



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNCIL

Regeneration and Sustainable Development Scrutiny Committee
17th July 2020

Report of the Head of Planning and Public Protection
Ceri Morris

Matter for Information

Wards Affected: All

Planning and Public Protection – Current Service Delivery and Recovery Planning.

Purpose of the Report

To provide an overview of current service provision across the Planning and Public Protection service and to outline how the service will look and function as the Council moves into the recovery phase.

Executive Summary

The Planning and Public Protection Service comprises the following functions: Development Management; Planning Policy (i.e. Local Development Plan and Countryside & Wildlife teams); Building Control; and Environmental Health and Trading Standards.

As a consequence of the Coronavirus pandemic, the service has had to adapt to new ways of working and quickly learn new IT systems to be able to continue to provide a service and meet the challenges.

This report provides an overview of current service provision and outlines how the service will function as the Council moves into the recovery phase.

Background

In March 2020, all Planning and Public Protection staff were instructed to work from home. This decision was taken in accordance with Welsh

Government legislation and guidance to restrict the spread of Coronavirus (“Covid-19”).

As a consequence of the required step change in the ways of working, the rapid provision of IT hardware to staff and the increased pressures on the service, both direct and indirect, as a result of the pandemic, a review of the service has been necessary to ensure functions are prioritised and the challenges met.

Current Service Delivery and Recovery Planning

The Planning and Public Protection Service delivers a number of regulatory functions, namely Development Management; Planning Policy; Building Control; and Environmental Health and Trading Standards.

In order to meet the challenges moving forward an assessment has been made of how each of the service areas could look and function as the lockdown is gradually eased.

A ‘PPP Recovery Plan’ has been prepared and will be continually monitored and kept under review so that the service is able to respond to the pressures that emerge as a consequence of both the direct and indirect effects of Covid-19 and any subsequent legislation and Government decisions introduced to deal with the pandemic.

More specifically, based on the current restrictions and an assessment of current workloads and available resources, the PPP Recovery Plan has been developed to consider and outline:

- What functions can continue to be delivered as *‘business as usual’*;
- What functions will need to be delivered at a reduced level or in a slightly different way;
- What functions will need to be temporarily stopped; and
- What new additional functions will need to be provided.

The following sections provide a summary of the key points in respect of the current level of service provision across each of the functions. An overview and accompanying commentary of the current RAG status of all functions across the service is presented in Appendix 1.

Development Management

- ***Planning Applications*** – site visits are being undertaken on a risk assessed basis and all applications continue to be determined

wherever practicable. Planning Committee has been operating 'remote' meetings since 26th May 2020, and on a regular three-weekly cycle. Pre-Application advice is still being offered but on a 'no site visit' basis at present.

- **Enforcement** – while continuing to receive and register enforcement complaints, only 'Priority 1' complaints (i.e. those that are considered significant or urgent) are currently being investigated through site visits.
- **Minerals and Waste** – Carmarthenshire CC Officers continue to determine minerals and waste related planning applications remotely. Minerals Monitoring however suspended due to inactivity on sites and Covid-19 restrictions.

Planning Policy

- **Local Development Plan (LDP)** – formal commencement of the LDP Review has been delayed due to the current inability to carry out the required extensive community engagement, consultation and participation that will be set out in the Delivery Agreement. Important work on the LDP evidence base is however continuing to progress as planned.
- **Active Travel Maps** – similarly, the engagement, participation and consultation activities associated with the review on the maps will be delayed. The timescale for the submission of the updated maps has been extended to 30th September 2021.
- **Public Rights of Way** – whilst statutory duties are continuing, temporary diversions that need to be considered are being delayed.
- **Site Maintenance / Project Work / Site Visits** – being undertaken on a risk assessed basis.
- **Voluntary-led / Community Engagement Work** – all physical activities currently suspended, albeit officers are trying to undertake this through other means (e.g. social media / web pages etc.).
- **Asset Sponsorship Management Service** – income generation opportunities are being significantly affected.

Building Control

- **Dangerous Structures** – due to the nature of the work, the service has continued to provide 24/7/52 cover throughout.

- ***Building Regulations Applications*** – plan vetting has continued as normal.
- ***Physical Site Inspections*** – to date has been limited to “Statutory Notifications” only, with all other inspections being carried out remotely with the use of photographs and video evidence.

Environmental Health and Trading Standards

- ***New Functions (Covid-19 Response)*** – directly involved in delivering a number of new functions associated with the pandemic including, enforcing the new regulations (including the provision of advice); approving accommodation for key workers and the homeless; proactively advising Care Homes and other businesses; advising and working with Funeral Directors regarding ‘care of the dead’; playing a key role in facilitating the implementation of the national ‘Test, Trace & Protect’ (TTP) programme; and dealing with an increase in statutory nuisance complaints due to the ‘lockdown’ measures.
- ***Prioritisation of Functions*** – in order to focus on the significant levels of additional workload, the temporary cessation of a number of functions has had to be implemented in the short term, with other functions being performed at a reduced level and/or differently. The functions have been prioritised based on perceived risk to public health and safety; the requirement to maintain statutory functions; and direction from Welsh Government and other regulatory bodies.
- ***Phased Recovery Plan*** – has been developed for the re-introduction of services over the short (0-3 months), medium (3-6 months) and long term (6+ months). The timescales are flexible and the provision of functions is being continually monitored to ensure it remains fit for purpose and responsive to changes in circumstance.

Moving Forward

The development industry (both small and large) is widely considered to be a fundamental part of the drive towards economic recovery at the national, regional and local level. Moving forward therefore, the Planning Service (both policy and decision-making) will be critical in order to facilitate that recovery and it will be important to continue to deliver a service that ensures there are no obstacles to development projects commencing or continuing.

Equally, Building Control will have a continued fundamental role in ensuring that health and safety standards are achieved in construction and that minimum standards are achieved in terms of energy efficiency and disabled access.

In respect of Environmental Health & Trading Standards, the underlying principle of the service is the protection of public health and safety. The service has been, and will continue to be, at the forefront of the Council's response to Covid-19 and there needs to be widespread recognition and understanding (both internally and perhaps more important externally) that the response to Covid-19 is going to take priority of other duties.

On a more general note, it has been cited that the pandemic has exposed general shortfalls in the availability of qualified, experienced staff throughout the profession. Moving forward therefore it will be important for Local Authorities and the profession at large to consider what options are available (e.g. access to Apprenticeship Schemes) in order to attract people into the profession to train and develop the skills required.

With this in mind, it is encouraging to note that the WLGA has recently indicated that consideration is being given to the need for additional money to be allocated to apprenticeships and training programmes and that the Environmental Health, Planning and Building Control professions have been identified as potential areas to be supported.

Financial Impacts

No implications.

Integrated Impact Assessment

There is no requirement to undertake an Integrated Impact Assessment as this report is for information purposes.

Valleys Communities Impacts

No implications.

Workforce Impacts

No implications.

Legal Impacts

No implications.

Risk Management Impacts

No implications.

Consultation

There is no requirement for external consultation on this item.

Recommendations

To provide an overview of current service provision across the Planning and Public Protection service and to outline how the service will look and function as the Council moves into the recovery phase.

Reasons for Proposed Decision

Not applicable.

Implementation of Decision

Not applicable.

Appendices

Appendix 1 – Planning and Public Protection: Overview of Functions (RAG Status – Current).

List of Background Papers

None.

Officer Contact

Ceri Morris – Head of Planning and Public Protection
Tel: 01639 686681 or e-mail: c.morris1@npt.gov.uk

APPENDIX 1 – PLANNING & PUBLIC PROTECTION: OVERVIEW OF FUNCTIONS (RAG STATUS – CURRENT)

GREEN	Function continues to be delivered (i.e. 'Business as Usual')
AMBER	Function is being delivered at a reduced level and/or differently
RED	Function is not currently being delivered

DEVELOPMENT MANAGEMENT – Accountable Manager: Steve Ball 01639 686727 / s.ball@npt.gov.uk		
FUNCTION	COMMENTARY	RAG STATUS
Advertisements (consent to display / unauthorised display)	Service delivery continues but subject to risk-assessment for site visits (only where deemed essential and in accordance with Covid-19 Regs).	
Appeals (Planning and Enforcement)	Planning Inspectorate has recently re-commenced dealing with new cases and those which were previously suspended (albeit it is unclear at this stage how any hearings or Inquiries that might be received would be determined having regard to the Covid-19 Regulations).	
Enforcement	Only 'urgent / priority 1' cases are being progressed to site investigation at this stage but subject to ongoing review / risk assessment. Enforcement charter timescales suspended.	
Minerals (delivered through SLA with Carms)	Minerals monitoring visits have been suspended. Determination of minerals-related applications continues.	
Planning Applications	Service delivery continues but subject to risk-assessment for site visits (only where deemed essential and in accordance with Covid-19 Regs) and with changes to service delivery including 'remote' Planning Committee being set up.	
Permitted Development (Planning)	Assessment of Certificates of Lawfulness of Proposed Use or Development – Service delivery continues (subject to risk-assessment for any necessary site visits).	
Pre-Application Advice (Planning)	Service delivery continues (but fewer requests at present) with remote meetings only and no site visits (unless deemed essential and in accordance with Covid-19 Regs).	
Unauthorised Development – Use of Land or Buildings	As for 'Enforcement' above.	
Waste	As for 'Minerals' above.	
PLANNING POLICY – Accountable Manager: Lana Beynon 01639 686314 / l.beynon@npt.gov.uk		
FUNCTION	COMMENTARY	RAG STATUS
Active Travel (Existing Route Map / Integrated Network Map)	Service delivery is continuing but will be delayed due to the engagement, participation and consultation activities associated with the review of the Active Travel Network maps. The additional duties placed on LAs from the recent revision to the WG Active Travel guidance also poses a concern in relation to additional workload. This is likely to result in the need to engage with consultants to undertake some of the tasks required.	
Adopted Highway Network	Land searches and adopted highway queries continuing as normal - Service delivery continues (subject to risk-assessment for any necessary site visits).	
Asset Sponsorship Management Service	Service delivery is continuing, however it is anticipated that income generation opportunities will be significantly affected given the financial impact of Covid-19 on local businesses and companies and their ability to sponsor the Council's assets. There is even a small possibility that Immediate Solutions (IMS) [the Council's partner company], may, as a result, go out of business.	
Biodiversity Advice	Service delivery continues but subject to risk-assessment for site visits (only where deemed essential and in accordance with Coronavirus Regs). Although voluntary-led activities or community engagement work will not be physically carried out, alternative means are	

	currently being investigated i.e. social media / webpages etc...in an attempt to reduce the length of associated delay.	
Biodiversity Duty Plan (BDP)	Service delivery continues however engagement with other departments is likely to be more challenging due to the pressures of Covid-19.	
Cycle Network (Promotion & Development)	Service delivery continues but will be delayed due to the engagement, participation and consultation activities aspect of promoting the cycle network. Essential site visits will be subject to risk-assessment in accordance with Coronavirus Regs.	
Gypsy & Traveller Accommodation Assessments (GTAA)	Due to a combination of officer sickness absence and delays surrounding engagement requirements linked to Covid-19 the GTAA has been placed on hold and will resume when officers return to work; the backload of priority tasks / reports have been cleared and restrictions are lifted.	
Local Development Plan (LDP)	Given the exceptional circumstances, the formal commencement of plan preparation may have to be postponed for several months to enable effective engagement in the process. The position will need to be kept under constant review as restrictions are lifted and although the formal commencement of the review process will now be delayed, important work on the Replacement LDP (RLDP) evidence base will continue to progress as planned.	
LDP Annual Monitoring Report (AMR)	Service delivery continues as normal. This is a desk based exercise so officers can access all the data remotely from the Uniform Idox system. The AMR is on target to meet the WG deadline.	
ROWIP / Public Rights of Way	Statutory duties in respect of service delivery are continuing (subject to risk-assessment for site visits (only where deemed essential and in accordance with Coronavirus Regs)), but temporary diversions that need to be considered are being delayed and some site visits have been temporarily put on hold.	
Supplementary Planning Guidance (SPG)	Due to staff shortages, all progress on any outstanding SPGs has been suspended to focus on producing the evidence base for the RLDP.	
Project Management and Grant Delivery	Service delivery continues but subject to risk-assessment for site visits (only where deemed essential and in accordance with Coronavirus Regs). Although voluntary-led activities or community engagement work will not be physically carried out, alternative means are currently being investigated i.e. social media / webpages etc., in an attempt to reduce the length of associated delay.	
BUILDING CONTROL – Accountable Manager: Paul Davis 01639 686952 / p.davis1@npt.gov.uk		
FUNCTION	COMMENTARY	RAG STATUS
Building Regulation Applications	Building Control has been classed as a business critical service. All functions are being delivered with adjustments in place to satisfy current Covid-19 guidance.	
Dangerous Structures		
Demolition Notices		
Certification of Designated Sports Grounds		
Retaining Walls, Temporary Stands and Marquees		
ENVIRONMENTAL HEALTH & TRADING STANDARDS – Accountable Manager: Mark Thomas 01639 685612 / m.thomas2@npt.gov.uk		
FUNCTION	COMMENTARY	RAG STATUS
Air Quality	Service delivery is continuing as normal.	
Animal Health (Animals in the food chain) Inspections	Service delivered differently, to consider Covid-19 Regulations and Risk Assessment.	
Animal Health (Animals in the food chain) Complaints	Service delivered differently, to consider Covid-19 Regulations and Risk Assessment.	

Animal By Products Control Complaints	Service delivery is continuing as normal.	
Asbestos Advice Domestic & Commercial	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Burial of Unclaimed Dead	Service delivered differently, due to online form and Ensis.	
C.C.T.V. Drainage Surveys	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Consumer Fraud (including scams, rogue trader incidents etc.) Complaints	Service delivered differently, to consider Covid-19 Regulations and Risk Assessment.	
Contaminated Land – Planning Applications	Service delivery is continuing as normal.	
Counterfeit Products Complaints	Service delivery is continuing as normal.	
Defective Drainage including Septic Tanks / Cesspits	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Empty Homes Risk Assessments	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Empty Homes Enforced Sales	Service delivery is continuing as normal.	
Event Safety	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Fair Trading Complaints	Service delivery is continuing as normal.	
Feed (Animal) Hygiene & Standards Inspections	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Feed (Animal) Hygiene and Standards Complaints	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Filthy / Verminous Premises	Service delivered differently, to consider Covid-19 Regulations and Risk Assessment.	
Financial Investigation	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Food Hygiene Inspections & Ratings (Proactive)	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Food Hygiene Complaints & Advice	Service delivery is continuing as normal.	
Food Hygiene on Primary Production (farms) Proactive	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Food Poisoning Outbreak Control	Service delivery is continuing as normal.	
Food Standards (descriptions / composition / labelling / allergens) Inspections	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Food Standards (descriptions / composition / labelling / allergens) Complaints	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Harassment / Illegal Eviction	Service delivered differently, to consider Covid-19 Regulations and Risk Assessment.	
Health Protection	Service delivery is continuing as normal.	
Health & Safety Enforcement (Proactive Inspections)	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Houses in Multiple Occupation Inspections (Proactive)	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Illegal / Wrong Drain Connections	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Illumination Nuisance	Service delivered differently – enforcement by letter and possibility of nuisance notice (to avoid physical inspection). Inspection only takes place when necessary.	
Immigration Inspections (Housing)	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Industrial Permitting	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Infectious Diseases Outbreak Control	Service delivery is continuing as normal.	
Insecure Properties	Service delivered differently, to consider Covid-19 Regulations and Risk Assessment.	
Investigation of Workplace Injuries / Diseases and Dangerous Occurrences	Service delivery is continuing as normal.	
Landlord Registration	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Letting Agents Licensing	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Minimum Unit Pricing of Alcohol	Service delivered differently, to consider Covid-19 Regulations and Risk Assessment.	
Misdescription of Goods & Services	Service delivery has stopped (unless to address a pressing public health or legal imperative).	

Mobile Home Parks	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Noise Nuisance	Service delivered differently – enforcement by letter and possibility of nuisance notice (to avoid physical inspection). Inspection only takes place when necessary.	
Nuisance from Keeping Animals	Service delivered differently – enforcement by letter and possibility of nuisance notice (to avoid physical inspection). Inspection only takes place when necessary.	
Odour Nuisance	Service delivered differently – enforcement by letter and possibility of nuisance notice (to avoid physical inspection). Inspection only takes place when necessary.	
Petroleum Approvals Enforcement	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Pricing	Service delivered differently, to consider Covid-19 Regulations and Risk Assessment.	
Private Rented Housing Inspections	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Private Water Suppliers	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Product Safety (Consumer)	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Rent Smart Wales	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Road Traffic (Overweight Vehicles)	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Ruinous and Dilapidated Buildings	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Smoke Nuisance	Service delivered differently – enforcement by letter and possibility of nuisance notice (to avoid physical inspection). Inspection only takes place when necessary.	
Tobacco Control (advertising, labelling and retail sale)	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Trading Standards Proactive Inspections	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Underage Sales of Age Restricted Goods	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Video Recordings	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
Weights & Measures Complaints & Requests for Verifications	Service delivery has stopped (unless to address a pressing public health or legal imperative).	
NEW FUNCTION	COMMENTARY	RAG STATUS
Enforcement of Coronavirus (Restrictions) (Wales) Regs 2020 (including provision of advice)	Service delivery is continuing.	
Implementation of Care Homes Project	Service delivery is continuing.	
Test, Trace and Protect Programme	Service delivery is continuing.	
Care of the Dead Arrangements	Service delivery is continuing.	
Inspection of Accommodation for key workers / Homelessness (including issuing of Certificates)	Service delivery will now stop due to changes to Covid-19 Regs and the relaxation of restrictions in the hospitality sector.	
PPP ENFORCEMENT TRIAGE SERVICE – PPPEnforcement@npt.gov.uk / Accountable Managers: Steve Ball/Paul Davis/Mark Thomas		
FUNCTION	COMMENTARY	RAG STATUS
Untidy Land and/or Buildings	All complaints received are assessed by most likely service area, and are passed onto other relevant service areas. The inability to work in the office is affecting the efficiency a little.	