 5.8 - 5.26 of the report which referred to the designations and the observations of Natural Resources Wales and the AONB Unit.

Reference was also made to the impact of the development on the AONB, noting that Natural Resources Wales had concluded that the proposed slipway at times would conflict with statutory conservation and the purpose and enjoyment of the ANOB designation. However, bearing in mind the influence of the tide on the proposal and the fact that the slipway would only be visible to varying degrees at times of low tide the full impact of the slipway from the coastal path would not have a substantial detrimental impact and therefore Natural Resources Wales would not oppose planning permission to be granted for the proposal.

Therefore, it was considered that the proposal was acceptable in terms of biodiversity and that relevant conditions would need to be included should the application be approved. Taking all the observations and information submitted into account it was considered that the proposal would not cause significant harm to the landscape or the seascape.

(b) Taking advantage of the right to speak, the applicant's Agent noted the following main points:

- The slipway would be partially covered by the island's landscape and partially by the impact of the sea according to the state of the tide and at times most of the structure would be underwater.
- The provision would be for two rib boats only and kept above the higher tide at the top of the slipway as required and they would be covered through the impact of the landscape.
- Paragraph 5.26 of the planning officers' report was reiterated.
- During high tide, the length of the slipway was reduced to approximately 13m.
- The views of the island were often covered with fog, mist and poor weather conditions.
- The slipway did not form part of a marina or harbour as it was and the applicant had no intention of including it as part of such a provision in future.
- In terms of need, the applicant required access to and from the island at a range of times and constraints and that the structure of Trinity House's landing stage did not provide this.
- The applicant had collaborated with statutory consultants and additional evidence had been provided by means of a landscape and visual assessment in accordance with national regulations.
- Paragraph 5.25 of the report concluded that the proposal in its entirety was in essence a static structure and that it would not have a wider impact on the historic landscape.
- The applicant had tried to produce a sensitive design and a positive provision for the character of the island and the proposal was not contrary to relevant planning policies.

(c) The Local Member (who was not a Member of this Planning Committee) noted that no one had contacted him as the Local Member but that Councillor R. H. Wyn Williams had been contacted and as a result that he had discussed the plan in detail with Councillor Wyn Williams and that both were supportive of the application. Their observations were outlined as follows:

- That the slipway had deteriorated since the huge storm in 2004 and that it was difficult to land on the island.
- Trinity House that supervised the lighthouse had a landing right and they were the owners of the existing landing stage and it was understood that there was collaboration between Trinity House and the island's owner to undertake the improvements.
- The Biodiversity Unit had a comprehensive report responding to any concerns and that the proposal did not affect visual amenities.
- In terms of health and safety, there was a real need for a new slipway.
- The slipway needed to be painted in a suitable colour.
- That the applicant complied with the application's requirements and conditions.

(ch) It was proposed and seconded to approve the application in accordance with the recommendation.

During the ensuing discussion the following points were made by individual Members:

- How much emphasis would be placed on the opinion of Natural Resources Wales?
- Would it be possible to include a condition to use a grey colour for the provision of two rib boats?
- Whilst aware that the landing stage was in the ownership of Trinity House, would it be possible to include a condition that a bilingual sign “No Trespassing / No access to the public” was installed on the landing stage to prevent other boats from landing on the island.

(dd) In response to the above observations, the Senior Planning Service Manager explained:

- That thorough collaboration and discussions had taken place with Natural Resources Wales and that the planning officers valued their opinion and expertise.
- It would be impossible to include a condition regarding the colour of the rib boats.
- A note would be sent to the applicant encouraging him to put appropriate bilingual measures in place in terms of island use.

**RESOLVED: To approve in accordance with the following conditions:-**

- 1. Commence within five years**
  - 2. In accordance with plans.**
  - 3. Submit and agree on a Construction Environmental Management Plan prior to the commencement of the work.**
  - 4. Complete the work in accordance with the mitigation measures in section 2.2 of the Habitats Regulations Assessment.**
  - 5. Agree on the grey paint colour to cover the slipway.**
- 6. Application number C15/0424/46/LL – Land near Garreg Lwyd, Dinas**

**Construction of an agricultural building with slurry store underneath (with part of slurry store outside of building) along with the creation of an agricultural access.**

(a) The Senior Development Control Officer elaborated on the background of the application and noted that the proposed building would measure 30.5m by 36.6m, with the lowest level of the building's external walls made of concrete panels and the highest level made of Yorkshire boards. The site was situated in the countryside and within the Llŷn and Bardsey Island AONB. The application was submitted to the Committee following receipt of three or more letters of objection.

Reference was made to the relevant policies together with public consultations.

In terms of principle, there was no doubt that a need had been proven for the new agricultural building which was the subject of this application and it was considered that it was reasonably necessary for agricultural purposes.

Although the proposal was not located near existing buildings it was noted that it was reasonable to expect that a holding of land which included 110 acres would have an agricultural building located on it, and it was considered that the applicant's reasons relating to the need to have a shed on the land were reasonable and worthy in relation to facilitating the arrangements of the agricultural enterprise.

In terms of visual amenities, it was noted that although the shed was significantly sizeable, this type of structure was one which was expected to be seen in countryside, and it was not considered that the proposal would therefore stand out as an alien feature in a rural location within the AONB. In light of the amendments that have been proposed and by

imposing a condition to ensure that a soil *clawdd* was erected to plant the blackthorn, it was considered that the proposal would not cause significant harm to the landscape and that it was therefore acceptable in relation to Policy B8 of the GUDP.

It was not considered that the proposal would cause significant harm to the amenities of the local neighbourhood and that it was acceptable in terms of the relevant policies.

In terms of transport and access matters, it was not considered that the proposal would affect road safety subject to an appropriate condition ensuring that surface water does not flow from the site onto the highway.

In the context of biodiversity matters, it was considered that it was appropriate to include conditions in terms of submitting and agreeing on the *clawdd*'s details, a biodiversity compensation plan together with undertaking the work on the slope outside bird nesting season.

Given all the relevant considerations, it was considered that the proposal was acceptable and it was recommended that it should be approved.

(b) The Local Member (who was not a member of this Planning Committee), noted the following points:

- that the application was before the committee as a result of a letter of objection from the owner of a property located around half a mile away.
- the planning officers had discussed with the applicant and had agreed on a compromise that satisfied both sides.
- in terms of biodiversity matters, it was noted that there would be no threat to species.
- the Community Council supported the application.

(c) It was proposed and seconded to approve the application.

**RESOLVED: To approve subject to the following conditions:**

1. **Commence within five years**
2. **In accordance with the plans.**
3. **Roof to be of charcoal grey colour RAL 7016.**
4. **The Yorkshire boards to be left to weather naturally.**
5. **Agricultural use of the building only.**
6. **The *cloddiau* must be built near the entrance to a specification agreed upon with the Local Planning Authority.**
7. **Before any work is undertaken a biodiversity compensation plan must be provided which seeks to relocate the lowland acid grassland and manage for biodiversity.**
8. **No work to be done on the slope during the bird nesting season, namely between 1 April and 1 August unless it can be proven to the Local Planning Authority that no birds are nesting.**
9. **Agree on a landscaping plan around the building and the new access road which will include a soil *clawdd* with planning on top of it.**
10. **The applicant is to take every possible step to prevent surface water from the site discharging onto the road.**

**Notes-**

1. **Run the site in line with DEFRA document "A Code of Good Agricultural Practice for Farmers, Growers and Land Managers" 2009.**

2. **Construct and implement the site in line with Natural Resources Wales guidelines included in its letter dated 11 September 2015.**
3. **Need a right under Section 171/184 Highways Act for work to be done within the road / pavement / greenside.**

**7. Application number C15/0507/11/LL – 390 High Street, Bangor**

**Application to demolish existing building together with the construction of a four-storey building which provides seven self-contained living units and the provision of an access and associated parking.**

(a) The Development Control Manager elaborated on the background of the application, and noted that the site was on the lowest part of Bangor High Street and within the development boundary of the city. It was noted that the existing site was described in relation to its use as the applicant's roofing business centre with the building being used as offices and the yard to the rear was used to park vehicles and to store materials and equipment.

Reference was made to the relevant policies along with the public consultations and attention was drawn to the information submitted by the Agent on the additional observations sheet that had been distributed to the Committee.

In terms of visual amenities, it was noted that the site was located in a relatively prominent location, adjacent to the lowest part of Bangor High Street with the site surrounded by buildings of various size, design and appearance which had a mainly residential use.

It was noted that it would be inevitable that any development on the site would be likely to have some impact on the area's visual amenities but the proposal in this case would see a difference of approximately 6 additional metres in height compared with the height of the existing building.

It was noted that the success of developing the site depended on full consideration of the impact of any building on existing views, including the adjacent listed buildings, it was considered that it was possible to create a suitable and striking building that would not dominate the streetscape of the adjacent listed buildings, but it was not believed that this had been achieved in this case.

Attention was drawn to the fact that the building to be demolished was attached to a part of the gable end and front elevation of 1, Friars Terrace, which formed part of a row of three striking grade II listed buildings. A separate application had been submitted for listed building permission to undertake this work.

The Senior Conservation Officer stated that Friars Terrace and Plas Meuryn were traditional buildings in appearance, and the new development would be completely modern. It was considered that the proposal was too large for the site and that it would not add to the value and character of the listed terrace, but would rather undermine the current character. Erecting a new four-storey building would dominate the site and would have a detrimental impact on the character and setting of the adjacent listed terrace.

Based on all considerations, it was noted that the principle of the development was not unacceptable, but significant amendments needed to be made in terms of the design and scale of the building in order to create a plan which was suitable and acceptable for this specific site and which responded to officers' concerns. Therefore, it was considered that the proposal was unacceptable as it did not comply with the requirements of local and national policies and guidelines.

(b) It was understood that the local member supported the recommendation of the planning officers to refuse the application.

(c) The recommendation was proposed and seconded.

**RESOLVED: To refuse for the following reasons:-**

1. **The proposal is contrary to all the requirements of Policies B22, B23 and B25 of the GUDP as the design does not incorporate good design principles while using methods consistent with the nature, design and scale of the development.**
2. **The proposal, due to its design, size, height, scale, form and location next to the listed buildings would appear an incongruous feature and would have a detrimental impact on the appearance, character and setting of the historical site. The proposal is therefore contrary to policies B2 and B3 of the Gwynedd Unitary Development Plan and advice within chapter 6 of Planning Policy Wales and paragraph 11 of the Welsh Office circular 61/96 which states that proposals should not cause significant harm to the architectural or special historic character of listed buildings or their settings.**

**8. Application number C15/0533/11/LL – Railway Institute, Euston Road, Bangor**

**Application for the demolition of the existing building and erection of a three-storey building to create 27 flats for students, relocation of pavement and creation of lay-by and parking for seven vehicles.**

(a) The Development Control Manager elaborated on the background of the application and noted that the site was located within a residential area in the city of Bangor and within the development boundary, on steep land along Euston Road, near the Postal Sorting Office and railway.

Reference was made to the relevant policies together with the consultations as noted in the report.

In terms of the principle of the development, it was noted:

- That the building was not currently in use.
- CADW did not consider that the building met criteria for it to be listed.
- The proposal involved erecting a new building to provide student accommodation and that there was no specific policy in the UDP to deal with a development of this type.
- There was a need to weigh up material considerations when deciding whether or not the principle of siting the proposed development in this particular location was acceptable.
- Figures and tables showed the latest situation involving student accommodation developments in Bangor.

As a result of additional statements submitted as part of the application, it was considered that the proposal complied with the requirements of the relevant policies.

It was noted that the Transportation Unit was satisfied with the on-street parking provision and with the retention of the pavement.

A Linguistic and Community impact statement was submitted with the application and after consulting with the Joint Planning Policy Unit it was considered that the proposal was in accordance with the relevant policies and that it would not have an impact on the Welsh language.

Based on all considerations, it was considered that the proposal was acceptable in respect of local and national policies, and that there were no other material planning matters that stated otherwise, and that consequently, the application should be approved subject to relevant conditions.

(b) Taking advantage of the right to speak, an objector noted the following main points:

- that there was an excessive supply of student accommodation in Bangor and that no more was required;
- halls of residence were not full;
- a substantial number of empty spaces were available in private sector houses;
- there had been a deterioration in Bangor's total student population for several years;
- the main objection was for the demolition of the building that was an important part of Bangor and Wales as architectural heritage was quickly disappearing;
- planning consideration noted "that the building on the site was a historical one that had important architectural elements and a community history to the area";
- CADW had not granted a listed status to the building as it had lost many of its internal features;
- over 1,000 people had signed an online petition against the demolition of the building including the Victorian Society and the Bangor Civic Society. However, should it be decided that the student dwellings would be approved, the Committee was encouraged to include a condition to re-use the building and not demolish it.
- the Chair was requested to accept the petition.

(c) Following receipt of legal advice, the Chair refused to accept the petition as it should have been part of the planning information file.

(ch) Taking advantage of the opportunity to speak, the applicant's representative noted:

- That this was an application for 27 flats which was very different to the high number of very small accommodation built in other parts of the city and that it would include self-contained studios with the top floor including flats that would be targeted for mature students and not first year students.
- High quality student accommodation would contribute to the local housing stock by allowing students who would otherwise occupy the rooms to leave those rooms that would provide a low cost accommodation for local people to rent.
- The observation of the Town Council was noted regarding the development in a residential area but it would get rid of a noisy nightclub.
- The Railway Club which used the building had now moved to a new site.
- A strict management strategy to deal with students who could cause nuisance for local neighbours was ensured.

- The Archaeological Trust had suggested conservation or making a record of the building and that the applicant was happy to offer a recording strategy but that preserving the building was not an option as there were serious structural defects and it could not be sufficiently insulated to modern standards.
- The Government encouraged use of brownfield sites for developments and that this site was on the outskirts of an industrial area.
- Redevelopment was a positive solution to what was currently a dilapidated and dormant building.

(d) The Local Member (not a member of this Planning committee) noted the following main points:

- That Bangor City Council objected to the application based on overdevelopment.
- The Conservation Officer noted that there was a history to the building and a connection with the railway and suggested that the applicant should consider preserving the building and converting it rather than demolishing it.
- Disappointment was expressed as no effort had been made to preserve the building as it was a beautiful building with features that deserved to be preserved and were essentially important and that the building had a local historical and cultural value.
- A public meeting had been held but it was understood that only one individual had attended as people were not aware of the meeting.
- Over 1,000 people had signed a petition and this should not be disregarded.
- The majority of students lived in the Deiniol / Menai ward and the student provision should not be extended to every part of the city and should the Railway Bridge not be designated as the limit?
- A sufficient number of accommodation and halls had been constructed to meet the figures designated by the Inspector in 2015.

(dd) In response to the above, the Senior Planning Service Manager explained:

- Historical matters and building status – that consideration had been given to this by officers but following considerations after the CADW investigation it did not fall within listing criteria or within a Conservation area, therefore, a planning permission to demolish the building was not required.
- In terms of the need for student accommodation, reference was made to the tables in the report and specifically to table 4 and it could be seen that there was a need for this type of development to help meet the need.

(e) It was proposed and seconded to refuse the application, contrary to the planning officers' recommendation on the grounds of overdevelopment and impact on residential amenities.

(f) The following points were noted in favour of the proposal to refuse:

- That it was a historical building in terms of the railway industry and it would lose the character of the City;
- Disappointment that no effort had been made to convert the building;
- Over 1,000 of Bangor residents objected to the application and there was a need to listen to the voice of the people and the local Member;

- It disagreed with figures in the report relating to the demand for student accommodation in Bangor and that this should be supported with robust evidence in future;
  - Student accommodation should not be spread across the City.
- (ff) In response to the observation regarding the demand for student accommodation, the Senior Planning Service Manager noted that the process of developing the Joint Local Development Plan was ongoing and that it would address policies involving student accommodation and houses of multiple occupation and that the information within the report was the current evidence as part of that process.

**RESOLVED: To refuse the application contrary to the planning officers' recommendation as the proposed development would be an overdevelopment of the site and that it would have an effect on the residential amenities of neighbouring residents.**

**9. Application number C15/0662/09/LL – Land in Morfa Camp, Sandilands, Tywyn**

**Install PV (3.6MW) solar panels to include ancillary buildings, landscaping and access to the site.**

- (a) The Senior Development Control Officer expanded upon the background of the application and noted that the application site measured approximately 6.7 hectares and included grade 4 agricultural grazing land and located on the marshland on the boundaries of the town of Tywyn. This site was part of the former RAF Morfa Camp. It was noted that the Pen Llŷn and Sarnau Special Area of Conservation was located in Cardigan Bay which was approximately 0.7km to the west of the site, and two Sites of Special Scientific Interest were located nearby, one on the Morfa Gwylt which was within 0.6km to the site to the north and the other, namely Dyfi, within 1.4km to the south. Attention was drawn to the fact that the ancient monuments of Caer Llechrwyd and Gwersyll Tal y Garreg were located to the north of the site and a number of listed buildings were located close to the site in the town of Tywyn. The proposal involved installing solar panels to create a solar park which would generate 3.6MW of electricity for the National Grid.

Reference was made to the relevant policies together with the public consultations as outlined in the report.

In terms of the principle of the development, it was noted that policy C1 of the Unitary Development Plan related to locating new developments, and it stated that land within town and village development boundaries and the developed form of rural villages would be the main focus for new developments. It was considered that the proposal was acceptable in terms of the relevant policies of the GUDP and that it complied with the appropriate policy for the provision of energy from renewable sources.

In terms of design and materials, attention was drawn to the fact that the plans did not go into detail about the proposed materials or finishes of the structures, but it would be possible to agree on using materials that were acceptable and were in-keeping with the site.

It was proposed to landscape the site by means of appropriate measures and therefore, it was considered that the proposal complied with relevant policies subject to conditions.

In terms of general and residential amenities, it was noted that additional documents had been submitted as part of the application and the information included in the documents stated that the development would not cause any nuisance or unsuitable glare as a result of sunshine, and that the proposal would not cause a harmful visual impact. In the context of light pollution and lighting, it was considered that the findings of this report confirmed that solar reflections from the development could affect nearby houses and road users, however, it was not considered that this impact would have a significant harm on the residential amenities of neighbouring residents or on the safety of users of nearby roads.

It was noted that there would only be an increase in traffic flow during the construction phase and the applicant had provided a traffic flow management plan in order to satisfy the requirements of Gwynedd Council's Transportation Unit.

No response had been received from the Council's Senior Conservation Officer; however, CADW's response noted that it was unlikely that the proposed development would have more than a local impact on the registered historic landscape.

By ensuring that an agreement was accepted to operate in a method that would protect the interests of biodiversity on the site by means of a condition, it was considered that the plan would meet the objectives of policy B20 of the Unitary Development Plan.

Given all the relevant considerations, it was not considered that the proposal was contrary to any of the relevant policies and therefore, the proposal was acceptable. The planning officers recommended approving the application subject to relevant conditions.

- (b) Taking advantage of the right to speak, the applicant's agent noted the following main points:
- That the plan was on the boundary of the dwelling on the land of poor agricultural quality and that the plan had been drawn up with consideration of the landscape and biodiversity, and therefore, the applicant had been willing to agree to a landscape plan for the lifespan of the development.
  - This would look at improving opportunities for the skylark and reptiles.
  - An extensive public consultation was held and, although not a planning matter, a financial contribution would be presented to the local community.
  - In terms of the sewers that crossed the site, assurance was given that contact had been made with Welsh Water to protect the assets.
- (c) In light of the financial contribution to the community, the Chair noted that both local members had had to declare an interest.
- (ch) During the ensuing discussion, the following points were noted by individual Members:
- That the opinion of the Town Council had been shared on the matter.
  - Some disagreed with the recommendation in light of the fact that the National Park surrounded the site and that the Pen Llŷn a'r Sarnau special

area of conservation was approximately 0.7km to the west from the site and that two sites of special scientific interest were located nearby, and therefore, it could not be seen how approving the application could be justified.

- It was suggested that similar work that had commenced on the Tyddyn Cae site in Pen Llŷn should be visited. It was a mess on the landscape according to a Member's opinion.
- Similar applications were increasing and there was a concern about the visual impact, and it was agreed with the above suggestion that the Committee should visit the site in Pen Llŷn with an open mind in order to fully understand what the visual impact on the landscape was.
- Planning officers were requested to formulate an impact report on these type of applications on the landscape and for them to provide guidelines / regulations in the same manner as they did with wind turbines.

(d) The Senior Solicitor explained that the whole purpose of a planning application was to assess the site that was the subject of the application, and a substantial concern was expressed regarding the suggestion to visit another site in order to be able to make a decision on the application before the Committee. The Planning Committee was advised that there was a substantial risk in making a decision on a site in Tywyn based on visiting a site in Pen Llŷn.

(dd) The Senior Planning Service Manager expressed that he understood the observation in light of the fact that this type of development was new for the Council. In terms of wind turbines, a site visit was arranged for a Planning Committee in another County as part of training and similar arrangements could be made with these types of developments but it was emphasised that every case must be considered on its own merits.

In terms of a landscape impact assessment, it was emphasised that there was a comprehensive report before the Committee providing the professional opinion of officers as well as other statutory bodies on the visual impact. It was further noted that specific work had been undertaken by Gillespies examining the landscape capacity in Gwynedd and Anglesey and that the contents of the report gave consideration to the above research. It was noted that the recommendation before the Committee was based on the observations of consultations and that planning officers had considered the observations and had concluded that the application was acceptable.

(e) It was proposed and seconded to approve the application.

**RESOLVED: (a) To approve with the following conditions:**

1. **Five years**
2. **To complete the development in accordance with the plans.**
3. **The panels must be located as shown in the plans, or as agreed in writing with the Local Planning Authority.**
4. **Agree on the materials/colour of the frames and anti-glare covers.**
5. **To agree on the colour of the fence and camera poles.**
4. **Agree and complete a landscaping plan and a landscape management plan.**
5. **Agree on and implement a Surface Water Management Plan and a Construction Environmental Management Plan.**
6. **Agree on and implement a Biodiversity Management Plan.**

7. **Agree on and implement a Traffic Flow Management Plan for the works.**
8. **Agree on and implement an Archaeological Works Programme.**
10. **Any electricity cables from the development to link to the electricity connection should be installed underground, and this should be agreed beforehand with the Local Planning Authority.**
11. **Within 25 years of completing the development or if the solar panels approved in this application remain unused for the purposes of generating electricity for 12 months, they must be permanently removed from the land and the site should be restored to its original condition.**
12. **Welsh Water standard conditions.**
13. **Agree on the external materials of all buildings.**
14. **Highways conditions.**
15. **The details of the site's lighting system, including the type, exact location, luminosity level and the method of protection from pollution or light overflow must be submitted to the Local Planning Authority for written approval and to be fully operational before the permitted development is completed and before the site is operational.**

**(b) To ask planning officers to arrange future training for the Planning Committee to meet guidelines / regulations for applications to install solar panels.**

**10. Application number C15/0748/44/LL – Former Hamdden Caravan Premises, Porthmadog**

**Conversion and extension of former caravan repair premises into car sales, MOT centre and vehicle repair garage.**

(a) The Senior Development Control Officer elaborated on the background of the application and noted that it included extending the main building on the site by extending it 2.3m forward to the boundary of the highway. The extension to the building would create 37m<sup>2</sup> of extra floor surface area. The site was located within the development boundary of Porthmadog and it was noted that the application had been submitted to the Planning Committee at the request of the local Member.

In terms of visual amenities, as the development was on a previously used site for a similar use and adjacent to buildings of the same scale, it was not considered that it would look out of place and it was considered that the development's appearance would be acceptable and would conform to the requirements of relevant policies. Nor was it considered that the proposal would cause significant harm to the amenities of the area.

It was noted that acceptable parking provision and arrangements could be secured on the site in order to satisfy the requirements of the Transportation Unit regarding the impact on highway safety.

Given all of the above considerations, it was noted that the proposal was acceptable based on its use, location, setting, design, materials, scale and any potential effect on the general amenities of the area and therefore it met the requirements of the relevant policies.

(b) Taking advantage of the right to speak, the applicant's Agent noted the following main points:

- That the former Pennant Motors garage was on the site in the past and that the proposal created four new jobs and had been filled by local Welsh people.
- The proposal to create a garage corresponded with the applicant's current business in Dolgellau and would be a way to help make the business sustainable and protect 20 existing jobs.
- It was noted that the extension was relatively small but necessary to be able to display cars within the display room.
- The conversion work had been commenced to get rid of asbestos as soon as possible.
- A planning permission to develop and extend the building already existed.
- The public consultations were responded to in terms of overdevelopment by noting that the proposal was simply an adaptation of the previous use that had already been approved by the planners.
- Creation of more traffic – the consideration of the highway specialist confirmed that the business would not create a substantial increase in traffic.
- Impact on the amenities of neighbouring residents – it was noted that the site had been used in the past as a garage, a caravan repair site and also as the Pennant Motors garage.
- Transport observations – that plans had already been adapted for parking spaces and had been accepted to be suitable with the requirements.
- Public protection – no complaints for the use of caravan repairs which was similar to the proposal.
- Limiting working hours would create a concern as the business needed to be available to repair the cars of North Wales Police in an emergency.
- Details of low levels of glare from the lighting had been submitted which showed that residents' amenities would not be affected by light pollution.
- The development was to be seen as an improvement to the existing appearance and the proposal complied with planning policies.

(c) The Local Member (not a member of this planning committee) noted the following main points:

- That he was reluctant to object to an application by a local business but welcomed the opportunity to note the concerns of local residents and the Town Council.
- Light pollution in terms of adjacent houses that faced the site would be unacceptable - whilst he acknowledged that there were other businesses on the street no light pollution emanated from these businesses.
- Concern regarding loss of lighting in the Snowdon Street houses - one of the houses had been visited and there was evidence that the kitchen had darkened.
- There would be a substantial increase in noise in the workshop.
- Concern about parking as there was only space for one vehicle.
- Concerns had been received about speeding on the street and that there were insufficient measures to mitigate speeding.
- The Planning Committee was asked to refuse the application.

(d) In response, the Senior Planning Service Manager noted that while he sympathised with the concerns the use of this application had be considered and that it was an opportunity to have better control of operational hours than what had been in the past. It was noted that the application had planning history and

that there would be no increase in terms of impact on local residents and that there would be more control over what currently existed. It was further noted that permission had been granted in 2013 to extend the front of the shop.

(e) The Senior Engineer (Development Control) reiterated that observations had been made following the first consultation, but since then additional information had been received on how vehicles and the parking of staff vehicles would be managed and he was satisfied with the arrangements. Reference was made to the island at the front of the site and that there was an opportunity to remove the island and consequently gain a bit of parking space for residents and customers.

(f) A Member noted that the Town Council objected to the application and it was proposed and seconded to visit the site.

**RESOLVED: To defer consideration of the application and arrange a site visit.**

**11. Application number C15/0807/20/LL – Menai Marina, Hen Gei Llechi, Felinheli**

**Retrospective application to retain a pontoon within the quay.**

**RESOLVED: To postpone considering the application due to the implementation of the procedure for speaking in the Committee.**

**12. Application number C15/0808/20/LL – Menai Marina, Hen Gei Llechi, Felinheli**

**Retrospective application to retain a pontoon within the quay.**

**RESOLVED: To postpone considering the application due to the implementation of the procedure for speaking in the Committee.**

**13. Application number C15/0517/04/LL – Coed y Foel Uchaf, Frongoch**

**Installation of a wind turbine measuring 30.5m to the hub (48.01m to the tip of the blades) with a control box and associated works (resubmission of application previously withdrawn).**

**Members of the Committee had visited the site before the meeting.**

(a) The Development Control Manager elaborated on the background of the application and noted that the site was located on elevated land near the A4212 road which ran as the main link between the town of Bala and the village of Trawsfynydd. It was noted that the boundary of the Snowdonia National Park was located approximately 750m to the west with the Bala and Tegid Shores Landscape of Special Historic Interest located approximately 2km to the right of the site, and a wide area of Open Access Land designated under the Countryside and Rights of Way Act (2005) was located within 300m to the east of the site. Attention was drawn to the fact that the land was improved agricultural grazing land with electricity pylons located approximately 450 metres to the south of the site and there were panoramic views of the mountains around this site.

Reference was made to the relevant policies together with the public consultations within the report.

Reference was made to the additional observations submitted to the Committee.

Attention was drawn to the fact that an Anglesey, Gwynedd and Snowdonia National Park Sensitivity and Capacity Assessment by the Gillespies company confirmed that the application site was within the G12 Area of Llandderfel and described the landscape of the area in general as one of medium scale, which had a rural and undulating landscape, which had medium to high sensitivity to wind energy developments.

The policy presumed against developments that caused significant visual intrusion and were sited insensitively and unsympathetically within the landscape. It was considered, due to the prominence of the development within the landscape and from a vast area within the Park that it would significantly affect the enjoyment of users of the National Park. It was considered that a turbine at this proposed location would impact on the landscape, would draw attention away from the Park, and would impact on the designation of internationally important land.

Due to the nature of such developments, it was very difficult to integrate them with the landscape and, therefore, when considering such applications, their visual impact, the status of the landscape, the economic benefits and the national aim of promoting developments that generate renewable energy must be taken into account.

It was noted that it was considered that the proposal did not meet the requirements of the relevant policies, and that the turbine would have a significant and substantial impact on the features and special character of the National Park. The planning officers' recommendation was to refuse the application in accordance with the reason outlined in the report.

(b) The local member (a member of this Planning Committee) made the following main points:

- That the application was a re-submission and that the applicant had wasted several months as officers continued to object to the application.
- The development did not affect the landscape.
- In terms of the break to the skyline, it was noted that approximately two rows of pylons ran through National Park territory which was nearly the same size as the proposed turbine but these were not visible as one would get accustomed to them.
- A young family that had begun farming had submitted the application.
- The Community Council supported the application.
- Should the turbine be painted in grey, it was felt that it would naturally blend in with the buildings, pylons etc.
- Only two objections had been submitted namely by an Officer from the National Park and Friends of the Park.
- Natural Resources Wales did not object to the application and officers had noted in an earlier application that the observations of Natural Resources Wales were of substantial importance.
- An appeal was made for the Committee to support the application.

(c) Given the above observations, the Senior Planning Service Manager emphasised that unlike the pylons this was a moving structure and not acceptable in terms of visual impact.

The recommendation to refuse the application was proposed and seconded.

(ch) A Member noted his support to the application as the development was an opportunity for a young family to be able to increase their income. Following the site visit,

the Member was not of the opinion that the proposed development would be obtrusive and that he would be very disappointed if the application was refused.

**RESOLVED:** To refuse the application as it is considered that the alien nature and scale of the turbine together with the insensitive and incompatible location within the landscape would be a significant visual intrusion in the surrounding landscape and would have a detrimental impact on prominent and panoramic views by the public into, out of and across the surrounding landscape which includes Snowdonia National Park and open countryside and would therefore be harmful to the features and special character of Snowdonia National Park contrary to Policies B14 and C26 and Strategic Policies 2 and 9 of the Gwynedd Unitary Development Plan (2009), Supplementary Planning Guidance: Onshore Wind Energy (2014), Planning Policy Wales (Edition 7, July 2014) and Technical Advice Note (TAN) 8: Renewable Energy (2005).

The meeting commenced at 1:00pm and concluded at 4:40pm.

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**CHAIRMAN**

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## PLANNING COMMITTEE 09/11/15

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**Present:**                    **Councillor Michael Sol Owen – Chair**  
                                      **Councillor Anne Lloyd Jones – Vice-chair**

**Councillors:** Endaf Cooke, Elwyn Edwards, Simon Glyn, Gwen Griffith, Dyfrig Wynn Jones, June Marshall, W. Tudor Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Hefin Williams, Owain Williams and Eurig Wyn.

**Others invited:** E Selwyn Griffiths, Dilwyn Lloyd, John Wynn Jones (Local Members).

**Also in attendance:** Gareth Jones (Senior Planning Service Manager), Cara Owen (Development Control Manager), Aneurin Rhys (Development Control Officer), Gareth Roberts (Senior Development Control Engineer), Rhun ap Gareth (Senior Solicitor) and Lowri Haf Evans (Member Support and Scrutiny Officer).

1.    **APOLOGIES:** Councillors Lesley Day, Aled LI Evans, Siân Gwenllïan, Peter Read and Gethin Glyn Williams (Local Members).

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

The following members declared that they were local members in relation to the items noted:

- Councillor Tudor Owen (a member of this Planning Committee) for item 5 on the agenda (planning applications numbers C15/0808/20/LL and C15/0807/20/CR) as he was a member of the Caernarfon Harbour Trust.

The member withdrew from the Chamber during the discussion on the applications in question and did not vote on these matters.

### 3.    **MINUTES**

The Chair signed the minutes of the previous meeting of this committee that took place on 19 October 2015, as a true record, subject to the amendment of *Point 4; Resolved / page 10*. In the minutes it was noted 'No windows'. Correction – 'No additional windows'.

### 4.    **PLANNING APPLICATIONS**

The Committee considered the following applications for development.

Details of the applications were expanded upon and questions were answered in relation to the plans and aspects of the policies.

#### **RESOLVED**

#### 1.    **Application No. C13/1143/11/AM – Land at Pen y Ffridd, Bangor.**

Outline application to erect up to 366 living units with ancillary developments including an access road, parking spaces and ancillary resources

Members of the Committee had visited the site prior to the meeting.

- (a) The Chairman noted that this was the largest application submitted to Gwynedd Council.

- (b) Attention was drawn to the additional observations that had been received.
- (c) It was proposed and seconded to defer the application as there was no Local Member for Dewi ward (local election on 19.11.15)

**RESOLVED to defer in order to submit the application to the next Planning Committee as a new local Member would have been elected.**

**2. Application number. C14/0248/30/LL – Part of field OS 8825 Cae Clyd, Manod, Blaenau Ffestiniog**

Construction of five two-storey dwellings together with an estate road and alterations to existing access

- (a) The Development Control Officer elaborated on the application's background and noted that this was a full application to construct five dwellings (including two affordable dwellings for local need) together with an estate road and alterations to the existing access. It was noted that three of the houses would be detached and the remaining two would be semi-detached. It was highlighted that the site had been allocated for housing and a Development Brief had been developed for this noting that the site had been allocated for 18 houses. However, a planning reason existed for not proposing 18 houses due to the nature and status of the land as a wildlife site. The site was not uniform or level and there were restrictions in terms of land levels, with a stream running through the site which meant that it was not reasonably possible to develop all the land.

It was noted that the site was open land with one house already built. The site had been identified as acid grassland with land outside and adjacent to the application site that is part fen, marsh and swamp. It was noted that what was proposed was acceptable by the Biodiversity Unit.

In terms of transportation and access matters, it was highlighted that there were a number of concerns regarding the likely additional use of the site junction with the A470. However, the Transportation Unit had no objection to the proposal and a recommendation had been made to improve access in general. In terms of flooding issues, it was highlighted that the application included measures to control the flow of surface water from the site and in terms of language matters the application met with the appropriate requirements. It was considered that the proposal met with all relevant local and national policies noted in the report.

- (b) Taking advantage of the right to speak, the applicant noted that:
  - The application had been improved and adapted to respond to concerns.
  - Building houses with four bedrooms reflected the local requirements.
  - This was in response to affordable housing requirements.
  - Sufficient parking places had been included.
  - He had been born and bred in the area and therefore the suitability of the site was important to him.
- (c) It was proposed and seconded to approve the application in accordance with the recommendation.
- (ch) In response to a query by a member who was concerned regarding the possibility that a further application may be submitted for 13 houses, the Development Control Manager noted that a new planning application would have to be submitted and was likely to be refused as the wetland, adjacent to the development site, was protected.

**RESOLVED**

**To delegate the powers to the Senior Planning Manager to approve the application subject to the applicant completing a section 106 Agreement to ensure that two of the five houses will be affordable houses for general local need with relevant planning conditions involving:**

1. **The commencement time of the development;**
2. **Materials to be agreed**
3. **Slate roof**
4. **Water/Sewerage/Drainage**
5. **Highway conditions**
6. **Landscaping condition**
7. **Removal of general development rights for the affordable houses.**
8. **Conditions regarding biodiversity/gabions/working arrangements**

**3. Application number C14/0885/11/AM – Bron Derw, Garth Road, Bangor**

Outline application to erect purpose-built student accommodation to include 33 bedrooms together with facilities such as a kitchen and recreation room.

- (a) The Development Control Manager elaborated on the application's background and noted that this was an outline application to erect one purpose-built building as student accommodation. It was noted that this application has been amended from the previously withdrawn application which was for the erection of three separate buildings with accommodation for 64 students. It was noted that the site was located within the city's development boundaries and was a site that had already been developed and satisfied the basic requirements of policies C1 and C3 as well as strategic policy 6 of the UDP. However, it was highlighted that although improvements had been made to reduce the development's size the proposal continued to be an over-development of the site and would have an unacceptable impact on the area's visual and general amenities and the adjacent buildings.
- (b) Attention was drawn to the additional observations that had been received.
- (c) It was proposed and seconded to refuse the application in accordance with the recommendation.
- (ch) During the discussion, the following observations were noted
- That the local Councillor had expressed an objection in accordance with the officers' recommendation.
  - That the development was an over-development.
  - That it had to be recognised that such buildings were 'choking' the city of Bangor and were detrimental to the area in the future.

**RESOLVED****To Refuse – reasons**

1. **Given the existing character and appearances of the nearby area, it is considered that the scale and form of the proposal shown is oppressive and an overdevelopment of the site. The proposed development would not be in keeping with the form of the nearby area and would detrimentally affect the general character of the area and, therefore, would be contrary to the requirements of policies B22 and B23 of the Gwynedd Unitary Development Plan (2009) and sections 3 and 5 of the Gwynedd Design Guidance.**

2. **Based on the scale and form, it is considered that this development would detrimentally affect the setting of the nearby Erw Fair listed buildings to an unacceptable degree which means that it would not satisfy the requirements of policy B3 of the UDP nor the Welsh Office Circular 61/96 guidance.**

4. **Application number C15/0421/41/LL – Elephant Works King Street, Barmouth**

To convert and extend the existing building (to include construction of an additional floor) in order to create nine holiday units and two retail units.

- (a) The Development Control Manager expanded on the application's background and noted that the proposal would include an additional floor in the building, with the holiday units located on the first and second floor and the retail units on the first floor facing King Edward Street. The existing workshop would be demolished to provide bin and bicycle storage areas with eight parking bays. It was highlighted that the design respected the structure of the original building and was a substantial improvement in terms of the design of the existing building which was now an eyesore. It was noted that the application requested holiday accommodation and therefore a condition had been attached to ensure that the units would only be used as holiday accommodation. In addition, if the need arose to amend the use to affordable units, this would be acceptable as it was considered that the building's town centre location, as well as the size of the units, meant that the units were likely to be affordable anyhow.

It was noted that the proposal was acceptable in a prominent site and on one of the main streets of Barmouth and was in compliance with all the relevant policies of the Unitary Development Plan as well and National policies and planning guidance.

- (b) It was proposed and seconded to approve the application in accordance with the recommendation.
- (c) During the discussion, the following observations were made:
- How would the use of the holiday units be monitored? Was it possible to include a less general condition?
  - Were the eight parking bays sufficient for holiday use and for shop staff?

- (ch) In response to these observations, the Senior Planning Service Manager noted that:-

- It was the applicant who had made an application for holiday use and therefore a condition had been included to address this.
- Keeping a register of holiday use was a standard national planning condition and as a result the Council had the right to see the register at any time. If there was any suspicion of misuse of the units then the enforcement officers had the right to investigate this further. There were insufficient resources to check every register / holiday use and therefore the Enforcement Unit would undertake this with a sample or if a complaint was received. In addition, it was noted that the units would be acceptable for permanent living units and therefore it was difficult to understand the concerns.

In response to the comment regarding parking spaces, the Senior Development Control Engineer noted that there was up to one bay for each holiday unit and there were plenty of other acceptable parking spaces available for staff, in addition public car parks were available within a convenient distance to the site.

**RESOLVED to approve the application.  
To approve – conditions**

1. Five years;
2. in accordance with plans;
3. Condition of holiday use only/keep a register:
4. Slates on the roof;
5. To agree on external finishes;
6. The handrail and the opaque screen on the terrace/roof garden on the north eastern elevation has to be in place prior to occupation of the development;
7. The car parking area must be completed in total accordance as shown on the submitted plan and prior to the occupation of the development;
8. The external wall on the south eastern elevation of the development to be finished in a light colour and maintained in that condition permanently following this;

**Note**

If bats should be found during the building work, further work on the building should be stopped and Natural Resources Wales should be contacted immediately.

**5. Application number C15/0700/22/LL – Parc, Penygroes**

Installation of PV solar panels to create a solar park along with ancillary work including security fence and structures

Members of the Committee had visited the site before the meeting.

- (a) The Development Control Manager elaborated on the application's background and noted that this was a full application to install a row of solar panels in order to create a solar park situated west of Cilgwyn. It was noted that the application site measured 12 acres in area and comprised three fields that were partly used for sheep grazing purposes. The location was described as a site within the Dyffryn Nantlle Landscape of Outstanding Historic Interest as contained within Section 2, of the Register of Landscapes, Parks and Gardens of Special Historical Interest along with a great number of nearby listed buildings and monuments located within 2km of the application site.

It was explained that in the context of local and national planning policies and advice relating to developments for the generation of renewable and sustainable energy, it was essential to balance the need for such developments against their potential impact on the quality of the landscape and other environmental and social considerations.

In the context of this application, it was noted that the site was not reasonable land to install solar panels due to its open and uneven nature – it was not possible to alleviate the development or hide the site and it was anticipated that the installation of 9000 solar panels would decrease the area's visual value and would be an alien and very prominent development. It was also deemed that the proposal, due to its size and nature, was likely to have a detrimental impact on the amenities of nearby residents and on the general amenities of walkers who use the nearby popular public footpaths with open and clear views of the area.

Attention was drawn to the additional observations that had been received.

- (b) Taking advantage of the right to speak, an objector noted the following main points:-
- That the guidance stated that it should be level land for such a development.
  - That the plan indicated that a 3m fence would be erected behind the traditional walls.

- The solar panels would be prominent and would be seen amongst the heather and would be an alien element in the landscape.
- The site was located within an historic landscape
- The renovation of old cottages to be commended, however the solar panels would be prominent and detrimental to the open area.
- The solar panels would cover the public footpaths.
- CCTV installed on the development would prevent the privacy of nearby residents.
- Clean energy was merely a theory.

(c) Taking advantage of the right to speak, the applicant's representative noted the following main points:-

- Expressed disappointment that the officers' recommendation was to refuse the application.
- It was a good plan and an opportunity for the landowner to diversify.
- Sheep could continue to graze the land.
- Limited impact on the heathland.
- The plan encouraged biodiversity and it was proposed to improve the public footpaths.
- Several attempts had been made to alleviate the situation with nearby residents.
- Several letters of support to the application had been received.
- The landowners supported the local community.

(ch) The local member (not a member of this Planning Committee) made the following main points:-

- That he had no objection to green energy, however, the location in question was not suitable.
- The application had supporters and objectors – it would be pleasing to be able to agree, however Gwynedd Council policies recommended that it be refused.
- Concern that the solar panels would be prominent and visible.
- A network of public paths went through the site.
- Many traditional dwellings in the area – the development would be an eyesore.
- Dyffryn Nantlle had made a bid for a World Heritage Site designation – the development was contrary to this principle.

It was proposed and seconded to refuse the application in accordance with the recommendation.

(d) During the discussion, the following main observations were made:

- Supportive of renewable energy, however, this development was visible and had a detrimental impact on the landscape.
- Consistency was required when discussing applications. Consistency was required across the whole of Wales. It had to be ensured that members received information about appropriate policies and not ones that had dated.
- It was suggested that the Members of Parliament should be contacted to speed up the process of getting specific policies to ensure that clear guidance was given on this issue.
- Natural Resources Wales supported the application – would it be possible to consider a development site that was smaller in size?
- Need to ensure that beautiful places are protected as well as the local economy.

(dd) In response to the above comments, the Senior Planning Service Manager noted that the information submitted in the report gave a clear and current recommendation. It was explained that a recent landscape assessment had been completed which assessed landscape with the capacity to receive such developments. In terms of policies, Gwynedd

Unitary Development Plan was the only adopted plan at this moment in time. In terms of impact, these would certainly vary from application to application, depending on the sites. It was further stated that training on solar panel developments would be organised for the members early in 2016.

In response to considering an application of a smaller size, it was noted that the applicant was aware of the officers' concerns and no consideration had been given to these recommendations / observations. It was confirmed that an application for a smaller sized site would mean a new application.

## RESOLVED

### To refuse – reasons:-

1. **The proposal is unacceptable considering its location, scale and prominence in the local landscape, its detrimental impact on the visual amenities of nearby residents and also members of the public who use the nearby public rights of way for recreational and amenity purposes. Consequently, it is considered that the proposal is contrary to the requirements of Strategic Policies 1, 2, 4 and 9, Policies A1, A3, B14, B22, B23 and B25 of the Gwynedd Unitary Development Plan, Technical Advice Notes 8 and 12, Supplementary Planning Guidance: Landscape Character (2009) and Practical Guidance: Planning for Renewable and Low Carbon Energy, (2011).**
  2. **The proposal is unacceptable considering its location, scale and prominence in this important historic landscape along with its detrimental impact on the setting of the nearby grade II listed building of Parc. Consequently, it is considered that the proposal is contrary to the requirements of Strategic Policy 3, Policies B3, B7 and B12 of the Gwynedd Unitary Development Plan, the Welsh Office 60/96 and 61/06 Circulars, Planning Policy Wales, Technical Advice Note 12: Design (2014) and the Practical Guidance: Planning for Renewable and Low Carbon Energy, (2011).**
  3. **The proposal is unacceptable due to its location, construction, form and scale as it would involve losing and causing permanent damage to heathland which is a habitat of European and national importance. Consequently, it is considered that the proposal is contrary to the requirements of Strategic Policies 1, 2 and 9, Policies A3, B15, B16, B17, B20 and B21 of the Gwynedd Unitary Development Plan, Supplementary Planning Guidance: Wildlife Sites (2010), Planning Policy Wales, Technical Advice Note 5 Planning and Nature Conservation and Practical Guidance: Planning for Renewable and Low Carbon Energy, (2011).**
6. **Application no. C15/0755/41/LL – Tyddyn Gwyn, Llangybi**
- Installation and operation of photovoltaic (pv) solar farm on 6.9 hectares of agricultural land, along with ancillary equipment, security fence, CCTV, composting toilet, transformer structures / cabins, storage, sub-station and management and creation of new track.
- (a) The Development Control Officer expanded on the application's background and noted that the site measured approximately 6.9 hectares and comprised grazing land situated on a fairly level plateau. It was added that the site was in open countryside in the undulating landscape between the higher grounds in the centre of Llŷn and Cardigan Bay with mature hedgerows and *cloddiau* surrounding the site. It was noted that the site was visible from some private houses, however, it was proposed to reinforce the hedgerows and plant more trees to ensure that there would be no significant detrimental impact on the area's

landscape. It was highlighted that the Biodiversity Unit had raised some concerns regarding the possible impact on habitats and protected species by statue, however, it was thought that this could be overcome by ensuring mitigation and management measures for the site – it was stated that discussions were continuing between the Unit and the developers.

Consequently, it was considered that the proposal was not contrary to relevant policies and was acceptable subject to relevant conditions.

Attention was drawn to the additional observations that had been received.

(b) Taking advantage of the right to speak, the applicant's agent noted the following main points:-

- The application was in accordance with local and national planning guidance.
- The site had been screened well and it was proposed to plant more hedgerows, hay meadows full of wildflowers and to erect nesting boxes for birds and bats.
- Discussions were being undertaken regarding biodiversity plans.
- That grazing use would continue on the site and at the end of the application period the land would return back into full agricultural use.
- There was suitable access to the site.
- A great deal of information had been shared with the local community.
- Clean energy was a valuable resource that was to be welcomed.

(c) It was proposed and seconded to undertake a site visit.

A vote was taken on the proposal and it failed.

It was proposed and seconded to approve the application in accordance with the recommendation.

(ch) The following observations were noted in favour of the recommendation:

- The patterns supporting the rural areas were changing – Gwynedd was not a recreation park, it had to be accepted that this was the livelihood of rural residents that would ensure their future.
- It was important to retain 'pretty landscape' but it was also important to ensure that the landscape could also support livelihoods.

(d) The following observations were noted contrary to the recommendation:

- A site visit was encouraged as there were private houses nearby.

In response to the above observations, the officers noted that no objection had been received from the public to the application.

## **RESOLVED**

**To delegate powers to the Senior Planning Manager to approve the application subject to the applicant reaching agreement on appropriate mitigation measures to protect biodiversity features and to agree on the most appropriate road to reach the site along with relevant planning conditions relating to:**

1. **The commencement time of the development;**
2. **To complete the development in accordance with the plans;**
3. **The panels must be located as shown in the plans, or as agreed in writing with the Local Planning Authority;**
4. **Agree on the materials/colour of the frames and anti-glare covers;**
5. **To agree on the colour of the fence and camera poles;**
4. **Agree and complete a landscaping plan and a landscape management plan;**

5. **Agree on and implement a Surface Water Management Plan and a Construction Environmental Management Plan;**
6. **Agree on and implement a Biodiversity Management Plan;**
7. **Agree on and implement an Archaeological Works Programme;**
8. **No construction work during the bird nesting season;**
9. **Soil Management Plan;**
10. **Any electricity cables from the development to link to the electricity connection should be installed underground, and this should be agreed beforehand with the Local Planning Authority;**
11. **Within 30 years and 6 months of completing the development or if the solar panels approved in this application remain unused for the purposes of generating electricity for 12 months, they must be permanently removed from the land and the site should be restored to its original condition;**
12. **Welsh Water standard conditions;**
13. **Agree on the external materials of all buildings;**
14. **Highways conditions;**
15. **Agree on a lighting plan.**

**7. Application number C15/0769/34/LL – Graianog, Llanllyfni**

Erection of a wind turbine, 24.8m to the hub and 36.6m to blade tip and the installation of a control box and associated works.

Members of the Committee had visited the site prior to the meeting.

- (a) The Development Control Officer expanded on the application's background and noted that the proposal was to erect an 85kw wind turbine with a cabin to store associated machinery near the base together with grid connections. A new access would be created which would lead to the turbine from the existing quarry access track. It was added that the turbine would be on a small plateau in a field which was used as grazing land and was previous part of the Graianog quarry, between the existing working quarry and the storage / processing yard. Apart from the quarry, the site was a rolling agricultural landscape which gradually rises in the direction of Bwlch Mawr and the Snowdonia National Park which was approximately 2km to the east.
- (b) It was highlighted that the National Park noted concern regarding the cumulative impact of developments with vertical elements in this area that would cause significant harm to views in and out of the National Park (and in the same manner with the Llŷn AONB and the Settings of Scheduled Ancient Monuments in the area and on the historic landscape of Dyffryn Nantlle). In response, it was noted that a recent assessment stated that the landscape could cope with this development and the impact of the turbine did not cause significant harm. It was noted that the human impact was evident in the landscape and that the development would not have a significant negative impact on the landscape in general.
- (c) Taking advantage of the right to speak, the applicant noted the following main points:-
  - He had a young family and they had to take a chance with this venture for their future.
  - The turbine was important in terms of the sustainability elements.
  - An access track already existed.
  - It was possible to collaborate with Gwyriad nearby.
  - That local and national policies promoted such developments.
  - That the siting of the turbine would be in a hidden location in order to reduce the visual impact and Natural Resources Wales had stated that the impact would be limited due to the undulating landscape.

- The Nebo mast and electricity pylons were nearby – the turbine was a great deal smaller in size.
- A number of letters had been received that supported the application.
- Approving the application would ensure the viability of the family farm.

(ch) The local member (not a member of this Planning Committee) made the following main points:

- That the turbine's height was substantial
- The turbine would cause a visual impact on the AONB and the nearby National Park
- The size of the turbine would create an impact on the nearby Bryn Derwin historical site.

It was proposed and seconded to approve the application in accordance with the recommendation.

(d) During the discussion, the following main observations were made:

- That several other vertical structures existed in the area and therefore the turbine would not stand on its own.
- The turbine would ensure viability.
- That this was a means for a young family to diversify.
- Strengthening the culture and the language in the rural area.

In response to a question regarding anemometer tests, it was noted that there was no requirement to have this information with a planning application for a turbine. This was an application for a 36.6m turbine to the tip of the blades and this was what needed to be considered. Regarding community benefits and financial contributions, the Senior Solicitor stressed that a financial contribution was not part of the planning procedure.

A request was made for a recorded vote and this was supported.

In accordance with the Procedural Rules, the following vote to **approve the application** was a recorded:

**In favour of the proposal to approve the application, (11)** Councillors: Endaf Cooke, Elwyn Edwards, Gwen Griffith, Anne T. Lloyd Jones, Dyfrig Wynn Jones, June Marshall, Tudor Owen, John Pughe Roberts, Eirwyn Williams, Hefin Williams and Eurig Wyn.

**Against the proposal to approve the application, (2)** Councillors: Seimon Glyn and Gruffydd Williams

**Abstaining, (1)** Councillor Michael Sol Owen

**RESOLVED to approve the application.**

**Conditions**

1. **Commence work within two years.**
2. **Permission for a period of 25 years**
3. **In accordance with the plans.**
4. **Turbine to be grey in colour and the control unit to be in keeping**
5. **Noise.**
6. **Decommissioning.**
7. **Agree details and appearance of any equipment/machinery on the site**
8. **Underground cables**

**8. Application number C15/0808/20/LL – Menai Marina, Hen Gei Llechi, Felinheli**

Retrospective application to retain a pontoon within the quay.

- (a) The Development Control Manager expanded on the application's background and stated that this was a full application to retain a pontoon within the quay (the application was deferred at the Committee on 19.10.15 due to the procedure for speaking at the committee). It was added that the pontoon was situated on the northern wall and measured 30m long and 2m wide and was attached to the harbour wall in three locations with an iron bracket allowing the pontoon to rise with the tide. It was added that the harbour wall was a grade II listed structure. It was noted that the new pontoon suited the area in terms of the design and appearance and was in a working marina. There were no implications on the appearance or character of the listed structure or on the area's amenities or nearby residents, and the submitted engineering report stated that the wall was strong enough to be able to support this pontoon. It was therefore considered that the proposal was acceptable and in accordance with policies B2, B3, B22, B23, B24 and B25 of the GUDP.
- (b) Taking advantage of the right to speak, an objector to the application made the following points:-
- That the harbour was historical
  - Pontoons had been constructed in 2001 without planning permission
  - The sea wall had been demolished in 2008 with damage to the gardens of nearby residents. The residents had split the repair costs.
  - The pontoon was constructed in March 2015 – again without permission.
  - Concern as this was a retrospective application, that another section of the wall might fall and nearby residents would prosecute the Council for damage.
- (c) Taking advantage of the right to speak, the applicant's agent noted the following points:-
- That the dock area in Felinheli was successful
  - The dock basin had been designed for heavy industrial work and commercial ships
  - The pontoon may have had an impact on the fall of the wall
  - The dock was of benefit to the local economy and the community
  - The wall in question was in a good condition without any sign of stress
  - The enforcement control plan would be in place
  - No evidence to refuse the application.
- (ch) The following main points were made by a member acting on behalf of the local member (who was not a member of this Planning Committee) who objected to the application:
- The Member had met with nearby residents and they were concerned that a similar incident to that of 2008 might occur – namely that the pontoon would become loose from the wall and cause damage that was costly to residents.
  - The pontoon in question was closer to the houses and therefore there was more concern
  - There was a serious crack in the wall and the wall was quite unstable
  - He disagreed with the engineering report submitted with the application which stated that installing a pontoon was unlikely to have a detrimental impact in terms of the engineering structure.
  - A more comprehensive engineering report was required in order to alleviate the concerns of residents.
  - If the application was approved then a clear condition should be imposed for a detailed engineering survey.

In response to the observations noted, that it was necessary to empathise with local residents as a result of the damage to the wall in the past. However, the need to consider the application in its context was highlighted. Based on the evidence to hand, the pontoon was not considered to have a detrimental impact on the wall's integrity

It was proposed and seconded to approve the application in accordance with the recommendation.

- (d) During the discussion, the following main observations were made:
- The observations of the local member highlighted the concerns.
  - If the wall was to fall, who would be responsible for its renovation? Can it be shown here that the Council was defective in its responsibilities?
  - That the evidence was not sufficient - proposed the need for a more comprehensive, technical and detailed report to avoid prosecution.
  - The mechanical evidence was not sufficient
- (dd) An amendment was proposed and seconded to defer the determination on the grounds that the engineering evidence submitted with the application was insufficient to justify approving the application.

In response, the Senior Solicitor noted that the amendment was appropriate as seeking information was fitting and acceptable. He added that if any damage occurred to the wall then this would be a civil matter outside the remit of the Planning Committee.

The Senior Planning Service Manager stated that it would be appropriate to ask for further engineering information and to get the views of the Building Control Unit on the contents in order to receive confirmation if the report submitted was appropriate and sufficient.

#### **RESOLVED**

**To defer the decision and notify the applicant that an update of the structural/engineering assessment needed to be submitted in order to refer to the crack in the wall. Once this would be received it would be necessary to consult with the Building Control Unit to receive confirmation if the additional structural report / information is sufficient and acceptable.**

#### **9. Application number C15/0807/20/LL – Menai Marina, Hen Gei Llechi, Felinheli**

#### **RESOLVED**

**To defer the decision on the listed consent application based on the resolution on application number 8 on the agenda namely planning application number C15/0808/20/LL (above) – Menai Marina, Hen Gei Llechi, Felinheli.**

#### **10. Application number C15/0810/40/LL – Land by Llwyndyrys Farm, Y Ffôr**

Construction of solar farm with associated works to link with the electricity distribution network, access road, temporary building compound, security fencing and ecological improvements and landscaping

- (a) The Development Control Officer expanded on the application's background and noted that the application site measured approximately 11.56 hectares and comprised six grade 3 and 4 agricultural fields. The fields were described as managed flat pasture with a slight slope, located in open countryside with a thick row of mature trees east of the site and hedgerows around the majority of the field boundaries. It was added that the site was within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest and the AONB was approximately 2km North West.

It was noted that policy C27 of the GUDP stated that proposals for renewable energy and sustainable energy management schemes will be approved provided that a series of criteria relating to the impact on the visual quality of the landscape and environmental and social factors can be met. In terms of landscaping the site, it was reported that it was proposed

to leave the area under the solar panels as grazing land and it was considered that the landscaping details submitted were acceptable. However, it was highlighted that a landscaping management plan should be submitted and agreed to ensure that the landscaping is maintained to a high standard over the plan's lifetime. It would be necessary to reinforce hedgerows and plant additional trees and once these would have developed the screening would be effective.

Although the site was located within 200m to three grade II listed byres at Fferm Llwyndyrys, it was not considered that the development would have a detrimental impact on the setting of the listed buildings or on the relationship of the listed buildings with the adjacent agricultural land. It was noted that the development's proposal was acceptable and only sections of it would be visible. No local objections to the application had been received. The proposal was not considered to be contrary to relevant policies and it was therefore acceptable for approval subject to planning conditions.

- (b) Taking advantage of the right to speak, the applicant noted the following observations:-
- That it would be clean and sustainable energy.
  - The land was low quality agricultural land but it was possible to continue to graze sheep on it.
  - That there was good communication with the local community – there was no local objection to the application.
  - It was proposed to plant additional hedgerows.
  - The land would be developed by promoting a biodiversity scheme.
  - There were three uses for the land – for grazing sheep, ecological services and sustainable energy.

It was proposed and seconded to approve the application in accordance with the recommendation.

- (c) During the discussion, the following main observations were made:
- Need to challenge the statement that the quality of land in Llŷn was of a low standard – it was different and not poorer. The land was a rare habitat for species.
  - Concern regarding the impact of solar farms on the County and therefore a full report was needed on the number submitted / approved.
  - That the development created a visual impact from the AONB.
  - Concern that the road through Llwyndyrys was narrow and therefore it was necessary to ensure that the flow of traffic was controlled.
  - There was no change in land use – sheep would continue to graze.
  - Agriculture as an industry should be supported – creating additional money for farmers.

**RESOLVED to approve the application in accordance with the recommendation:**

#### **Conditions**

1. **Five years**
2. **To complete the development in accordance with the plans;**
3. **The panels must be located as shown in the plans, or as agreed in writing with the Local Planning Authority.**
4. **Agree on the external materials of all the buildings, fence and camera poles.**
5. **Agree on the materials/colour of the frames and anti-glare covers;**
6. **Undertake work in accordance with the landscaping scheme during the first planting season following commencement.**
7. **Submit and agree on the long term landscaping management plan.**
8. **Highway conditions**
9. **Work traffic flow and timing management plan.**

10. **Biodiversity conditions – to include, submission of Surface Water scheme, submission of Biodiversity Management Plan, no clearance during nesting season, agree on fence details and on lighting plan.**
11. **Submit an archaeological programme prior to commencement of work.**
12. **Any electricity cables from the development to the electricity connection should be installed underground, and this should be agreed beforehand with the Local Planning Authority**
13. **If the solar panels approved in this application remain unused for the purposes of generating electricity for 12 months, they must be permanently removed from the site and the site should be restored to its original condition**
14. **Safeguarding water courses.**
15. **Act in accordance with the Drainage Strategy**
16. **Operational/decommissioning period of the site**
17. **Agree on a lighting plan**

**11. Application number C15/0847/35/LL Cilan, Caernarfon Road, Cricieth**

**Erection of two storey rear extension to dwelling**

- (a) The Development Control Officer expanded on the application's background and noted that the application was to extend the existing two-storey house and to erect a new two-storey section to the rear of the property. It was reported that the existing house was a three-bedroom detached property in a row of houses of varying sizes and designs in a residential area on the main road out of Cricieth. It was noted that the application was before the Committee as more than three observations were received that were contrary to the officer's recommendation.

It was noted that there would be only 3m between the extension and the boundary of next door's garden. In addition, it was noted that if the development was completed, there would only be approximately 5m of garden remaining at the top of the site, which would be likely to lead to an unacceptable reduction in the amenity space around the house. The development was considered to be an over-development of the site due to its bulk, size, location, form, scale and the unacceptable impact it would have on the amenities of adjacent property due to shadowing and over-looking.

- (b) Taking advantage of the right to speak, the following points were noted on behalf of the applicant:-
- That he supported his family's application
  - The family needed a bedroom and an additional room for work / homework.
  - It was only the officer's opinion that the extension was too large.
  - There was no mention in the report of the garden / lawn in front of the house with a sufficient area to park four cars.
  - The extension would not cast a shadow on the adjacent houses
  - Welsh was the language of the home and therefore it was very important that the family remain within their area.
  - Building an extension was their campaign to stay locally.
  - The application had received the full support of the local community.
- (c) The following main points were made by the local member who supported the application (not a member of this Planning Committee):-
- That the existing house was too small for a family of six
  - The application had received local support
  - The Town Council was unanimous in their support of the application
  - There was plenty of room to erect an extension that was out of everyone's view
  - The Member supported the application in order to ensure that a local family could continue to live locally

It was proposed and seconded to approve the application, contrary to the recommendation, as the Committee considered that the proposal's design was acceptable and was not contrary to relevant policies.

- (ch) During the discussion, the following main observations were made:
- That there were no local affordable houses for the family.
  - That retaining the family locally would strengthen the Welsh speaking community of Cricieth.
  - An example of an application to keep communities alive.
  - A number were in favour of the application which was a sign of the vitality of the community.
  - No objections had been received from the neighbours.
- (d) In response to the observations, the Senior Planning Service Manager noted that approval of this application would set a dangerous precedent as it was not possible to pick and choose if an application was to be approved on the basis of who the applicant was. The size and design of the development had to be considered and the residential amenities of the local neighbourhood had to be respected. He added that the extension was substantial in size and it was possible to conduct discussions with the applicant for an alternative plan to meet the need and relevant planning policies.

An amendment was proposed and seconded to undertake a site visit.

**RESOLVED to undertake a site visit.**

## **12. Application number C15/0872/44/LL – Greenacres Caravan Site, Morfa Bychan**

Retrospective application for the installation of 6 timber bases and associated works for the siting of six safari tents in place of six touring caravans pitches permitted under planning permission reference C13/0873/44/LL

- (a) The Development Control Officer expanded on the application's background and noted that this was a full retrospective application for the installation of six timber bases and associated works for the siting of six safari tents in place of six touring caravan pitches permitted under planning permission reference C13/0873/44/LL. It was added that the tents would extend the holiday park's range of services.
- (b) It was noted that some of the site would be visible from dwellings closest to the site, especially during the winter months bearing in mind that the trees would shed their leaves. However, if the application was approved the visual impact could be reduced by ensuring that the occupancy / siting period of the touring caravans on the site was restricted to holiday use between 1<sup>st</sup> March and 31<sup>st</sup> October in any given year, and the tents and timber bases were removed from the site outside this period. It was deemed that with relevant conditions to manage the season and landscaping and planting plan that had already been implemented, that the proposal to use the site for this purpose would not cause any unacceptable impact. It was added that the location, design, finish and form of the development was acceptable and that the tents were in keeping with the location.

Attention was drawn to the additional observations that had been received.

- (c) Taking advantage of the right to speak, the agent representing the applicant made the following observations:
- That he agreed with the officers' report.
  - The tents would increase the variety and the types of services that the holiday park had to offer.
  - That the work to alleviate the landscape had been implemented to a high standard.

- Removing the timber bases was an unnecessary intervention and therefore there was a request to alter the condition as it was necessary to construct new bases every year.

(ch) The local member (not a member of this Planning Committee) made the following main points:

- That there had been a change to the original proposal.
- The park had refused to listen to the advice that permission was required for change of use.
- The tents remained on site although the occupation period/holiday season had ended.
- The company continually breached minor rules.
- It should be ensured that there were tight regulations regarding the existence of the six tents only.
- If the condition states that the timber bases have to be removed then it should be ensured that the company adhere to this.

(d) It was proposed and seconded to approve the application in accordance with the recommendation.

The Development Control Manager noted that discussions had taken place to remove the canvas and frames only, however, this would entail that the platform that was part of the structure would remain in place. It was noted that the removal of timber bases at similar developments outside the occupation period / holiday season was operational across the County and it would be a dangerous precedent to allow these timber bases to remain in place.

(dd) During the discussion, the following observation was made:

- That consistency had to be ensured.

**RESOLVED to approve.**

#### **Conditions**

1. **Development in accordance with the plans.**
2. **Tent colour.**
3. **Condition restricting staying time / holiday season (1 March – 31 October), and ensure that the tents and timber bases are moved away from the site outside that period.**
4. **Holiday only condition**
5. **Condition controlling the number of units on the site in its entirety.**
6. **Total of only six tents to be sited on the pitches shown.**

#### **13. Application No C13/1298/11/AM – Land near Lôn Pobty, Bangor**

Full application for the construction of a two-storey building providing 18 self-contained units for students, felling trees protected by a tree preservation order, amendments to existing vehicular access together with creating a new access for pedestrians and landscaping.

Members of the Committee had visited the site prior to the meeting.

(a) The Development Control Manager elaborated on the background of the application noting that it had been deferred at the Planning Committee meeting on 28.09.15, in order to conduct a site visit. It was added that this was a full application for planning permission to construct a two-storey building providing 18 self-contained units for students. It was noted that the site was empty and overgrown, that it was situated in a residential area on the outskirts of the city, but within the development boundary. It was reported that the site was located on steep land near the Lôn Bopdy public road and consequently had received

many objections concerning the safety of the access roads and increase in traffic as a result of the development in question. Despite the objections, it was noted that the Transportation Unit did not object the proposal.

It was noted that the proposal would not have a detrimental impact on the listed building nearby due to the land levels and the proposal's scale. In the context of the inclusion of felling protected trees and planting new ones in their place, it was noted that a landscaping plan had been submitted regarding this. It was also noted that the Biodiversity Unit had confirmed that the protected trees were in poor condition and therefore had no value to be retained on the site.

The proposal was considered to be acceptable in terms of local and national policies and was a suitable use of empty and untidy land in the centre of the city.

- (b) It was proposed and seconded to refuse the application based on the following reasons:
- That the hill was steep, narrow and winding
  - Restricted access
  - There would be a significant increase in traffic based on the increase in students located at the St Mary's site.
  - Increase in traffic hazardous for pedestrians and students
  - Difficult to make the situation safe (especially during the autumn and winter months).

In response to the proposal, the Senior Development Control Engineer noted that there was no history of accidents related to the site and recognised the location was dangerous for drivers and pedestrians. However, it was noted that there were other paths for pedestrians and some improvements had been proposed to the access and the road. It was also stated that up to six parking bays were sufficient. In the context of the increase in traffic as a result of the rise in students on the St Mary's site, it was noted that the situation had been assessed during the last phase of the building and during the period when students moved into the halls of residence.

- (c) During the discussion, the following observations were made:
- That the development would cause an impact on the nearby listed building.
  - The tree order had to be considered.
  - The proposal was an over-development
  - The design itself was acceptable, but the location in question was unsuitable.
  - The use made of the road since students had moved into the halls of residence at St Mary's had to be assessed.
  - The impact of the increase in the number of students on the area had not become fully apparent.
  - A number of previous proposals had been refused on the grounds of access to the site.
  - Detrimental impact on nearby residents.

**RESOLVED to refuse the application on the grounds of an over-development that would have an impact on the area's amenities.**

The meeting commenced at 1pm and concluded at 5:20pm

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**CHAIRMAN**

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## DEMOCRATIC SERVICES COMMITTEE 29/9/15

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**Present:** Councillor Thomas Ellis (Chair);  
Councillor Anne Lloyd Jones (Vice-chair).

**Councillors:** Annwen Daniels, Lesley Day, Jean Forsyth, Selwyn Griffiths, Siân Gwenllian, Annwen Hughes, Jason Humphreys, Charles W. Jones, Dilwyn Morgan and Michael Sol Owen.

**Officers:** Geraint Owen (Head of Democratic Services), Arwel Ellis Jones (Senior Manager, Democracy and Delivery), Vera Jones (Democratic Services Manager), Huw Ynyr (Senior Manager, Information Technology and Transformation) and Eirian Roberts (Member Support and Scrutiny Officer).

**Apology:** Councillor Anwen Davies.

### 1. DECLARATION OF PERSONAL INTEREST

Councillor Lesley Day declared a personal interest in item 5 on the agenda – Consultation to the draft directions by the Welsh Government to the review by the Boundary Commission Wales – as she had a high number of students in her ward.

The member was not of the opinion that it was a prejudicial interest and she participated fully in the discussion on the item.

### 2. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 9 June, 2015 as a true record.

### 3. CONSULTATION ON THE DRAFT DIRECTIONS BY THE WELSH GOVERNMENT TO THE REVIEW BY THE BOUNDARY COMMISSION WALES

Submitted – a report by the Head of Democratic Services noting, as part of its programme of local government reform, that the Welsh Government would require the Local Democracy and Boundary Commission Wales to conduct reviews of electoral arrangements for proposed new local authority areas. The Democratic Services Committee members were asked provide their views on the Draft Directions, to be presented to the Full Council, and to encourage their fellow members to respond to the consultation.

In addition to responding to the consultation's specific questions, the proposed changes for the 2017 elections that would lead to a likely reduction in the number elected members from 75 to 66 were discussed. Some members supported this on the grounds that there was currently an imbalance between the size of the current electoral wards, the councillor to elector ratio, that the reduction had been noted as a possible cut that would be subject to public consultation, and that it would have been better if the change was partially made in 2017. However, the majority of members were of the view that such a short-term change would be inappropriate with such a fundamental change in boundaries to follow so soon with the reorganisation.

**RESOLVED to recommend to the Council:-**

- (a) **To submit the observations on the content of the Draft Directions to the Boundary Commission that are attached as Appendix A to these minutes.**

- (b) To write to the Welsh Government to state the view that it would be inappropriate to implement the proposed changes for the 2017 elections with such a fundamental change in the boundaries to follow so soon with the reorganisation.**

#### 4. TECHNOLOGY UPDATE

Submitted – the report of the Senior Manager, Democracy and Delivery and the Democratic Services Manager updating Members on matters relating to information technology, including the recent changes to the Council's electronic systems, further i-pad training and Moderngov.

The Senior Manager noted that 12 members outside the Cabinet had submitted comments on the changes to the Council's electronic systems, which meant that members could only access their '*cynghorydd*' e-mails through the i-pad. He suggested that he would contact those members again to establish the nature of their needs, but if they remained unhappy, that a licence should be provided for them.

The Senior Information Technology and Transformation Manager explained the user security reasons behind the changes to the electronic systems. He also explained that there would be further consideration given to mobile phone e-mail access, as it remained unclear how that could be implemented widely without breaching security rules.

During the discussion, members referred to some of the difficulties faced as a result of introducing the new arrangements, including:-

- Difficulty in responding in writing to a consultation document
- No 3G on the i-pad.
- Was the lifespan of an i-pad shorter than the lifespan of a computer?
- The continual development and evolution of the Apple and Microsoft systems.
- Difficulty in opening attachments.
- Unable to use an USB with the i-pad.
- Eye strain.

In response to a comment by a member that they had not received prior warning that the change was going to happen, the Senior Manager, Democracy and Delivery noted that two messages had been announced via Rhaeadr, the principle method of communication with members.

Some dissatisfaction was expressed that members were not allowed to use a second e-mail account on the Council's website, but the Senior Manager, Democracy and Delivery explained that this was being addressed separately, to ensure that the committee had all the relevant information to hand prior to making a decision.

The managers responded to some of the difficulties raised, and noted:-

- There had been extensive investment in training over the past months in order to extend the use of the i-pads as far as possible.
- The new Moderngov App should eradicate many of the barriers, e.g. documents would be installed directly on the machine, without needing to be downloaded.
- The i-pads would certainly remain until the end of this Council, consideration would need to be given to what would happen with the new Council in 2017.
- Although the i-pad could not do everything, it had excellent functionality.

With regard to a comment that Cabinet members were treated differently, the Senior Manager, Democracy and Delivery explained that a business case had been submitted on behalf of Cabinet members, noting that they required access and the ability to work on documents etc., due to their specific responsibilities, but that it would also be possible to respond to cases on behalf of other members.

Some members expressed their willingness to pay for a licence themselves to gain access to their e-mails from a computer, but it was explained that this would be contrary to the guidance of the Independent Remuneration Panel for Wales.

The Democratic Services Manager provided an update on the pilot scheme to provide further i-pad training with an external expert, and summarised the observations made by those members who had received the training.

#### **RESOLVED**

- (a) **Members should be provided with access to their e-mails from a personal computer or laptop (but not from a mobile phone) if required, and a note would be placed on Rhaeadr with this information.**
- (b) **To contact the 12 members who had submitted comments on the changes to the Council's electronic systems, and respond to any further comments submitted by members, in order to establish the nature of their needs, and if they remained unhappy, to provide them with access to their e-mails from a personal computer or laptop (but not from a mobile phone).**
- (c) **To develop the i-pad training by**
  - **Offering another formal course for other members;**
  - **Developing a team of members who can offer training and advice to their fellow members;**
  - **Consider offering 'pages' to those who had seen the app, and who were certain that they would use it;**
  - **Providing information sheets to members on how to make best use of the i-pad.**

#### **5. DIVERSITY SUB-GROUP**

Submitted – a report by the Democratic Services Manager updating members on the work of this Sub-group and the next steps. It was noted that the sub-group would meet soon to consider how to act locally on the national recommendations made in this field.

**RESOLVED to accept and note the contents of the report.**

#### **6. MEMBERS' ALLOWANCES**

Submitted – a report by the Head of Democratic Services providing an update to members on the decisions regarding the publication of the members' remuneration table for 2014/15.

A question was raised regarding whether the Chair's permission had been sought when acting contrary to the committee's decision at its last meeting to submit information regarding allowances in *Newyddion Gwynedd*. The Senior Manager, Democracy and Delivery responded by explaining that an editorial decision had been taken not to include the information this time in order to prioritise the Gwynedd Challenge.

**RESOLVED to accept and note the contents of the report.**

#### **7. MEMBERS' ANNUAL REPORTS 2014/15**

Submitted – a report by the Head of Democratic Services providing an update to members about the reports published in 2014/15. He noted that he had hoped to hold a discussion at this meeting about the obstacles and opportunities in order to facilitate the arrangements for 2015/16, but due to a lack of time, he suggested that the matter should be presented at the next meeting.

**RESOLVED to hold a discussion at the next meeting on the obstacles and opportunities in relation to members' annual reports in 2015/16.**

**8. DEMOCRATIC SERVICES COMMITTEE WORK PROGRAMME**

Submitted – the committee's work programme.

**RESOLVED to note and approve the work programme.**

The meeting commenced at 10.30am and concluded at 12.45pm.

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**CHAIRMAN**

**Appendix A****Question 1:****Do you think the suggested ratio provides for effective and convenient local government?**

No. The ratio is totally inappropriate for a rural and dispersed area. Currently, Gwynedd's ratio as a county is 1,089 with Gwynedd's wards comprising of between 480 and 2,428 and the two largest wards having 2 members.

A method that uses a simple ratio based on the number of electors is a matter of concern. This does not acknowledge the workload faced by local councillors due to students who are not registered as electors, and the seasonal population due to the visitor industry and second homes.

It is also entirely contrary to the Welsh Government's direction, and its consultation document "Reforming Local Government – Power to Local People" which refers to the importance of "Member-led community governance". It is difficult to see how councillors could cope with this challenging role in addition to their institutional responsibilities as committee members etc. if they serve such large wards.

If such a move occurred, it would be necessary to change to full-time councillor arrangements in order to cope with the workload.

**Question 2: Do you think there is a minimum number of councillors required to ensure the effective and democratic working of a local authority? If so, what is it and why?**

A minimum number is required for effective democracy, but the types of figures noted are far too low. Within the Cabinet system, with the need for around 10 members in a cabinet, leaving the remainder of the Council's work (Scrutiny, Planning, Licensing etc.) to such a low number of councillors would place an unreasonable workload upon them. The minimum number should be at least 45-50 members.

The above observations are based on a view on the existing workload of councils. This would evidently increase significantly following reorganisation in fields such as Planning and Licensing, with an increase in the number of applications requiring attention.

The other matter that should be considered would be the increased complexity in the allocation of seats to political groups with fewer members within the council. It could be more difficult to fill seats, and the burden placed upon a small number of councillors would increase.

**Question 3: Do you think a minimum number of elected members per local authority should be specified in the Draft Directions?**

Yes, as explained in the answer to question 2. The Draft Directions should acknowledge the governance requirements of running a modern council. However, once this has taken place, each council should be considered separately, and each individual council's situation should be examined. Travelling distances should be considered (travelling to meetings as well as travelling to electors within the ward), in addition to the need to have wards are representative of natural communities.

**Question 4: Do you think that there should be a cap on the maximum number of elected members per local authority? If so, what do you think the maximum number should be and why?**

It is probably sensible to impose a cap, but this should reflect the individual council's area.

**Question 5: Do you agree that each ward within a local authority area should have roughly the same number of electors per elected member?**

No. The nature of individual wards, even within the area of one council area are so varied. Therefore it would not make any sense to do this. It is entirely appropriate to determine a range in relation to the Boundary Commission's work, but the Commission should have the freedom to make exceptions if the character of a natural community means that it makes no sense to combine it with another area.

On a related point, it is recommended that multi-member wards should be avoided as having a single member for each ward simplifies matters for residents and councillors.

**Question 6: What effect should the particular characteristics of an area have on the number of councillors needed to represent the population?**

These should be the main considerations and they should be very influential. If councils are truly representative of their areas, all the area's features (population, travelling distances, the character of natural communities etc.) should influence the decision.

**Question 7: Do you agree that commonly used Welsh language names for wards do not also need an English language equivalent? If not, do you think that each ward should have an English and Welsh name?**

Agree that there is no need for an English language equivalent for wards with commonly used Welsh language names.

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## STANDARDS COMMITTEE 5/10/15

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**Present:-**

**Elected Members:-** Councillors Michael Sol Owen and Eryl Jones-Williams

**Independent Members:-** Ms Jacqueline Hughes, Miss Margaret Jones, Mr David Wareing and Dr Einir Young (Chair)

**Community Committee Member:-** Mr David Clay

**Also in Attendance:** Iwan Evans (Monitoring Officer), Siôn Huws (Senior Solicitor), Dewi Morgan (Senior Manager – Revenue and Risk) and Eirian Roberts (Members Support and Scrutiny Officer).

**Apology:-** Councillor Lesley Day

### 1. DECLARATION OF PERSONAL INTEREST

No declarations of interest were received from any members present.

### 2. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 29 June, 2015 as a true record.

### 3. THE COMMITTEE'S MEMBERSHIP

With sadness, the Monitoring Officer noted that medical confirmation was awaited regarding Linda Byrne's situation and that it therefore appeared that there would be an empty seat on the committee. He would make a statement and arrange for that to be formalised in the coming weeks and he would advertise for a new independent member on the committee in due course.

### 4. APPLICATIONS FOR DISPENSATION

Submitted – the report of the Monitoring Officer requesting that the committee considered and made a decision on two applications for dispensation from members of Bethesda Community Council in relation to discussions regarding the transfer of local halls from the ownership of Gwynedd Council to the ownership of the Community Council (or other community body).

Details were given on the applications individually, namely:-

- An application from Councillor Godfrey Northam, who was the Committee Chairman of Canolfan Rachub and a member of the Committee of Canolfan Cefnfaes, for permission to speak only when the matter would be discussed.
- An application from Councillor Walter Watkin Williams, who was a member of the Committee of Canolfan Cefnfaes, for permission to speak and vote when the matter would be discussed.

The Monitoring Officer noted further:-

- That neither of the members had been appointed on the committees in question by the Community Council.
- That the Standards Committee was entitled to grant a dispensation provided that the situation fell under one (or more) of the grounds listed in the relevant regulations and that there was no reason to believe that the two applications in question did not meet the final ground on the list, namely *"the business relates to the finances or property of a voluntary organisation of whose management committee or board I am a member and I have no other interest."*
- That the fact that the applications met this ground did not mean that the dispensation would be granted automatically and the committee had to consider whether or not there was a public interest from allowing the members to participate, despite the fact that the Code of Conduct made provisions that they should not be able to do so.
- That it was unclear in both cases why these two specific members needed to speak on the matter. Councillor Northam felt that he had to participate in order to ensure that the Community Council fully understood the situation regarding the village hall; however, someone else could explain that. Councillor Northam had also noted on his form that 4 out of 13 members on the Community Council had to declare an interest in the matter; however, that would not affect quorum.
- Should these applications be approved then the committee would have to approve other similar applications in the future, and without any information regarding why the need to speak justified the granting of a dispensation, it was difficult to know what precedent was being created.

The members agreed with the observations of the Monitoring Officer and noted that the information was patchy and vague and that the committee was unaware of the exact reasons why these applications had been submitted.

It was noted further that this committee could be inundated with similar applications as many community councils were currently discussing the transfer of assets and it was suggested that it would be beneficial to prepare and advice note for the clerks that provided an outline of the expectations. The Monitoring Officer replied that a series of courses for clerks and community council members were commencing that night and that this matter could be raised there.

**RESOLVED to refuse both applications for a dispensation based on the lack of information.**

## 5. GWYNEDD COUNCIL'S GOVERNANCE FRAMEWORK

Submitted - the report of the Senior Manager - Revenue and Risk explaining:-

- How the Governance Framework had been developed;
- The procedure for reviewing the framework and reporting on the results;
- The role of the Standards Committee within the framework.

Members raised questions regarding the Integrated Well-being, Health and Social Care Act. The Senior Manager responded to those questions and explained that the new requirements introduced by the Act would be considered in the context of the Governance Framework, but that it was not expected for many new elements to be added as the Framework had been designed to encompass all Council activities.

**RESOLVED to approve the report and welcome the progress in the Standards Committee's efficiency score.**

## 6. ALLEGATIONS AGAINST MEMBERS

Submitted for information – the report of the Monitoring Officer on formal complaints made against members.

Further to the report, the Senior Solicitor noted that the Ombudsman had now decided not to investigate complaint 2.3 of Case 201503255, and therefore, he was unaware of any complaint made against Gwynedd councillors that was currently open.

**RESOLVED to note the report.**

## 7. THE OMBUDSMAN'S ANNUAL REPORT 2014/15

Submitted for information – the report of the Monitoring Officer appending a copy of those parts of the Ombudsman's Annual Report 2014-15 relevant to code of conduct complaints.

The Ombudsman's intention to take a firmer stance in future when referring back 'lowest level' complaints to monitoring officers to be dealt with locally, was welcomed.

**RESOLVED to note the report.**

## 8. OBSERVING MEETINGS

Independent members were invited to provide feedback following their experience of observing the meetings of Gwynedd Council or town/community councils.

A member noted that no list of community council meetings was available anywhere. The Senior Solicitor replied and noted that the Council had a list of the community councils' clerks and that they had to be contacted individually. It was also suggested that the members could observe the webcasts of Gwynedd Council meetings.

Miss Margaret Jones submitted feedback after she had observed a meeting of Llanystumdwy Community Council and she noted:-

- That the Community Council met in various locations, which was to be welcomed in terms of being inclusive and considerate of the entire community.
- That there was a good range of people from the community in attendance, with the age-range between 20 and 80, and that women were present.
- That the clerk was very effective, explained everything and followed everything up.
- That the meeting was organised and very comprehensive.
- That the agenda was varied, with 12 items, including one exempt item, being considered.
- That the clerk had informed members about the training provided for them by the Monitoring Officer.
- That the Community Council reported monthly to the *papur bro* and that this was a good way of raising awareness of the Community Council's activity.

Some associated matters were discussed, namely:-

- The role of a member who witnessed a breach in the Code of Conduct. The Monitoring Officer noted that a member could ask the clerk to give guidance on the matter or contact him as the Standards Committee had a duty to promote high standards of conduct in this Council and in the community and town councils.

However, it was emphasised that it was a member's own responsibility to adhere to the Code.

- Public access to Council meetings. The Monitoring Officer replied noting that there was no procedure in place for the purpose of preventing public access; however, both practically and in terms of health and safety, it was not possible to have a situation where the Council's buildings were completely open.

The meeting commenced at 11.00am and concluded at 12.05pm.

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**CHAIRMAN**

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## LANGUAGE COMMITTEE 22/10/15

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**Present:** Councillor Eirwyn Williams (Vice-chairman in the chair)

**Councillors:** Craig ab Iago, Elwyn Edwards, Tom Ellis, Alan Jones Evans, Alwyn Gruffydd, Siân Gwenllian, Charles W. Jones, Eric M. Jones, Sion Jones, Elfed Williams, Hefin Williams and John Wyn Williams.

**Also in attendance:** Councillor Dyfrig Siencyn (Cabinet Member for the Welsh Language).

**Officers:** Dilwyn Williams (Chief Executive), Arwel Ellis Jones (Senior Manager – Democracy and Delivery), Gwenllian Williams (Language Development Officer), Garem Jackson (Education Improvement Officer) and Eirian Roberts (Member and Scrutiny Support Officer).

**Apology:** Councillor Gweno Glyn.

### 1. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

### 2. URGENT MATTER – PLAS GLYNLLIFON'S NAME

This matter had not been included on the agenda; however, the Chairman agreed to hold a discussion on this matter as an urgent item under Section 100B (4)(b), Local Government Act 1972, as the matter had arisen since the last committee meeting, that the situation was changing on a daily basis and that it was important to ascertain the formal view of the Council's Language Committee sooner rather than later.

The Chair explained that a request had been received from Councillor Siân Gwenllian for the committee to discuss the matter of Plas Glynllifon's name, and the member was invited to further elaborate.

Councillor Siân Gwenllian referred to the recent reports in the press in relation to this matter, and noted:-

- Although everybody had understood that the MBI Sales company, Plas Glynllifon's prospective buyer, had reconsidered its decision to market the country house under the name of Wynnborn, as the name had disappeared from its website for a while, that the name had now been reinstated on its website, and the house was still being marketed under this name.
- She had met with a representative from the company's executive, who emphasised that Wynnborn would be the name used during the initial marketing period of one or two years, but there was a risk that the name would become established during this time.
- She had requested a further meeting with a representative of the company's sales and marketing department. Hywel Williams MP intended to table a motion in Parliament and an online petition had started.
- The situation as it stood emphasised the need for the inclusion of a clause relating to the Welsh Language in the Historic Environment Bill which was currently being considered by one of the Assembly's committees.◀

**RESOLVED**

- (a) To write to the MBI Sales company to state our position regarding the use of the name Wynnborn, and ask whether they would be willing to receive a deputation from the Council, to include the Leader, Deputy Leader and the local member.
- (b) To prepare a press release stating our position.
- (c) To write to the Minister for the Welsh Language and the Welsh Language Commissioner.
- (ch) To contact the Chair of the Assembly Committee that is discussing the Historic Environment Bill to pressurise for the inclusion of a clause in relation to the Welsh Language in the bill, and to contact Anglesey and Ceredigion Councils on this point, and submit a report to the next committee meeting if not sooner.

**3. MINUTES**

The Chairman signed the minutes of the previous committee meetings held on 18 June and 8 July 2015 (special meeting) as a true record.

**4. LANGUAGE INVESTIGATION REPORT – THE USE OF THE WELSH LANGUAGE AT MEETINGS**

- (a) Submitted – Language Investigation report – The Use of the Welsh Language at Meetings. The Chair of the Investigation, Craig ab Iago presented the report and the response of the Cabinet Member for the Welsh Language to the recommendation was requested.

The Cabinet member thanked the Investigation Group members for their work, and noted:-

- He welcomed the report which contained many very positive aspects.
- The recommendations were ones that he would follow, in particular number 5, regarding influencing not only other councils, but also public bodies, and he was confident that all the recommendations could be implemented within six months.
- The work with the public bodies was ongoing through the Local Services Board, and it was hoped, with the development of this work, that the public bodies which formed the Board would commit to the use of the language.
- The work of undertaking an audit on the use of the Welsh Language within the Council was due to start imminently and a report would probably be published in due course.
- He would be willing to submit the report to the formal Cabinet as this would strengthen the recommendations.

During the discussion, it was noted:-

- Before seeking to influence bodies outside the county, there was a need to influence bodies within Gwynedd that continued to operate through the medium of English, such as community councils and governing bodies.
- The response to the questionnaire by the external bodies had been disappointing, whereas the responses to the questionnaire for managers and members were extremely positive.

- The investigation had produced a good outcome, it had analysed the matters requiring attention in detail, and presented clear recommendations to the Cabinet Member.

**RESOLVED to accept the recommendations of the investigation and to formally submit them to the Cabinet Member.**

(b) Submitted – two suggestions for the next investigation:-

- Consider the extent of the visibility of the Welsh language.
- Consider how the planning system promoted and safeguarded the Welsh language.

The Senior Manager - Democracy and Delivery, noted:-

- The Communities Scrutiny Committee, at its next meeting, would receive an overview of the position of the Welsh Language and planning and, without presumption, this could lead to an investigation by that committee in due course.
- A message could be sent to the Communities Scrutiny Committee to state that the Language Committee would be eager to support any work undertaken by it in this area.

**RESOLVED to note a wish to consider the visibility of the Welsh language and to work on a brief for an investigation. In the meantime, to hold a discussion with the Communities Scrutiny Committee about the next developments in relation to planning and the Welsh Language, and to authorise officers to proceed with either, or both, if capacity allows this.**

## 5. REPORT OF THE CABINET MEMBER FOR THE WELSH LANGUAGE

Submitted – the verbal report of the Cabinet Member for the Welsh Language, detailing the recent developments within the field, which included the ongoing work with the Local Services Board, the audit on the use of the Welsh Language, the establishment of a new language centre in Bangor, the current work in relation to a bilingual workforce, the Language Charter, the initial response to the Language Standards, linguistic planning and the project in Dolgellau to promote the language.

**RESOLVED to note the content of the report.**

## 6. UPDATE ON THE LANGUAGE STANDARDS

Submitted – the report of the Language Development Officer noting that the final Compliance Notice on the Language Standards had been received on 30 September, and attached, for information, the standards requiring compliance with within 6 months, along with a summary of the action points.

During the discussion, it was noted:-

- The definition in the Standards should not be the language of 'choice', but rather 'the language normally spoken' as it is immediately obvious whether or not somebody speaks Welsh.
- Gwynedd Council would exceed the requirements of the Standards due to the linguistic nature of this county.

- There was a need to improve the language of some of Galw Gwynedd's staff, who tended to refer to numbers and months of the year etc. in English.
- The Standards were aimed at other councils that in general did not pay sufficient attention to the Welsh language, and that consideration should be given to appealing against any Standard that required this Council to collect information in order to prove something that was already evident, as that this would be a waste of money for Gwynedd's residents, and would draw resources away from the work of promoting the language.

**RESOLVED to accept the report and to present an update at the next meeting that would also refer to any appeals lodged in the meantime against any Standard that is deemed as continuing to be disproportionate or unreasonable.**

## **7. THE WELSH LANGUAGE COMMISSIONER'S RESPONSE TO THE ANNUAL REPORT ON THE LANGUAGE PLAN**

Submitted – the Language Development Officer's report, presenting the Council's response to the further enquiries in the Commissioner's response to the Annual Report, and the members' response to the following matters which arose from the report:-

- Language complaints reporting procedure – a recommendation that complaints should not be reported to the Language Committee before any enquiries had been completed and a response sent to the complainant, if appropriate.
- Arrangements for recording the language skills of staff – members were asked to consider to what extent the Council should record language skills.

During the discussion, it was noted:-

- It was beneficial for members to hear about any language complaints that were received, and it was suggested that two categories of complaints could be presented to the Language Committee in future: resolved and unresolved complaints.
- Regardless of what the Standards stated, the arrangements for recording the language skills of staff must be as unbureaucratic as possible, while still providing a functional illustration of the linguistic skills of staff e.g. werethey able to hold a conversation, write a report, etc., in Welsh, and possibly ask them how supportive they were of the Welsh Language.
- The information about skills and the softer information relating to attitude etc. could help to target the work of the Learning and Development Service, rather than it being a purely responsive service.

The Language Development Officer was congratulated on her thorough work in relation to this and other linguistic matters.

### **RESOLVED**

- To accept the response of the Welsh Language Commissioner and the Council's response to the request for further information.**
- Two categories of complaints should be presented to the Language Committee in future, namely resolved complaints and also to report for information on those complaints that the department are still investigating.**
- Consideration should be given to the arrangements for recording the language skills of staff, with as little bureaucracy as possible, while still providing a functional illustration of the skills of staff.**

## 8. SCRUTINY INVESTIGATION REPORT – WELSH LANGUAGE EDUCATION

Submitted – the final report of the Scrutiny Investigation – Welsh Medium Education by the Chair of the Investigation, Councillor Alwyn Gruffydd. He noted that:-

- The investigation included the implementation, consistency and success of the authority's language policy in the County's schools, and he thanked his fellow members on the group and the officers who had worked so hard over a period of 6-7 months.
- The draft investigation report had been submitted to the Services Scrutiny Committee on 22 September. The committee had decided to accept the contents of the report, to approve the recommendations which were submitted to the Cabinet Member for Education, and requested that he presented a progress report on the actions in six months' time.

The Education Quality Improvement Officer presented the response of the department to the report, and noted:-

- The department welcomed the work and praised and recognised the immense work that had been achieved in this field, which underpinned all the department's work.
- The Cabinet Member for Education had accepted the recommendations, and as a next step, discussions would be held between the department and the Cabinet Member in relation to the practicality of implementing the recommendations.
- The scrutiny committee had reached many of the same conclusions as the *Trywydd* company who had been commissioned to undertake work on the secondary sector.

In discussing the conclusions of the investigation:-

- Specific reference was made to the linguistic situation in Bangor, and the positive impact of the Language Charter on the attitudes of the area's children towards the Welsh Language.
- It was noted that children were making good progress at the Latecomers Centres. However, frustration was expressed that the drivers transporting the pupils to and from these centres were not Welsh speakers. In response, it was noted that this observation had also been made at the Scrutiny Committee, and it was confirmed that the Education Service was investigating the matter.
- The members of the investigation and officers were thanked for their thorough work that had led to a series of clear and far-reaching recommendations.

**RESOLVED to note the report.**

## 9. LANGUAGE COMPLAINTS

Submitted – the report of the Equality and Language Officer detailing the latest language complaints to hand.

Referring to a complaint about insufficient Welsh language provision on a website which schools were directed to by the Welsh Government for specialist information and advice on outdoor activities (OEP website), the Language Development Officer further noted:-

- The English-only reply from the Government's Education and Skills Department to the complaint explained that the Government was not of the view that it was its

responsibility to pay for the translation of the resources as it was an external website.

- It was intended to send a complaint to the Language Commissioner regarding the English-only reply that was received to the complaint.

A member expressed concern that there was no translator present at a planning appeal in Porthmadog on 13 October against the Council's decision to refuse an application to erect a wind turbine in Llanaelhaearn. The officers agreed to make enquiries.

**RESOLVED to note the content of the report.**

The meeting commenced at 10.30am and concluded at 12.45pm.

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**CHAIRMAN**