

# Public Document Pack



County Hall  
Rhadyr  
Usk  
NP15 1GA

Friday, 11 November 2022

## Notice of meeting

# Performance and Overview Scrutiny Committee

Monday, 21st November, 2022 at 10.00 am,

Council Chamber, County Hall, The Rhadyr, Usk and Remote Attendance

*Please note that a pre meeting will be held 30 minutes prior to the start of the meeting for members of the committee.*

## AGENDA

Item No	Item	Pages
1.	Apologies for Absence	
2.	Declarations of Interest	
3.	Public Open Forum	
4.	<b>Socially Responsible Procurement Strategy:</b> To conduct pre-decision scrutiny on the Strategy.	1 - 38
5.	<b>Planning Annual Performance Report:</b> Scrutiny of the annual performance report prior to submission to Welsh Government.	39 - 114
6.	<b>Month 6 Budget Monitoring Report</b> Scrutiny of the Council's budgetary position (revenue and capital).	To Follow
7.	<b>Performance and Overview Scrutiny Committee Forward Work Programme</b>	115 - 118
8.	<b>Cabinet and Council Work Plan</b>	119 - 138

<b>9.</b>	<b>To confirm the minutes of previous meetings:</b> <ul style="list-style-type: none"><li>• 7<sup>th</sup> July 2022</li><li>• 11<sup>th</sup> October 2022- Joint Scrutiny Committee (Performance Scrutiny and Overview and People Scrutiny Committees)</li></ul>	139 - 168
<b>10.</b>	<b>Next Meeting: 15th December 2022</b>	

**Paul Matthews**

**Chief Executive**

MONMOUTHSHIRE COUNTY COUNCIL  
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillor Jill Bond, West End;, Welsh Labour/Llafur Cymru  
County Councillor Ian Chandler, Llantilio Crossenny;, Green Party  
County Councillor Tony Kear, Llanbadoc & Usk;, Welsh Conservative Party  
County Councillor Alistair Neill, Gobion Fawr;, Welsh Conservative Party  
County Councillor Paul Pavia, Mount Pleasant;, Welsh Conservative Party  
County Councillor Peter Strong, Rogiet;, Welsh Labour/Llafur Cymru  
County Councillor Ann Webb, St Arvans;, Welsh Conservative Party  
County Councillor Laura Wright, Grofield;, Welsh Labour/Llafur Cymru  
County Councillor Sue Riley, Bulwark and Thornwell;, Welsh Labour/Llafur Cymru  
Janice Watkins

## **Public Information**

### **Access to paper copies of agendas and reports**

A copy of this agenda and relevant reports can be made available to members of the public attending a meeting by requesting a copy from Democratic Services on 01633 644219. Please note that we must receive 24 hours notice prior to the meeting in order to provide you with a hard copy of this agenda.

### **Welsh Language**

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with adequate notice to accommodate your needs.

# Aims and Values of Monmouthshire County Council

## Our purpose

Building Sustainable and Resilient Communities

### Objectives we are working towards

- Giving people the best possible start in life
- A thriving and connected county
- Maximise the Potential of the natural and built environment
- Lifelong well-being
- A future focused council

## Our Values

**Openness.** We are open and honest. People have the chance to get involved in decisions that affect them, tell us what matters and do things for themselves/their communities. If we cannot do something to help, we'll say so; if it will take a while to get the answer we'll explain why; if we can't answer immediately we'll try to connect you to the people who can help – building trust and engagement is a key foundation.

**Fairness.** We provide fair chances, to help people and communities thrive. If something does not seem fair, we will listen and help explain why. We will always try to treat everyone fairly and consistently. We cannot always make everyone happy, but will commit to listening and explaining why we did what we did.

**Flexibility.** We will continue to change and be flexible to enable delivery of the most effective and efficient services. This means a genuine commitment to working with everyone to embrace new ways of working.

**Teamwork.** We will work with you and our partners to support and inspire everyone to get involved so we can achieve great things together. We don't see ourselves as the 'fixers' or problem-solvers, but we will make the best of the ideas, assets and resources available to make sure we do the things that most positively impact our people and places.

**Kindness:** We will show kindness to all those we work with putting the importance of relationships and the connections we have with one another at the heart of all interactions.

**Role of the Pre-meeting**

1. Why is the Committee scrutinising this? (background, key issues)
  2. What is the Committee’s role and what outcome do Members want to achieve?
  3. Is there sufficient information to achieve this? If not, who could provide this?
- Agree the order of questioning and which Members will lead
  - Agree questions for officers and questions for the Cabinet Member

**Questions for the Meeting**

Scrutinising Performance

1. How does performance compare with previous years? Is it better/worse? Why?
2. How does performance compare with other councils/other service providers? Is it better/worse? Why?
3. How does performance compare with set targets? Is it better/worse? Why?
4. How were performance targets set? Are they challenging enough/realistic?
5. How do service users/the public/partners view the performance of the service?
6. Have there been any recent audit and inspections? What were the findings?
7. How does the service contribute to the achievement of corporate objectives?
8. Is improvement/decline in performance linked to an increase/reduction in resource? What capacity is there to improve?

Scrutinising Policy

1. Who does the policy affect ~ directly and indirectly? Who will benefit most/least?
2. What is the view of service users/stakeholders? What consultation has been undertaken? Did the consultation process comply with the Gunning Principles? Do stakeholders believe it will achieve the desired outcome?
3. What is the view of the community as a whole - the ‘taxpayer’ perspective?
4. What methods were used to consult with stakeholders? Did the process enable all those with a stake to have their say?
5. What practice and options have been considered in developing/reviewing this policy? What evidence is there to inform what works? Does the policy relate to an area where there is a lack of published research or other evidence?
6. Does the policy relate to an area where there are known inequalities?
7. Does this policy align to our corporate objectives, as defined in our corporate plan? Does it adhere to our Welsh Language Standards?

8. Have all relevant sustainable development, equalities and safeguarding implications
9. been taken into consideration? For example, what are the procedures that need to be in place to protect children?
- 10.
11. How much will this cost to implement and what funding source has been identified?
- 12.
13. How will performance of the policy be measured and the impact evaluated

## General Questions:

### Empowering Communities

- How are we involving local communities and empowering them to design and deliver services to suit local need?
- Do we have regular discussions with communities about service priorities and what level of service the council can afford to provide in the future?
- Is the service working with citizens to explain the role of different partners in delivering the service, and managing expectations?
- Is there a framework and proportionate process in place for collective performance assessment, including from a citizen's perspective, and do you have accountability arrangements to support this?
- Has an Equality Impact Assessment been carried out? If so, can the Leader and Cabinet/Senior Officers provide members with copies and a detailed explanation of the EQIA conducted in respect of these proposals?
- Can the Leader and Cabinet/Senior Officers assure members that these proposals comply with Equality and Human Rights legislation? Do the proposals comply with the Local Authority's Strategic Equality Plan?

### Service Demands

- How will policy and legislative change affect how the council operates?
- Have we considered the demographics of our council and how this will impact on service delivery and funding in the future?
- Have you identified and considered the long-term trends that might affect your service area, what impact these trends could have on your service/your service could have on these trends, and what is being done in response?

### Financial Planning

- Do we have robust medium and long-term financial plans in place?
- Are we linking budgets to plans and outcomes and reporting effectively on these?

### Making savings and generating income

- Do we have the right structures in place to ensure that our efficiency, improvement and transformational approaches are working together to maximise savings?

- How are we maximising income?
- Have we compared other council's policies to maximise income and fully considered the implications on service users?
- Do we have a workforce plan that takes into account capacity, costs, and skills of the actual versus desired workforce?

Questions to ask within a year of the decision:

- Were the intended outcomes of the proposal achieved or were there other results?
- Were the impacts confined to the group you initially thought would be affected i.e. older people, or were others affected e.g. people with disabilities, parents with young children?
- Is the decision still the right decision or do adjustments need to be made?

**Questions for the Committee to conclude...**

Do we have the necessary information to form conclusions/make recommendations to the executive, council, other partners? If not, do we need to:

- (i) Investigate the issue in more detail?
- (ii) Obtain further information from other witnesses – Executive Member, independent expert, members of the local community, service users, regulatory bodies...

Agree further actions to be undertaken within a timescale/future monitoring report...







# Monmouthshire County Council Socially Responsible Procurement Strategy 2023- 2027

## Foreword (To be updated)

The Council faces a number of key challenges including our response to the impact of the Covid-19 pandemic on our communities and businesses, climate emergency and managing ongoing budgetary constraints at a time of increasing demand for services.

The Council’s **Community and Corporate Plan** wants Monmouthshire to be an ambitious, fair and sustainable place where people care about each other, where more of its money is spent locally and ethically, whilst minimising the long-term impact of its activities and increasing local value creation and focusing on whole life costs.

**We will continue to use the full size and scale of the Council to tackle inequality and poverty and addressing the climate and nature crises. This will mean maximising the social impact of our spend, accelerating the move to net zero.**

To this end we are committed to the delivery of community benefits, including employment and apprenticeship opportunities, and the promotion of “Fair Working Practices”.

This Strategy sets out the key role that the procurement function along with other interested stakeholders will continue to play in enabling the Council to meet these challenges and outlines our key procurement objectives for the next five years.

**It is crucial that this is viewed as a corporate strategy that all staff and Elected Members must engage with to deliver.**



Cllr Rachel Garrick – Cabinet Member  
Resources

## What Matters to Monmouthshire

Monmouthshire County Council has responsibility for the delivery of services to the people and communities of the county of Monmouthshire.

Our **Community and Corporate Plan** has been written against a backdrop of national and global uncertainty that has helped set out our ambition for the council and county, and we remain hopeful for the future of our place. Our ambition will look to the long-term and be focused on the well-being of current and future generations.

We want to build sustainable and resilient communities for all by tackling inequality, protecting our environment and adapting to a world being reshaped by climate change.

We therefore want Monmouthshire to be a:

- **Fair place to live** where the effects of inequality and poverty have been reduced
- **Green place to live** with reduced carbon emissions, making a positive contribution to addressing the climate and nature emergency
- **Thriving and ambitious place**, full of hope and enterprise
- **Safe place to live** where people have a home that they feel secure in.
- **Connected place** where people feel part of a community, are valued and connected to others
- **Learning place** where everybody has the opportunity to reach their potential.

*Located in south east Wales, Monmouthshire occupies a strategic position between the major centres in south Wales and the south west of England and the Midlands. The county covers an area of approximately 880 square kilometres, with an estimated population of 95,164. The six main settlements are Abergavenny, Caldicot, Magor, Monmouth and Usk / Raglan, and although it is a predominantly rural area, 53% of the population live within wards which are defined as being urban areas.*

### Climate Emergency Strategy and Action Plan

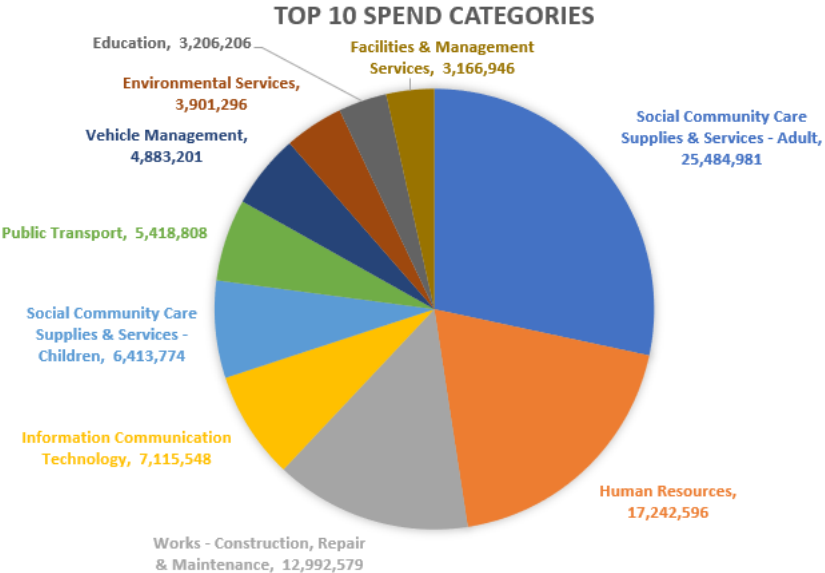
In May 2019 Monmouthshire County Council declared a Climate Change Emergency. The Climate Emergency Strategy and Action Plan is the Council's strategic response to the climate emergency and sets out how Monmouthshire will become a Net Zero Council by 2030. This has since been supplemented with commitments to improve the health of rivers and oceans. The Strategy recognises that procurement will be a key tool in reducing the Council's carbon impact as we adopt circular procurement principles.

## Why Procurement Matters

The Council delivers its services through a mixed economy - directly through its own workforce, and through public, private and third sector organisations.

As a result, the Council spends over **£98 million** a year procuring a diverse range of goods, services and works from over 2,800 suppliers and contractors. The graphs below shows key areas where we spend our money.

Page 4



'Procurement' is the process by which the Council manages the acquisition of all its Goods, Services and Works, in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the Council, but also to society and the economy, whilst minimising damage to the environment. It includes the identification of need, consideration of options, the actual procurement process and the subsequent management and review of the contracts."

Our **Community and Corporate Plan** recognises the importance of procurement and contains a number of priorities that informed the Key Objectives within this Strategy, namely:

- Reducing the carbon emissions generated from the Council’s activities with a particular focus on our supply chains
- Delivering Community Benefits and Social Value to help support individuals and communities
- Championing fair work and equality across our supply chains
- Supporting the development of our local economy
- Exploring new and innovation ways of delivering Council priorities and services

This procurement strategy will therefore be vital in making sure our budgets are used effectively to deliver our priorities, reduce our carbon while delivering community benefits and social value.

## Informing Our Strategy

In addition to the Council’s Community and Corporate Plan, there are increasing legislative and policy requirements that inform and influence the way in which the Council manages its procurement activity which have been taken into account when developing this Strategy. This section highlights some of the key overarching legislative and policy requirements and priorities with further information contained within this Strategy.

Page 5



### The Wellbeing of Future Generations (Wales) Act 2015

The Wellbeing of Future Generations Act focuses on improving the economic, social, environmental and cultural well-being of Wales. The aim of the Act is to help create a Wales that we all want to live in, now and in the future. Procurement is one of the seven corporate areas for change in the Act’s statutory guidance.

### The Wales Procurement Policy Statement (WPPS)

The third WPPS published in March 2021 sets out the ten principles the Welsh Government expects the Welsh public sector to follow for procuring well-being for Wales based on the Well-being of Future Generations (Wales) Act Goals and key Welsh Government policies. The Social Partnership & Public Procurement Bill will strengthen the requirement for public sector organisations to adhere to the WPPS.



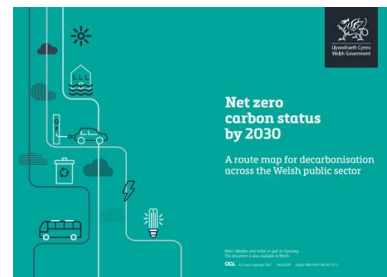
### Public Contract Regulations and Procurement Reform

The procurement of goods, services and works by the public sector is governed by the Public Contract Regulations 2015 (PCRs 2015) which are grounded in the principles of free movement of goods, freedom of establishment and freedom to provide services. These principles are underpinned by values of equal treatment, non-discrimination, mutual recognition, proportionality and transparency.

In response to the UK leaving the EU the UK Government issued a Green Paper: Transforming Public Procurement (published December 2020) and in May 2022 introduced the Procurement Bill 2022-23 to Parliament. The Bill, yet to be enacted, introduces a new public procurement regime which will revoke the Public Contracts Regulations 2015. The new regime is unlikely to take effect until early to mid-2023. The main features of the Bill will be its focus on value for money, the public good, transparency, integrity, efficiency, fair treatment of suppliers and non-discrimination.

### Social Partnership and Public Procurement (Wales) Bill

The Bill, expected to be enacted in 2023, will require the Council to carry out procurement in a socially responsible way by taking action, in accordance with the sustainable development principle, aimed at contributing to the achievement of— (a) the well-being goals listed in section 4 of the Well-being of Future Generations (Wales) Act 2015, and (b) the fair work goal (within the meaning given by section 4), referred to for the purposes of this Part as the “socially responsible procurement goals.”



In 2021 the Welsh Government published the Net Zero carbon status 2030 route map which states

*‘By 2030, choosing zero carbon will be routine culturally embedded and self-regulating across the Welsh public sector.’*

# Delivering value throughout the Procurement Cycle

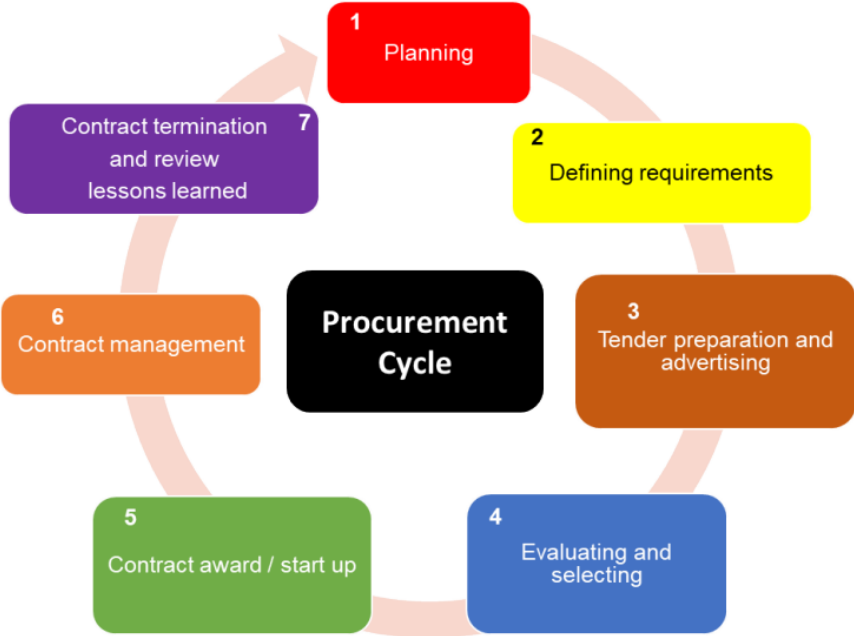
There is an increasing expectation on the role procurement can play in tackling some of the greatest challenges facing our Communities and the Planet as a whole.

**To achieve this, it is crucial that value is considered at each stage of the procurement cycle which means that all staff involved in specifying, sourcing, awarding and managing contracts have a key role to play. It is particularly important that adequate attention and time is invested in the planning and contract management stages.**

Examples of the way in which value can generated / delivered through the procurement cycle include but not limited to:

- Encouraging innovative solutions from the market by focusing on outcomes rather than inputs and outputs
- Developing specifications that require lower carbon materials or construction methods and reduce cost
- Structuring tender processes and documents to improve accessibility to smaller and third sector businesses
- Considering the whole life cost of decisions made
- Including contractual clauses can ensure that fair work commitments are achieved
- Securing community benefit and social value commitments from contractors to support delivery of wider Council priorities
- Managing contracts effectively to ensure that requirements and added value commitments are delivered

Page 6



## Key Procurement Objectives

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To ensure our Strategy addresses the priorities already outlined above, the following Procurement Objectives have been identified.

- Contributing to reducing the Council's carbon emissions to Net Zero by 2030.
- Making procurement spend more accessible to local small businesses and third sector.
- Improving Fair Work, Equity and Safeguarding practices adopted by suppliers.
- Increasing community benefits delivered by suppliers.
- Securing value for money and managing demand.
- Ensuring legal compliance and robust and transparent governance.
- Promoting innovative and best practice solutions.

The next section of this strategy expands on these procurement objectives providing a brief overview of the current position, setting out the key aims, identifying the key themes of what we will do and how we will measure achievement. The detailed actions are contained within the accompanying Socially Responsible Procurement Strategy Delivery Plan.

## Contributing to reducing the Council's carbon emissions to Net Zero by 2030



A Prosperous Wales



A Resilient Wales



A More Equal Wales



A Globally Responsible  
Wales

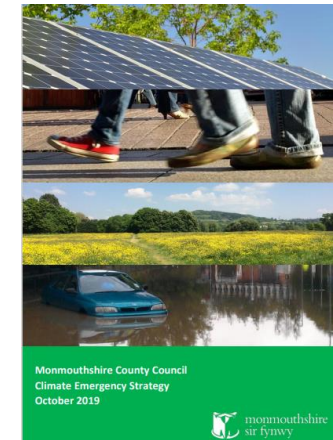
Through its Climate Emergency Strategy and Action Plan the Council has committed to be a Net Zero Council by 2030. The Community and Corporate Plan demonstrates the Council's intention to establish Monmouthshire as a "Green place to live" where resources will be collectively focused on reducing carbon emissions and making a positive contribution to addressing the climate and nature emergency.

Using the Welsh Government's Carbon Reporting Framework more than 71% of our carbon footprint comes from the indirect emissions arising from the supplies, services and works the Council buys to support the delivery of Council services.

Although procurement has a role in supporting the reduction of Scope 1 and 2 emissions over which we have a level of direct influence (for example, emissions arising from their own estate / internal operations - employee commuting / business travel) this Strategy focuses on reducing the Scope 3 procurement emissions arising through our supply chain.

Therefore, any reduction in our carbon footprint will need to be delivered through Directorates rethinking and challenging what they buy and how it is delivered.

The particular challenge presented by Scope 3 emissions is that while they arise from the organisations demand for goods, services or works, they occur in supply chain activities that the Council does not directly own or control. However, our contractual relationships present opportunities to drive emissions reduction through our procurement processes (procurement strategies – how we approach the market; how we specify requirements; evaluate tenders and set KPIs) and ensure the anticipated outcomes are delivered through our contract management relationships by working with our supply chain partners and going further by incentivising innovation / continuous improvement over the period of the contract.





# Contributing to reducing the Council’s carbon emissions to Net Zero by 2030



## Aim (where we want to be)

- The Council understands the carbon impact of the supplies, services and works it buys and takes active steps to reduce their carbon footprint
- The Council uses the procurement cycle to routinely take advantage of opportunities to reduce carbon impact

## We will do this by (how we will get there)

- Understanding the carbon footprint of the Council’s purchased goods, services and works to ensure our carbon reduction activity is targeted where it can have the biggest impact
- Working with our elected members, staff, partners and contractors to ensure that carbon reduction is fully considered throughout the procurement cycle
- Collaborating with, and learning from organisations across the public, private and third sector

## We will demonstrate delivery by

- Reporting on procurement’s contribution to carbon reduction through the Council’s Climate Emergency Strategy and Action Plan.

## Making procurement spend more accessible to local small businesses and third sector



A Prosperous Wales



A Resilient Wales



A More Equal Wales



A Globally Responsible  
Wales



A Wales of Cohesive  
Communities

Monmouthshire County Council recognises the economic, social, environmental and cultural value that can be generated by spending money with local businesses, in particular small, micro and individuals and the third sector.

*The third sector includes community groups, voluntary organisations, faith and equalities groups, charities, social enterprises, co-operatives, community interest companies, mutuals and housing associations.*

The Council demonstrates its intent to support and grow the Foundation Economy and keeping more of our spend local, by committing (via the priority area of “A Green Place to Live” within the Community and Corporate Plan) to increase the percentage of local produce that is used in Council services such as

school meals and social care. The Council’s Procurement function will as part of its enabling role help to facilitate support within these sectors.

The [Welsh Procurement Policy Note \(WPPN\) 07/21](#) highlights and builds on the principles within 'Opening Doors: The charter for SME-friendly procurement'. The WPPN sets out what the Welsh Public Sector and SMEs can do to ensure that an SME-friendly procurement process is adopted and implemented.

FOR THE FINANCIAL YEAR 2021/22 OUR ‘LOCAL’ SPEND WAS:

- MONMOUTHSHIRE 18.32%
- WIDER GWENT 20.71%
- WIDER CARDIFF CAPITAL REGION 17.73%

*In 2022 the County of Monmouthshire has 4,575 registered businesses with 4,190 identified as micro businesses (0-9 employees), 320 small (10-49 employees) 50 medium (50-249 employees and 15 large (250 plus employees).*

*When considering the support for local suppliers the Council recognises that, dependent on the particular requirement, local can be Monmouthshire, Gwent, English Border Counties, Cardiff Capital Region or Wales, where the procurement is socially responsible, offers value for money and can support our foundational economy aims. Therefore, the Council measures ‘local’ spend for Monmouthshire, Gwent, the wider Cardiff Capital Region, Wales and our bordering Councils.*

## Making procurement spend more accessible to local small businesses and third sector



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Wales



A Wales of Cohesive  
Communities

### Aim (where we want to be)

- Small businesses and third sector organisations
  - have timely visibility of and access to opportunities to bid for Council contracts
  - find it easier to bid for opportunities to work with the Council
  - to better understand the make-up of our supply chains and where opportunities may exist to include supply further down the supply chain

### We will do this by (how we will get there)

- Increasing the availability, visibility and timeliness of opportunities for small businesses and the third sector to supply the Council
- Making it easier for small businesses and the third sector to do business with the Council
- Working with partners to develop the capability and capacity of small businesses and the third sector to secure public sector contracts

### We will demonstrate delivery by

- Increasing the value of spend with local businesses and the third sector.
- Increasing the number of local businesses and third sector organisations accessing and bidding for Council opportunities.
- Increasing the number of local businesses and third sector organisations successfully bidding for Council opportunities

## Improving Fair Work, Equity and Safeguarding practices adopted by suppliers



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A Resilient Wales



A More Equal Wales



A Globally Responsible Wales

Our Community and Corporate Plan seeks to ensure that nobody should be left behind in Monmouthshire or feel their voice does not count. We will work with our partners and supply chains to improve the ways we tackle poverty and inequality.

In January 2020 the Council signed-up to the Code of Practice Ethical Employment in Supply Chains which seeks to tackle modern slavery, human rights abuses, blacklisting, false self-employment, unfair use of umbrella schemes and zero hours contracts.

In 2023 the Social Partnership and Public Procurement Bill is expected to become law. The stated purpose of the Bill is to create a framework to enhance the well-being of the people of Wales by improving public services through social partnership working, promoting fair work and socially responsible public procurement, including through the establishment of a Social Partnership Council. Elements of the Code of Practice: Ethical Employment in Supply Chains –are likely to be made mandatory and embedded within statutory guidance.



Fair trade supports farmers and workers in developing countries through better prices, decent working conditions and a fair deal. In 2008 Monmouthshire became a Fairtrade County, an award given by the Fairtrade Foundation. The Council has a policy of serving fair trade teas and coffees at meetings and actively supports the promotion of Fairtrade across the County. The Council works closely with Monmouthshire’s four Fairtrade town groups to support their work and organise joint events to promote Fairtrade both within the council and in the wider community.

Safeguarding vulnerable people is one of the Councils main corporate priorities. The Council’s Corporate Safeguarding Policy makes clear that Safeguarding children and adults at risk from harm is everybody’s responsibility.

## Improving Fair Work, Equity and Safeguarding practices adopted by suppliers

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A Prosperous Wales



A Resilient Wales



A More Equal Wales



A Globally Responsible  
Wales

### Aim (where we want to be)

- Procurement is used to influence and increase positive fair work and socially responsible outcomes which benefit the County by addressing poverty and inequality.
- The Council and its suppliers and contractors actively safeguard and promote the rights of children, young people and vulnerable adults

### We will do this by (how we will get there)

- Ensuring that tenderers and contractors are aware on the Council's commitment to working with organisations that will support the Council to meet equality, fair work and safeguarding duties
- Using our tendering process to ensure that our suppliers are committed to supporting the Council to deliver its equality, fair work and safeguarding duties
- Working with our suppliers to ensure that they promote fair work practices and safeguarding within their organisation and supply chain

### We will demonstrate delivery by

- Delivering against the Social Partnership and Public Procurement Act and the principles of the Code of Practice: Ethical Employment in Supply Chains

## Increasing community benefits and social value delivered by suppliers



The Council’s Community and Corporate Plan provides a focus and commitment that the Council works effectively for you and gives the best value for money. As an integral part of this commitment, we will look to ensure that the Socially Responsible Procurement Strategy and Delivery Plan drives effective outcomes that support the priorities of our Council, which include the delivery of meaningful Community Benefits and Social Value.

Page 14

Community Benefits will typically focus on:

- Training and recruitment of economically inactive people
- Supply chain initiatives and Working with the 3<sup>rd</sup> Sector
- Educational initiatives
- Community and Cultural initiatives
- Environmental initiatives

Community Benefits and Social Value are designed to achieve economic, social, environmental and cultural added value outcomes when tendering for works, services or supplies.

The Council has regularly included the Welsh Government Community Benefits requirements into major construction and maintenance contracts over the past 10 years.

However, despite some successes Community Benefits is not embedded across all categories and managing and reporting on delivery has proved to be difficult.

The Council recognises this is an area it needs to improve on to provide opportunities to tackle the inequality and poverty gap and provide much needed support to our communities and individuals.

To this end, the Council is committed to communities/interest groups having a say in how community benefits are identified and established.

The approach to community benefits in Wales is currently being reviewed by Welsh Government and Monmouthshire is playing an active and collaborative role to developing a common approach across the Welsh Public Sector.



## Increasing community benefits and social value delivered by suppliers



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A Resilient Wales



A More Equal Wales



A Globally Responsible  
Wales



A Wales of Cohesive  
Communities



A Healthier Wales



A Wales of Vibrant Culture  
& Thriving Welsh  
Language

### Aim (where we want to be)

- Community benefits and social value opportunities are maximised and aligned to support the priorities of the Council and the individuals and communities it serves
- Community benefits and social value is routinely incorporated in tenders across all spend categories
- Community benefits and social value commitments are delivered and the benefit to the individual and / or community is evidenced

### We will do this by (how we will get there)

- Adopting a consistent approach to securing and managing delivery of community benefits and social value commitments which is understood by the Council and its contractors
- Co-ordinating the community benefits and social value approach by working with Council services, our communities, partners and contractors to inform our priorities and facilitate their delivery
- Reporting on achievements, learning from failures and promoting success

### We will demonstrate delivery by

- Increasing the number of tenders that ask for community benefits and social value commitments
- Increasing the volume and value of community benefits and social value committed to and delivered through Council contracts

## Securing value for money and managing demand

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Annually the Council spends circa £98 million on the acquisition of goods, services and works.

The Community and Corporate Plan and this Strategy have been produced against the backdrop of economic uncertainty. We face rising energy costs, inflation and escalating borrowing costs alongside increased demand pressures in areas such as children's services, adult social care, homelessness, additional learning needs and home to school transport.

The Council recognises that our procurement strategy will be vital in making sure our budgets are used effectively to deliver our priorities, reduce our carbon while delivering community benefits and social value.

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Value for Money is “the optimum combination of whole-of-life costs in terms of not only generating efficiency savings and good quality outcomes for the organisation, but also benefit to society, the economy, and the environment, both now and in the future”

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One way in which the Council is able to demonstrate Value for Money is by awarding contracts through open competition. The Council has in place a robust set of procedure rules that govern the processes that need to be followed when looking to buy in goods, works and services from external suppliers.

We are in the process of redeveloping and resourcing a Council-wide Contract Forward Plan and Contract Register which will provide far greater oversight of our existing contracts and the ability to better plan delivery of contract renewals and new requirements. These will be regularly published on the Council’s website from April 2023.

Although focus is often on the tender process and securing competitive price, it is essential that contracts are effectively managed to ensure that requirements and added value commitments are delivered, and that prices and costs remain aligned to the contractual arrangements.

Where appropriate the Council seeks to collaborate with the wider Public Sector in Wales both in terms of use of and delivery of collaborative contracting arrangements. To this end Monmouthshire play an active role in supporting the WLGA National Procurement Network in the delivery of this programme.

As we manage the impact of BREXIT and COVID and other significant events which are impacting on our supply chains now and in the medium-term, price and availability issues are likely to be a challenge over the duration of this strategy.



## Securing value for money and managing demand

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### Aim (where we want to be)

- The Council can clearly demonstrate it is achieving value for money from its third-party spend through all stages of the procurement lifecycle including planning, award and management of contracts.
- The Council routinely evidences that it considers quality and whole life cost in respect of financial and wider environmental, social, economic and cultural considerations, in particular carbon reduction and community benefits.

### We will do this by (how we will get there)

- Reviewing and challenging what we spend our money on and identifying opportunities to deliver efficiencies
- Demonstrating value for money and considering the whole life cost of the decisions we make
- Managing contract delivery and the impact of price and market pressures

### We will demonstrate delivery by

- Reporting on our contract register and spend under management
- Reporting of procurement's contribution to savings targets through effective procurement
- Managing our Contract Forward Plan and publishing it on quarterly basis

## Ensuring legal compliance and robust and transparent governance

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The way in which the Council undertakes its procurement activity is subject to both UK and WG legislation, and the Council's own Constitution.

The UK Public Contract Regulations 2015 place express legal requirements in terms of how the Council undertakes the award of contracts over defined financial thresholds. The intent of these Regulations was to create an open, transparent and equitable EU market. Following the UK exit from EU, the UK and Welsh Government have been undertaking a review of procurement legislation which is planned to come into force in 2023. Although the exact detail is still being developed it is clear there will be a requirement for greater transparency of procurement activity.

The new procurement legislation will in Wales be further strengthened through the Social Partnership and Public Procurement (Wales) Bill which is also planned to come into force in 2023. Procurement and Legal Services will work closely together to develop any changes to the Council's approach to procurement that may be required to comply with the proposed legislation.

In addition to the legislative requirements procurement activity in the Council is also subject to the Council's Constitution, in particular the Scheme of Delegations and Contract Procedure Rules.

The Constitution requirements are in place to ensure transparent governance through clearly defined decision-making requirements, accountability to and to ensure probity and minimise the risk of fraud.

The Council also has a number of key processes, systems and documentation requirements which are in place to ensure proportionate but adequate controls.

## Ensuring legal compliance and robust and transparent governance

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### Aim (where we want to be)

- All procurement staff and Council officers involved in procurement processes have full awareness of the impact of the regulations and contract procedure rules which apply to procurement activity.
- The Council complies with relevant legislation and that the governance and risk management arrangements of the Council are proportionate and followed.

### We will do this by (how we will get there)

- Regularly reviewing and updating procurement documentation, processes, systems and controls to ensure they reflect legislative changes
- Providing education and training to Council officers involved in the procurement process
- Ensuring we have adequate arrangements in place to manage performance and providing oversight and assurance to the Council's leadership team

### We will demonstrate delivery by

- Publishing an annual Procurement Report.

## Promoting innovative and best practice solutions

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Monmouthshire County Council receives the lowest level of central government grant funding of any local authority in Wales. We have always delivered services within budget while maintaining a prudent level of financial reserves. We've done this by being as efficient as possible, pursuing innovative approaches and acting with a commercial mindset.

Demands on us have grown which means we will need to adjust our practice and do things differently. We have a good track record of innovation, but these challenges are on a scale we have not seen before.

Therefore, the Council recognises that many of the challenges we face will not be addressed by maintaining the status quo and there is a need to challenge ourselves and our markets to deliver new products and ways of working which can help us to:

- Reduce carbon
- Increase Community Benefits and Social Value delivery
- Deliver better outcomes
- Maintain or reduce cost
- Improve services

This means we need to plan better, challenge what we have always done, engage markets early, seek good practice from across the public, third and private sector and use the procurement process as a means to drive the market to offer solutions which address specific problems, challenges and outcomes.

Although procurement can be viewed by some as stifling innovation, the reality is that there are a number of ways in which the procurement process itself, if correctly followed, can drive improvement from those within the Council by challenging the status quo. Further bidders can be given the scope to submit new innovative ways of working. For these benefits to be achieved however, it requires a change in the prevailing preference to fix solutions based on what has gone before and for better and timely planning.

The public sector across Wales also recognises it could do more to share good practice and to develop new, innovative solutions. To this end the WG has agreed funding to establish a Procurement Centre of Excellence.



## Promoting innovative and best practice solutions

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### Aim (where we want to be)

- Opportunities are regularly sought for innovative solutions for products, services or works required by the Council and the market is challenged to offer improved solutions.
- The procurement process is used to drive and encourage innovation where it can reduce the cost and / or improve the effectiveness of Council services and deliver wider priorities in particular decarbonisation.

### We will do this by (how we will get there)

- Challenging existing procurement arrangements and delivery models and seeking relevant examples of market innovations and best practice.
- Encouraging outcome / problem-based procurement approaches to stimulate creative and innovative solutions and engaging early with markets.
- Collaborating with Welsh Government, the Welsh Local Government Association (WLGA), Cardiff Capital Region and other public sector organisations to drive innovation and greater value and share good practice and develop insight.

### We will demonstrate delivery by

- Reporting and developing case studies to highlight best practice.

## Key Enablers

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The Council has identified five key enablers that will be critical to the delivery of this Strategy:

### People

- Continue to invest in our People to ensure that the Procurement Team has the right mix of skills, knowledge and expertise.
- Ensure staff across the Council have the procurement skills, knowledge and tools to work effectively and independently.

### Process

- Simplify and standardise our core processes and ensure our controls ensure compliance.
- Ensure that standard templates are in place for key procurement and contracting documentation and that these are regularly reviewed.

### Technology

- Invest in the use of technology and e-procurement to underpin and simplify our core processes for both staff and suppliers.

### Information

- Provide staff with accurate timely spend data to inform procurement decisions and identify savings opportunities.
- Produce an annual procurement performance report.
- Support Directorates to optimise their spend in the achievement of their strategic objectives.

### Culture

- Develop a culture that is innovative and challenges traditional delivery to improve what we do and drive change.
- Ensure that staff understand and appreciate the rules and policies of the Council.
- Ensure that there is positive engagement with staff across the Council to support and encourage the delivery of innovative solutions within the agreed Council rules and wider legislation.
- Work collaboratively to secure better solutions and share learning

## Managing Procurement

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In August 2021 the Council entered into a collaborative arrangement with Cardiff Council to support the management and delivery of procurement activity across the Council. The service is responsible for:

- Development and delivery of procurement strategy and policy,
- Provision of spend analytics and performance oversight and assurance and
- Supporting Directorates in the delivery of the Contract Forward Plan

Responsibility for specifying requirements and contract management remains with the relevant service.

In addition to managing procurement for Cardiff Council and Monmouthshire County Council the service is also responsible for managing the procurement function for Torfaen County Borough Council and the delivery of three regional collaborative frameworks for South East Wales – SEWSCAP (Buildings Construction), SEWH (Civils Construction) and SEWTAPS (Technical Professional Services).





## Monitoring, Reviewing and Reporting

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A detailed Delivery Plan will set out the actions that the Council will take to deliver this Socially Responsible Procurement Strategy.

This Delivery Plan will be updated on an annual basis and will be used to manage and report on progress on an annual basis to the Council's Strategic Leadership Team. The Council will publish a Procurement Annual Report at the end of each financial year. The report will include:

- A progress report on the implementation of the Socially Responsible Procurement Strategy Delivery Plan.
- A summary of the contracts awarded above PCRs 2015 Thresholds.
- Details of a review into the extent to which Council contracts contributed to improving well-being in Monmouthshire.
- A statement of the how the Council intends to further improve the delivery of economic, social, environmental and cultural well-being.
- A summary of the procurement the Council expects to carry out in the next two financial years.

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# Integrated Impact Assessment document

(incorporating Equalities, Future Generations, Welsh Language and Socio-Economic Duty)

<b>Name of the Officer completing the evaluation</b>  Scott James <b>E-mail:</b> <a href="mailto:scottjames@monmouthshire.gov.uk">scottjames@monmouthshire.gov.uk</a>	<b>Please give a brief description of the aims of the proposal</b>  To formally receive and scrutinize the Socially Responsible Procurement Strategy 2023-27.
<b>Name of Service area</b> Strategic Procurement Unit	<b>Date</b> 10th November 2022

1. Are your proposals going to affect any people or groups of people with protected characteristics?			
Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Resourcing the Socially Responsible Procurement Strategy and Delivery Plan and in particular the Fair Work and safeguarding agenda has the potential to positively impact on the workforce and wider society.	The purpose of this proposal is to embrace the Well Being of Future Generations Act as well as the commitments placed under the Social Partnerships and Public Procurement Wales Bill, ensuring that all protected characteristics are positively impacted upon.	Where any negative impacts are identified the Strategic Procurement team will seek to address them by taking an inclusive approach.
Disability	As Above	As Above	As Above
Gender reassignment	As Above	As Above	As Above

Marriage or civil partnership	As Above	As Above	As Above
Pregnancy or maternity	As Above	As Above	As Above
Race	As Above	As Above	As Above
Religion or Belief	As Above	As Above	As Above
Sex	As Above	As Above	As Above
Sexual Orientation	As Above	As Above	As Above

**2. The Socio-economic Duty and Social Justice**

The Socio-economic Duty requires public bodies to have due regard to the need to reduce inequalities of outcome which result from socio-economic disadvantage when taking key decisions This duty aligns with our commitment as an authority to Social Justice.

Socio-economic Duty and Social Justice	Describe any positive impacts your proposal has in respect of people suffering socio economic disadvantage	Describe any negative impacts your proposal has in respect of people suffering socio economic disadvantage.	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
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Page 28

	<p>The Socially Responsible Procurement Strategy 2023-27 and Delivery Plan has at its heart the key principles of the Well Being of Future Generations ( Wales) Act which is explicit about creating “ A more Equal Wales” which is reflected in the Strategic Objective “Improving Fair Work and Safeguarding Practices adopted by suppliers”, this will also be impacted by the pending Social Partnership and Public Procurement (Wales) Bill that will place a new social partnership duty on Public Bodies in Wales to promote fair work as well as a duty for socially responsible public procurement.</p> <p>We will ensure that Ensure that tenderers and contractors are aware of the Council’s commitment to working with organisations that have Fair Work Practices.</p> <p>Following on from the approval of the “Code of Practice – Ethical Supply Chains”, we will develop and</p>	<p>No negative impacts have been identified. If they are subsequently brought to our attention we will collectively look to address.</p>	<p>The Council’s approval of the Code of Practice – Ethical Supply Chains provides a solid foundation for the Council to work in collaboration with Cardiff &amp; Torfaen CBC to advance our progress with regards to Social Justice. The actions captured within Delivery Plan under “Improving Fair Work and Safeguarding Practices adopted by suppliers” provide for a more comprehensive response.</p>
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	<p>publish a modern slavery statement.</p> <p>We will look to embed “Fair Work” criteria and clauses into tenders and contractual documents.</p> <p>We will Deliver Fair Work training and awareness to Council staff involved in procurement and bidding organisations.</p>		
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<b>3. Policy making and the Welsh language</b>			
<b>How does your proposal impact on the following aspects of the Council's Welsh Language Standards?</b>	<b>Describe the positive impacts of this proposal</b>	<b>Describe the negative impacts of this proposal</b>	<b>What has been/will be done to mitigate any negative impacts or better contribute to positive impacts.</b>
<p><b>Policy Making</b> The Council's Procurement Strategy and delivery plan have been developed to embrace the requirements of the Welsh Language standards ( amongst a number of other pieces of legislation) to ensure that they deliver beneficial outcomes.</p>	<p>The Council's Contract Procedure Rules embeds the Council's Welsh Language Standards and the processes that need to be followed. Whilst the Socially Responsible Procurement Strategy does not reference the Council's Welsh Language Standards directly, the strategic objectives that relates to "Improving Fair Work and Safeguarding Practices adopted by suppliers" and "Increasing community benefits delivered by suppliers" will ensure that our practices support events and processes which promote Welsh language and culture.</p>	<p>None identified</p>	<p>None identified</p>
<p><b>Operational</b> Delivery of the strategy will ensure that all operational procurements will provide a proportionate response to the Council's Welsh Language Standards where they need to be applied.</p>	<p>Whilst the Socially Responsible Procurement Strategy and Delivery Plan remain silent on the Council's Welsh Language Standards, we have well established guidance in the form of the Council's Contract Procedure Rules and operational templates to positively impact in this area.</p>	<p>None identified</p>	<p>None identified</p>




<b>Service delivery</b>			
See response provided under “Operational”	See response provided under “Operational”	None identified	None identified



**4. Does your proposal deliver any of the well-being goals below?**

<b>Well-Being Goal</b>	<b>Does the proposal contribute to this goal? Describe the positive and negative impacts.</b>	<b>What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?</b>
<b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs	The strategic objective of “Making procurement spend more accessible to local, small businesses and third sector” will help to drive community wealth and the provision of more and better jobs across the County.	Where appropriate to make it a requirement for key contractors to advertise supply chain opportunities through Sell2Wales and to hold Meet the Buyer Events
<span style="writing-mode: vertical-rl; transform: rotate(180deg); position: absolute; left: -40px; top: 50%; font-weight: bold;">Page 32</span> <b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	“Contributing to the Council’s 2030 carbon-neutral target” and the subsequent Delivery Plan captures a number of actions that will enable us to calculate “Scope 3” third party spend carbon emissions along with a programme that will allow us to engage, educate and reduce our dependency on the natural world.	Look to engage with technical officers, external suppliers and industry specialists in high carbon emitting categories and sectors to establish processes that will allow for the reduction in green house gas emissions.  Develop contractual clauses and award criteria that rewards suppliers who are able to offer innovative long term sustainable solutions.
<b>A healthier Wales</b> People’s physical and mental wellbeing is maximized and health impacts are understood	There are a number of facets of the Socially Responsible Procurement Strategy that look to address A Healthier Wales.  Making procurement spend more accessible to local small businesses and third sector, will indirectly positively impact on the mental and physical health of our citizens.	Work is ongoing to publicise the Council’s contracts register and forward work plans to ensure that businesses are able to plan for up and coming tendering opportunities.



	<p>Whilst Increasing community benefits and social value delivered by suppliers also has the potential to harness positive outcomes.</p> <p>As well as Improving Fair Work and Safeguarding Practices adopted by suppliers as detailed within the delivery plan.</p>	
<p><b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected</p>	See A Healthier Wales	See A Healthier Wales
<p><b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing</p>	The Socially Responsible Procurement Strategy and delivery plan are predicated on the themes of the Well Being of Future Generations Act which ensures that all seven strategic objectives are positioned to positively impact on local, social, economic, cultural and environmental well being.	Positive impacts, as documented in the Socially Responsible Procurement Strategy, Delivery Plan.
<p><b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation</p>	As documented in point 3 Policy Making (see above)	No impact identified
<p><b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances</p>	The strategic objective that provides the best fit for this goal is “Improving Fair Work and Safeguarding Practices adopted by suppliers” which is complimented by the Council’s commitment to the “ Code of Practice Ethical Supply Chains along with the pending Social Partnerships and Procurement Bill that has been embedded within the delivery plan.	No impact identified

5. How has your proposal embedded and prioritised the sustainable governance principles in its development?		
Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Long Term</p> <p>Balancing short term need with long term and planning for the future</p>	<p>The Socially Responsible Procurement Strategy 2023-27 and Delivery Plan has at its heart a desire and commitment to think and act sustainably and ensure that any procurement decisions made are not knee jerk and will not detrimentally impact on the future. This is supported by guidance, interventions, challenges and collaborative working to develop sustainable procurement solutions.</p>	<p>A greater degree of strategic planning and operational contract management is required, if we are to become less reactive to situations.</p>
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>The Strategic Procurement function is well versed in utilising collaborative procurement models and has done so since 1974.</p> <p>The procurement function within Monmouthshire is part of a collaborative partnership with Cardiff Council and systematically resources and utilises collaborative purchasing arrangements both nationally via the WPGA National Procurement Network and through The Welsh Government Commercial Delivery (WGCD) team ( formerly NPS)</p>	<p>No impact identified</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>The Socially Responsible Procurement Strategy and Delivery Plan has been developed in partnership with a number of internal and external stakeholders as well as ensuring that existing and pending Government legislation has been embedded within the seven strategic procurement objectives and associated delivery plans.</p>	<p>See 2.2. of main report</p>

 <b>Prevention</b>	Putting resources into preventing problems occurring or getting worse	The Socially Responsible Procurement Strategy and Delivery Plan identifies a multitude of actions against seven key strategic procurement objectives that provides focus for the lifetime of the strategy.	The delivery plan will need to be collectively owned by all relevant stakeholders within the Council and beyond.
 <b>Integration</b>	Considering impact on all wellbeing goals together and on other bodies	Integration is of paramount importance if the Socially Responsible Procurement Strategy and Delivery Plan are to achieve its visions. A collective endeavour is required to ensure that we understand our existing and potential supply chains i.e. what do they have to offer? what innovations exist? what can we collectively undertake to reduce carbon, what actions can we take to reduce supply chain vulnerability, how do we incentivise contractors to align our priorities? What role can AI play? What role will PSBS play etc.	WG to provide a greater degree of consistent support for best in class solutions and software development

**66. Council has agreed the need to consider the impact its decisions has on the following important responsibilities: Corporate Parenting and Safeguarding. Are your proposals going to affect any of these responsibilities?**

Describe any positive impacts your proposal has	Describe any negative impacts your proposal has	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
<b>Safeguarding</b>	One of the strategic objectives of the Socially Responsible Procurement Strategy is “Improving Fair Work and Safeguarding Practices adopted by suppliers”. The Delivery Plan provides for an exhaustive list of all of the actions that will be resourced under this heading.	No impact identified
No impact identified		

<b>7. What evidence and data has informed the development of your proposal?</b>			
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<p>The Council's commitment to the WG Code of Practice Ethical Supply Chains and the pending Social Partnerships legislation that provides an increasing significance on the promotion of fair work and a duty for socially responsible public procurement.</p>			
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**8. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?**

The enclosed “ Socially Responsible Procurement Strategy 2023-27 ” and Delivery Plan has been developed after a number of external influences such as Brexit, the climate emergency response and the consequent supply chain vulnerabilities, and economic impact on our communities and associated cost pressures which have escalated since the Covid 19 pandemic and exacerbated further with the tensions in Ukraine.

UK government has drafted its response to the legislative framework that will govern the procurement processes in England and Wales for the coming years “ Transforming Public Procurement”, which is due to become law in 2023. Within a Welsh context this will be complimented by the “ Social Partnership and Public Procurement ( Wales) Bill.

These influences helped to a large degree to help frame the strategic objectives of the pending strategy, whilst a host of interested stakeholders across Monmouthshire and Cardiff provided input into their areas of expertise. We anticipate that the seven key strategic objectives that have been agreed upon, along with a comprehensive set of actions, will go some way to face up to challenges that are upon us for the foreseeable future.

We do not envisage any negative impacts of the strategy and delivery plan.

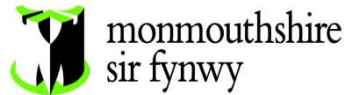
**9. ACTIONS: As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.**

What are you going to do	When are you going to do it?	Who is responsible
Not Applicable	Not Applicable	Not Applicable

**10. VERSION CONTROL: The Equality and Future Generations Evaluation should be used at the earliest stage, such as informally within your service, and then further developed throughout the decision-making process. It is important to keep a record of this process to demonstrate how you have considered and built in equality and future generations considerations wherever possible.**

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1	Performance & Overview Scrutiny Committee	21 <sup>st</sup> November	

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<b>SUBJECT: MONMOUTHSHIRE PLANNING SERVICE ANNUAL PERFORMANCE REPORT (APR)</b>
<b>MEETING: PERFORMANCE &amp; OVERVIEW SELECT COMMITTEE</b>
<b>DATE: 21 NOVEMBER 2022</b>
<b>DIVISION/WARDS AFFECTED: ALL</b>

## 1.0 PURPOSE

- 1.1 To provide the committee with a report on the performance of the Council's Planning Service for the financial year period **2021-22**.

## 2.0 RECOMMENDATION:

- 2.1 To scrutinise the contents of the Planning Service's Annual Performance Report 2021/22 prior to its endorsement by the Cabinet Member for a Sustainable Economy and Deputy Leader on 30th November 2022 for submission to the Welsh Government .

## 3.0 BACKGROUND

- 3.1 The Welsh Government(WG) normally requires all Local Planning Authorities (LPAs) in Wales to submit an Annual Performance Report for the planning service by the end of October each year (albeit that this requirement was relaxed during the reporting periods affected by the Covid pandemic). This requirement links with the Planning (Wales) Act 2015, and the Welsh Government's objective of creating a positive and enabling planning service. The Act included new powers for the Welsh Government to intervene, including removing planning powers from a Local Planning Authority, requiring the preparation of joint Local Development Plans (LDPs), or requiring the merger of LPAs.
- 3.2 This is the eighth Annual Performance Report (APR). All previous APRs were reported to the former Economy & Development Select Committee (with Planning Committee Members also invited). The report to a scrutiny committee provides the opportunity to review and discuss performance and was welcomed by that Committee, with a request that it become an annual item.
- 3.3 The APR looks at the performance of the Planning Service against nationally set performance indicators, Welsh Government (WG) targets, the Wales average performance, and Monmouthshire's performance over the previous year. The results are considered in the context of the challenges, opportunities, priorities and resources (staffing and financial) available. The objective of the APR is to reflect on and celebrate good performance, identify areas for improvement, and look across Wales to identify potential areas of best practice that Monmouthshire could learn from or share with others. As mentioned above, owing to the impact of the pandemic over the previous two years there was no requirement from WG to submit an APR and no all Wales comparative data has been provided as is normally done. Unfortunately, this year WG have been unable to provide the benchmarking figures to enable the council to review its current status against the Wales average therefore within the APR we have reverted back to the last all year figures we had in 2018/19.

This is unfortunate as the comparison being made is not accurate or reflective of the status of planning services across Wales during 2021/22. Issues such as the continued impact of the pandemic, resources limitations and environmental considerations such as water quality in rivers would have an impact on Local Planning Authorities across Wales therefore the comparison is flawed. Despite that, Monmouthshire's Planning Service decided to continue to commit to submitting an APR but had to base the assessment of our performance over those two years against the Welsh average in 2018/19 (the last year the national data was published). WG did indicate it was going to publish the all-Wales comparative data for 2021/22 but has not done so at the time of writing.

3.4 The APR is divided into sections, with the format and appearance being consistent throughout Wales, and all LPAs reporting on the same performance indicators. The report looks at where the Planning Service sits corporately, how it is structured and how its work fits with corporate priorities; local pressures; customer feedback; and performance. Performance is analysed across the five key aspects of planning service delivery as set out in the Planning Performance Framework:

- Plan making (omitted over this and recent years as no performance data was provided by WG and the issues are more than adequately covered by the LDP Annual Monitoring Report);
- Efficiency;
- Quality;
- Engagement; and
- Enforcement.

This Framework was established by the Welsh Government in partnership with Local Planning Authority representatives. Performance is ranked as 'good', 'fair' or 'needs improvement'.

3.5 The Annual Performance Report is provided at Appendix 1.

#### **4.0 KEY ISSUES**

4.1 The purpose of the Planning Service is to help build sustainable and resilient communities that support the well-being of current and future generations in Monmouthshire, which is a shared purpose with the Council's Corporate Plan and with our public service board partners. The service is directly involved with wider corporate projects such as 21<sup>st</sup> Century Schools, commercialisation of our estates portfolio and forms an enabling tool to help address some of the challenges and issues identified corporately.

4.2 Key areas of work for the Planning Service include:

- Carrying out a replacement of the Monmouthshire LDP
- Preparing and co-ordinating thematic supplementary planning guidance to help to foster the interpretation and implementation of LDP policy.
- Implementing the Council's LDP through engaging and working with communities, and partnership working with both internal and external partners.
- Reviewing infrastructure and consideration will be given to the best options for funding them alongside LDP progress.
- Monitoring and evaluating development plan policies, including preparing the statutory LDP Annual Monitoring Report (AMR).



- Maintaining the LDP evidence base and ensuring fitness for purpose for future LDP revision.
- Developing linkages with the Council's emerging framework for community governance and development.
- Providing pre-application advice to customers.
- Determining planning applications in accordance with adopted policy and material planning considerations, taking into account stakeholder comments and corporate objectives.
- Securing financial contributions from developers via the planning obligation process to offset the infrastructure demands of new development.
- Safeguarding the County's 2400 Listed Buildings and 31 Conservation Areas, areas of archaeological sensitivity, the Wye Valley AONB and the Brecon Beacons National Park.
- Providing a heritage service for our neighbouring colleagues in Blaenau Gwent CBC that secures a resilient specialist service to that authority.
- Taking robust enforcement action against unauthorised development that is unacceptable in the public interest.
- Preparing and submitting the Planning Services' Annual Performance Report (APR) to WG which assesses the effectiveness of the Monmouthshire's planning service and benchmarks it against other Councils' performance.
- Supporting Monmouthshire's businesses and communities to recover and thrive following the Covid-19 pandemic and facilitating new and innovative ways of sustaining our high streets.

### **Delivery of service**

- 4.3 Between 2010 and 2013 the Council's Planning Service underwent a Systems Thinking review. This review sought to strip the function back to first principles: what is important to our customers, and how can waste (actions or procedures that do not add value to the outcome) be eliminated. This evidence-based review has been fully implemented, although part of the Systems Thinking approach requires services to be kept under review and closely monitored.
- 4.4 This review identified that the following things are important to customers:
- Customers value pre-application advice and advice during the consideration of the application;
  - They want officers to be accessible and for there to be open and honest communication;
  - They want consistency of pre-application advice and in the validation of applications;
  - They want Planning Committee to follow the officer recommendation and value being able to have a dialogue with Members prior to determination;
  - They do not want too many conditions being attached to decisions, and when conditions are imposed they should be relevant and easy to discharge;
  - They value being able to submit an application online and to search for applications and information online; and
  - Third parties value being listened to during the application process.
- 4.5 The service therefore operates with these priorities as guiding principles, shaping behaviour and procedures. The service is committed to having an outcome focus rather than chasing arbitrary performance targets that are not a priority to our customers.

### **5.0 ACTIONS FROM OUR PREVIOUS APR**

5.1 Our 2020/21 Annual Performance Report identified five actions:

Action 1 – Digitise information in relation to woodland / tree preservation order work to help customers self-serve and reduce the significant demand on the Planning Service’s Tree Officer, the daily Duty officer and Support staff.

Action 2 – Promote the positive aspects of new development to our citizens by publicising the contribution of essential community infrastructure provided under planning agreements attached to the planning permissions for new major developments.

Action 3 – Continue to review and make positive change to the Planning Service’s enforcement function and its processes to speed up our decision-making, ensuring we are providing a good service for our customers.

Action 4 – To develop a Buildings at Risk (BAR) strategy to manage and prioritise any interventions to enable key heritage assets to realise a sustainable use for future generations.

Action 5 – Conduct a review of the planning application process to consider how to improve the average time to determine planning applications performance indicator. The review would consist of reviewing the rationale for applications taking different time scales and it would consider any areas where the process could be amended to ensure best practice to improve customer service.

5.2 Action 1 has been commenced but involves significant initial sifting of the current tree information and then survey work in reassessing older tree preservation orders to verify if they are still fit for purpose or need amending/ deleting. The survey information would then be digitised and made publicly available to help customers to self-serve, reducing demand on the Tree Officer, daily duty officer and support colleagues. This will involve additional resource and potential use of consultants. The project is likely to be protracted and carried out in phases due to time and cost. This will thus be retained as a priority action for the next reporting period (and likely beyond that).

5.3 Action 2, publicising the contribution of essential community infrastructure provided under planning agreements associated with major planning applications, has been largely completed but its launch was delayed by the 2022 local government elections and will be concluded in the next reporting period, subject to agreement from the new administration.

5.4 In respect of Action 3, this was instigated following a downturn in the performance of the planning enforcement function in 2018/19 and has been an action for the last two APRs. Over 2019/20 there were substantial reductions in the time taken to investigate enforcement complaints due to measures instigated by the new manager of this team including providing more of a framework for meeting milestones in the enforcement process. During 2020/21 a team structure was agreed that essentially reflected the current structure, although there is now more emphasis on the (more junior) Enforcement Officer role prioritising enforcement cases rather than assisting with (enforcement related) planning application work. Over 2021/22 there were serious gaps in staff resources due to initially illness and then vacancies within the team – two staff members left to pursue new roles, one within the wider DM team and the other via career progression with another S-E Wales planning authority. This

inevitably had a significant impact on this small team's ability to turnaround cases and the key measurers for this team declined and are once again in need of improvement. There has been success in this reporting period to ensure the team is fully-resourced and the full establishment of three investigating officers and a manager have been in place since March 2022. There remains, however, scope for substantial improvement and this measure is retained for the next reporting period to monitor performance and verify whether the current resource is working effectively .

5.5 As regards Action 4, owing to reduced resource within the Heritage team (a senior officer left the team in December 2021 and there were changes to the management responsibilities of the MCC Heritage Manager which now entails significant additional management of officers dealing with planning applications) this action has been put on hold. The BAR is a significant but very important piece of work that will be commenced with the enhanced resource within the team (a new senior officer has started with the team in July 2022) in the next reporting period and will be retained as an action.

5.6 In respect of Action 5, carrying out a review of the planning application process to consider how to improve the average time to determine planning applications performance indicator, this is being conducted in September 2022 following a concerted recruitment programme. The previous reporting period was significantly disrupted by staff leaving (for various reasons) and there being gaps before new appointees started. The new team members needed to get established and used to our culture and method of working, as well as the becoming familiar with the area's geography and how local policy affects our work. It was considered that this review would be more appropriate in Autumn 2022 when our new resources had bedded in and we were in a better position to address the improvement to end-to-end times for applications. Thus, this item will be retained as an action.

## **6.0 CONCLUSIONS AND RECOMMENDATIONS OF OUR 2021/22 APR**

6.1 Based on the performance information in Section 6 and Appendix A, we can be pleased with the service we deliver. During this period:

- The proportion of major applications determined within 8 weeks or agreed timescales was excellent at 100%, and was well above the Good target of 60%;
- The proportion of all applications determined within 8 weeks or agreed timescales remained reasonable at 81% despite the impact of gaps in our staff resource as colleagues left for new opportunities and time was taken to recruit replacements;
- The proportion of applications we approved remained high at 97%;
- Of those applications that had gone through our pre-application advice service, and followed our advice 100% were approved;
- We 'won' seven out of ten appeals against our decisions to refuse planning permission;
- We again dealt with a large number of applications for listed building consent (61 applications) and 72% of these were determined within agreed timescales – this was despite having a reduced resource from December 2021 until the end of the reporting period;
- Enforcement performance declined but the remaining team members proved resilient in meeting demand despite the significant constraints of a temporary reduction in staff resource.

This shows that, despite a challenging workload, the effects of vacancies and impactful issues such as riverine phosphate pollution, our performance has been good and our pre-application advice service has been effective.

6.2 A summary table of our performance can be found in Appendix A of the APR. Of the 12 ranked indicators, 6 are ranked 'Good', while 4 are 'Fair' and 2 are in 'need of improvement'.

- The 'fair' results relate to i) the average time taken to determine applications (106 days) which was well below the Good target of 67 days but must be seen in the context of the major staffing pressures within the service during the reporting period and the impact of new environmental considerations such as water quality in the rivers Wye and Usk. ii) the percentage of listed building consent applications determined within time periods required (72% compared to 88% previously), also explained due to reduced staffing iii) decisions taken by Members that were contrary to the officer recommendation (there was only one decision so this has to be judged in that context) as well as iv) applications for costs at Section 78 appeal upheld in the reporting period which related to one case that was a Member decision contrary to officer advice, as outlined in the main body of the APR.
- The 'need improvement' results relate to the percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days being 55 and the average time taken to take positive enforcement action being 250. This is due to the impact of significant resource challenges within the planning enforcement team during this period. However, the team are now fully resourced and improvements to internal processes are resulting in improvements in performance this year 2022/2023. Within the last quarter (July -September 2022) the percentage of enforcement cases investigated within 84 days was 74.3% which would result in an amber (fair) rating rather than the 2021/22 red improve rating.

	<b>Number of indicators</b>
Welsh Government target has been set and our performance is 'good'	<b>6</b>
Welsh Government target has been set and our performance is 'fair'	<b>4</b>
Welsh Government target has been set and our performance 'needs improvement'	<b>2</b>

- We performed at or above the Wales average (2018/19) in 7 of the 12 comparable indicators. The indicators for which performance was below the Welsh average related to the percentage of all applications determined within time periods required, the average time taken to determine all applications in days, the percentage of listed building consent applications determined within time periods required, applications for costs at Section 78 appeal upheld and the two enforcement indicators – although it is arguably unfair to compare the performance in relation to these measures against pre-pandemic data for clear and obvious reasons. We are not able to compare ourselves with other LPA's who are facing the same challenges over the same period, and it is not therefore an accurate or fair comparison against pre-

pandemic performance. Further commentary on the performance against these measures is set out in Section 6 of the APR.

### 6.3 Five actions are identified going forwards.

Action 1 – Digitise information in relation to historic planning files and woodland / tree preservation order work to help customers self-serve and reduce the significant demand on the Planning Service’s Tree Officer, the daily Duty officer and Support staff.

Action 2 – Promote the positive aspects of new development to our citizens by publicising the contribution of essential community infrastructure provided under planning agreements attached to the planning permissions for new major developments.

Action 3 – Continue to review and make positive change to the Planning Service’s enforcement function and its processes to speed up our decision-making, ensuring we are providing a good service for our customers. Digitise the enforcement notice register to help customers self-serve.

Action 4 – To develop a Buildings at Risk (BAR) strategy to manage and prioritise any interventions to enable key heritage assets to realise a sustainable use for future generations.

Action 5 – Conduct a review of the planning application process to consider how to improve the average time to determine planning applications performance indicator. The review would consist of reviewing the rationale for applications taking different time scales and it would consider any areas where the process could be amended to ensure best practice to drive out waste and improve customer service.

#### **Digitising paper information, improving the experience of customers and reducing demand on officer time**

- 6.4 We still hold substantial information on tree preservation orders in the County as scanned records on the Council’s network, but this is not publicly accessible. There are also historic planning files on the microfiche which are only available in physical form at County Hall. Retrieving such information is time-consuming and inefficient and the lack of accessible information for the public leads to a high volume of calls and enquiries to the Council’s Tree Officer (who is part time, 0.6 FTE), the daily duty officer and also the Planning Support team. Digitising this information will reduce phone calls and emails to all those officers and will enable the public to access some of this information online. It will also free up time to carry out work of greater value to the service and customers, such as processing submissions for pre-application advice and the applications themselves. The quality of the data also needs review (for example, some of the older TPOs from the 1960s – 1980s need reviewing as the information will be out of date), although this may be carried out once the data is in a digitised format that is easier to manage and change and a phased approach may be appropriate given the scale of the work (Action 1).

***Action 1 – Digitise information in relation to historic planning files and woodland / tree preservation order work to help customers self-serve and reduce the significant demand on the Planning Service’s Tree Officer, the daily Duty officer and Support staff.***

- 6.5 We also manage and secure a substantial amount of social infrastructure when approving major developments – this includes areas of public open space, education facilities, affordable housing, sustainable transport infrastructure, ecological improvements and green infrastructure. Much of this goes unnoticed and unheralded, with many of our local communities tending to focus on more negative aspects of new development such as increased traffic or the additional pressure on local services. To improve awareness of the positive aspects of new developments that are delivered to a community we intend to improve how we promote the community infrastructure each major proposal delivers. This could be via social media as well as more conventional methods such as the Council’s web pages.

***Action 2 – Promote the positive aspects of new development to our citizens by publicising the contribution of essential community infrastructure provided under planning agreements attached to the planning permissions for new major developments.***

### **Speed of resolving enforcement cases**

- 6.6 The performance of the Council’s Planning Enforcement team has declined in relation to the two enforcement measures in the Performance Framework over 2021/22. There is public perception that the service has and is poorly performing. While some of this is justified given the recent staffing pressures on the team, these issues are certainly not unique to Monmouthshire, and the problem is at least in part due to a misunderstanding of the powers available to this Council function and/or unrealistic expectations, a matter that had been addressed in some way by the training on enforcement in recent years for community and town councillors. As a result of the pandemic and then staffing pressures, unsurprisingly performance declined over 2020-22 and there remains scope for substantial improvement. The review of the Planning Enforcement function is ongoing and has already helped to improve this team’s practices and drive out waste. The action below therefore is a spin-off from previous years. A fresh element is the need to digitise the enforcement register so that the information can be downloaded, reducing the need for paper copies or customers to travel to County Hall for a copy (Action 3).

***Action 3 – Continue to review and make positive change to the Planning Service’s enforcement function and its processes to speed up our decision-making, ensuring we are providing a good service for our customers. Digitise the enforcement notice register to help customers self-serve.***

### **Buildings at Risk Strategy**

- 6.7 There are competing demands on the Heritage Team and many requests from the community are received to intervene to stop the decay of prominent listed buildings throughout the County. Officer time and financial resources are limited in this regard, but an action plan agreed by Members would help to manage the cases that warrant priority working and action. To this end a Buildings at Risk Strategy and action plan is proposed to be developed to manage this process more effectively and to help the communities understand the choices we make when opting to take appropriate action to save and protect such assets. The strategy would put a methodology in place for drawing out the worst buildings and then set out appropriate actions as to how these are tackled; in all likelihood there would be actions identified to address the worst 5-10 buildings at risk so it is a more manageable and transparent process.

**Action 4 – To develop a Buildings at Risk (BAR) strategy to manage and prioritise any interventions to enable key heritage assets to realise a sustainable use for future generations.**

#### **Average time to determine planning applications**

- 6.8 The average time to determine planning applications increased to 106 days within the 2021-22 period although this is, to some extent, understandable given the significant impact that firstly the pandemic (lockdowns and home schooling) and then staff shortages have had on the capacity of the team. These issues will not be unique to Monmouthshire's Planning Service. This increase in average time is unsurprising given the higher number of applications determined within this year, the significant impact of resources within the team and the impact of new environmental considerations such as water quality in the rivers Wye and Usk. Whilst it is recognised that there is rationale behind this increase it is considered that there should be a review of the planning application process to ensure that there is a consistent approach across the team and that the system thinking principles that were adopted following the 2012-system thinking review are still being fully implemented. Notwithstanding the impact of the staffing issues (now resolved and we are at full complement for 2022/23) it is considered that there remains scope for continued improvement. The review of planning applications is ongoing however this more detailed review will be conducted during the Autumn of 2022 when there is the capacity to critically appraise the process and ensure best practice is being implemented.

**Action 5 – Conduct a review of the planning application process to consider how to improve the average time to determine planning applications performance indicator. The review would consist of reviewing the rationale for applications taking different time scales and it would consider any areas where the process could be amended to ensure best practice to improve customer service.**

#### **Value of Planning**

- 6.9 RTPI Cymru has published a toolkit which measures the value generated by a local authority planning service. The tool has been developed to capture the economic, social and environmental value at a local planning authority level across Wales. The tool and its 'Value Dashboard' has been designed to provide RTPI Cymru and the Welsh Government with a platform to demonstrate to local authorities, national policy makers, the private sector, researchers and other broader policy and media audiences, the value planning contributes and how planning is positively contributing to Wales' seven well-being goals. The data has been updated to reflect planning permissions and completions in the current reporting period, 2021/22. The toolkit has been a very useful means of promoting the good work undertaken by the department that is often taken for granted. Over this period, the toolkit concludes that the service has contributed £87.3 to the local economy by the allocation of sites in the LDP, the safeguarding of land, the granting and implementation of planning permissions, the operation of its enforcement function and the securing of planning obligations. We aim to update this for the ensuing reporting periods. The 'Dashboard' data summarises the Planning Service's contribution below:

# Value of Planning in Monmouthshire 2021/22

## Planning service key data



29 FTE jobs in planning service



1,152 applications handled



£0.4m collected in fees

### LDP Land Safeguarded

20  
369 ha Green Wedge  
3,174 ha Local Nature Reserve  
434 ha open space  
7,942 ha minerals

### LDP Land Allocated

**Residential**  
111 ha  
**Commercial**  
244 ha  
**Retail & leisure**  
0 ha  
**Waste**  
0 ha

### LDP Value

**£2.1m uplift value**  
*(based on land allocated for whole plan period)*  
**Value adding policies** ✓ 89%

### Applications

4 major  
1,147 minor  
0 other

0 DCOs dealt with  
1 DNS dealt with  
53 LBC applications granted  
10 refusals appealed  
0 judicial reviews

### Decisions

✓ 1,125 approvals (98%)  
x 27 refusals (2%)  
368 subject to pre app

**Refusals**  
■ Delegated ■ Committee  
**Approvals**  
■ Delegated ■ Committee

### Permissions

**Residential**  
113 units  
£4.6m uplift value  
29% affordable  
**Retail & leisure**  
2,730 m<sup>2</sup>  
£0.1m uplift value  
**Tourism**  
120 bedspaces  
40 self catering units

### Permissions

**Commercial**  
6,790 m<sup>2</sup>  
£0.2m uplift value  
**Renewables & other**  
0 MW  
0 tonnes waste  
0 tonnes minerals  
0 ha remediation  
2 ha formal open space

### Section 106 income

£0.4m  
Breakdown  
■ Training and employment  
■ Sports and leisure  
■ Environmental  
■ Community/cultural  
■ Formal open space  
■ Primary health  
■ Education  
■ Infrastructure  
■ Active travel  
■ Highways  
■ Affordable housing

### Contributions

**CIL income**  
£0 total value

### Completions

**Residential**  
419 units  
17% affordable  
£76.5m uplift value  
£0.5m council tax p.a  
**Retail & leisure**  
650 m<sup>2</sup>  
£0.7m uplift value  
12 gross FTE jobs  
#N/A

**Commercial**  
7,450 m<sup>2</sup>  
£4.2m uplift value  
115 gross FTE jobs  
#N/A  
**Renewables**  
0 MW  
£500 community benefit  
**Tourism**  
25  
8 FTE jobs  
15 self catering units

### Enforcement

388 enforcement complaints  
6 planning contraventions  
5 enforcement notices  
11 breach of condition notices  
0 stop notices  
0 section 125 notices



### Wider indicators

£117,000 spend on consultancy fees  
8 internal consultees  
0 Energy statements  
0 EqIAs  
1 Environmental statements  
£0 health benefits of affordable housing provision p.a  
£140,000 recreational benefits from open space created p.a  
2 Travel plans  
0 HIAs  
4 Transport assessments

In 2021/22 the total value of planning was

**£87.3m**

SOURCES: Planning function outputs (LPA survey), Land and property value data (JLL estimates), business rates valuations (Valuation Office Agency), employment densities (English Homes & Communities Agency), Council tax rates (Stats Wales), Health benefits from Affordable Housing (Department for Communities and Local Government Appraisal Guide, based on various studies outlined in appraisal dashboard), Community benefit from renewables (Renewables UK Cymru). Some of the calculations require high level assumptions to convert between units/m<sup>2</sup>/ha. Where possible, benchmarks have been employed otherwise reasonable assumptions have been used. Business rate, council tax and gross FTE job estimates based on assumption of 100% occupancy and do not factor in any displacement. Numbers of applications and decisions are unlikely to match up as these can take place in different financial years for any given application. 'Value adding policies' refers to the proportion of policies the team has identified as adding 'intangible value' that are included in local plans. Approvals and refusals do not sum to 100% due to applications carry across years. The total value of planning only incorporates some of the metrics presented in the dashboard.



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## **7.0 OPPORTUNITIES GOING FORWARD**

7.1 The following opportunities for the coming year have been identified as a result of this Annual Performance Report, our LDP, AMR and our Service Business Plans:

- In tandem with our systems thinking approach, to use Team meetings and performance reports to drill down into specific areas of workflow and identify where problems exist and why, with a targeted approach to identifying solutions;
- Continue to roll out the project management of major planning applications, where appropriate, via planning performance agreements to seek by best endeavours to ensure timely and well-managed processing of such applications, providing a good customer experience for the customer;
- To digitise the Tree information held by the Council in scanned or paper form to improve the web site experience for customers and improve customers' pathways to information (Action 1);
- To promote the positive work of the Planning Service and colleagues in other Council teams in securing much needed community infrastructure when we approve major development. This could be promoted via this document, our web site and social media (potentially through use of infographics) allowing our local communities to understand the tangible benefits of allowing new development (Action 2);
- To improve the speed with which we deal with enforcement cases via the continued systems review of the Enforcement function and via analysis of individual team members' performance (Action 3);
- To digitise the Council's enforcement register as part of the digital improvement programme to help customers self-serve (Action 3);
- To develop a Buildings At Risk Strategy to safeguard some of our most precious but vulnerable heritage assets (Action 4);
- Continue with the replacement Monmouthshire LDP because of the need to facilitate the identification/ allocation of additional housing land as well as addressing the demographic and employment challenges of the County;
- To identify, implement and/or disseminate best practice via the Planning Officers' Society for Wales or other working groups, including the Welsh Government, the WLGA and the RTPi
- Promote the value of the work carried out by the Council's Planning Service by updating the Value of Planning toolkit on an annual basis and publicising the findings in each APR.
- To support our colleagues via regular reviews and one-to-ones who have had to work agilely because of the pandemic and the reduced capacity of our offices, to ensure their well-being and mental health are resilient and their productivity remains high.
- To respond to the threat resulting from the Covid-19 pandemic to ensure our County's businesses can bounce back from the pressures caused by lockdowns and other covid measures that restricted business activity.
- To manage the threat of phosphate pollution in our two main rivers to reduce environmental damage, while finding new ways of managing this issue that will still allow sustainable development to take place in those catchment areas.

7.2 Progress will be measured via our 2022/23 Annual Performance Report, 2022/23 LDP Annual Monitoring Report, and our 2022 - 2025 Service Business Plan.

## **8.0 RESOURCE IMPLICATIONS:**

8.1 Officer time and costs associated with the preparation of this APR are met from the Development Management budget and work is carried out by existing staff.

## **9.0 SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

9.1 Sustainability, equality and well-being considerations are central to the planning service's activities. This report is a review of the previous year's performance against targets and benchmarking information, however the proposed five actions for future improvements seek to improve service delivery to the benefit of our customers and communities.

9.2 An Equality and Future Generations Evaluation is attached as an appendix.

## **10.0 OPTIONS CONSIDERED**

10.1 There is normally a requirement on Local Planning Authorities to undertake an Annual Performance Report and to submit it to the Welsh Government by 31 October in a given year. Unfortunately, this year WG have been unable to provide the benchmarking figures to enable the council to review its current status against the Wales average. Issues such as the continued impact of the pandemic, resources limitations and environmental considerations such as water quality in rivers would have an impact on Local Planning Authorities across Wales therefore it is unfortunate that this data is not available to enable a fair comparison of our performance. We could decide not to conduct the APR for this reason however we do consider it useful to carry on with this work to help us continue to improve our service. Consequently, the following options were considered:

- 1) Recommend the APR for submission without any changes;
- 2) Recommend the APR for submission but with changes to the proposed actions for the coming year.

10.2 The APR provides a useful reflection on last year's performance against targets and benchmarking information. The proposed actions seek to continue that journey of improvement, given the resources available to us. Consequently, option 1 is the preferred option.

## **11.0 HOW WILL SUCCESS BE MEASURED**

11.1 The Planning Service is measured against a number of clear and consistent (across Wales, and over time) performance indicators allowing aspects of a successful service to be measured. These indicators need to be viewed in the context of other factors, including what customers have identified as being important to them, customer and stakeholder feedback, outcomes (which are not always captured by performance indicators), and whole Council priorities.

11.2 We strive to deliver the best service possible, and our mission is to advise on, give permission for, and ensure the best development possible.

## **12.0 CONSULTEES**

- Planning Committee and the Performance & Overview Scrutiny Committee via a report to the latter to be considered on 21 November 2022.
- Cabinet Member for Sustainable Economy
- SLT
- Communities and Place DMT

- Cabinet Member for

### **13.0 BACKGROUND PAPERS:**

None

### **14.0 AUTHOR & CONTACT DETAILS:**

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## **Monmouthshire Local Planning Authority**

### **PLANNING ANNUAL PERFORMANCE REPORT (APR) – 2021 – 22**

#### **PREFACE**

I am very pleased to introduce the eighth Annual Performance Report for Monmouthshire County Council's Planning Service.

This report shows that Monmouthshire's Planning Service continues to perform relatively well, with two of the thirteen indicators in need of improvement against the Welsh Government's targets. We are performing well in dealing with all types of planning applications and I am pleased to note that the committee process, which has been held via a virtual meeting over the reporting period, is working effectively showing a very good relationship between members and officers in this authority. The whole team showed commendable resilience during the post pandemic period in continuing to turnaround planning applications and heritage work and to investigate and resolve enforcement cases in a timely manner. This was despite significant gaps in staffing, across all elements of the DM Team as well as resource issues in organisations who respond to consultations on our planning applications.

Where we think there are areas that need improving, we have clear actions to improve those elements of the service.

Good planning is central to the Council's purpose of building sustainable, resilient communities while also generating growth in the economy and protecting the heritage and landscapes that make our County the beautiful place it is. It is central to achieving our well-being objectives for everyone who lives, works and spends time in our beautiful County. As part of this, Planning has a key role in developing affordable homes for those in housing need and assisting the local economy to recover from the Covid-19 pandemic.

Councillor Paul Griffiths, Cabinet Member

## 1.0 EXECUTIVE SUMMARY

- 1.1 This is Monmouthshire's eighth Annual Performance Report, which looks at the performance of the Planning Service against nationally set performance indicators, Welsh Government targets, the Wales average performance, and Monmouthshire's performance last year. The results are considered in the context of the challenges, opportunities, priorities and resources (staffing and financial) available to us. The objective of the APR is to reflect on and celebrate good performance, identify areas for improvement, and look across Wales to identify potential areas of best practice that we could learn from or share with others.
- 1.2 The nature of the performance indicators means their focus is on decision speed and customer service rather than measuring whether or not better outcomes have been achieved. It has not yet been possible to identify an objective way of measuring outcomes, however we seek to prioritise securing the best scheme possible rather than traditional indicators relating to speed of decision-making. Research has identified that our customers' priority is securing planning permission: customers generally understand the benefits of good design and, within reason, do not see the time taken as a priority.
- 1.3 For the purposes of this report, performance is analysed across the five key aspects of planning service delivery as set out in the Planning Performance Framework:
- Plan making;
  - Efficiency;
  - Quality;
  - Engagement; and
  - Enforcement.

Owing to the absence of national performance data from Welsh Government (WG) in relation to performance over since 2018/19, in common with the last two APRs, the Plan making element has been omitted. The performance of the Local Development Plan is more than adequately covered in the Annual Monitoring Report, also being submitted to WG in October 2022. For the other areas in the Planning Performance Framework, performance data has been obtained by Monmouthshire officers from the Development Management Quarterly Returns and our own back-office system. In the absence of all Wales data for 2021/22, comparisons have been made with the Welsh average performance for each measure over 2018/19 (the latest reporting period for this national data) as well as our own performance against the measures over 2021/22. Performance is ranked as 'good', 'fair' or 'needs improvement'.

- 1.4 Based on the performance information in Section 6 and Annex A, we can be pleased with the service we deliver given the challenges we have faced. During this period:
- The proportion of all applications determined within 8 weeks, or an agreed timescale, remained above the WG target at 81%, but was lower than in previous years due to pressures on resources;
  - The average time to determine all applications increased to 106 days (from 92 days in 2020/21) but that is explained by the impact of the staffing shortages within the application

team (and among our consultee organisations) as well as the delays caused by the phosphate pollution issue that led to a pause in determining many applications in the central and northern parts of the County;

- The proportion of major applications determined within agreed timescales was 100% and was 32% above the Welsh average in 2018/19, despite the fact resource issues had an impact on application turnaround times;
- 72% of listed building applications were determined within approved timescales and we provided a valued Heritage service for Torfaen (until December 2021) and Blaenau Gwent councils that is discussed later in this Report;
- The percentage of applications that were approved remained at 97%, well above WG average;
- During this reporting period, we closed 368 applications seeking pre-application advice. 141 planning applications stemmed from the pre-application advice we gave. Of those that have been determined four were refused (2.8%) and four were withdrawn (2.8%) due to a change in the applicants' circumstances; the remainder were approved (94%). All four that were refused had not followed the advice we gave at pre-application stage. Consequently, we have a 100% success rate of applications that went to decision stage and followed our pre-application advice.

1.5 A summary table of our performance can be found in Annex A. This year there are 13 relevant indicators and of these 12 are ranked:

- Monmouthshire's performance is ranked 'good' against six, 'fair' against four and there are two 'in need of improvement'. One of the 'fair' results relates to the average time taken to determine all applications in days; this stood at 106 days, missing the target of 67 days but this increase in average time is unsurprising given the higher number of applications determined within this year, the significant impact of resources within the team and the impact of new environmental considerations such as water quality in the rivers Wye and Usk. Regarding resources there was a high turnover of staff with attendant gaps between appointments. This affected the team that deals with planning applications where three DM officers and a senior DM officer left the team (one after a period of prolonged sickness, the other three via career changes) and the posts took time to be replaced due to recruitment issues. There were also staffing pressures on our consultees that has led to longer turnaround times for applications as responses take a lengthier time to be received. Other fair measures related to decisions taken by Members that were contrary to the officer recommendation (this, however, involved only one decision out of eighteen Member decisions so numbers are low and are not of immediate concern) as well as the decisions made in agreed time for listed building consents which slipped slightly to 72% due to gaps in staffing; in relation to the other fair measure, there an application for partial costs awarded against the authority (just one) where the Inspector found in favour of the appellant following a Member (Committee) decision to refuse an application for retirement apartments in Llanfoist and where there had been a lack of evidence to justify one of the reasons for refusal - to be 'good' there must be no awards of costs.
- The two enforcement measures are in need of improvement. We are aware that this area needs attention and are working hard to improve this element of the service. Last year's performance has to be considered in the context of significant gaps in resources with one

member of the small team of three officers being missing for most of the reporting period due to sickness. In addition, two members of the team of three left for new job opportunities. The posts have all been filled in the final quarter of the reporting period and the team now has a full establishment for the first time in several months. Within the last quarter (July-September 2022) the percentage of enforcement cases investigated within 84 days was 74.3% which would result in an amber (fair) rating rather than the 21/22 red improve rating.

Further commentary on the performance against these measures is set out in Section 6 and Appendix A.

1.6 In the light of the above and having regard to our key work areas, four actions are proposed going forward:

*Action 1 – Digitise information in relation to historic planning files and woodland / tree preservation order work to help customers self-serve and reduce the significant demand on the Planning Service’s Tree Officer, the daily Duty Officer and Support staff.*

*Action 2 – Promote the positive aspects of new development to our citizens by publicising the contribution of essential community infrastructure provided under planning agreements attached to the planning permissions for new major developments.*

*Action 3 – Continue to review and make positive change to the Planning Service’s enforcement function and its processes to speed up our decision-making, ensuring we are providing a good service for our customers. Digitise the enforcement notice register to help customers self-serve.*

*Action 4 – To develop a Buildings at Risk (BAR) strategy to manage and prioritise any interventions to enable key heritage assets to realise a sustainable use for future generations.*

*Action 5 – Conduct a review of the planning application process to consider how to improve the average time to determine planning applications performance indicator. The review would consist of reviewing the rationale for applications taking different time scales and it would consider any areas where the process could be amended to ensure best practice and to drive out waste thereby improving customer service.*



## 2.0 CONTEXT

2.1 This section sets out the planning context within which the Local Planning Authority operates, both corporately and in terms of Monmouthshire as a county, for the 2021-22 period.

### Corporate Context

2.2 The Council adopted its Local Development Plan in February 2014 and has submitted its eighth Annual Monitoring Report to Welsh Government in October 2022.

2.3 The purpose of the Planning Service is to help build sustainable and resilient communities that support the well-being of current and future generations in Monmouthshire, which is a shared purpose with the Council's public service board partners. This is at the heart of everything we do.

We contribute to delivering the Council's well-being objectives, which align to the Public Service Boards objectives, as set out in the Corporate Plan 2017-2022, the specific objectives we contribute to are:

MCC Purpose	Building Sustainable and Resilient Communities
MCC Well-being Objectives	The best possible start in life Lifelong well-being Maximise the potential of the natural and built environment Thriving and well-connected county Future-focussed Council

2.4 The Planning Service's purpose links directly to Monmouthshire County Council's objective of building sustainable, resilient communities. The Planning Service sits within Communities and Place Directorate.

2.5 The Planning Service is made up of i) the Planning Policy and ii) the Development Management (DM) teams. The primary purpose of the Planning Policy team is to prepare and monitor the statutory Local Development Plan (LDP) and assist in its effective implementation through the Development Management (planning application) process. This ensures that the land use and sustainable development objectives of the Council are met ensuring the provision of an adequate supply of land in sustainable locations for housing, retail, education, recreation, tourism, transport, business, waste and other needs, whilst protecting the county's valued environmental, heritage and cultural assets. This work aligns directly with achieving four of the Council's Well-being objectives while being prepared to work innovatively aligns with the fifth objective regarding a Future-focussed Council.

2.6 The Monmouthshire Public Service Board Well-being Plan identifies a key issue as being the need to respond to demographic change, with the County having an increasingly ageing population. The Planning Service has an important part to play (alongside Housing colleagues) in readdressing the supply and mix of housing stock to ensure suitable and affordable housing is available to all demographic groups.

- 2.7 The Planning Service in its policy-making role and when making decisions on planning applications has a significant part in the Well-being goal that seeks to “Protect and enhance the resilience of our natural environment whilst mitigating and adapting to the impact of climate change”. The PSB Well-being Plan acknowledges this by i) identifying Planning’s (and its partners’) capacity to improve the resilience of ecosystems by working at a larger scale (landscape) to manage biodiversity and maximise benefits such as natural flood risk management; ii) ensuring design and planning policy supports strong, vibrant and healthy communities that are good for people and the environment, and iii) enabling renewable energy schemes, especially community owned schemes, and developing new solutions including storage, smart energy, heat and local supply.
- 2.8 The Planning Service’s Vision is “To enable through the land use planning policy framework the building of sustainable and resilient communities that support the well-being of current and future generations.”
- 2.9 In addition, the Development Management Service undertook a System Review between 2010-12 where its purpose was established as being: “To advise on, give permission for and ensure the best possible development” which complements the overall service vision.
- 2.10 Key areas of work for the Service include:
- Carrying out a replacement of the Monmouthshire LDP.
  - Preparing and co-ordinating thematic supplementary planning guidance to help to foster the interpretation and implementation of LDP policy.
  - Implementing the Council’s LDP through engaging and working with communities, and partnership working with both internal and external partners.
  - Depending on the outcome of legislative changes at the UK Government level, adopting and implementing the Community Infrastructure Levy. Infrastructure needs will be reviewed and consideration will be given to the best options for funding them alongside LDP progress.
  - Working within our unified Planning Service (Policy and DM) focussed on enabling positive outcomes.
  - Monitoring and evaluating development plan policies, including preparing the statutory LDP Annual Monitoring Report (AMR).
  - Maintaining the LDP evidence base and ensuring fitness for purpose for future LDP revision.
  - Developing linkages with the Council’s emerging framework for community governance and development
  - Providing pre-application advice to customers;
  - Determining planning applications in accordance with adopted policy and material planning considerations, taking into account stakeholder comments and corporate objectives;
  - Securing financial contributions from developers to offset the infrastructure demands of new development;
  - Safeguarding the County’s 2400 Listed Buildings and 31 Conservation Areas, areas of archaeological sensitivity, the Wye Valley AONB and the Brecon Beacons National Park;
  - Providing a heritage service for our neighbouring colleagues in Blaenau County Borough that works in a manner that is consistent and as well-resourced as the one provided for Monmouthshire.

- Taking robust enforcement action against unauthorised development that is unacceptable in the public interest.
- Preparing and submitting the Planning Services' Annual Performance Report (APR) to WG which assesses the effectiveness of the Monmouthshire's planning service and benchmarks it against other Councils' performance.
- Supporting Monmouthshire's businesses and communities to recover and thrive following the Covid-19 pandemic and facilitating new and innovative ways of sustaining our high streets.

2.11 The main customer of the Planning Service is the applicant of any planning application, however there are numerous stakeholders including individuals, communities, businesses, third sector organisations, other Council Services and elected Members.

### **Local Context**

2.12 Located in South East Wales, Monmouthshire occupies a strategic position between the major centres in South Wales, the South West of England and the Midlands. The County shares a border with the neighbouring Local Planning Authorities of Newport, Torfaen and Brecon Beacons National Park (BBNP) in Wales and Gloucestershire, the Forest of Dean and Herefordshire in England, with Severn crossing links to South Gloucestershire. The County forms the gateway to South Wales and is part of the Cardiff Capital City Region. This location gives the County a distinctive identity.

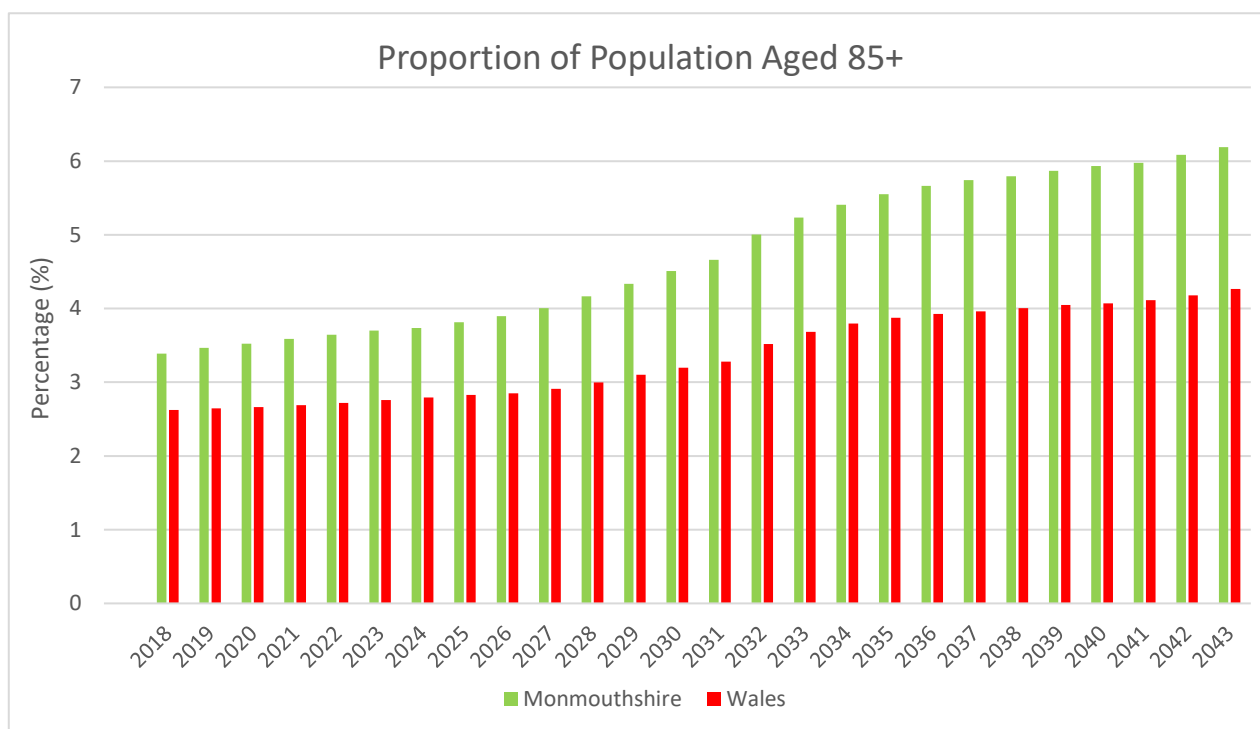
### **Our people**

2.13.1 Monmouthshire covers an area of approximately 88,000 hectares with a population of 93,000 in 2021<sup>1</sup>. At the time of the 2011 Census 7.9% of residents resided within the BBNP area of the County. According to the 2011 Census, the County had a low population density of 1.1 persons per hectare – significantly lower than the South East Wales average of 5.3 persons per hectare – reflecting the area's rural nature. At the time of the 2011 Census only 53% of the population lived in wards defined as being urban areas (i.e. with a population of more than 10,000).

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<sup>1</sup> Source: Census 2021 first release of results (28.06.2022). Please note figures are rounded to the nearest hundred.

2.13.2 Our population has been increasing steadily, up 7.6% between 2001 and 2011 compared with the Wales average of 5.5%. The increase from 2011 to 2021<sup>2</sup> represents a lower increase at 1.8%, however, this is marginally higher than the growth for Wales over the same period of 1.4%. This increase is wholly attributable to inward migration, with natural change showing negative growth. The County has a relatively high and increasing proportion of older age groups, and a lower and decreasing proportion of younger adults compared with the UK and Wales averages. The graph below illustrates the proportion of those aged 85+ in Monmouthshire in comparison to Wales, based upon the 2018-based local authority population projections for Wales, 2018 to 2043. It shows that the trend in the ageing demographic is likely to continue. The 2021<sup>3</sup> Census initial release suggests the proportion of those aged 85+ is 3.4% in Monmouthshire compared to 2.7% in Wales.



Source: Office for National Statistics, Stats Wales

2.13.3 This demographic change has significant implications for economic activity and demand for services to enable our citizens to continue to live independent lives.

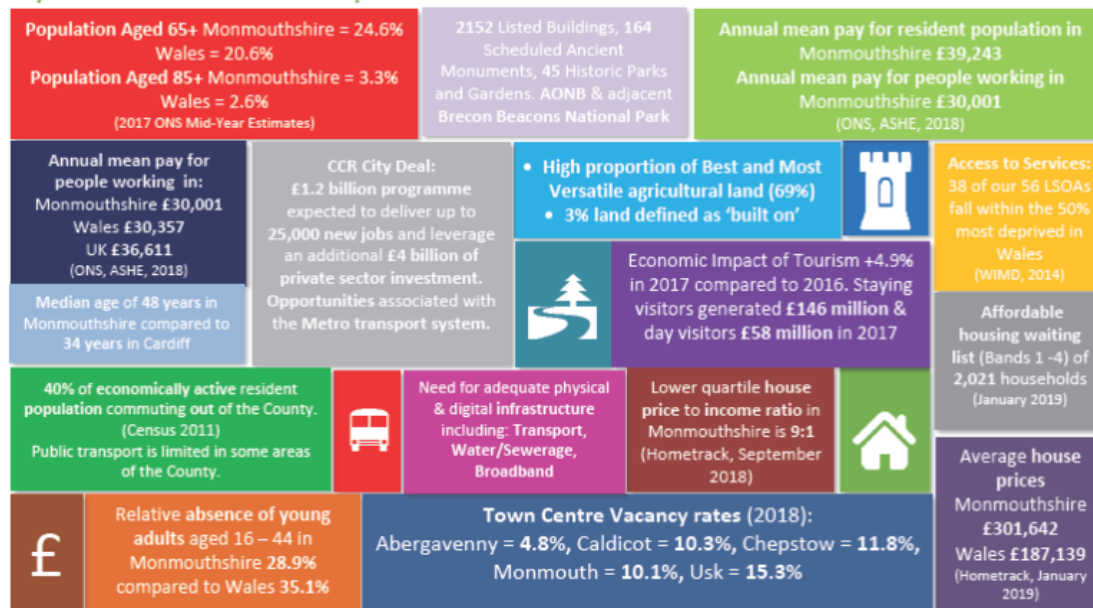
2.13.4 The following diagram encapsulates the issues that the Council are seeking to address during the development of the Replacement Local Development Plan (RLDP) over the next few years (Please see revised delivery agreement):

<sup>2</sup> Source: Census 2021 first release of results (28.06.2022). Please note figures are rounded to the nearest hundred.

<sup>3</sup> Source: Census 2021 first release of results (28.06.2022). Please note figures are rounded to the nearest hundred.

## Monmouthshire Replacement Local Development Plan – Issues, Vision and Objectives

### Key Issues to be addressed in the Replacement LDP



#### 2.14 Housing and quality of life

##### 2.14.1 The County has three broad categories of settlement:

- The historic market towns of Abergavenny, Chepstow and Monmouth have developed over many years to have a wide range of opportunities for employment, shopping, community facilities and public transport;
- The newer settlements in Severnside of Caldicot/Portskewett, Magor/Undy, Rogiet and Sudbrook where recent high levels of residential growth have taken place without the local jobs and community facilities to match. The area benefits, however, from a strategic location at the 'Gateway' to Wales with good access to the employment markets of Newport, Cardiff and Bristol;  
The rural area, containing the small town of Usk, the larger villages of Raglan and Penperlleni, and a large number of smaller villages, widely dispersed around the County.

2.14.2 Over the last decade, housing completions in the Monmouthshire LPA area have averaged over 300 dwellings per annum, although there have been significant annual variations with 205 completions in 2014/15 and 443 in 2018/19. To deliver the LDP housing requirement, 488 completions per annum are required (2013-2021). To date, completions since LDP adoption have averaged over 300 per annum. This is discussed in more detail in the LDP Annual Monitoring Report although 361 dwelling completions (including 35 affordable homes) were recorded in 2021/2022.

2.14.3 Land Registry data indicates that average house prices in Monmouthshire have increased over the current monitoring period (2021-2022) with average prices in quarter 1 (January to March) 2022 standing at £334,148, significantly higher than the 2012 quarter 4 baseline price (£188,720).

Between 2006 (the time the Monmouthshire Unitary Development Plan was adopted) and March 2022, there have been 4,540 completions of which 903 were affordable, equating to 20% of all dwellings built. Since LDP adoption (2014) to March 2022 there have been 2,535 completions of which 530 were affordable, equating to 21% of all dwellings constructed.

2.14.4 Monmouthshire is generally a prosperous County offering a high quality of life for its residents. However, poor access to community facilities and declining local service provision is an issue for rural and ageing communities. The health of Monmouthshire's population is generally better than the Wales average, with greater life expectancies and higher proportion of residents classing themselves as being in good health (2011 Census). Fewer residents in the County suffer with a limiting long-term illness compared with Wales as a whole. The rate of reported crime in Monmouthshire tends to be lower than for Wales as a whole.

## 2.15 **Our economy**

2.15.1 The ONS Annual Population Survey suggests that the County has a high proportion of working age people in employment (77.7% January 2021 - December 2021) compared to neighbouring Authorities including Newport (72.7%), Cardiff (74.9%), Blaenau Gwent (71.1%) and Torfaen (70.3%). The equivalent figure for Wales is (73.1%). Our economy is reliant on the public sector and services for employment:

- In 2020, the Business Register and Employment Survey (BRES) records that the public administration, education and health sector accounts for 30.9% of jobs;
- The distribution, retail, hotels and restaurants sector accounts for 27.9% of jobs;
- Tourism, as part of the services sector, is also important in the County (see 2.16.3 below).

2.15.2 The County had 4,490 active enterprises in 2021, 10% of which were in the property and business services sector. The three sectors with the most businesses were Professional, scientific and technical services (17%); Agriculture, forestry and fishing (16%) and Construction (11%). Accommodation and food services accounted for 7%. The UK Business count dataset accessed via Nomis also suggests that 98.5% of the County's businesses are classified as small (i.e. up to 49 employees).

2.15.3 Tourism is vital to Monmouthshire's economy and generates income to support a wide range of businesses that benefit from spending by visitors. According to figures supplied by tourism economic indicator 2021 STEAM (Scarborough Tourism Economic Activity Monitor), the sector brought in £182.79 to Monmouthshire in 2021 and supported the equivalent of 2,336 full-time jobs. Each visitor contributing to the county's economy by purchasing food and drink, fuel, services and accommodation spends on average over £77 per day.

2.15.4 Monmouthshire's tourism performance over the life of the previous plan displayed an encouraging 10% real growth in terms of economic impact, an increase of 8.7% in visitor numbers and a 1.5% growth in full-time jobs. The approved Destination Management Plan has been developed following a review of the previous plan and is based on Monmouthshire's best prospects for tourism growth as well as extensive consultation with stakeholders. The Plan capitalises on key opportunities for Monmouthshire, including its location at the gateway to Wales offering an initial chance to make a great impression, especially now that the Severn Bridge tolls have been phased out.

2.15.5 The 2021 Welsh Government Commuting Statistics indicate that 61.2% of the County's working residents work in the area. This is an increase on previous years and suggests that there has been some progress in meeting the aspiration to increase the proportion of resident workforce working within Monmouthshire over the Plan period. However, the same data source suggests that Monmouthshire has a net outflow of 2,800 commuters – with 14,300 commuting into the Authority to work and 17,100 commuting out. There was significant in-commuting from Newport (3,000), Torfaen (1,900) and Blaenau Gwent (1,400), and from England (2,900). The main areas for out-commuting were Newport (2,600), Torfaen (2,400), Cardiff (1,600) with a further 4,600 going to Bristol. A relatively high proportion of Monmouthshire's residents travel long distances to work, with a high usage of the private car. Heavy reliance on the private car and limited opportunities for public transport is a particular issue in rural areas. These figures should be treated with caution, however, as the data is based on a small sample survey.

## 2.16 **Communications**

2.16.1 The County is easily accessible from the rest of Wales by the M4, A40, A449 and A4042 and from England by the M4 and M48 Severn Bridges and the A48, A40 and A465. The good road transport links connect the County to major population centres such as Cardiff, Newport and Bristol. Monmouthshire is served by a number of local and national bus routes, with main bus stations in the towns of Abergavenny, Chepstow and Monmouth. In terms of rail provision, Monmouthshire has four railway stations, at Caldicot, Chepstow and Severn Tunnel Junction in the south of the County and Abergavenny in the north. As part of the Cardiff Capital Region, Monmouthshire is set to benefit from the proposed South Wales Metro proposals. The local community in Magor Undy is at an advanced stage of campaigning for a new Magor Undy Walkway Station, close to the Community Hub building that has now received planning permission. A larger car park for the existing Severn Tunnel Junction station at Rogiet has also been granted planning permission. The removal of the toll charge on the Severn Bridge has already had a demonstrable impact on house prices and, anecdotally, on speed of sales.

2.16.2 Public rights of way include 1,499km of footpaths, 71km of bridleways, 84.5km of restricted byways and 1.5km of unrestricted byways. These public rights of way are complemented by permissive paths. The County has three long distance regional trails (Usk Valley, Wye Valley and Three Castles) as well as the national trail (Offa's Dyke Path). The County also provides the start of the all-Wales coastal path. There are two national cycle routes within Monmouthshire, both of which run from Chepstow. The countryside access opportunities available in the County are one of its key assets, sustaining tourism and providing opportunities for economic regeneration.

2.16.3 The rural nature of the County and high proportion of SMEs means broadband and mobile communication are both vital and challenging. The Council is part of the Superfast Cymru project rolling out BT broadband. Other local projects to roll out Broadband into less accessible rural areas are being explored.

## 2.17 **Our natural heritage**

- 2.17.1 The County is noted for its rural beauty and has a rich and diverse landscape stretching from the coastline of the Gwent Levels in the south of the County, to the uplands of the Brecon Beacons National Park in the north. In addition, there is the picturesque river corridor of the Wye Valley AONB in the east and the Blaenavon Industrial World Heritage Site to the north-west. The landscape and countryside of Monmouthshire contributes not only to the health and well-being of Monmouthshire's residents but also supports the important tourist economy.
- 2.17.2 Monmouthshire has significant biodiversity and nature conservation resources, a number of which are internationally or nationally recognised, including:
- The Severn Estuary Special Area for Conservation (SAC), Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Ramsar Site (Wetland of international importance);
  - The River Wye, River Usk, Wye Valley woodlands and Wye Valley Special Areas of Conservation (bat sites);
  - 49 nationally designated Sites of Special Scientific Interest (SSSIs) – covering some 2,087 hectares. Most are woodland or grassland sites with others designated for their wetland or geological interest;
  - Two National Nature Reserves (Fiddler's Elbow (woodland) and Lady Park Wood) and one Local Nature Reserve at Cleddon Bog;
  - Approximately 650 non-statutory Sites of Importance for Nature Conservation (SINCs) predominantly in relation to grassland and ancient and semi-natural woodland areas. The statutory sites cover 6,432 hectares, or 7.6% of the LPA area; 3,664 hectares of which comprises the Severn Estuary SPA.
- 2.17.3 Other key challenges facing the Planning Service include areas at risk of flooding (including most of the Gwent Levels and the flood plains of the Rivers Usk and Wye and their tributaries). There are, however, flood defences within the towns of Chepstow, Monmouth and Usk.

## 2.18 **Our built heritage**

- 2.18.1 The Monmouthshire LPA area has a rich built heritage and historic environment which includes:
- Approximately 2,400 Listed Buildings, of which 2% are Grade I, 10% are Grade II\* and 88% are Grade II. Of note, around 176 Listed Buildings have been identified as being at risk.
  - 31 Conservation Areas – designated for their special historic or architectural interest, covering some 1,648 hectares in total;
  - 45 Historic Parks and Gardens – identified as having a Special Historic Interest, covering 1,910 hectares;
  - 3 Landscapes of Outstanding Historic Interest identified by Cadw (parts of Blaenavon, the Gwent Levels and the Lower Wye Valley);
  - 164 Scheduled Ancient Monuments.
- 2.19.1 The current LDP has been heavily reliant on greenfield sites to deliver its development needs due to a lack of brownfield sites. Air quality in Monmouthshire generally meets current standards, although there are two Air Quality Management Areas (AQMA) within the County, where objective levels of nitrogen dioxide may be exceeded. These are at



Bridge Street in Usk and Hardwick Hill/Mount Pleasant in Chepstow. The Monmouthshire Contaminated Land Inspection Strategy has not identified any sites as being contaminated.

### 3.0 PLANNING SERVICE

#### Organisational setting

- 3.1 During the reporting period, the Planning Service underwent significant changes, primarily in the Applications, Heritage and Enforcement Teams.
- As regards the Applications Team, three Development Management Officers (one of whom was part-time) left the team, one colleague following a prolonged period of sickness, one to pursue a different career and the other following a promotion to another planning authority in S-E Wales. Unsurprisingly, this left significant gaps in staffing, diverted more work onto remaining staff and managers and led to a downturn in end-to-end performance across all types of applications, not just householder and minor applications. As a response, a new temporary DMO post and a trainee planner post were created and successful candidates were appointed in October 2021 to address the build-up of work. Those two temporary officers have now been appointed to full time DM Officer roles following interview for the permanent (and vacant) posts. The other DMO post was taken up by the Council's former Enforcement Monitoring Officer so that all the Applications Team posts were filled towards the end of the 2021/22 reporting period.
- A Senior DM Officer also left in December 2021 having been appointed to a team leader post with a neighbouring planning authority and their post was filled in February 2022, also leading to some interim pressures on remaining colleagues.

In Heritage there was a minor re-structure following the decision to suspend collaboration work with Torfaen Council (this was partly owing to resource pressures and partly due to the lack of ability to retain the Senior Heritage Officer post funded by Torfaen). A post for a (more junior) Heritage Officer was then advertised twice but failed to attract a suitable candidate. Following job evaluation, a decision was agreed to re-purpose the empty post as a senior heritage officer's role which would address the scope of on-going heritage application work in the County as well as seeking to make tangible progress with the Buildings at Risk Strategy that has been an unaddressed action within previous APRs and is a commitment in the current Service Business Plan. This senior post has now been filled in the next reporting period (2022/23). The Planning Service's long-serving part-time Tree Officer retired in December 2021 and was replaced in March 2022 by an experienced arboricultural officer also working as 0.6 FTE like their predecessor.

In Enforcement, an Enforcement Officer left the team in December 2021 following appointment to a more senior role in a nearby authority. This post was filled in March 2022. Prior to this, as noted above, the Team's Monitoring Officer left that role following successful appointment as a DM Officer within the Applications Team in September 2021. The Monitoring Officer post was then filled in January 2022. Owing to these gaps in appointments, significant pressure was experienced by the remaining team members and performance unsurprisingly dropped off. Improvements are anticipated in the next reporting period now that the team is fully staffed.

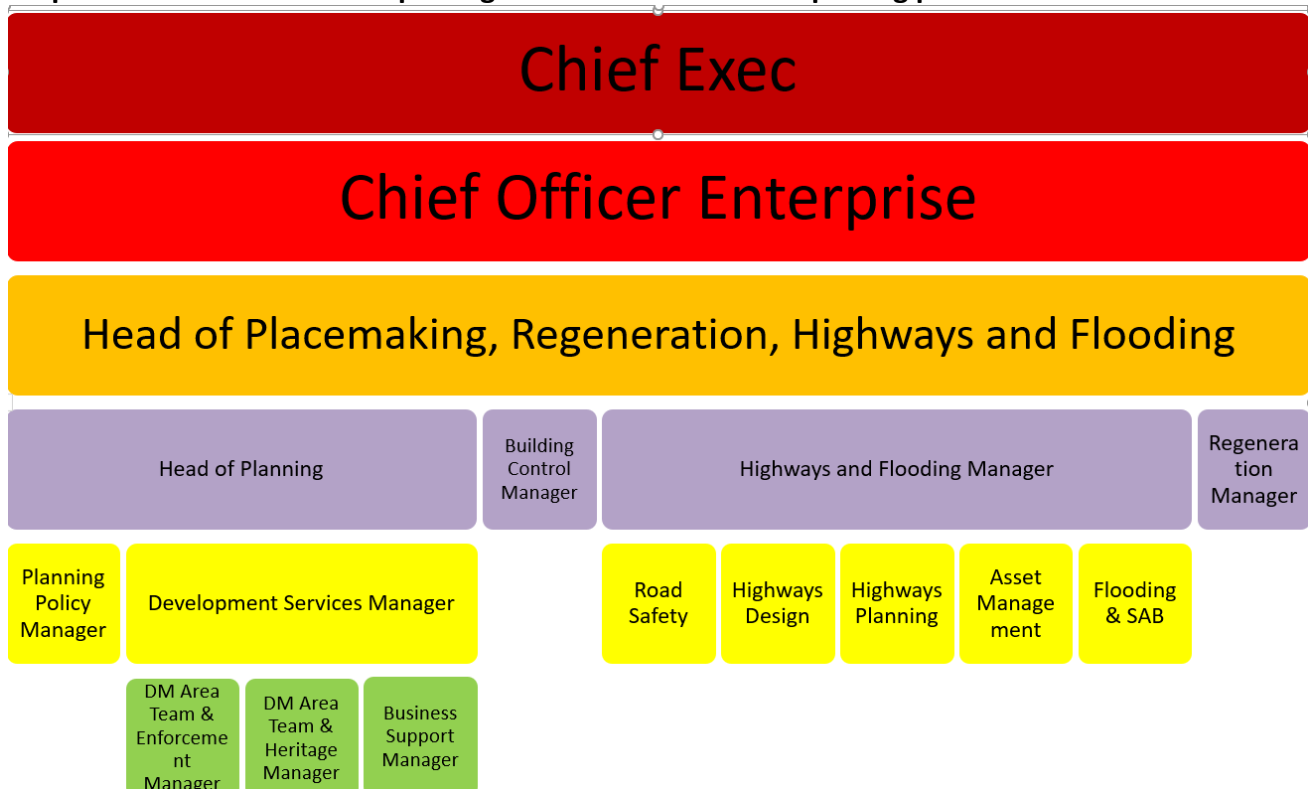
In the Planning Support Team, a Planning Support Officer left in March 2021 to pursue a career with a private company that provides back office and public access software for local

government services. The post was successfully replaced and the new appointee started in May 2021.

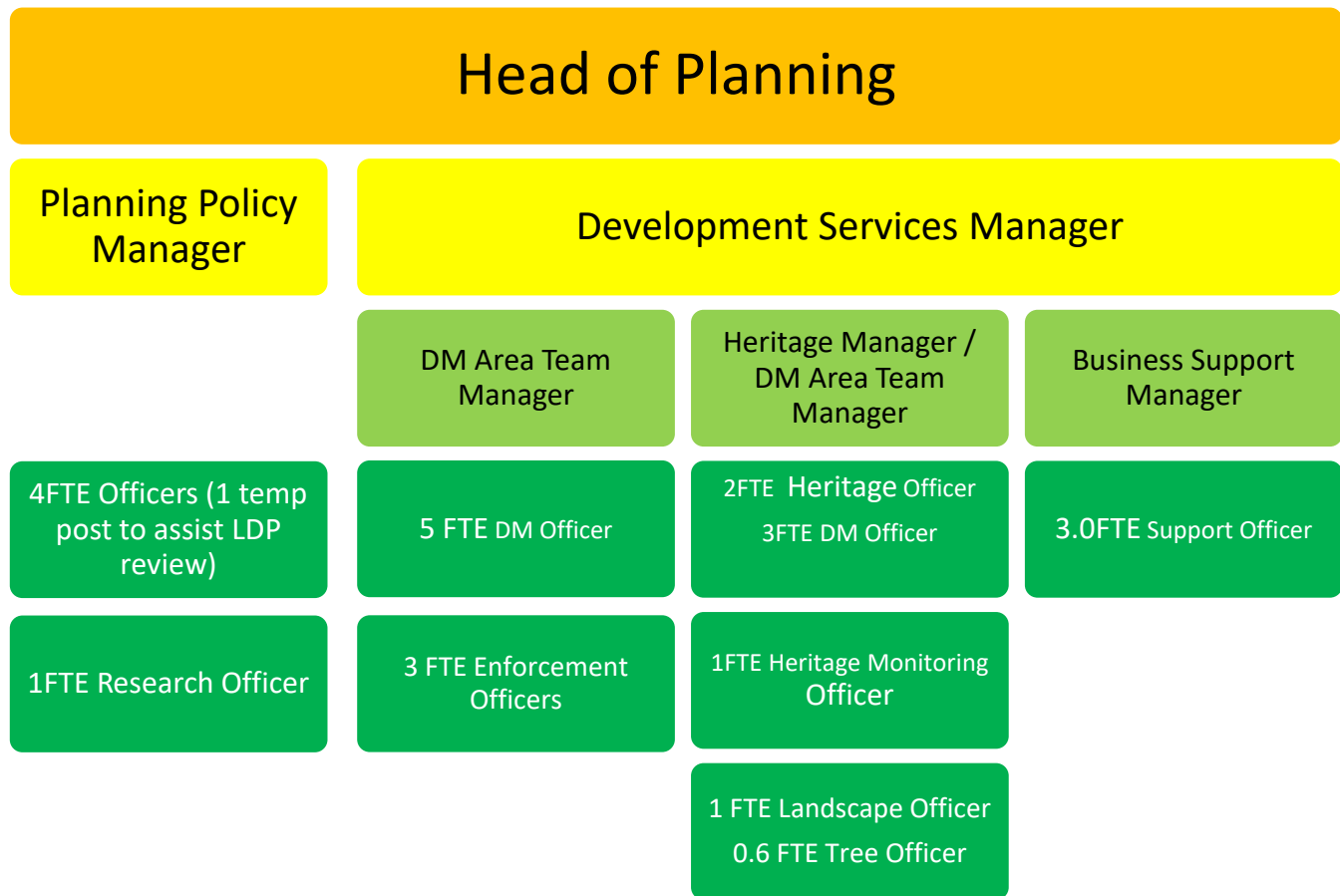
One Senior DMO post has been left vacant as we have taken stock of the downturn in major and more complex applications as a result of the life cycle of the LDP and prior to that the impact of the pandemic. This saving has been used to achieve some of the posts in the Applications Team and the Heritage Team, referred to above.

There were no staff changes in the Planning Policy Team over this period.

**Department structure and reporting lines for the 2021-22 reporting period**



**3.2 Planning Service staffing structure for the 2021-22 reporting period**



**Links with other Council projects**

3.3 There are several wider corporate activities that impact upon the Planning Service, or that the Planning Service supports and/or shapes:

3.3.1 Budget management

Local Government budgets have been significantly reduced over recent years, and the Planning Service has had to make savings in the same way as all other unprotected services. This has comprised a combination of reduced expenditure, increased income budget lines, and reduced staffing costs.

Over 2021/22 the Service’s budget held up well despite the impact of the lifecycle of the LDP whereby the larger housing sites have almost all been approved permission leading to fewer substantial application fees, as well as the impact of the phosphate pollution issue which has stifled development opportunities in the central and northern parts of the County over the reporting period. In DM, there was an underspend of £48k which was partly due to

healthy planning application fee income (approximately £545k) that bucked expectations that had forecasted lower income as a result of the impact of the late stage of the lifecycle of the LDP and phosphate implications.

The Policy team underspent by £167k, but the majority of this is the rolled-over reserve to fund the replacement LDP which will be used over ensuing years during the replacement plan process.

### 3.3.2 Service improvement/ Systems Thinking

The Council has reviewed a number of its services via a Systems Thinking approach. The review seeks to strip the service back to basic principles: who is the customer, and what is important to them? As far as is possible (for example taking into account legislative requirements), activities that do not add value to the customer are removed.

In terms of the Planning Service, this has resulted in a high performing, outcome-focused service. Officers are empowered to make decisions and take responsibility for their caseload from start to end. The outcome focus means that our emphasis is on securing a positive outcome where possible, rather than a focus on arbitrary performance targets. Performance against end-to-end times is monitored via monthly team meetings, however this monitoring is in the context that decision speed is only a small part of the wider picture, and is not always important to our customers.

The team applied this approach when implementing the roll out of a new planning application processing data base system that went live in March/ April 2018. This ensured disruption when changing over to the new system was minimised. It has also been used as method to seek ways of improving the service's web pages to improve the customer experience when accessing planning-related information online.

As outlined in the actions it is considered prudent to conduct a review of the average time to determine application in a system thinking approach in the coming year to seek to improve this performance indicator.

### 3.3.3 Development Team approach

A fee-paying pre-application advice service was introduced in late 2013 which has been well received by customers and is now well-established. This service includes offering a Development Team approach, which seeks to provide an integrated, round-table multi-disciplinary approach to pre-application enquiries. This has helped build positive relationships with other service areas and help all parties to understand each other's objectives and priorities, leading to better outcomes. We also ask applicants if they wish the local ward member to be involved in pre-application discussions on major planning applications to improve communication and to promote transparency.

During this reporting period, we closed 368 applications seeking pre-application advice. 141 planning applications stemmed from the pre-application advice we gave. Of those that have been determined four were refused (2.8%) and four were withdrawn (2.8%) due to a change in the applicants' circumstances; the remainder were approved (94%). All four that were refused had not followed the advice we gave at pre-application stage. Consequently, we

have a 100% success rate of applications that went to decision stage and followed our pre-application advice.

#### 3.3.4 Best practice benchmarking

We are involved in various regional and all-Wales working groups, which provide an important forum for identifying, learning from and sharing best practice, while recognising Monmouthshire's uniqueness. These groups include:

- Planning Officers' Society for Wales (POSW) (meeting of all Chief Planning Officers from Welsh LPAs; POSW is involved in benchmarking work among all Welsh local planning authorities undertaken for WG by the Planning Advisory Service (PAS) to understand the costs of running a planning service more accurately and comparably than CIPFA data;
- South East Wales branch of POSW (POS-SEW);
- South East Wales Strategic Planning Group (SEWSPG) (meeting of planning policy lead officers from the ten SE Wales LPAs and the Brecon Beacons National Park together with WG representatives, HBF, NRW and Welsh Water). Monmouthshire and Newport Councils jointly chaired this group during this reporting period, with Monmouthshire becoming the Chair Authority in January 2017;
- South East Wales Heritage Forum. Monmouthshire's Heritage Manager chaired this group during the previous reporting period;
- South Wales Enforcement Forum;
- South Wales Development Management Group (meeting of the South Wales Development Management lead officers – N.B. this will become a Pan-Wales group in 2022/23);
- SACs/ phosphate pollution Welsh planning authority group – a group of officers from LPAs impacted by the current SAC riverine phosphate pollution issue that seeks to problem-solve and learn from best practice among and outside the group to find solutions to unlock development.

An informal group of DM officers and managers from the former Gwent Local Planning Authorities also meets occasionally to share best practice and procedures in the light of new regulations coming into force. The objective is to discuss consistency on a more manageable basis, and feed learning back to all LPAs in Wales.

In addition, we hold bi-monthly liaison meetings between the Planning Policy and Development Management teams to disseminate policy changes at national and strategic levels, to understand corporate strategies, to aid interpretation and implementation of the adopted Local Development Plan, and to review implementation of the LDP to help inform and shape the replacement LDP. This has provided a valuable forum to ensure a cohesive and consistent planning service is provided.

#### 3.3.5 Asset Management

In response to budget pressures, in addition to a wider desire to use our assets responsibly, the Council is undergoing a process of reviewing its estates portfolio and where appropriate, disposing of those assets. The planning service plays a key role in enabling best use of/return from those assets. As an example, planning permission has been granted for a solar farm on one of our own County farms near Crick. The revenue from energy generation

can be reinvested into providing valuable services to our citizens. The Corporate Business Plan includes a commitment to deliver a second solar farm.

The Local Development Plan includes four Council-owned sites as strategic (primarily housing) allocations. These have been granted planning permission except for the second phase of Rockfield Farm, Undy (the subject of a current reserved matters submission for phase 2) and the housing allocation at Raglan that is also subject to a current application but is impacted by phosphate pollution relating to the riverine SACs.

### 3.3.6 Well-Being Plan

There are four well-being objectives forming part of the Monmouthshire Well-Being Plan, two relating to people and two relating to place:

People/Citizens:

- Provide children and young people with the best possible start in life
- Respond to the challenges associated with demographic change

Place/Communities:

- Protect and enhance the resilience of our natural environment whilst mitigating and adapting to the impact of climate change.
- Develop opportunities for communities and businesses to be part of an economically thriving and well-connected county.

In tandem with the Well-Being Act and the Well-being Plan the Council's Planning Service is committed to securing sustainable development in the public interest for the good of the County's citizens and its environment.

### 3.3.7 Local Transport Plan and Active Travel

We contributed towards the Council's Local Transport Plan in a previous reporting period and will continue to work with colleagues to help enable delivery of the identified priorities and compliance with the Active Travel Act, whether this be via LDP allocations, planning application decisions or securing planning contributions. During this reporting period we have been involved in negotiating pedestrian and cycle links for a new cycle route in the Usk area.

### 3.3.8 IT improvements and 'channel shift'

The Council has a shared IT resource with Newport, Torfaen and Blaenau Gwent Councils, and through this has implemented a new planning back-office system. Collaboration on reporting functions and training has been undertaken with Torfaen Council. Setting up the new system has been very resource intensive but the system went live in April 2018.

The Planning Service is a key frontline service in terms of visibility and customer access. We have already introduced agile working and electronic document management, which have served us well having regard to the impact of the Covid pandemic and the necessity it has created to work from home for the vast majority of time. Work has been undertaken to improve our website to improve the ability of customers and stakeholders to self-serve

where possible, as well as to comply with the Welsh Language Measures, although more work is needed to improve the customer offer in this area.

In recent years we have improved the layout and content of the DM service's web pages to allow customers to self-serve more easily. We have also moved towards a paperless office, resulting in printing and postage savings. Going forward we would like to scan old microfiche records so that these are also available via our website, however this is prohibitively expensive at present. We also introduced a Report It function on the web site so that the public could report possible breaches of planning control for the planning enforcement team to investigate.

### Operating budget

- 3.4 The operating budget for the service is shown below together with the changes from last year:

	Costs	Income	Net Cost	Change
<b>2013-14</b>	£1,648,800	£601,200	£1,047,600	
<b>2014-15</b>	£1,397,400	£614,900	£782,500	−£265,100 (-25%)
<b>2015-16</b>	£1,360,500	£669,900	£690,600	−£91,900 (-12%)
<b>2016-17</b>	£1,363,600	£572,000	£791,600	+£101,000 (+15%)
<b>2017-18</b>	£1,292,600	£430,100	£862,500	+£70,900 (+9%)
<b>2018-19</b>	£1,426,500	£653,600	£772,900	−£89,600 (-10%)
<b>2019-20</b>	£1,535,022	£669,300	£865,722	+£92,822 (+12%)
<b>2020-21</b>	£1,610,000	£778,300 <sup>#</sup>	£831,700	−£34,022 (-4%)
<b>2021-22</b>	£1,447,590	£636,890	£810,700	−£21,000 (-2.5%)

The figures exclude Planning Policy's budget for Professional fees which is rolled forward each year for LDP review work.

<sup>#</sup> This amount included a grant from WG for £234,800 to offset loss of fee income due to the pandemic

- 3.5 The two main costs for the service are staff costs and the LDP budget (money is transferred from the above budget to sit in an LDP reserve, built up to fund the next LDP). Income is generated by planning application fees and charges for our pre-application advice service (the latter amounted to approximately £44,500 over 2021/22, similar to the previous year) as well as the Planning Service's newer discretionary services that are discussed below.
- 3.6 Planning application income (£544,700) was higher than 2020/21 but less than in most of the previous reporting periods. Although the number of planning applications received remained broadly comparable to recent years (see the table at par. 4.2 below) the income from major planning applications broadly fell compared to previous reporting periods, although the fee income was boosted by one major application for the new comprehensive school at Abergavenny (£120k). This has inevitably been the result of the impact of the riverine phosphate constraint in settlements like Abergavenny and Monmouth (this is discussed in later sections of this Report) as well as the late stage of the lifecycle of the LDP. Fee projection work means there is likely to be substantially less application activity on housing sites over 2022/23. This is chiefly due to the lifecycle of the current LDP which is at the end of the plan period and is now under review. Delays to the review stages of the new



plan will mean there will be no new larger housing sites coming forward until post Deposit/ Examination stage, probably in 2024 at the earliest. Agreement to stop increasing the application fees each year by inflation was agreed by the Council given that the authority does not set the fees (they are set periodically by Welsh Government), they do not rise by inflation each year and fee income is dependent on economic activity which is also out of the Council's hands.

- 3.7 Research by the Welsh Government identifies that application fees recover approximately 60% of the cost of dealing with planning applications, although work is currently being undertaken by work commissioned by WG and endorsed by POSW to provide a more accurate picture of cost recovery across all Welsh planning authorities. Additional costs are incurred through the work involved in the statutory Development Plan, and via other services such as enforcement and heritage management. Increased planning application fee income is used to reduce the net cost of the service to the Council. In-year windfall extra income is used to balance the Council's budgets and offset overspend in other services. Conversely as has been the case during recent years, underspend in other services was used to offset DM's under-recovery of income, when economic and other circumstances resulted in a sudden drop in fee income. Application fee income has fluctuated significantly over recent years, and this poses a challenge for budget management going forward. Fee income is heavily influenced by the wider economy, for example house-building (which itself is affected by mortgage lending and development viability) and other funding streams (for example the feed-in tariff for renewable energy schemes).

	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
<b>Budgeted fee income</b>	£525k	£633k	£668k	£684k	£681k	£693k	£589k	£480k	£480k
<b>Actual income</b>	£584k	£664k	£560k	£430k	£653k	£666k	£494k*	£651k	

N.B. Fee income includes planning application fees, pre-application income and the discretionary fees for fast track applications. The 2019/20, 2020/21, 2021/22 figure also includes payment from Torfaen Council towards funding the joint Heritage Service.

\*This reduced level of income was then offset by a grant from WG due to the pandemic

### Staff resources

- 3.8 Staffing levels for the reporting period are shown in the chart at paragraph 3.2 above. Key changes over 2021/22 saw significant turnover of staff within the DM Team with three DM officers moving on either because of retirement or to pursue career opportunities with other organisations. In addition, a Senior DM Officer left in December 2021 as a result of a career progression with another planning authority in the region. The Enforcement Monitoring Officer changed roles in September 2021 to become one of the DM Officers. Two other DM officers were appointed from temporary trainee posts and the vacant Senior DMO post was replaced in February 2022, while a member of the Planning Support Team also left in Spring 2021 and was replaced in May 2021.

In the Heritage Team, there was a re-structure and a post for a (more junior) Heritage Officer which could not be filled was amended to a senior heritage officer's role following

job evaluation to address the scope of on-going heritage application work in the County, as well as seeking to make substantive progress with the Buildings at Risk Strategy that has been an unaddressed action within previous APRs. This senior post has now been filled in the next reporting period (2022/23). The Planning Service's long-serving part-time Tree Officer retired in December 2021 and was replaced in March 2022 by an experienced arboricultural officer also working as 0.6 FTE.

In Enforcement, an Enforcement Officer left the team in December 2021 following appointment to a more senior enforcement role in a nearby authority. This post was filled in March 2022. Prior to this, as noted above, the Team's Monitoring Officer left that role following successful appointment as a DM Officer within the Applications Team in September 2021. The Monitoring Officer post was then filled in January 2022. Owing to these gaps in appointments, significant pressure was experienced by the remaining team members and performance unsurprisingly dropped off. Improvements are anticipated in the next reporting period now that the team is fully staffed.

- 3.9 For the reporting period, sickness levels were relatively low, although one member of the Applications team was absent for a lengthy period following a family bereavement. The pandemic did have an impact on the capacity of officers in previous reporting periods and certainly over 2021/22 there have been notable pressures caused during the period between staff appointments – exacerbated by the relatively high turnover of staff during this period. Morale of team members had been impacted by the length of the pandemic and the sense of isolation home-working can have as well as the build-up of work as staff have left and their work has been passed onto remaining staff. It is fair to say that the recruitment of a new cohort of planners has revitalised the team, however, and has enabled the existing staff to get back on top of workloads. To tackle issues of performance and morale, managers put in place regular virtual (and now more face to face) meetings, welfare chats, counselling and a more structured approach to performance management.
- 3.10 Training and development opportunities for colleagues were almost exclusively virtual events organised by the Council itself or occasionally by the RTPi, including the Wales Planning Conference. Virtual events included a law update by FTB Chambers and the annual Welsh Enforcement Conference. In-house opportunities were provided via quarterly Development Management and Planning Policy Liaison Meetings. There is also an opportunity for DM officers to discuss individual cases and to gain advice from Countryside colleagues in relation to the phosphate constraint issue at casework management meetings held twice a week.

Five staff within DM have undertaken Institute of Leadership & Management (ILM) qualifications over the last three years, four having qualified and one is underway.

## 4.0 YOUR LOCAL STORY

### Workload

#### 4.1 Key projects during the reporting period included:

- The revised RLDP Preferred Strategy was subject to statutory public consultation and engagement for 8 weeks during July – August 2021. The Second Call for Candidate Sites commenced alongside the Preferred Strategy consultation. Approximately 450 responses were received to the Preferred Strategy consultation and approximately 150 candidate sites proposed for development were also submitted, together with 8 candidate sites for protection. Following this, the Team has been considering the consultation responses received, in particular the Welsh Government’s Planning Division response which raised some significant concerns regarding the proposed level of growth and the Strategy’s ‘general conformity’ with policies 1 and 33 of the Future Wales: The National Plan 2040. We are continuing to liaise with Welsh Government officials regarding these concerns and considering options for progressing the RLDP. A future report to Council in Autumn 2022 will present options for progressing the RLDP and will seek a Council decision on how to proceed.
- Over the reporting period there was continued remote working and use of virtual meetings stemming from changed ways of working in response to the Covid-19 pandemic. The work pattern has adapted from 100% of our staff working from home to a more hybrid arrangement with officers using collaboration space in County Hall to meet as a group on Thursdays and Support Team colleagues normally using the original space in the office to meet, scan and train colleagues. Site visits for planning applications have continued although we suspended visits for pre-application advice submissions until our resources were back to full capacity. During the pandemic we had let agents know that all applications to be submitted should be done so electronically as the office was temporarily closed and paper forms of submission could not therefore be scanned for the case officer and consultation purposes. This appears to have produced a shift to almost 100% electronic submissions. Planning Committee and the operation of the Council’s Delegation Panel has taken place virtually via Teams although in later months of 2021/22 officers and some Members returned to the office (to hold committee as a hybrid meeting).
- Continuing a joint heritage service for Monmouthshire and Blaenau Gwent Councils. This commenced in January 2019 and has provided our neighbouring authority with expert heritage advice without the need to employ its own officer or commission a consultant. MCC manages the service for BGBC via a memorandum of understanding (MOU) and provides the staff to deliver a resilient heritage service assisted by BGBC funding. A previous agreement with Torfaen CBC was terminated in December 2021 that had run for three years. The agreement ceased due to changes to the role of the MCC Heritage Manager (who took on wider responsibilities in managing a team of DM officers as well as the Heritage Team thereby reducing her time to carry out casework or to manage the relationship with TCBC) and also this was because there were funding gaps in securing a senior heritage officer’s post which was vital to make the arrangement work.
- Towards the end of the previous reporting period as a planning authority we were then faced with a new constraint of riverine phosphate pollution. Within Monmouthshire it was identified that within the River Usk 88% of the river’s water bodies failed to meet the Oequired water quality target and within the River Wye 67% failed to meet the target. As a

result of this failure NRW have issued detailed planning guidance to ensure that the environmental capacity of the rivers (which are designated special areas of conservation) do not deteriorate any further. Any proposed development within the catchment areas of the rivers that might increase phosphate levels need to clearly evidence within a planning application that the development can demonstrate phosphate neutrality or betterment in its design and/or its contribution to the water body. In most cases there will be limited capacity to connect to the public sewerage system and an alternative solution will have to be found. This requirement on drainage considerations has impacted on all development that increases the volume or concentration of wastewater. We have been working through the guidance and applying it to all new applications in those Wye and Usk catchment areas. This has sometimes delayed applications and many were on hold until the Council had developed a clear strategy for dealing with such issues. There are no easy solutions and we continue to work with a wide range of agencies including WG, NRW, Welsh Water and other authorities to find sustainable solutions to this significant environmental problem.

- Delivering our bespoke pre-application advice service for potential applicants, as well as offering pre-purchase certificates and completion certificates.
- Successfully recruiting new staff in the roles of a Development Management Officer (three posts), a Senior DM Officer, an Enforcement Monitoring Officer, an Enforcement Officer and a Planning Support Officer.
- Implementing prioritised elements of the Team’s Digital Plan to improve our processes and customer experience – including upgrades to the Idox Document Management System (DMS) and Public Access (PA).
- Securing detailed planning permissions for major development at Vinegar Hill, one of the last remaining strategic housing sites in the LDP, a significant redevelopment of floor space (10,000sq.m) at the Magor Brewery, one of the County’s biggest employers, to boost brewing production and a large extension at Llanarth Court Hospital to provide a specialist mental health unit.
- Working with a Building Preservation Trust to seek to secure the restoration of a Listed Building at Risk including a CPO.

4.2 Despite the slightly lower activity at the beginning of the pandemic, application caseload has recovered to reflect pre-pandemic levels of activity while the number of applications determined increased by almost 22% compared to the previous year as officer capacity recovered after the pandemic and as a result of the recruitment of new staff. The percentage of applications determined within agreed timescales, although above the 80% WG target, fell by 10% compared to 2020/21. This was because of the impact of gaps in staff resources, consultee replies taking longer to return (also due to staffing issues) as well as the phosphate pollution issue that led to protracted delays while drainage issues were assessed and as policy advice was developed by NRW. The proportion of approvals remained high at 97%. During 2021-22, 97% of applications were determined under delegated powers (Wales’s average in 2018/19 was 93%).

	<b>2013 -14</b>	<b>2014 -15</b>	<b>2015 -16</b>	<b>2016 -17</b>	<b>2017 -18</b>	<b>2018 -19</b>	<b>2019 -20</b>	<b>2020 -21</b>	<b>2021- 22</b>
<b>Applications received</b>	983	1173	1284	1117	1188	1126	1134	1126	1154

<b>Applications determined</b>	852	1053	1085	1087	1071	1101	1106	947	1152
<b>% within 8 weeks or agreed timescale</b>	70%	76%	79%	90%	91%	88%	91%	91%	81%
<b>% applications approved</b>	93%	95%	95%	96%	95%	95%	97%	97%	97%

4.3 A key area of work over the last four to five years has been the development of new, bespoke services. The most popular of these has been the Fast Track services for householder applications, lawful development certificates (LDCs) (existing and proposed) and listed building consent. Unfortunately due to the Covid pandemic we had to suspend the Fast Track services as there was firstly a need to work at home and not visit sites during the lockdowns and secondly, there was a lack of officer capacity to deliver the shorter timescales associated with the Fast Track services due initially to the impact of the pandemic and then later because of pressures caused by vacancies in the Applications and Heritage Teams. We intend to reintroduce the Fast Track services over the next reporting period following a successful recruitment drive. A summary of the current system as well as other bespoke services we offer is set out below.

4.4.1 The Fast Track service accelerates the administration and processing of the application for a small additional charge (currently set at £85). The offer is that Fast track applications are determined within 28 days following the submission of a valid application. This decision period varies for fast track applications for a certificate of lawfulness (10 days) and applications for listed building consent (35 days). A valid application is defined as outlined within Welsh Government Circular 002/12. In the unlikely event of not being able to achieve this target or agree a short extension of time (no more than 5 working days) we will refund the fast track service fee.

4.4.2 The *pre-purchase certificate* is a discretionary service aimed at people looking to buy a property in Monmouthshire. The application would provide the applicant with i) a planning history search; ii) details of planning permissions; iii) listed building consents and iv) enforcement history relating to identified breaches of planning control (this would not relate to unsubstantiated complaints). This service would include a site visit and identify whether there are any breaches of planning control and whether or not any breaches would be enforceable. The certificate confirms that any approved development at the site, up to the point of the request, has been carried out in accordance with approved plans and that there is no breach of planning control at the site. The fee for this service is currently £256 and we aim to provide a written response within 28 days. This service looks at compliance with all types of planning permissions including listed building consent: it does not provide a substitute to lawful development certificates.

4.4.3 The other discretionary service we offer we provide is a *certificate of completion*. The certificate will indicate whether or not the planning permission and/or Listed Building Consent applied for has been carried out in accordance with the approved plans, and also it would confirm the status of all planning conditions and any approved amendments if applicable. The purpose of this service is to offer support to applicants, agents or any other interested party that the works are appropriate and acceptable once they have been built. If there is an issue of noncompliance

this will be brought to the applicant’s attention and an opportunity provided for the breach of planning control to be rectified. The service includes a site inspection and desk based research and investigation. The fee for this service is £205 for each application number requiring a certificate and we will aim to provide a written response within 28 days. Where an application for listed building consent and a planning application were required for the same development, they will be treated as one application.

4.5 These discretionary services have been in place since 1st July 2017 (they were rolled out slowly and then gathered pace until the pandemic when lockdowns, restrictions and home-working meant the pressure on staff time needed a response; priorities were put on applications and pre-application advice so the fast track service was suspended). The below table outlines the take up of these services and the amount of income that the additional services have generated. **As stated above, owing to the impact of the pandemic on officer capacity, these discretionary services were suspended from March 2020 to enable officers to focus on the core service work of processing planning and related applications.** Once the backlog of applications eases (caused by reduced capacity during the pandemic and post pandemic period) we will seek to increase the uptake of these services with wider marketing.

Type of service	Number of applications/enquiries complete 01/04/18 to 31/03/19	Income generated*	Number of applications/enquiries complete 01/04/2019 to 31/03/20	Income generated*
Fast Track householder applications	47 (9 refunds due to a range of issues, but mainly because the number of objections led to the need for the application to be presented to the Council’s Delegation Panel rather than be officer delegated)	£3230  (This figures excludes the refunded amount)	46	£3485
Fast Track certificate of lawful development	Existing - 0 Proposed – 4	£760	1	£285
Pre purchase certificates	6	£1080	5	£1050
Completion certificates	2	£240	1	£250
Fast Track listed building applications	13	£1925 (Included 6 refunds as applications were too complex to be determined in 35 days)	5	£1375

Total		<b>£7, 235</b>	<b>£6,778</b>

\*Beyond the standard fee for a householder or other planning application

4.6 In relation to enforcement workload, significant changes to the performance indicator definition were made over recent years, changing what is measured as an enforcement case and the definition of when a case is 'resolved'. While 2018/19 saw a decline in performance against the revised WG measures, the appointment of a new manager in the Enforcement Team midway through 2018/19 saw an encouraging improvement in the team's performance following a fundamental review of its work practices. This intervention had enabled the measures to move from Poor to Fair. More recently, the team were significantly hampered throughout the current reporting period initially by the loss of a member of staff due to sickness and then by vacancies in two posts due to those officers leaving for new roles either within the wider DM team or in a neighbouring authority. Thus performance declined and is now regarded as in need of improvement against the relevant measures. On a more positive note the team is now fully staffed and we are confident that the performance against the two national measures will improve over the next reporting period. Action 3 for this priority area is therefore retained to seek sustainable improvement. The improvement within the enforcement team is already being realised from the now fully resourced team and improvements to internal processes. Within the last quarter (July -September 2022) the percentage of enforcement cases investigated within 84 days was 74.3% which would result in an amber (fair) rating rather than the 21/22 red improve rating.

#### **Annual Monitoring Report**

4.7 The Council adopted its Local Development Plan in February 2014 and our seventh LDP Annual Monitoring Report (AMR) was submitted in October 2021 to cover the 2020-21 period. Previous AMRs identified that although good progress had been made in implementing many of the Plan's policies and that overall the strategy remained sound, a number of key housing provision policy targets were not being met which indicated that these policies were not functioning as intended. The continued lack of a 5 year housing land supply remained a matter of concern that needed to be addressed if the Plan's housing requirements are to be met. The third AMR recommended an early review of the LDP was necessary because of the housing land supply shortfall. A full review of the LDP commenced during 2017 which culminated with the publication of the Final Review Report in March 2018. The report concluded that the LDP should be revised and that this should take the form of a full revision procedure, i.e. a replacement LDP. It also concluded that the Monmouthshire LDP should be revised on an individual basis, rather than jointly with adjacent Local Planning Authorities. Work on this project is ongoing and is described in full in the latest AMR (2021/22).

4.8 As at March 2022, the status of the strategic sites is as follows (more detailed information is available in the Council's 2021-22 AMR):

##### **4.9.1 Deri Farm, Abergavenny (SAH1):**

Persimmon Homes submitted a full application (DC/2014/01360) for 250 residential units (201 market and 49 affordable dwellings) in November 2014. The progress of the application was slower than anticipated due to significant issues relating to site viability, particularly affordable housing

provision and the undergrounding of overhead power lines. However, these issues were subsequently resolved, the application was approved in the 2017/ 2018 monitoring period and 234 dwellings have been completed to date.

The housing trajectory prepared in consultation with the Housing Stakeholder Group shows that the site delivered 234 dwellings within the Plan period with all dwellings expected to be completed by the end of the next monitoring period.

#### **4.9.2 Crick Road, Portskewett (SAH2):**

In the 2018/19 monitoring period Monmouthshire County Council and Melin Homes submitted a joint outline application (DM/2018/00696) for 291 residential units (218 market and 73 affordable units), this was granted permission in March 2019. During the 2019/20 monitoring period a reserved matters application (DM/2019/01041) for 269 residential units was approved (201 market and 68 affordable units). This was below the target number of units for the site (285) in the LDP. The drop in density of the site was driven by changes to the proposed house types and by positive improvements to the design of the site. These improvements include Green Infrastructure that forms the north-south axis of the site, the ecological implications of a badger sett on the site which led to greater protected open space, whilst the highway requirements resulted in safer, more accessible links. Policy SAH2 allocates 1 hectare of B1, which has been replaced with a care home which will provide up to 32 beds on the area outlined for employment use. This was subject to a separate planning application, DM/2019/01629, which was granted permission on 26 February 2020. The acceptance of this loss has previously been justified in relation to the outline permission which was approved in an earlier monitoring period. Whilst not strictly B1 employment a care home represents a form of employment and would result in job creation on the site.

The housing trajectory prepared in consultation with the Housing Stakeholder Group shows that the site has not delivered any dwellings within the Plan period. The first completions on site are expected in 2023/24.

#### **4.9.3 Fairfield Mabey, Chepstow (SAH3):**

The landowner submitted an outline application (DC/2014/01290) in October 2014 for up to 600 residential units (350 to be delivered within the Plan period), commercial space including offices and workshops (Use Class B1), small scale retail/food and drink floorspace (Use Classes A1 and A3) and multi-functional green and blue open space. Progress with the application was slower than anticipated due to various matters, including highways issues (Welsh Government Highways Division had a holding objection on the application for 18 months). However, the outstanding issues were then resolved and the site gained outline planning permission for 450 units (432 market and approximately 18 affordable units on 1.5 acres of the site) in November 2017. The outline application at the Fairfield Mabey site reduced the employment provision from 2.8ha to 0.65ha of B1 land. A Reserved Matters Application (DM/2019/00001) was approved during the 2019/20 monitoring period for 347 units. The application was for the market housing element of the site and did not include the land identified for affordable housing or employment land; the affordable housing element of the site (26 units) was the subject of a separate application for which Reserved Matters was permitted during the last monitoring period (DM/2019/01960(RM)). Work on the site began during the previous monitoring period with 106 completions during the Plan period.



The housing trajectory prepared in consultation with the Housing Stakeholder Group expects the site to deliver the remaining dwellings on the site by 2024/25.

#### **4.9.4 Wonastow Road, Monmouth (SAH4):**

Outline permission was granted for up to 370 dwellings and 6.5ha of employment land in December 2014. The site developers (Barratt/David Wilson and Taylor Wimpey) submitted a Reserved Matters application (DC/2015/00392) for 340 units (238 market and 102 affordable units) which was granted permission in November 2015. The site was completed during the last monitoring period.

The overall LDP site allocation is for a total of 450 units. The additional units relating to this allocation are to be delivered as an extension to the site at Drewen Farm. An application for this element of the site has not yet been submitted.

#### **4.9.5 Rockfield Farm, Undy (SAH5):**

This site is allocated for 270 residential units and 2ha of serviced land for business and industrial use in the adopted LDP. An outline planning application was submitted in July 2016 (DC/2016/00883) for 266 units and 5,575 sq. m of employment land (B1 use). For the purposes of the AMR, 265 units (198 market and 67 affordable units) are recorded as a net gain, the existing farmhouse has a residential use and is being demolished so has been taken off the overall figure. Progress with the site has been slower than anticipated due to various issues, including archaeology. These issues have, however, been resolved and the outline application was approved in March 2018. A Reserved Matters application (DM/2018/01606) was granted planning permission for phase 1 of the site in February 2019 for 144 residential units. The site is currently under construction with 106 dwellings completed to date.

The housing trajectory prepared in consultation with the Housing Stakeholder Group shows the site to have delivered 106 dwellings within the Plan period. The remaining dwellings for phase 1 of the site are expected to be completed by 2022/23. Phase 2 is expected to be completed by 2026/27.

#### **4.9.6 Land at Vinegar Hill, Undy (SAH6):**

This site for 225 residential units is linked to the adjacent Rockfield Farm site and was expected to progress in tandem. Whilst initial progress on the site has been slow, MCC successfully bid during the current monitoring period for CCR funding to support the delivery of the site. This will enable a fully planning policy compliant scheme to be delivered despite viability pressures which had resulted in the site not coming forward. A hybrid application has been submitted on this site (DM/2019/01937 – November 2019) for two parcels of land for up to 155 dwellings with associated open space and infrastructure. A full planning consent is being sought for 72 dwellings on parcel A with an outline planning consent being sought for parcel B with all matters reserved except for access. Whilst allocated for 225 dwellings in the Adopted LDP the site is only proposed to come forward for up to 155 dwellings as the landowner does not wish for a parcel of land to be brought forward. The site received planning permission subject to the signing of a S106 Agreement on 16 June 2022 so will be recorded as a permission during the next monitoring period.

The housing trajectory prepared in consultation with the Housing Stakeholder Group does not expect the site to deliver any dwellings within the Plan period. The first completions on site are expected in 2023/24.

#### **4.9.7 Former Paper Mill, Sudbrook (SAH7):**

A full planning application (DC/2015/01184) was submitted by Harrow Estates (Redrow confirmed as the developer) in October 2015 for 212 residential units (192 market and 20 affordable units). There had been a number of site viability issues associated with this application meaning that progress with the application has been slower than anticipated. However, these issues were subsequently resolved and the application was approved in the 2016/17 monitoring period (November 2016). Following a re-plan of part of the site the number of residential units on the site was decreased to 210. The site is currently under construction, with 165 dwellings completed during the Plan period.

The housing trajectory prepared in consultation with the Housing Stakeholder Group shows that the site delivered 165 dwellings within the Plan period. The remaining dwellings are expected to be completed by 2023/24.

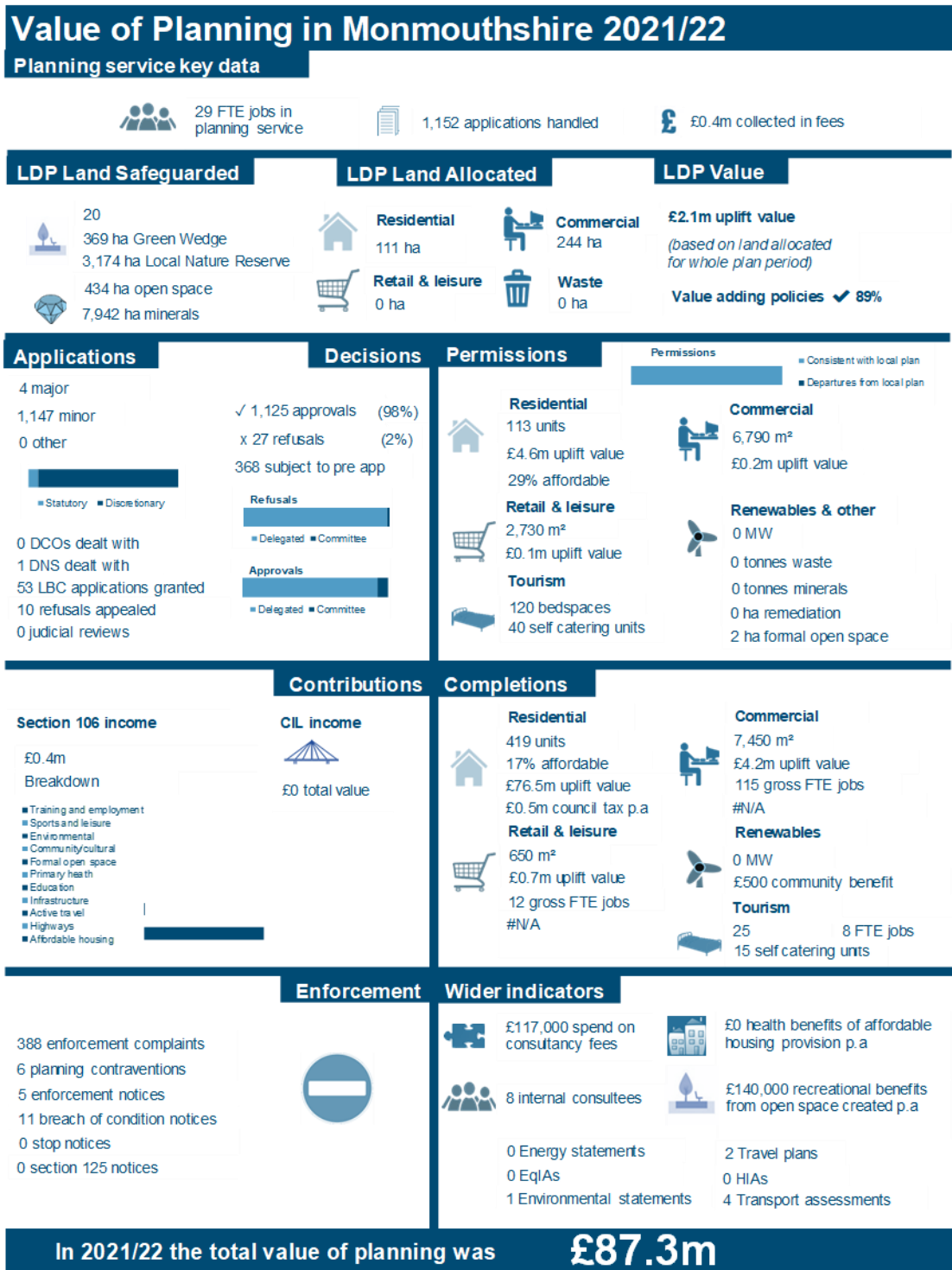
4.10 The AMR highlights issues surrounding the delivery of affordable housing, and developers continue to raise viability issues on some of the strategic housing sites above. This is a Wales-wide issue. The Council's approach to viability debates has now been established, and the links between a project management approach to these applications with LDP delivery are understood.

4.11 In October 2015 the Council's Economy and Development Select Committee scrutinised the LDP's impact on enabling tourism-related development. As stated above, the tourism industry forms a key part of the County's economy and links directly to what makes Monmouthshire distinctive. This scrutiny identified a need to produce Supplementary Planning Guidance to clarify for customers and officers how the LDP supports different types of tourism development, and also identified a need for future revisions to the policy to allow greater flexibility for agricultural diversification for tourism purposes. The SPG was adopted in November 2017 and is now widely used by DM officers to consider proposals for sustainable rural tourism. The AMR shows that the clarity provided by the SPG has had a positive impact on tourism-related proposals coming forward and being approved.

### **Value of Planning**

4.13 RTPI Cymru has published a new toolkit which measures the value generated by a local authority planning service. The tool has been developed to capture the economic, social and environmental value at a local planning authority level across Wales. The tool and its 'Value Dashboard' have been designed to provide RTPI Cymru and the Welsh Government with a platform to demonstrate to local authorities, national policy makers, the private sector, researchers and other broader policy and media audiences, the value planning contributes and how planning is positively contributing to Wales' seven well-being goals. The data has been updated to reflect planning permissions and completions in the current reporting period, 2021/22. The toolkit has been a very useful means of promoting the good work undertaken by the department that is often taken for granted. Over this period, the toolkit concludes that the service has contributed £87.3M to the local economy by the allocation of sites in the LDP, the safeguarding of land, the granting and implementation of planning permissions, the operation of its enforcement function and the securing of planning obligations. We aim to update this for the

ensuing reporting periods. The 'Dashboard' data summarises the Planning Service's contribution below (this compared to £87.3M in 2020/21):



SOURCES: Planning function outputs (LPA survey), Land and property value data (JLL estimates), business rates valuations (Valuation Office Agency), employment densities (English Homes & Communities Agency), Council tax rates (Stats Wales), Health benefits from Affordable Housing (Department for Communities and Local Government Appraisal Guide, based on various studies outlined in appraisal databook), Community benefit from renewables (Renewables UK Cymru). Some of the calculations require high level assumptions to convert between units/m2/ha. Where possible, benchmarks have been employed otherwise reasonable assumptions have been used. Business rate, council tax and gross FTE job estimates based on assumption of 100% occupancy and do not factor in any displacement. Numbers of applications and decisions are unlikely to match up as these can take place in different financial years for any given application. 'Value adding policies' refers to the proportion of policies the team has identified as adding 'intangible value' that are included in local plans. Approvals and refusals do not sum to 100% due to applications carry across years. The total value of planning only incorporates some of the metrics presented in the dashboard.



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## Service Plan priorities for 2021-22

4.14 The Service Plan for the Planning Service identified the following priority actions:

- Work on the RLDP continued in accordance with the Delivery Agreement (second revision October 2020), and included:  
The RLDP Preferred Strategy was subject to statutory public consultation/engagement for an 8-week period (5<sup>th</sup> July- 31<sup>st</sup> August 2021). The ISA and HRA were also subject to public consultation/engagement.  
Engagement/consultation took place via:
  - Notifying all parties on the RLDP database of the consultation.
  - Attendance at Area Cluster meeting during August 2021.
  - A Members' Workshop in June 2021 (hosted by the Economy & Development Select Committee);
  - Scrutiny by Economy & Development Select Committee in July 2021.
  - Internal discussions within the Council through an officer workshop, Department Management Team and Senior Leadership Team.
  - Two virtual consultation events during July 2021.
  - Seven Drop-in Sessions throughout the County during July-August 2021.Continued regional working and joint working with neighbouring local planning authorities, as well as continued Member engagement on RLDP progress, including via Cabinet Member Briefings and RLDP all Member Workshops.
- Approximately 450 responses were received to the Preferred Strategy consultation. Welsh Government's response to the revised RLDP Preferred Strategy set out an objection regarding the Strategy's 'general conformity' with policies 1 and 33 of Future Wales the National Plan 2040. WG seek to prescribe a maximum growth level that is well below the level set out in the Preferred Strategy. This prescribed level of growth would fail to meet the local evidence-based key issues and objectives including affordable housing delivery, economic growth/prosperity and rebalancing our demography to ensure our communities are socially and economically sustainable. This intervention will also impact on timescales for the preparation of the RLDP. It also increases the likelihood of a legal challenge being brought when the Plan is adopted. The implications of the WG letter will be considered by the Economy and Development Select Committee and a future report to Council will present options for progressing the RLDP and will seek a Council decision on how to proceed.
- The Second Call for Candidate Sites commenced alongside the Preferred Strategy consultation. A range of guidance notes were prepared and published alongside the second call for sites, including tackling climate change, viability and housing mix. Approximately 150 candidate sites proposed for development have been submitted, together with 8 candidate sites for protection.
- Level 1 and Level 2 candidate site advice meetings continued to discuss potential candidate sites. 19 meetings were held during Q2, generating an income of £13,830.
- The Development Viability Model (DVM) was made available to candidate site promoters for a fee which covered the release of the DVM and a high-level review of the submission by Planning Policy Officers. The DVM is an appropriate tool for submitting required viability

assessments in support of the RLDP Second Call for Candidate Site submissions. A total of 63 DVMs were released to site promoters in Q2, generating an income of £38,856.

- Continued Member engagement on RLDP progress, including via Cabinet Member Briefings and RLDP all Member Workshop in relation to the updated Local Transport Plan.
- Provision of evidence of the County's housing land supply, retail data and employment land take up. This provides data to inform the LDP Annual Monitoring Report (AMR) and RLDP.
- Regular attendance to ensure that MCC's policies and interests are effectively represented at regional fora, including SEWSPG and Pathfinders. This includes participation in the SDP Task & Finish Group meetings.
- Upgrade the Idox Uniform planning application data base software system and public access module to ensure system resilience and better functionality for system users
- Implement elements of the Team's digital plan for the future of the whole team. A key element of this work involves the digitising of woodland and tree preservation order information to help customers self-serve and reduce the significant demand on the Planning Service's Tree Officer, the daily Duty Officer and Support staff; this is on-going with the Council's GIS Team and while some background work has taken place this has been hampered by resources; this is a substantial element of work and this will run into the next two reporting periods.
- Review the pre-application advice service to verify it is adding value, reducing waste and that it is valued by customers. This has been carried out although it is proving difficult to obtain customer feedback due to a lack of responses. Of the small proportion returned we understand that the general consensus is that the bespoke service is regarded as 'good' although it can be a little slow; it is regarded favourably compared to many other LPA's services. In terms of officer feedback, they consider that the Uniform Enterprise task works well to prompt them to carry out a task but that it can be challenging to get other internal departments to a meeting. The review has involved the introduction of an online form to enable customers to request pre-application advice. We also reviewed the charges to more accurately and fairly reflect the time taken to do the work. This has led to an increase in the fee for pre-application advice we charge at Level 2 which now better reflects the statutory service (even though the latter does not involve a meeting with the applicant). The charges were going to be increased from 3 August 2020 but this was delayed owing to the Covid-19 pandemic and were introduced when bespoke services were restarted in Spring 2021. We also introduced a small charge for non-starters which always involve some work but were previously returned without a charge.
- Prepare the 7th LDP Annual Monitoring Report (AMR) and Annual Performance Report (APR). These were sent to WG in October 2021 and published online.
- Continue the systematic improvement of the processes of the Planning Enforcement team. While significant improvement had been made, performance has declined and it remains an action in the current APR. Progress on this was inevitably affected by staff resource pressures, especially given that it is a small team.
- Cross-departmental working to ensure corporate plans and activities align with the LDP. This priority is on-going, although significant steps have been taken to improve cross-departmental working relationships, including work on s106 agreements, green infrastructure and the Cardiff Capital Region.
- Develop a Buildings at Risk (BAR) strategy to manage and prioritise any interventions to enable key heritage assets to realise a sustainable use for future generations. This element

has been delayed due to staffing issues, but should be commenced during the next reporting period.

- Consolidate collaborative working arrangements with other agencies including neighbouring local authorities. This has led to joint working arrangements regarding the council's heritage service (with Torfaen Council) as well as joint working on the LDP review with Blaenau Gwent and Torfaen and for the employment evidence base there is a larger than local joint study on the Gwent footprint (including Newport and Caerphilly Councils). Managers also attend SEWSPEG and the DM regional managers' meeting to share good practice and discuss pending or recent changes in planning legislation.
- Re-commence Development Management service delivery back to standards prior to the pandemic by reinstating services which have been 'turned off' such as our fast track service, bespoke pre-application service and Planning Performance Agreements.
- Undertake a Design Tour with Planning Committee Members to assess the quality of Committee decisions and how they have translated on the ground in securing sustainable development and achieving placemaking and good design.

### **Local pressures**

4.15 Key local pressures include:

- Enabling delivery of the County's housing needs: bringing forward allocated LDP sites; site viability; achieving good planning decisions, creating sustainable communities and seeking to achieve a good level of housing growth having regard to strong demand;
- Managing the development plan and development management process having regard to the impact of riverine phosphate pollution that has affected development proposals in the central and northern parts of the County significantly;
- Ensuring full capacity of our staffing levels and to recruit promptly where vacancies arise;
- Securing timely consultation responses from consultees, both internal and external;
- The work associated with the replacement of the adopted LDP having regard to the challenging timetable for delivery;
- The need to help resource and deliver the Strategic Development Plan for SE Wales;
- Constant change caused by successive new legislation, national planning policy and procedures;
- The lack of income from major planning applications due to the gap between the implementation of the current LDP and the adoption of its successor with associated impacts on budgets to resource the service;
- Career and training support for staff in the light of limitations on budgets.

4.16 One of our key challenges is balancing our aim of creating quality places in a timely manner while ensuring schemes are viable and help deliver housing numbers. We are, however, clear that quality is more important than quantity. The introduction of a place-making emphasis in PPW is welcomed, as is its form that embraces the Well-Being of Future Generations Act.

### **Actions from our previous APR**

4.17 Our 2020/21 Annual Performance Report identified five actions:

Action 1 – Digitise information in relation to woodland / tree preservation order work to help customers self-serve and reduce the significant demand on the Planning Service’s Tree Officer, the daily Duty officer and Support staff.

Action 2 – Promote the positive aspects of new development to our citizens by publicising the contribution of essential community infrastructure provided under planning agreements attached to the planning permissions for new major developments.

Action 3 – Continue to review and make positive change to the Planning Service’s enforcement function and its processes to speed up our decision-making, ensuring we are providing a good service for our customers.

Action 4 – To develop a Buildings at Risk (BAR) strategy to manage and prioritise any interventions to enable key heritage assets to realise a sustainable use for future generations.

Action 5 – Conduct a review of the planning application process to consider how to improve the average time to determine planning applications performance indicator. The review would consist of reviewing the rationale for applications taking different time scales and it would consider any areas where the process could be amended to ensure best practice to improve customer service.

- 4.18 Action 1 has been commenced but involves significant initial sifting of the current tree information and then survey work in reassessing older tree preservation orders to verify if they are still fit for purpose or need amending/ deleting. The survey information would then be digitised and made publicly available to help customers to self-serve, reducing demand on the Tree Officer, daily duty officer and support colleagues. This will involve additional resource and potential use of consultants. The project is likely to be protracted and carried out in phases due to time and cost. This will thus be retained as a priority action for the next reporting period (and likely beyond that).
- 4.19 Action 2, publicising the contribution of essential community infrastructure provided under planning agreements associated with major planning applications, has been largely completed but its launch was delayed by the 2022 local government elections and will be concluded in the next reporting period, subject to agreement from the new administration.
- 4.20 In respect of action 3, this was instigated following a downturn in the performance of the planning enforcement function in 2018/19 and has been an action for the last two APRs. Over 2019/20 there were substantial reductions in the time taken to investigate enforcement complaints due to measures instigated by the new manager of this team including providing more of a framework for meeting milestones in the enforcement process. During 2020/21 a team structure was agreed that essentially reflected the current structure, although there is now more emphasis on the (more junior) Enforcement Officer role prioritising enforcement cases rather than assisting with (enforcement related)

planning application work. Over 2021/22 there were serious gaps in staff resources due to initially illness and then vacancies within the team – two staff members left to pursue new roles, one within the wider DM team and the other via career progression with another S-E Wales planning authority. This inevitably had a significant impact on this small team’s ability to turnaround cases and the key measurers for this team declined and are once again in need of improvement. There has been success in this reporting period to ensure the team is fully-resourced and the full establishment of three investigating officers and a manager have been in place since March 2022. There remains, however, scope for substantial improvement and this measure is retained for the next reporting period to monitor performance and verify whether the current resource is working effectively .

- 4.21 As regards Action 4, owing to reduced resource within the Heritage team (a senior officer left the team in December 2021 and there were changes to the management responsibilities of the MCC Heritage Manager which now entails significant additional management of officers dealing with planning applications) this action has been put on hold. The BAR is a significant but very important piece of work that will be commenced with the enhanced resource within the team (a new senior officer has started with the team in July 2022) in the next reporting period and will be retained as an action.
- 4.22 In respect of Action 5, carrying out a review of the planning application process to consider how to improve the average time to determine planning applications performance indicator, this is being conducted in September 2022 following a concerted recruitment programme. The previous reporting period was significantly disrupted by staff leaving (for various reasons) and there being gaps before new appointees started. The new team members needed to get established and used to our culture and method of working, as well as the becoming familiar with the area’s geography and how local policy affects our work. It was considered that this review would be more appropriate in Autumn 2022 when our new resources had bedded in and we were in a better position to address the improvement to end-to-end times for applications. Thus, this item will be retained as an action.



## 5.0 Customer Feedback

5.1 The number of formal complaints and letters offering compliments are recorded. There were 18 complaints received over 2021/22, compared to 21 during 2020/21. Several of these complaints stemmed from concerns about lack of communication from case officers during the processing of planning applications and were resolved following intervention by line managers and subsequently improved dialogue with the applicant. There was also a willingness for applicants to become more tolerant once they understood the team's situation in respect of on-going vacancies and delays caused in waiting for consultation responses from key consultees. Other complaints related to a concern about lack of enforcement in respect of construction management at a large housing site and two other sites where enforcement action was not taken as quickly as the community had wanted or because it would not have been expedient to do so.

Planning is a contentious area dealing with access to land and changes to property values. It will always be the subject of complaint from third parties who are dissatisfied with a decision. This measure needs to be taken in context and the number of justified complaints is arguably a more pertinent measure. We do however aim to treat all customers with care and respect and to communicate clearly with the public so that they understand what the relevant planning issues are when we make decisions. There is always a degree of subjectivity so there will inevitably be disagreement about the weight given to the respective issues in the planning decision.

Notwithstanding the relatively high number of complaints, none of the twenty-one complaints were deemed to be justified. As far as enforcement of planning control is concerned, there is often a misunderstanding within the community about the scope for enforcement action by a planning authority or an appreciation of the length of time it takes to remedy a breach of planning control. The team, that was also hampered by reduced staffing levels over this period, will continue to engage with our communities to ensure there is improved dialogue and clearer understanding of both the justification for action or the speed it takes. This ties in with Action 3 of the Action Plan.

We received four recorded compliments over 2021/22.

	2013/ 14	2014/ 15	2015/ 16	2016/ 17	2017 /18	2018/ 19	2019/20	2020/ 21	2021/ 22
Number of Stage 1 formal complaints received	17	9	5	5	4	14	13	21	18
Number of Stage 2 formal complaints investigations received	11	5	2	2	1	4	2	2	6
Number of Stage 2 complaints	4 partiall	3 partiall	0 upheld	0 upheld	0 uphe ld	3 partiall	2 elements of the	2 partiall	0 upheld

upheld or partially upheld	y upheld	y upheld				y upheld	complaints partially upheld	y upheld	
Number of Ombudsman complaints upheld or partially upheld	1 partially upheld	0	0	0	1 upheld	0	0	0	0
Number of compliments received	3	4	2	9	2	6	6	4	4

5.2 Quality customer service continues to be a service and organisation priority so the momentum and desire to improve remain.

## 6.0 OUR PERFORMANCE 2021-22

- 6.1 This section details our performance in 2021-22. It considers both the Planning Performance Framework indicators and other available data to help paint a comprehensive picture of performance. Where appropriate we make comparisons between our performance and the all-Wales picture, although the absence of data for 2019/20 – 2021/22 from WG means we have to compare performance to the Welsh average over 2018/19.
- 6.2 Performance is analysed across the five key aspects of planning service delivery as set out in the Planning Performance Framework:
- Plan making (this aspect is not covered in this APR as the information is more than adequately analysed in the latest LDP Annual Monitoring Report);
  - Efficiency;
  - Quality;
  - Engagement; and
  - Enforcement.

### Plan making

- 6.3 As at 31 March 2022, we were one of 23 Welsh local planning authorities (LPAs) that had a current development plan in place. We are proposing to submit an Annual Monitoring Report in October 2022. This document has been prepared and is being submitted to Welsh Government by 31<sup>st</sup> October 2022. Issues on the performance of the Plan are discussed in detail in that document and are not repeated here. The replacement of the Plan was commenced in 2018.

### Efficiency

- 6.4 In 2021/22 we determined 1152 planning applications, each taking, on average, 106 days to determine. This compares to 947 applications during 2020/21 being determined at an average of 92 days and compares to an average of 77 days (11 weeks) across Wales (2018/19) although this was before the Covid-19 pandemic and so to some extent is an unfair comparison. As such, we determined almost 22% more applications than the previous year but took almost 20% longer. In terms of analysis, the increased output is partially explained by existing staff increasing their productivity (albeit taking longer to make decisions) and also by the additional resource that was provided at a more junior level making an impact as more applications were determined and a backlog caused by vacancies and covid was being addressed. The end-to-end time to determine applications was also increased by the phosphate pollution factors that led to a temporary hiatus on determining applications while solutions were pursued.

Having said this, previous engagement with customers and stakeholders led the Council to make the evidence-based decision that the outcome of planning applications is far more important than the speed of decision-making. Within reason, customers would prefer to continue working with us to secure an acceptable scheme and obtain planning permission, with as few pre-commencement conditions as possible than simply have a decision made within an arbitrary 8 week deadline. The impact of planning decisions is long-lived and, while it is recognised that timely decisions can assist the economy, developers and investors also seek clarity and certainty and ultimately want planning permission. Our focus is therefore on the outcome, and we seek improvements in application turnaround times via actions to improve our pre-application advice service and the information on our web pages, as well as more focussed performance management of individual case officers in the DM team (see Action 5 of this Report).

6.5 81% of all planning applications were determined within the required timescales compared to 91% the year earlier. This compared to the Welsh average of 88% for 2018/19. We also determined 66% of Listed Building Consent applications within the required timescales compared to 88% during 2020/21 and compared to the Welsh average of 75% in 2018/19. The decline in performance can be directly attributed to the considerable disruption caused by vacancies across the Applications and Heritage teams which took several months to address and any improvement will not be realised until the next reporting period.

Over the same period:

- The number of applications we received was slightly higher than the previous year in that we received 1154, compared to 1126 applications in 2020/21, an increase of 2.5%;
- The number of applications we determined increased by 22% ( 1152 applications compared to 947);
- The number and percentage of applications we approved was the same as the previous year and remained high at 97%.

### **Major applications**

6.6 We determined just four major planning applications in 2021/22, compared to nine in the previous year, reflecting the late stage of the lifecycle of the LDP and the impact of phosphate pollution issues on development activity in the central and northern parts of the County. None of these were subject to an EIA. Each major application took, on average, 116 days (16.5 weeks) to determine which was appreciably lower than the 248 day average in 2020/21. The four applications included a hybrid (outline/ full application) for one of the last strategic housing sites allocated in the current LDP at Vinegar Hill, Undy, a significant employment scheme to enhance brewery capacity at the Magor Brewery and a redevelopment to provide a new mental health unit at Llanarth Court Hospital near Abergavenny.

- 6.7 All of these major applications were determined within the required timescales, compared to 68% across Wales in 2018/19. This measure is ranked as 'good'.
- 6.8 We have consistently performed above the Welsh average on this measure since 2014/15. Our particularly strong performance for major applications is due to a combination of an effective pre-application service, and a good working relationship with customers ensuring agreement to an extension of time. We are now rolling out planning performance agreements for major applications, where applicants can opt for milestones to be agreed in the processing of their application, based on best endeavours and prioritisation of these important applications.
- 6.9 Over the same period:
- The percentage of householder applications determined within the required timescales decreased from 89% to 72%;
  - The level of approvals remained stable at 97%.
- 6.10 This decline in the percentage of householder applications determined within agreed timescales has been due to a lack of resource among the more junior staff who deal with householder and minor applications. The lack of resource was due to staff being sick and also moving on to new jobs. This was addressed by recruiting three new DM officers who started with the team in Autumn 2021. There has been an improvement in performance since then with this measure rising in the early part of the next reporting period to 93% - Q1 of 2022/23.

## Quality

- 6.11 In 2021/22, our Planning Committee made eighteen planning application decisions during the year, which equated to almost 1.5% of all planning applications determined. Across Wales just over 6% of all planning application decisions were made by planning committee in 2018/19. Unlike most Authorities, Monmouthshire has a Delegation Panel system in operation whereby most applications (but not householder applications) with between 1 and 4 objections are reviewed by a group comprising the three lead Planning Committee Members. In 2021/22 twenty applications were considered by the Delegation Panel (1.7% of all decisions). This system works effectively in reducing the number of applications referred to Committee while ensuring interested parties are reassured that their concerns have been heard and carefully reviewed before a decision is made. It was possible to keep this process running during the pandemic by using remote meeting technology.
- 6.12 Of these Committee-made decisions, 5% (1 out of 18 decisions) went against officer advice. This compared to 8% of member-made decisions across Wales in 2018/19. This equated to 0.1% of all planning application decisions going against officer advice in

Monmouthshire (0.4% across Wales). The relatively low proportion of Committee overturns is testament to an effective Member-Officer working relationship, the added value of Planning Committee visiting most sites before making a decision, and an experienced Planning Committee provided with appropriate development training.

- 6.13 The one overturned application in question related to a proposed new build detached dwelling on an infill plot in Rogiet that was refused by Members on the basis it caused unacceptable overlooking of a neighbouring dwelling and garden and that it was a poor design that failed to contribute to placemaking. The decision was not appealed.
- 6.14 In 2021/22 we received twelve appeals against our planning decisions, which equated to 1.04 appeals for every 100 applications received. This was the third lowest ratio of appeals to applications in Wales (the last comparable period was 2018/19) indicating our willingness to negotiate proposals to a positive outcome and the strength of our policy framework.
- 6.15 Of the ten appeals that were *decided* during the year, seven were dismissed. These decisions show a continued improvement compared to the period before 2017 when performance on appeals dipped to below a 50% success rate. This may reflect the greater emphasis on place-making in appeal decision-making. The proportion of appeals we receive is very low. An appeal is essentially waste in our system as well as waste to the applicant. Our pre-application advice system has been useful in deterring the submission of applications that have little chance of success.
- 6.16 During 2021/22 we had one application for costs that related to a replacement of a dwelling on a suburban site in Llanfoist with an apartment block for retirees. This application had been recommended for approval by officers but was refused by Members at committee on the basis of poor design / placemaking, harm to local residential amenity and the Blaenavon World Heritage Site (WHS). The Inspector awarded partial costs against the Council on the grounds of lack of evidence to justify the WHS reason. Ironically, the appeal was later dismissed by the Planning Inspectorate due to the issue of phosphate pollution which did not emerge as a consideration until after the appeal was lodged.

## Engagement

6.17 We are:

- one of 24 LPAs that allowed members of the public to address the Planning Committee;
- one of 22 LPAs that have an officer on duty to provide advice to members of the public, and
- one of 21 LPAs that had an online register of planning applications.

## Enforcement

- 6.18 In 2021-22 we investigated 222 enforcement cases, which equated to 2.4 per 1,000 population. This was a relatively high figure in Wales compared to pre-pandemic levels (2018/19) and was an increase of 24% compared to the previous reporting period. We investigated 55% of these enforcement cases within 84 days compared to 72% in 2020/21 but this fall in performance was explained by the reduction in available staff in this small team over large parts of the reporting period, as has been set out previously. Across Wales 77% were investigated within 84 days in 2018/19 (pre-pandemic).
- 6.19 The average time taken to pursue positive enforcement action was 250 days, which was a decline in performance compared to the previous reporting period (199 days) and is similar to the performance in 2018/19 of 232 days. This decline was to be expected given the challenges presented to this small but dedicated team because of disruption caused by vacancies within the team for a considerable period. As this measure is ranked has declined from Fair to Poor we have retained this action for the next reporting period to seek improved performance (and to test that the resources we have put in place are fit for purpose).

## 7.0 FINDINGS AND CONCLUSIONS

7.1 Based on the performance information in Section 6 and Appendix A, we can be pleased with the service we deliver. During this period:

- The proportion of major applications determined within 8 weeks or agreed timescales was excellent at 100%, and was well above the Good target of 60%;
- The proportion of all applications determined within 8 weeks or agreed timescales remained reasonable at 81% despite the impact of gaps in our staff resource as colleagues left for new opportunities and time was taken to recruit replacements;
- The proportion of applications we approved remained high at 97%;
- Of those applications that had gone through our pre-application advice service, and followed our advice 100% were approved;
- We ‘won’ seven out of ten appeals against our decisions to refuse planning permission;
- We again dealt with a large number of applications for listed building consent (61 applications) and 72% of these were determined within agreed timescales – this was despite having a reduced resource from January 2021 until the end of the reporting period;
- Enforcement performance declined but the remaining team members proved resilient in meeting demand despite the significant constraints of a temporary reduction in staff resource.

This shows that, despite a challenging workload, the effects of vacancies and issues such as phosphate pollution, our performance has been good and our pre-application advice service is effective.

7.2 A summary table of our performance can be found in Appendix A of the APR. Of the 12 ranked indicators, 6 are ranked ‘Good’, while 4 are ‘Fair’ and 2 are in ‘need of improvement’.

- The ‘fair’ results relate to i) the average time taken to determine applications (106 days) which was well below the Good target of 67 days but must be seen in the context of the major staffing pressures within the service during the reporting period and cannot be fairly compared to pre-pandemic performance, ii) the percentage of listed building consent applications determined within time periods required (72% compared to 88% previously), also explained due to reduced staffing iii) decisions taken by Members that were contrary to the officer recommendation (there was only one decision so this has to be judged in that context) as well as iv) applications for costs at Section 78 appeal upheld in the reporting period which related to that aforementioned one case that was a Member decision contrary to officer advice, as outlined above.



	Number of indicators
Welsh Government target has been set and our performance is 'good'	6
Welsh Government target has been set and our performance is 'fair'	4
Welsh Government target has been set and our performance 'needs improvement'	2

- We performed at or above the Wales average (2018/19) in 7 of the 12 comparable indicators. The indicators for which performance was below the Welsh average related to the percentage of all applications determined within time periods required, the average time taken to determine all applications in days, the percentage of listed building consent applications determined within time periods required, applications for costs at Section 78 appeal upheld and the two enforcement indicators – although it is arguably unfair to compare the performance in relation to these measures against pre-pandemic data for clear and obvious reasons. Further commentary on the performance against these measures is set out in Section 6.

### 7.3 Five actions are identified going forwards:

Action 1 – Digitise information in relation to woodland / tree preservation order work to help customers self-serve and reduce the significant demand on the Planning Service's Tree Officer, the daily Duty officer and Support staff.

Action 2 – Promote the positive aspects of new development to our citizens by publicising the contribution of essential community infrastructure provided under planning agreements attached to the planning permissions for new major developments.

Action 3 – Continue to review and make positive change to the Planning Service's enforcement function and its processes to speed up our decision-making, ensuring we are providing a good service for our customers. Digitise the enforcement notice register to help customers self-serve.

Action 4 – To develop a Buildings at Risk (BAR) strategy to manage and prioritise any interventions to enable key heritage assets to realise a sustainable use for future generations.

Action 5 – Conduct a review of the planning application process to consider how to improve the average time to determine planning applications performance indicator. The review would consist of reviewing the rationale for applications taking different time scales and it would consider any areas where the process could be amended to ensure best practice to drive out waste and improve customer service.

### **Digitising paper information, improving the experience of customers and reducing demand on officer time**

- 7.4 We still hold substantial information on tree preservation orders in the County as scanned records on the Council's network but this is not publicly accessible. Retrieving such information is time-consuming and inefficient and the lack of accessible information for the public leads to a high volume of calls and enquiries to the Council's Tree Officer (who is part time, 0.6 FTE), the daily duty officer and also the Planning Support team. Digitising this information will reduce phone calls and emails to all those officers and will free up time to carry out work of greater value to the service and customers, such as processing submissions for pre-application advice and the applications themselves. The quality of the data also needs review (for example, some of the older TPOs need reviewing as the information will be out of date), although this may be carried out once the data is in a digitised format that is easier to manage and change and a phased approach may be appropriate given the scale of the work (Action 1).

***Action 1 – Digitise information in relation to woodland / tree preservation order work to help customers self-serve and reduce the significant demand on the Planning Service's Tree Officer, the daily Duty officer and Support staff.***

We also manage and secure a substantial amount of social infrastructure when approving major developments – this includes areas of public open space, education facilities, affordable housing, sustainable transport infrastructure, ecological improvements and green infrastructure. Much of this goes unnoticed and unheralded, with many of our local communities tending to focus on more negative aspects of new development such as increased traffic or the additional pressure on local services. To improve awareness of the positive aspects of new developments that are delivered to a community we intend to improve how we promote the community infrastructure each major proposal delivers. This could be via social media as well as more conventional methods such as the Council's web pages.

***Action 2 – Promote the positive aspects of new development to our citizens by publicising the contribution of essential community infrastructure provided under planning agreements attached to the planning permissions for new major developments.***

### **Speed of resolving enforcement cases**

- 7.5 The performance of the Council's Planning Enforcement team has declined in relation to the two enforcement measures in the Performance Framework over 2021/22. There is public perception that the service has and is poorly performing. While some of this is justified given the recent staffing pressures on the team, these issues are certainly not unique to Monmouthshire, and the problem is at

least in part due to a misunderstanding of the powers available to us and/or unrealistic expectations, a matter that had been addressed in some way by the training on enforcement in recent years for community and town councillors. As a result of the pandemic and then staffing pressures, unsurprisingly performance declined over 2020-22 and there remains scope for substantial improvement. The review of the Planning Enforcement function is ongoing and has already helped to improve this team's practices and drive out waste. The action below therefore is a spin-off from previous years. A fresh element is the need to digitise the enforcement register so that the information can be downloaded, reducing the need for paper copies or customers to travel to County Hall for a copy (Action 3).

***Action 3 – Continue to review and make positive change to the Planning Service's enforcement function and its processes to speed up our decision-making, ensuring we are providing a good service for our customers. Digitise the enforcement notice register to help customers self-serve.***

### **Buildings at Risk Strategy**

- 7.6 There are competing demands on the Heritage Team and many requests from the community are received to intervene to stop the decay of several prominent listed buildings throughout the County. Officer time and financial resources are limited in this regard, but an action plan agreed by Members would help to prioritise the cases that warrant priority working and action. To this end a Buildings at Risk Strategy and action plan is proposed to be developed to manage this process more effectively and to help the communities understand the choices we make when opting to take appropriate action to save and protect such assets. The strategy would put a methodology in place for drawing out the worst buildings and then set out appropriate actions as to how these are tackled; in all likelihood there would be actions identified to address the worst 5-10 buildings at risk so it is a more manageable and transparent process.

***Action 4 – To develop a Buildings at Risk (BAR) strategy to manage and prioritise any interventions to enable key heritage assets to realise a sustainable use for future generations.***

### **Average time to determine planning applications**

- 7.7 The average time to determine planning applications has increased to 106 days within the 2021-22 period although this is, to some extent, understandable given the significant impact that firstly the pandemic (lockdowns and home schooling) and then staff shortages have had on the capacity of the team. These issues will not be unique to Monmouthshire's Planning Service. Whilst it is recognised that there is rationale behind this increase it is considered that there should be a review of the planning application process to ensure that there is a consistent approach across the team and that the system thinking principles that were adopted following the 2012-

system thinking review are still being fully implemented. Notwithstanding the impact of the staffing issues (now resolved and we are at full complement for 2022/23) it is considered that there remains scope for continued improvement. The review of planning applications is ongoing however this more detailed review will be conducted during the Autumn of 2022 when there is the capacity to critically appraise the process and ensure best practice is being implemented.

***Action 5 – Conduct a review of the planning application process to consider how to improve the average time to determine planning applications performance indicator. The review would consist of reviewing the rationale for applications taking different time scales and it would consider any areas where the process could be amended to ensure best practice to improve customer service.***

#### **Opportunities going forward:**

7.8 The following opportunities for the coming year have been identified as a result of this Annual Performance Report, our LDP, AMR and our Service Business Plans:

- In tandem with our systems thinking approach, to use Team meetings and performance reports to drill down into specific areas of workflow and identify where problems exist and why, with a targeted approach to identifying solutions;
- Continue to roll out the project management of major planning applications, where appropriate, via planning performance agreements to seek by best endeavours to ensure timely and well-managed processing of such applications, providing a good customer experience for the customer;
- To digitise the Tree information held by the Council in scanned or paper form to improve the web site experience for customers and improve customers' pathways to information (Action 1);
- To promote the positive work of the Planning Service and colleagues in other Council teams in securing much needed community infrastructure when we approve major development. This could be promoted via this document, our web site and social media (potentially through use of infographics) allowing our local communities to understand the tangible benefits of allowing new development (Action 2);
- To improve the speed with which we deal with enforcement cases via the continued systems review of the Enforcement function and via analysis of individual team members' performance (Action 3);
- To digitise the Council's enforcement register as part of the digital improvement programme to help customers self-serve (Action 3);
- To develop a Buildings At Risk Strategy to safeguard some of our most precious but vulnerable heritage assets (Action 4);
- Continue with the replacement Monmouthshire LDP because of the need to facilitate the identification/ allocation of additional housing land as well as addressing the demographic and employment challenges of the County;

- To identify, implement and/or disseminate best practice via the Planning Officers' Society for Wales or other working groups, including the Welsh Government, the WLGA and the RTPI
- Promote the value of the work carried out by the Council's Planning Service by updating the Value of Planning toolkit on an annual basis and publicising the findings in each APR.
- To support our colleagues via regular reviews and one-to-ones who have had to work agilely because of the pandemic and the reduced capacity of our offices, to ensure their well-being and mental health are resilient and their productivity remains high.
- To respond to the threat resulting from the Covid-19 pandemic to ensure our County's businesses can bounce back from the pressures caused by lockdowns and other covid measures that restricted business activity.
- To manage the threat of phosphate pollution in our two main rivers to reduce environmental damage, while finding new ways of managing this issue that will still allow sustainable development to take place in those catchment areas.

7.9 Progress will be measured via our 2022/23 Annual Performance Report, 2022/23 LDP Annual Monitoring Report, and our 2022 - 2025 Service Business Plan.

## ANNEX A - PERFORMANCE FRAMEWORK

### OVERVIEW

MEASURE for 2021/22 APR	GOOD	FAIR	IMPROVE	WALES AVERAGE 2018/19	Monmouths hire LPA 2020/21	Monmouths hire LPA 2021/22
<b>Efficiency</b>						
Percentage of "major" applications determined within time periods required	>60	50.1-59.9	<50	68	78	100
Average time taken to determine "major" applications in days	Not set	Not set	Not set	232	248	116
Percentage of all applications determined within time periods required	>80	70.1-79.9	<70	88	91	81
Average time taken to determine all applications in days	<67	67-111	112+	77	92	106
Percentage of Listed Building Consent applications determined within time periods required	80+	70.1-79.9	<70	75	88	72
<b>Quality</b>						
Percentage of Member made decisions against officer advice	<5	5-9	9+	9	6	5
Percentage of appeals dismissed	>66	55.1-65.9	<55	68	100	70
Applications for costs at Section 78 appeal upheld in the reporting period	0	1	2+	0	0	1
<b>Engagement</b>						
Does the local planning authority allow members of the public to address the Planning Committee?	Yes		No	Yes	Yes	Yes

MEASURE for 2021/22 APR	GOOD	FAIR	IMPROVE
Does the local planning authority have an officer on duty to provide advice to members of the public?	Yes		No
Does the local planning authority's web site have an online register of planning applications, which members of the public can access, track their progress (and view their content)?	Yes	Partial	No
<b>Enforcement</b>			
Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days	>80	70.1-79.9	<70
Average time taken to take positive enforcement action	<100	101-200	200+

WALES AVERAGE 2018/19	Monmouths hire LPA 2020/21	Monmouths hire LPA 2021/22
Yes	Yes	Yes
Yes	Yes	Yes
77	72	55
167	199	250

## SECTION 1 - EFFICIENCY

Indicator	05. Percentage of "major" applications determined within time periods required	
"Good"	"Fair"	"Improvement needed"
More than 60% of applications are determined within the statutory time period	Between 50% and 60% of applications are determined within the statutory time period	Less than 50% of applications are determined within the statutory time period

Authority's performance	100
<p>The team's performance improved from 78% during 2020/21 to 100%. This element of the team's performance has remained strong and has always been well above the pre-pandemic Welsh average of 67.8%. We determined 4 out of 4 major applications within agreed time periods. To prioritise resources for major planning applications, planning performance agreements will be increasingly adopted with applicants for suitable planning applications, leading to better project management of these generally more complex applications.</p>	

Indicator	06. Average time taken to determine "major" applications in days	
"Good"	"Fair"	"Improvement needed"
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority's performance	116 (no target set for this indicator)
<p>The Council's performance improved substantially under this measure compared to 248 days over 2020/21.</p> <p>There were only a small number of major applications (four) determined over this period reflecting the impact of the pandemic and the lifecycle of the LDP wherein most major housing sites have now been granted consent. The very good performance reflects the effectiveness of the Council's pre-application advice process and our determination to manage these larger projects carefully, given the economic benefits they deliver.</p> <p>This figure is much better than the pre-pandemic Welsh average of 232 days. It is worth noting that the continued use of PPAs should help the team to keep this measure at a good level of performance in future years.</p>	



Indicator	07. Percentage of all applications determined within time periods required	
"Good"	"Fair"	"Improvement needed"
More than 80% of applications are determined within the statutory time period	Between 70% and 80% of applications are determined within the statutory time period	Less than 70% of applications are determined within the statutory time period

Authority's performance	81
<p>81% of all planning applications we dealt with were determined within the required timescales, which is above the 80% threshold for the 'Good' performance ranking. This figure declined on the 2020/21 performance of 91% this is primary due to staffing pressures within the team over this period.</p> <p>This is a good level of performance having regard to the significant impact of reduced staff to carry out the work. This figure will be monitored closely during the next reporting period to ensure it returns to the level performance of previous years (90+%).</p>	

Indicator	08. Average time taken to determine all applications in days	
"Good"	"Fair"	"Improvement needed"
Less than 67 days	Between 67 and 111 days	112 days or more

Authority's performance	106 days
<p>In 2020-21 we determined 1152 planning applications (24% more than the previous year), each taking, on average, 106 days (15 weeks) to determine. This is higher than the previous year (92 days) however unsurprising given the higher number of applications determined within this year, the significant impact of resources within the team and the impact of new environmental considerations such as water quality in the rivers Wye and Usk. There were 220 applications (excluding householder and non-material minor amendment applications) that were delayed due to water quality considerations during this period, with the average time taken to determine those applications being 143 this undoubtedly has increased the average overall figure.</p> <p>The team aims to focus on outcome rather than speed, this is a fair level of performance however it is fully appreciate we needs to improve this period. We have an action (no. 5) in place to address this measure and improve end-to-end times for our customers and look at ways to improve the process for applications that need to consider water quality impacts on on the rivers Wye and Usk.</p>	

Indicator	08a. Percentage of Listed Building Consent applications determined within time periods required
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<b>“Good”</b>	<b>“Fair”</b>	<b>“Improvement needed”</b>
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

<b>Authority’s performance</b>	<b>72</b>
<p>This is the fifth year of its inclusion as an indicator and the performance has improved since its first where 67% of applications for listed building consent were determined within agreed timescales. The performance declined compared to the previous reporting period (88%) due to reduced staff capacity. This has now been addressed and by July 2022, the team was back to full capacity. The Council’s Heritage team has worked hard at improving its turnaround of listed building applications. The team of four officers (including a monitoring officer) also contributes to the pre-application advice process, the handling of appeals and provides consultation responses on planning applications in conservation areas. A similar service is also provided for Blaenau Gwent CBC. The Authority has Cadw accredited delegation arrangements for grade II* and II buildings.</p>	

## SECTION 2 - QUALITY

<b>Indicator</b>	<b>09. Percentage of Member made decisions against officer advice</b>	
<b>“Good”</b>	<b>“Fair”</b>	<b>“Improvement needed”</b>
Less than 5% of decisions	Between 5% and 9% of decisions	9% or more of decisions

<b>Authority’s performance</b>	<b>5</b>
<p>Monmouthshire’s performance shows that 5% of Committee decisions go against officer recommendation, which equated to just one planning application out of 18 determined at committee during 2021/22. This was slightly lower than the 6% figure over the previous reporting period and must be seen in the context that these are low numbers.</p> <p>This compares favourably to the 9% average in Wales over 2018/19.</p> <p>Provided that Committee decisions are based on good planning judgement and material planning considerations, overturned recommendations are a perfectly acceptable part of the planning process. The difficulty only arises where decisions are made that cannot be substantiated at appeal.</p> <p>The one overturned applications in question related to:  A proposed detached infill dwelling in Rogiet (DM/2021/00724) that was recommended for approval by officers but was refused by Members owing to the adverse impact of the proposal on the amenity of the neighbouring occupiers and the over-development of the plot that did not provide a positive response to placemaking, creating an incongruous feature in the streetscene.</p> <p>The decision was not appealed. It should be noted that all appeals are reported to committee so that Members can review and learn from such decisions.</p>	

Indicator	10. Percentage of appeals dismissed	
"Good"	"Fair"	"Improvement needed"
More than 66% (two thirds) of planning decisions are successfully defended at appeal	Between 55% and 66% of planning decisions are successfully defended at appeal	Less than 55% of planning decisions are successfully defended at appeal

Authority's performance	70
<p>This year saw a very good level of performance that saw us 'win' 7 out of the ten appeals determined over this period. Although this declined from 100% in 2020/21 that earlier performance is very difficult to replicate and 70% reflects a Good level of performance. The placemaking agenda set out in Planning Policy Wales appears to be providing a higher benchmark for appeal Inspectors' decisions which is helpful to our decision making process. The decisions are reviewed in the Planning Service's monthly Policy / DM Liaison meetings as well as at Planning Committee and detailed issues are shared and discussed.</p> <p>The proportion of appeals we deal with is low at 0.9 appeals for every 100 applications received (Welsh average was 2 appeals per 100 applications determined in 2018/19). This indicates the effectiveness of our pre-application advice service, our willingness to negotiate proposals to a positive outcome and the strength of our policy framework.</p>	

Indicator	11. Applications for costs at Section 78 appeal upheld in the reporting period	
"Good"	"Fair"	"Improvement needed"
The authority has not had costs awarded against it at appeal	The authority has had costs awarded against it in one appeal case	The authority has had costs awarded against it in two or more appeal cases

Authority's performance	1
<p>One award of costs for unreasonable behaviour was made against us this year.</p> <p>This partial award of costs related to an appeal (planning application DM/2019/01004) for new retirement apartments on the site of a large single dwelling plot in Llanfoist. While officers had recommended approval, Members resolved to refuse the application for reasons relating to:</p> <ul style="list-style-type: none"> <li>- Adverse effect on the character of the area;</li> <li>- Detrimental impact on residential amenity;</li> <li>- Harm to the setting of the Blaenavon World Heritage Site.</li> </ul> <p>The Local Member took an active part in the appeal assisted by officers. The Inspector found that the Council had not provided sufficient evidence to support the second and third reason and thus awarded a partial award of costs.</p>	

An action identified in the first APR was to report appeal decisions to Planning Committee every month for learning and discussion. This action is well established and has been welcomed by the Committee as a useful learning exercise. Committee members are also encouraged to sit in on appeal hearings or inquiries as further development training and to assist the case officer. The Council's protocol is that nominated members help to present the case where a decision is contrary to the officer recommendation.

**SECTION 3 – ENGAGEMENT**

<b>Indicator</b>	<b>12. Does the local planning authority allow members of the public to address the Planning Committee?</b>	
<b>“Good”</b>		<b>“Improvement needed”</b>
Members of the public are able to address the Planning Committee		Members of the public are not able to address the Planning Committee

<b>Authority’s performance</b>	Yes	
<p>Monmouthshire has an established and effective Public Speaking Protocol and also allows applicants, objectors, supporters and community and town councils to speak at the Delegation Panel (conducted by Teams). This has proven to be a valuable exercise in terms of making informed decisions and improved customer and community satisfaction, even if the final decision is not the one they hoped for. During 2020-22 Committee meetings continued successfully in a virtual manner due to the pandemic, and the public speaking element has been assimilated into this process through use of videos, audios or transcripts, the latter being read out by an officer, which allow continuity of participation. The meeting has developed into a ‘hybrid’ meeting (part in person/ part virtual) during later 2022.</p> <p>The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017 did not seek to control the public speaking element of a planning committee. If any future national protocol seeking consistency throughout Wales is published it is hoped it is provided as best practice guidance and does not curtail the successful delegation and public speaking systems we already employ.</p>		

<b>Indicator</b>	<b>13. Does the local planning authority have an officer on duty to provide advice to members of the public?</b>	
<b>“Good”</b>		<b>“Improvement needed”</b>
Members of the public can seek advice from a duty planning officer		There is no duty planning officer available

<b>Authority’s performance</b>	Yes	
<p>We have a duty officer available every day from 9am to 5pm and although this is resource intensive, we recognise from feedback to previous customer satisfaction surveys that this is a service that the customer values.</p>		

<b>Indicator</b>	<b>14. Does the local planning authority's web site have an online register of planning applications, which members of the public can access track their progress (and view their content)?</b>	
<b>"Good"</b>	<b>"Fair"</b>	<b>"Improvement needed"</b>
All documents are available online	Only the planning application details are available online, and access to other documents must be sought directly	No planning application information is published online

<b>Authority's performance</b>	<b>Yes</b>
<p>Our public access element allows customers to view all public documents and plans relating to applications including officer reports and decision notices, and also allows customers to comment online.</p> <p>We implemented upgrades to the back office and public access systems at the end of the reporting period which has improved the customer experience and has enabled better GDPR compliance. The automated system has allowed officers to carry out work of greater value such as determining applications for pre-application advice and planning applications.</p> <p>Navigational and functional improvements to the Idox public access module (e.g. to enable a customer to track changes to an application) were actioned during the previous reporting period.</p>	

## SECTION 5 – ENFORCEMENT

<b>Indicator</b>	<b>15. Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days</b>	
<b>“Good”</b>	<b>“Fair”</b>	<b>“Improvement needed”</b>
More than 80% of enforcement cases are investigated in 84 days	Between 70% and 80% of enforcement cases are investigated in 84 days	Less than 70% of enforcement cases are investigated in 84 days

<b>Authority’s performance</b>	<b>55</b>
<p>This had been an area of disappointing performance and compared poorly to the Welsh average of 76.3% in 2018/19 when it was 65%. The appointment of a new Area Team Manager who manages the enforcement section saw the commencement of a systems review of the enforcement function in 2018/19. This measure rose to 75% over 2019/20 and remained reasonable at 72% during 2020/21 despite the substantial challenges presented by having fewer staff resources during the reporting period (through redeployment as a result of the pandemic, family bereavement and illness).</p> <p>While key changes to working processes were put on place by December 2019, progress on this measure stalled during the reporting period due to significant changes to the team (and lengthy vacancies before posts were filled). The team returned to full capacity at the end of 2021/22 and we will monitor this measure carefully to ensure we have the right resource in place to improve our customers’ experience of this element of the service. Thus the action to closely monitor the performance of the Enforcement Team is retained for a further 12 month period.</p> <p>It should be noted that the improvement measures within the enforcement team and the team being fully resourced is having an impact and last quarter (July -September 2022) the percentage of enforcement cases investigated within 84 days was 74.3% which would result in an amber (fair) rating rather than the 21/22 red improve rating. The team will continue to work to achieve the “good rating”.</p>	

<b>Indicator</b>	<b>16. Average time taken to take positive enforcement action</b>	
<b>“Good”</b>	<b>“Fair”</b>	<b>“Improvement needed”</b>
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

<b>Authority’s performance</b>	<b>250</b>
<p>This indicator improved significantly during 2019/20 (it fell to 142 days) and was below the Welsh average of 165 days (2018/19) but declined over the pandemic period to 199 days. It is not surprising that given the considerable challenges the small enforcement team faced over</p>	



2021/22 that this end to end performance measure has declined to 250 days. The systematic review of the enforcement service will continue into the next 12 months to seek to omit waste, poor working practices and find smarter ways of working to reduce this time to a more acceptable level for our customers.

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## Monmouthshire's Scrutiny Forward Work Programme 2022-23

Performance and Overview Scrutiny Committee				
Meeting Date	Subject	Purpose of Scrutiny	Responsibility	Type of Scrutiny
7 <sup>th</sup> July 2022	<b>Forward Work Programme</b>	To discuss the process for formulating a forward work programme and agree items for future inclusion.	Hazel Ilett	Work Programming
	<b>Welsh Language Annual Monitoring Report 2021-22</b>	To scrutinise the Council's performance in complying with Welsh Language Standards.	Matthew Gatehouse	Performance Monitoring
	<b>Revenue and Capital Outturn 2021-22 Budget Monitoring Report</b>	To scrutinise the draft report and identify any areas of for future scrutiny	Jonathon Davies Peter Davies	Budget Monitoring
	<b>Monmouthshire Council Self-Assessment 2021-2022</b>	To scrutinise the Council's performance during 2021-2022 against the goals outlined in the Corporate Plan 2017-2022, agreeing any areas for future scrutiny.	Richard Jones Emma Davies Matthew Gatehouse	Performance Monitoring
<b>Joint Scrutiny with People</b> 11 <sup>th</sup> October 2022	<b>Safeguarding Performance Report</b>	To scrutinise the performance of the service area.	Jane Rodgers	Performance Monitoring
	<b>Chief Officer for Social Care and Health: Annual Report</b>	To conduct pre-decision scrutiny on the report and scrutinise the performance of the service area.	Jane Rodgers	Pre-decision Scrutiny/Performance Monitoring
	<b>Chief Officer for Education: Annual Report</b>	To conduct pre-decision scrutiny on the report and scrutinise the performance of the service area.	Will Mclean	Pre-decision Scrutiny/Performance Monitoring

## Monmouthshire's Scrutiny Forward Work Programme 2022-23

Performance and Overview Scrutiny Committee				
Meeting Date	Subject	Purpose of Scrutiny	Responsibility	Type of Scrutiny
<b>Just P&amp;O Committee items:</b>	<b>Local Development Plan annual monitoring report</b>	To scrutinise the annual monitoring report for the current adopted LDP prior to submitting to Welsh Government.	Rachel Lewis Mark Hand	Performance Monitoring
	<b>Month 4 Budget Monitoring Report</b>	Scrutiny of the Council's budgetary position (revenue and capital).	Jonathon Davies	Budget Monitoring
<b>21<sup>st</sup> November 2022  (Special Meeting)</b>	<b>Socially Responsible Procurement Strategy</b>	To conduct pre-decision scrutiny on the Strategy.	Scott James Beth Macpherson Steve Robinson Councillor Maby	Pre-decision Scrutiny
	<b>Planning Annual Performance Report</b>	Scrutiny of the annual performance report prior to submission to Welsh Government.	Phil Thomas Mark Hand	Performance Monitoring
	<b>Month 6 Budget Monitoring Report</b>	Scrutiny of the Council's budgetary position (revenue and capital).	Jonathon Davies Councillor Garrick	Budget Monitoring
<b>15<sup>th</sup> December 2022</b>	<b>Welsh Education Strategic Plan</b>	To scrutinise performance against the action plan.	Sharon Randall Smith Will Mclean	Performance Monitoring
	<b>Strategic Risk Register</b>	To agree any future risks for scrutiny.	Matthew Gatehouse	Work Programming
<b>17<sup>th</sup> January 2023</b>	<b>Public Protection 2021-22 Performance Report</b>	To review the performance of the service area.	David Jones	Performance Monitoring

## Monmouthshire's Scrutiny Forward Work Programme 2022-23

Performance and Overview Scrutiny Committee				
Meeting Date	Subject	Purpose of Scrutiny	Responsibility	Type of Scrutiny
	<b>Registration Services Annual Report 21/22</b>	To review the performance of the service area.	David Jones	Performance Monitoring
	<b>Procurement Performance Review</b>	Review of the joint working arrangements and benefits realised to date.	Scott James Beth Macpherson Steve Robinson	Performance Monitoring
<b>23<sup>rd</sup> February 2023</b>				
<b>27<sup>th</sup> April 2023</b>				

### Items for future Inclusion into the Work Programme

- **Council and community resilience:** following the impact of the pandemic.
- **Use of Reserves:** Future proofing and resilience planning as well as supporting long-term strategic priorities.
- **Recruitment and retention:** Effect on the Council's performance and ability to deliver.
- **Asset Management Strategy:** Long-term strategy for these assets where there might be a change of service provision. Workshop to seek some assurances on the focus of the asset management strategy and discuss the concept of selling or retaining assets ~ this could feed into early work on the Asset Management Strategy

### Workshops:

- Asset Management Strategy ~ Workshop to seek some assurances on the focus of the strategy and the concept of selling or retaining assets ~ this could feed into early work on the Asset Management Strategy

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# Cabinet, Council and Individual Cabinet Member Decisions (ICMD) Forward Plan

Monmouthshire County Council is required to publish a forward plan of all key decisions to be taken. Council and Cabinet items will only be considered for decision if they have been included on the planner no later than the month preceding the meeting, unless the item is considered urgent.

Committee / Decision Maker	Meeting date / Decision due	Report Title	Responsible Cabinet Member	Purpose	Author	Date item added to the planner
Council	01-Sep-25	RLDP for Adoption	Paul Griffiths - Sustainable Economy	To adopt the RLDP following receipt of the Inspector's report, making it the County's Development Plan as defined by S38(6) of the Planning and Compulsory Purchase Act 2004	Mark Hand / Rachel Lewis	23-Aug-22
Council	01-Sep-24	RLDP submission for examination	Paul Griffiths - Sustainable Economy	To endorse the submission of the Deposit RLDP to the Welsh Government for examination by an independent Inspector. By agreeing, Council will be saying it wants this document to be the adopted RLDP for Monmouthshire.	Mark Hand / Rachel Lewis	23-Aug-22
Cabinet	01-Dec-23	Adoption of Abergavenny Placemaking Plan	Paul Griffiths - Sustainable Economy	To adopt the Abergavenny Placemaking Plan, co-produced with Abergavenny Town Council, to inform future regeneration priorities and grant bids	Mark Hand / Dan Fordham	3-Oct-22

Cabinet	01-Sep-23	Local Flood Strategy	Catrin Maby	To adopt the Local Flood Strategy Plan	Mark Hand / Ross Price	4-Oct-22
Cabinet	01-Jul-23	Adoption of Magor Placemaking Plan	Paul Griffiths - Sustainable Economy	To adopt the Magor with Undy Placemaking Plan, co-produced with Magor with Undy Town Council, to inform future regeneration priorities and grant bids	Mark Hand / Dan Fordham	3-Oct-22
Cabinet	01-Jul-23	Adoption of Monmouth Placemaking Plan	Paul Griffiths - Sustainable Economy	To adopt the Monmouth Placemaking Plan, co-produced with Monmouth Town Council, to inform future regeneration priorities and grant bids	Mark Hand / Dan Fordham	3-Oct-22
Council	23-Jun-23	Standards Committee Annual Report		This report is the first annual report from the Standards Committee to Council as required by the change in law set out in the Local Government and Elections Act 2021. It has to report on the discharge of the Committee's functions for the financial year 1 Apr 22-31 Mar 23	Matt Phillips	10-Oct-22
Cabinet	07-Jun-23	2022/23 Revenue and Capital Monitoring - Month 12			Jon Davies	



Council	01-Jun-23	Standards Committee Annual Report				
Council	01-Jun-23	RLDP Preferred Strategy consultation report	Paul Griffiths - Sustainable Economy	To endorse the RLDP Preferred Strategy including any proposed changes arising from the public consultation.	Mark Hand / Rachel Lewis	3-Oct-22
ICMD	01-May-23	Highways TRO Amendment Order 10 - exception orders to national 20mph rollout	Catrin Maby - Climate Change and Environment	Agreement to make the traffic order	Mark Hand	3-Oct-22
ICMD	01-May-23	Highways TRO Amendment Order 9 - including Llantrisant 20mph village lane and 40mph through road; Llantrisant (Usk to Wentwood) 50mph??? tbc; 20mph Gilwern and surrounding villages	Catrin Maby - Climate Change and Environment	Agreement to make the traffic order	Mark Hand	3-Oct-22
ICMD	05-Apr-23	Welsh Church Fund Working Group - meeting 7 held on 9th March 2023			Dave Jarrett	
Cabinet	03-Apr-23	Road Safety Strategy	Catrin Maby	To adopt the Road Safety Strategy	Mark Hand / Paul Keeble	4-Oct-22

Council	09-Mar-23	Capital Strategy & Treasury Strategy			Jon Davies	17-May-22
Council	09-Mar-23	Final Budget Sign Off including Council Tax Resolution			Jon Davies	
Page 122 ICMD	08-Mar-23	Highways TRO Amendment Order 8 - including Monmouth Road, Raglan no right turn onto A40; resi permit parking at Exmouth Place, Chepstow and Ross Road, Abergavenny; 3T weight restriction on Old Wye Bridge Chepstow; waiting restriction on raised crossing point on Castle Street, Abergavenny; Abergavenny; parking restrictions at St Moor Gardens and Steep Street, Chepstow, Hereford Road, Monmouth; Mill Common/Pennyfarthing Lane, Magor; Church Road by Castle Inn, Caldicot; B4245 layby Magor; MUCH car park, Magor (charges and/or waiting limits tbc); parking restrictions around STJ car park; disabled person parking places on Victoria Street and Fosterville Crescent, Abergavenny	Catrin Maby - Climate Change and Environment	Agreement to make the traffic order	Mark Hand	

Cabinet	01-Mar-23	2022/23 Revenue and Capital Monitoring - Month 9			Jon Davies	17-May-22
Cabinet	01-Mar-23	2023/4 Final Revenue and Capital Budget Proposals			Jon Davies	17-May-22
Cabinet	01-Mar-23	2023/4 WCF/Trust Treasury Fund Investments			Dave Jarrett	17-May-22
Cabinet	01-Mar-23	Monmouthshire Destination Management Plan			Matthew Lewis	10-Feb-22
Cabinet	01-Feb-23	Adoption of Transforming Chepstow Masterplan	Paul Griffiths - Sustainable Economy	To adopt the Transforming Chepstow Masterplan, co-produced with Chepstow Town Council, to inform future regeneration priorities and grant bids	Mark Hand / Dan Fordham	3-Oct-22

Cabinet	01-Feb-23	Pavement Café Policy	Catrin Maby	To adopt the pavement café policy as the basis for making decisions on applications for licences	Mark Hand / Paul Keeble	4-Oct-22
Cabinet	01-Feb-23	Local Transport Plan	Catrin Maby	To adopt the Local Transport Plan	Mark Hand / Paul Keeble	4-Oct-22
Cabinet	01-Feb-23	Transforming Towns Strategic Grant regeneration priorities	Paul Griffiths - Sustainable Economy	To agree the priority projects for bids for WG Strategic grant funding to 24/25	Mark Hand / Dan Fordham	3-Oct-22
ICMD	25-Jan-23	Community Council and Police Precepts - final			Jon Davies	17-May-22
Council	19-Jan-23	Final Statement of Accounts			Peter Davies	7-May-21

Council	19-Jan-23	Council Tax Reduction Scheme			Ruth Donovan	31-May-22
Cabinet	18-Jan-23	Draft Revenue & Capital Proposals			Jon Davies	
ICMD Page 125	11-Jan-23	Highways TRO Amendment Order 7 - including 20mphs for Dingestow, Mitchel Troy and MT Common, Usk, Wye Valley Villages; make experimental 20mph areas in Tintern and Raglan permanent; B4245 60mph to 40mph between Rogiet and Undy	Catrin Maby - Climate Change and Environment	Agreement to make the traffic order	Mark Hand	3-Oct-23
Cabinet	04-Jan-23	Proposal to establish a Welsh Medium Seedling school in Monmouth		To seek cabinet approval to commence statutory consultation processes to establish a Welsh Medium seedling provision in Monmouth.	Debbie Graves	23-Sep-22
Cabinet	04-Jan-23	Review of school places in Caldicot Town		To seek cabinet approval to commence statutory consultation processes in relation to the provision of School places in Caldicot Town.	Debbie Graves	23-Sep-22

Cabinet	04-Jan-23	Socially Responsible Procurement Strategy			Scott James	22-Aug-22
ICMD	14-Dec-22	Council Tax Base report			Ruth Donovan	31-May-22
ICMD	14-Dec-22	2023/4 Community Council & Police Precepts - draft			Jon Davies	17-May-22
ICMD	14-Dec-22	Welsh Church Fund Working Group			Dave Jarrett	17-May-22
Cabinet	07-Dec-22	2022/23 Revenue and Capital Monitoring report - Month 6			Jon Davies	17-May-22

Cabinet	07-Dec-22	MCC Statement of Accounts			Jon Davies	17-May-22
Council	01-Dec-22	Procurement Strategy			Scott James	7-Sep-22
Council	01-Dec-22	Corporate Parenting Strategy			Diane Corrister	24-Aug-22
Council	01-Dec-22	RLDP Preferred Strategy	Paul Griffiths - Sustainable Economy	To seek Council endorsement of the new Preferred Strategy for eight week consultation over December and January	Mark Hand / Rachel Lewis	25-Jul-22
Council	01-Dec-22	Governance & Audit Committee Annual Report 2021/22			Andrew Wathan	18-Oct-22

Council	01-Dec-22	SACRE Terms of Reference		To consider the revised terms of reference for the Standing Advisory Council on Religion. Vales and Ethics.	Wendy Barnard	7-Oct-22
ICMD	30-Nov-22	Highways TRO Amendment Order 6 - including STJ car park charges; Wyebridge Street car park charges; enforcement of EV bays; Abergavenny bus station restrictions for HGVs, caravans, motorhomes and motorbikes; Frogmore Street, Abergavenny prohibition of driving 10am to 4pm, deliveries only 4pm to 10am	Paul Griffiths - Sustainable Economy	Agreement to make the traffic order	Mark Hand	23-Aug-22
ICMD	30-Nov-22	Highways TRO Amendment Order 5 - speed limit changes including B4245 changes to 30mph in Caldicot and Portskewett;	Paul Griffiths - Sustainable Economy		Mark Hand	3-Oct-22
ICMD	30-Nov-22	Planning Annual Performance Report (APR) Deferred to 30-Nov-22	Paul Griffiths - Sustainable Economy	To agree the planning department Annual Performance Report for submission to WG	Mark Hand Phil Thomas	3-Oct-22
Cabinet	09-Nov-22	A County of Sanctuary		To begin the process of formally applying to become a county of sanctuary for those fleeing persecution and to provide updates on the Council's ongoing support for Ukrainians and future	Matt Gatehouse	20-Sep-22



				accommodation for asylum seekers arriving in the UK		
Cabinet	09-Nov-22	Implementing Sharepoint online		To secure funding to implement the project	Sian Hayward	13-Oct-22
Cabinet	09-Nov-22	Revenue & Capital MTFP update and process			Jon Davies	17-May-22
Cabinet	09-Nov-22	MonLife Heritage Strategy (or ICMD)		DEFERRED	Matthew Lewis	10-Feb-22
Cabinet	09-Nov-22	SPF Update Report			Hannah Jones	12-Sep-22

Council	27-Oct-22	Annual Safeguarding Report			Kelly Turner	24-Aug-22
Council	27-Oct-22	RESPONSE TO URGENT NEED FOR HOUSING ACCOMMODATION		<p>To present a proposal to enable Council to respond flexibly and promptly to the urgent need for housing accommodation, to address the increasing budget deficit relating to the use of temporary accommodation</p> <p>To seek endorsement of the new Community and Corporate Plan setting out the purpose, values and priorities for the organisation along with a description of some of the things we will do to deliver against these up to March 2023</p>	Cath Fallon	10-Oct-22
Council	27-Oct-22	Community and Corporate Plan			Matt Gatehouse / Paul Matthews	3-Oct-22
Council	27-Oct-22	Outside Bodies Appointment			John Pearson	3-Oct-22
Council	27-Oct-22	Social Care & Health: Directors Report 2021/22			Jane Rodgers	6-Jul-22

ICMD	26-Oct-22	Welsh Church Fund Working Group			Dave Jarrett	14/7/22
Cabinet	19-Oct-22	Land adjacent to Caldicot Comprehensive School - Housing Development Opportunity		To seek approval of the disposal of land at Caldicot Comprehensive School for the Development of 100% affordable housing	Nick Keyse	
Cabinet	19-Oct-22	22/23 Revenue and Capital Monitoring report - Month 4			Jon Davies	17-May-22
Cabinet	19-Oct-22	Regional Partnership Board - Gwent Market Position Statement		To provide a Market Stability Report produced by the Regional Partnership Board setting out a high level overview and Assessment of care & support, and of the stability of the market for regulated services within Gwent to comply with Section 9 of the Social Services and Wellbeing (Wales) Act 2014	Phil Diamond Head of Regional Partnership Team Mark Saunders, Regional Service Manager – Regional Partnership Team	22-Sep-22

Cabinet	19-Oct-22	PSOW annual letter		Present the Public Services Ombudsman For Wales' annual report as required by the letter received Aug 22	Matt Phillips	28-Sep-22
Cabinet	19-Oct-22	Community and Corporate Plan		To seek endorsement of the new Community and Corporate Plan setting out the purpose, values and priorities for the organisation along with a description of some of the thing we will do to deliver against these up to March 2023	Matt Gatehouse / Paul Matthews	20-Sep-22
ICMD Page 132	12-Oct-22	Local Development Annual Monitoring Report (AMR)		<b>DEFERRED TO 26 OCT</b>	Rachel Lewis/Cllr Paul Griffiths	23/08/22
ICMD	12-Oct-22	Ending Library Fines		To approve the abolition of library fines on all books enabling more people to enjoy reading without the worry of incurring a fine if they are unable to return their books on time	Cheryl Haskell/Fookes?	20-Sep-22
ICMD	12-Oct-22	Welsh Church Fund Working Group		<b>DEFERRED TO 26 OCT</b>	Dave Jarrett	14/07/22

ICMD	28-Sep-22	Transport Policy			Deb Hill Howells - MG	22-Aug-22
ICMD	28-Sep-22	B4245 speed limit		DEFERRED TO 26 OCT	Mark Hand	18-Jul-22
Council	27-Sep-22	Tackling poverty and inequalities			Nick John	24-Aug-22
Council	27-Sep-22	RLDP Options Report			Rachel Lewis	25-Jul-22
Council	27-Sep-22	Rivers and Ocean			Hazel Clatworthy	9-Jun-22

Council	27-Sep-22	Monmouthshire County Council self - assessment report 2021/2			Richard Jones	23-May-22
ICMD	14-Sep-22	Welsh Church Fund Working Group - meeting 2 held on 21st July 2022 (no meeting/no report - withdrawn)			Dave Jarrett	17-May-22
Cabinet	07-Sep-22	Transport Policy Consultation Update.			Deb Hill Howells	22-Aug-22
Cabinet	07-Sep-22	Cost Of Living			Matt Phillips	25-Jul-22
ICMD	31-Aug-22	Homesearch Policy & Procedure - Amendments & Welsh Translation Requirement			Ian Bakewell	

ICMD	31-Aug-22	MY DAY, MY LIFE SERVICE EVALUTATION			Ceri York	15-Aug-22
ICMD	03-Aug-22	Additional Resources in Educations Strategy		Resources required to develop and maintain schools education systems and the implementatin of WG Ed Tech Programme	Sian Hayward	14-Jun-22
ICMD	03-Aug-22	Designation of Secondary Catchment Areas			Matthew Jones	6-Jun-22
ICMD	03-Aug-22	Welsh Church Fund Working Group - meeting 1 held on 23rd June 2022 - <b>Moved to ICMD 3rd Aug 2022</b>			Dave Jarrett	
Cabinet	27-Jul-22	Wye Valley Villages Future Improvement Plan			Mark Hand	1-Jul-22

Cabinet	27-Jul-22	Regen Three Year Programme			Mark Hand	1-Jul-22
Cabinet	27-Jul-22	Review of Chepstow High Street closure			Mark Hand	1-Jul-22
Cabinet	27-Jul-22	Home to School Transport Policy 2023-24.			Deb Hill Howells	27-Jun-22
Cabinet	27-Jul-22	MUCH (Magor & Undy Community Hall) report			Nick Keys	9-Jun-22
Cabinet	27-Jul-22	Shared Prosperity Fund Local Investment Plan and Regional Lead Authority Arrangements			Hannah Jones	23-May-22



Cabinet	27-Jul-22	Welsh Church Fund Working Group - meeting 1 held on 23rd June 2022 - <b>Moved to ICMD 3rd Aug 2022</b>			Dave Jarrett	17-May-22
Cabinet	27-Jul-22	2021/22 Revenue and Capital Monitoring outturn			Peter Davies/Jon Davies	17-Feb-22
Cabinet	27-Jul-22	Play Sufficiency Assessment and Action Plan 22/23			Matthew Lewis	10-Feb-22
Cabinet	27-Jul-22	Housing Support Programme Strategy (Homeless Strategy)			Ian Bakewell	

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## Monmouthshire Select Committee Minutes

**Meeting of Performance and Overview Scrutiny Committee held in the Council Chamber, County Hall, The Rhadyr USK on Thursday, 7th July, 2022 at 10.00 am**

### **Councillors Present**

County Councillor Alistair Neill (Chairman)  
County Councillor Tony Kear (Vice Chairman)

County Councillors: Jill Bond, Ian Chandler,  
Paul Pavia, Peter Strong, Ann Webb and  
Laura Wright

### **Officers in Attendance**

Paul Matthews, Chief Executive  
Peter Davies, Deputy Chief Executive and Chief  
Officer, Resources  
Matt Phillips, Chief Officer People and Governance  
and Monitoring Officer  
Jonathan Davies, Acting Assistant Head of Finance  
Matthew Gatehouse, Head of Policy and  
Governance  
Hazel Ilett, Scrutiny Manager  
Robert McGowan, Policy and Scrutiny Officer  
Richard Jones, Performance Manager  
Emma Davies, Performance Officer  
Nia Roberts, Welsh Language Officer  
Dave Loder, Finance Manager  
Nikki Wellington, Finance Manager

**APOLOGIES:** County Councillor Angela Sandles

#### **1. Election of Chair**

Councillor Alistair Neill was appointed as Chair.

#### **2. Chair's welcome**

The Chair welcomed committee members. In his remarks he stressed the importance of the committee's work, noting that effective scrutiny is important for a good council. He reminded members that the committee's role is to make recommendations, not decisions, and that their work should be impartial and non-partisan, to improve services and – ideally – avoid problems before they happen. The most effective scrutiny is in pre-decision making, to help the Executive in shaping good policy. The committee can amplify the public's voice in its work, and their concerns, as well as those of partners and stakeholders.

The committee will hold members to account for service delivery and risk management. Robust financial monitoring and holding the council to account on the corporate objectives outlined in its corporate plan will be fundamental. It will be important for the Chair and committee members to work effectively outside the meetings with officers, executive members, community groups and partners. The Chair will try to liaise with Cabinet members and supervise the work programme. The committee should ensure that the recommendations it reaches are balanced and accurate. Scrutiny needs to be

focussed and consistent – it is better if fewer areas done well, which needs to be considered when shaping the Forward Work Programme.

### **3. Appointment of Vice-Chair**

Nominations were received for Councillor Wright, Councillor Kear and Councillor Chandler.

Councillor Kear was appointed as Vice-Chair, following a vote.

### **4. Declarations of Interest**

There were no declarations of interest.

### **5. Public Open Forum**

No public submissions were received.

### **6. Welsh Language Annual Monitoring Report 2021-22 - To scrutinise the Council's performance in complying with Welsh Language Standards**

Matthew Gatehouse presented the report and answered the members' questions.

#### **Challenge:**

*Is staff training open to Councillors? Are there plans to return to in-person training?*

Yes, it is open to members – we want to help as many people as possible, things like lunchtime conversation classes. In September, we will probably introduce in-person opportunities, and are happy to fund courses elsewhere as well – the key thing is to get as many people speaking as possible.

*What will be put in place to deal with the overspend now and for future years?*

We have a legal duty to translate things, so we can't cut corners. There is the responsibility to operate within the budget set by Council for this area, so some effort has been made to make up for the overspend. For example, our Welsh Language Officer retired in an election year, leading to a gap in salary being paid for a period of time. Overall, the budget area will come in under budget, as demonstrated in the next agenda item.

*How is the tendering commission for translation services done? Is it up for review? Is Cardiff helping us, given our partnership arrangement? Do we do any in-house translation ourselves? Do other authorities share any translation services i.e., collaborating with those with greater provision?*

We looked at the overall commission 2.5-3 years ago – we do so regularly to ensure that our arrangements are cost-effective. We don't have in-house translation but use a stable of 6-7 translators around Wales. Our intelligence is that the rates that we are charged are very competitive, compared to the alternatives. We looked at another authority providing our translation service, but it would have been £30-40k more

expensive per year. We also asked Procurement colleagues whether there was value in going out to the market; given the size of the contract and the amount of potential savings, they felt that the contracts were not going to yield sufficient value to go out to the market. But we will keep it under constant review.

We considered bringing the service in-house partly because of the technology now available, but many of the individual businesses use software/learning tools, which enable them to keep their costs down. We don't do much in-house but there are occasional things like proofreading. For the most part though, translators can turn things around within the hour when it's urgent.

*What's the total number of staff in each service area – does it include those who haven't started learning?*

We don't have those numbers to hand, but they can be given later, and included in future reports to make them more useful to members.

*How much of the stated improvement in the last year is staff moving up in their fluency, and how much is recruitment of new staff?*

Existing staff have gained new qualifications, but a big improvement has been in the recruitment of external staff. The way technology allows us to work means that we are recruiting people from north and west Wales – people don't necessarily need to live locally. Another aspect is trying to target recruitment; for example, with home care vacancies, the Welsh Language Officer went on Radio Cymru to encourage Welsh speakers to apply. But that remains a challenge, and we are not yet where we want to be with recruitment. Because not as many have taken up courses in recent years we haven't seen the gains we would like. Key to this is advertising more jobs as 'Welsh Essential', particularly in frontline positions.

*Has anything been explored further to understand the difficulty in recruitment and retention? Is it just geographical, or is there a perception of us not taking the language seriously? Is salary a factor?*

It's not a unique challenge to Monmouthshire, which we have fed back to the Commissioner, with whom we have a very good relationship. We simply don't have huge numbers of Welsh speakers in this part of Wales. Many of the speakers come into higher level professional positions – many are high achievers and not necessarily then in frontline services. There are huge challenges in Home Care anyway, and many workers commute in from outside areas – particularly in Monmouthshire, given the house prices. Something we haven't done yet is go into Welsh language schools, to things like Careers evenings, to try to develop people from a much earlier stage. Also, growing our Welsh activity on LinkedIn and Careers websites to show that the language is encouraged here and that we have aspirations to grow its use. We are determined to try a range of tactics to make us a more attractive employer to Welsh speakers.

*If there is a request for care provision in the medium of Welsh, can we deliver it?*

Yes. We have Welsh Language Care Assistants, but don't have the numbers to hand. In a worst-case scenario where we were struggling, we would pay a market premium to bring someone in to meet a specific care need.

*Are we speaking to other authorities regarding best practices?*

We are part of the Welsh Language Officer's network, and we engage through the Welsh Local Government Association. We seek to learn from best practice. We are a smaller organisation than some others, which means we need to use resources effectively. But there are areas where organisations look to us e.g., about our translation services because our approach is very good. We do so for organisations like Citizen's Advice, too, as we can do so much more cost-effectively for them than anyone else could.

*What in-house promotion is there for staff training?*

There is, through things like Sharepoint (our Intranet site): we have a Welsh language page there, with courses published on Talent Lab. The fact that we don't have enough people doing those courses suggests that we would benefit from doing more and continuing to push them through things like the Digital Cwtch and Schmae Day. The ideas and enthusiasm that our new Welsh Language Officer has mean that there will be a big step up in promotion and activities over the coming months.

*Can the importance of attracting people to the authority be linked with the wider problem of recruiting staff to certain areas? To what extent is the requirement expressed in recruitment a deterrent to some excellent potential employees coming and working in these key roles, given the shared border with England?*

There is no easy answer to the general problem of recruiting staff. We can benefit in many ways as the gateway to Wales because we might find that Welsh speakers with jobs in Bristol and the West of England choose to stay living here and commute out. We have some really active conversation groups, and we work to support them to try to ensure that people who want to use Welsh, and are considering moving here for work, recognise that it is a healthy place for the language. We have tried to capitalise on the legacy of the Eisteddfod held in 2016 in Abergavenny, which gave the language a considerable boost in the county. But there are significant recruitment challenges that are not unique to our Welsh speakers.

*Can we be more proactive with staff and councillors by potentially having a word or phrase of the day in Welsh when they first log on to their system each morning?*

There might be limitations on popups etc. as we've tried things like that in other areas, but we will check with the digital team about what is feasible. There will be other things we can do, such as promoting apps that remind users each day to complete a learning task e.g. Duolingo.

## Chair's Summary:

Thank you for this comprehensive report. The committee concluded that the council needs to continue its efforts to recruit more Welsh speaking staff in frontline services, such as social care, acknowledging that recruitment in this sector is proving challenging nationally. The committee requested that further information on the numbers of Welsh speaking staff in individual service areas be emailed to the committee following the meeting.

## **7. Revenue Capital Outturn 2021- 2022 Budget Monitoring Report - To scrutinise the draft report and identify any areas of for future scrutiny**

Jonathan Davies presented the report and answered the members' questions with Dave Loder, Peter Davies and Nicola Wellington.

### Challenge:

*Future challenges in service delivery are highlighted. Is there a more detailed set of assessments of likely risks? What about inflationary pressures and related issues?*

Many of the risks will have been known at our budget-setting stage, when we did a full analysis of them. Some of the inflationary pressures might not have been apparent at that time; we have to respond to them quickly as they develop. Financial reporting for the following financial year will follow, with a formal Month 4 report coming to committee in September which will address some of the risks now presenting themselves. The main risks are highlighted in 3.28 and are those expected: we still see structural budget deficits related to demands on Social Care, Care Homes capacity is approaching 100%, so we are funding those placements, which we didn't have to do during the pandemic. Staffing issues in Domiciliary Care are a key feature of the service, and the external help that is being brought in to support it. Homelessness is a key area of legacy impacts – there's been a policy change from Welsh Government and there is a lot of detail still for us to work through in how to support that service.

*Underspends are as much of a concern as overspends, as it suggests that services aren't being delivered as hoped. Does 'savings' mean that we set out to save that money or are they underspends that we didn't mean to incur e.g., staff cost savings in the School Psychology Service?*

'Savings' or 'mitigations' primarily mean those that have been brought forward prior to the start of the financial year and which services have come forward with efficiencies or mitigations that can be made, shown in Table 2. The specific saving in the SPS was due to a staff vacancy. Underspends refer to what has happened during the year to the budget that was set, rather than savings or mitigations agreed at the start of the year, but the two are indeed sometimes conflated.

*What is the explanation for the large Highways underspend?*

It is comprised of two parts. The first is savings on staffing, as this area had a large number of vacancies. They are actively looking to fill those posts now. The second is the high levels of income last year, itself made up of two parts: we were able to

recharge more staff costs to capital budgets and grants, and we had an increased road closure income, not communicated to Finance until later in the year. That income doubled from what it usually is, creating a large spike in our income. It is highly unlikely that there will be a similar underspend this year.

*What does the surplus in Strategic Initiatives entail?*

Strategic Initiatives is a corporate budget that we hold; the £1m underspend is a late grant that we received from Welsh Government to support our difficulty in council tax collection during the year. It's in Strategic Initiatives to keep it separate from council tax, in order to report it transparently.

*Where we see significant variances from budgets it would be useful to have a commentary as to the resultant impact on services. Vacancies are 'why', but what has it meant and what actions were taken to mitigate the drop in service level during that period, e.g., in Highways and Flooding?*

In Appendix 1 the Director of the service looks to provide a wider commentary on the impact over the year, though not perhaps in the detail specifically asked about. The head of a service or those responsible would have a better indication of the ongoing effect that their underspend would have. Underlining features should be in the Performance reports.

For overall context, as we went through the last financial year we faced a significant overspend in the earlier months – we didn't have sight of the significant windfall grants from Welsh government that we subsequently received. We ensured that we weren't spending needlessly, sometimes holding vacancies where the impact has been assessed of doing so. Those judgements were made during the year, then the wave of grants came in. Regarding the current year 22-23, we expect a challenging position at Month 4. But when we set the budget for the current year we knew of the significant risks already mentioned and put aside reserve cover to offset some of the known risks. The issue will be the unknown risks, i.e., those emerging from the cost-of-living crisis and inflation manifesting in different ways, which might take a while to work their way through the system.

*How far advanced are schools' investment plans and how are they being enabled to realise them?*

Schools received a number of grants towards the end of the year that they have been allowed to move over into the current financial year. We have worked with the schools to produce 3-year budgets which are effectively the investment plans, ensuring that the money is spent appropriately, in line with grants and T&Cs. With all of our schools we have the current financial 22-23 budget in place, signed off by the governing body. Where a school is in deficit, we have a recovery plan in place. We monitor schools on a monthly/bi-monthly basis to ensure the plans are met.



*Do we capture the end of year data for vacancies per department across the organisation?*

The data in terms of specific vacancies is within the portfolio of our Chief Officer for People & Governance and colleagues in HR, so can be captured and made available.  
*Do you foresee maintenance support being a challenge in the next few years? Will that capacity issue hinder the realisation of those plans?*

There is a concern that capacity is an issue, in our own workforce and in contractors. It's a case of working very closely with schools to programme in when the works can be done. The Maintenance grant doesn't have to be spent by 31<sup>st</sup> March 2023 so there is time for us to work with schools to ensure that the money is spent.

*Are there plans or forecasts to cover any ongoing risk of reduced use of Spytty Park and Castle Gate?*

Those assets were affected during Covid. Welsh Government extending the use of the Covid Hardship Fund to offset those losses was laudable. Occupancy levels in Castle Gate Business Park remained very strong through the pandemic, though. Newport Leisure Park was naturally affected more, given the nature of the tenancies, but we were able to keep those tenants secure through the Hardship fund. The tenants are operating well, and we will continue to assess that through the investment committee. During the early stages of budget-setting for 22-23 there was an identified risk in CG Business Park with one of the tenants giving notice; we have expanded an existing tenant into much of that space. It is often misunderstood but these tenants contribute significant net income to the council, allowing us to sustain and deliver services.

*Is there an update on the Weighted Unexpired Lease Terms?*

That information isn't to hand, we will need to provide it later.

*What would the pandemic impacts have been if additional funding hadn't been introduced? Do we have better sight of pressure points moving forward?*

If the Hardship Fund money hadn't been forthcoming in 2020, we didn't have the reserve cover to withstand the pressures. We would have had to react with very significant changes. Wales has benefitted much more from funding into local government and the Hardship Fund than counterparts in England. We've been able to restore and replenish reserves. Without such a level from the Hardship Fund, finances would have been beyond fragile.

*There will be further waves of Covid, and future pandemics. Would it be advisable to draw together what worked, what we shouldn't have done etc. in order to be prepared for future problems?*

The emergency support structures from the Civil Contingencies Act came into play very successfully in March 2020. Matt Phillips, Chief Officer for People & Governance, holds the portfolio responsibility for Emergency Planning, which will have undertaken its own debrief, which will also have been done at Gwent and Welsh Government level. There are inquiries into Care Homes during the pandemic, which will lead to a body of

evidence of what has been learned at a local and national level. Perhaps a summary of the lessons learned could be sought from Matt Phillips.

### **Chair's Summary:**

The recommendations were moved and agreed by members. The committee requested that a breakdown of the inflationary pressures be emailed to members to assist them in gaining an understanding of the impact of inflation on the Council's budgetary position. It will be important to draw together the learning from the pandemic, particularly financial impacts that led to service impacts, to ensure we are resilient as possible for whatever lies in store.

### **8. Monmouthshire County Council Self-Assessment 2021-2022 - To scrutinise the Council's performance during 2021-2022 against the goals outlined in the Corporate Plan 2017-2022, agreeing any areas for future scrutiny**

Richard Jones presented the report and answered the members' questions with Matthew Gatehouse and Emma Davies.

### **Challenge:**

*In the work to reduce our carbon footprint and waste, is there scope for looking towards new behaviours, e.g., soaps instead of gels, emphasis on non-use rather than recycling, the understanding that plastics ultimately come from oil? Has that been considered?*

We declared a Climate Emergency and put together a related Action Plan, but the report recognises that there is more to do; we are looking towards how to achieve more with our resources. The member has given some excellent suggestions for us to follow.

*How are Area Committees doing, and what is their setup? Is there feedback from communities about how MCC is doing?*

The key thing to recognise is that they haven't been meeting recently. There have been a number of evaluations of them in recent years. Cabinet Member Fookes will commence a piece of work on public participation soon that will incorporate work with the area committees.

*Is there a difference between this version 1.0 and the 2.0 circulated for G&A committee next week?*

There haven't been major changes between 1.0 and 2.0, it is more about reflecting that this report looks back on 21-22. Finalisation of some data and evidence has continued, and some performance indicators have been updated. One significant change is the addition of timescales to action plans. The vast majority of conclusions and detail are unchanged. We can set out the changes subsequently e.g., in the report that will go to council in September. For clarity, a '.0' is used when something is in the public domain, and even a minor change can see something updated from Version 1.0 to 2.0.

*Do we capture staff feedback to understand the nuances of the collaboration between local authority, Social Care departments and Health?*

We are very proud of our record of joint working between Health and Social Care, which goes back to 2005-6. There are clearly huge challenges in this interface. Feedback is captured in the professional supervision that social workers and others have with their immediate managers, which then informs the conclusions that the Chief Officer for Social Care puts together in their annual report. There are sometimes sensitivities, and this is how we would see that information coming through. The Care Inspectorate Wales report, produced at the end of 2021, might be useful: a lot of work was done with staff and there was a lot of feedback from them noted in it.

*Do we review the questions in the Social Services user questionnaire before it is issued to ensure that we're asking the right things?*

These are national questions. The design has been informed by involvement from service areas themselves, our performance team and customer relations team. It is a long-standing survey of Adult Social Care users, giving us a rich picture of trends and changes – in suggesting any changes we have to be mindful of how that would affect our ability to monitor trends over time. There is an emphasis on how we use qualitative information to inform our performance framework as well as metrics and performance measures. All of the evidence comes together in the Chief Officer for Social Care's report, which might come to this committee in due course.

*The focus includes agreed outcomes but there is little explicitly assessing the impacts on residents and communities. Would it be a stronger assessment if this was included?*

The self-assessment is ultimately about the effect on communities. As we develop the report further, we will look at how we strengthen when we assess the delivery of a service or policy priority, specifically demonstrating the ultimate impact that it will have on the service user – and throughout the report, not just separately at the end. The second aspect is involvement i.e., the views of residents and service users via engagement etc., especially with the duty in the act to strengthen that involvement.

*Under Goal A, the rise in the percentage of Year 11 NEETs is a concern, having gone up from 0.4% to 2%. Can you comment on that?*

Yes, the rise is important, albeit a relatively small number. The Employment & Skills team has more granular detail about the children's experiences and outcomes, and are working with them to support them into education and training opportunities. They would be best placed to comment further.

*The 20mph scheme seems like the single measure in Goal C for keeping roads and areas safe? What other options might there be e.g., speed ramps, cameras, a greater enforcement of measures?*

20mph is one measure but there is a range of issues to ensure road safety. We need to consider a range of factors as to whether we've been successful. There was a lot of work previously in a task and finish group under another scrutiny committee, and a policy is going to come to the Place Committee. So, there will be the opportunity to

scrutinise some of the detail before the policy is adopted but there isn't detail to hand today.

### **Chair's Summary:**

The committee welcomes the report in terms of providing valuable context for new members and assisting the committee in the development of its forward work programme. The committee acknowledges a rise in the number of young people not in employment or education and are advised that there is a strategy in place which may be of further interest to the committee. Members advocate the need for the council to have demonstrable climate reduction plans across all services. The committee will await the development of the new Corporate Plan which will be brought to the committee for pre-decision scrutiny in due course and suggests that consideration be made as to how resident feedback and response could be built more strongly into the outcomes. The recommendations were moved and agreed.

### **9. Forward Work Programme - To consider the Forward Work Programme Report and identify areas for future scrutiny, and in doing so, to agree a draft Forward Work Programme**

The following topics were suggested by members:

- Council and Community resilience, specifically in view of the next phase of Covid or the next pandemic.
- How the new administration uses Council reserves.
- Procurement: gaining an understanding of how well the relationship with Cardiff Council is working, and its benefits (Pre-decision scrutiny of the Procurement Strategy will be undertaken at the next meeting.)
- Recruitment and retention: the effect of Covid, the challenge of vacancies, and questions of salary differentials.
- The Asset Management strategy, and ways to strengthen it.

### **Chair's Summary:**

The report is moved, and the Forward Work Programme is agreed in outline; it will be circulated following the meeting to enable members to add further suggestions. The committee agrees the agenda for its next meeting on 29<sup>th</sup> September will include Pre-decision Scrutiny of the Procurement Strategy, Scrutiny of the Chief Officer's Social Care and Health Annual Report, Budget Monitoring Month 4 and the Strategic Risk Register. The committee recognises that this may not be achieved in a single meeting and therefore agrees that the Strategic Risk Register will be received at this meeting but tabled to a future scrutiny workshop to agree future areas they wish to scrutinise in greater detail.

### **10. Next Meeting**

Thursday 29th September 2022 at 10.00am.

The meeting ended at 12.27 pm.

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# Monmouthshire Select Committee Minutes

Meeting of Joint Select Committee held at The Council Chamber, County Hall, Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 11th October, 2022 at 9.30 am

## Councillors Present

County Councillor Alistair Neill, (Chairman)  
County Councillor Tony Kear (Vice Chairman)

County Councillors: Jill Bond, Fay Bromfield, Ian Chandler, John Crook (substituting for Maria Stevens) , Christopher Edwards, David Jones, Penny Jones (substituting for Paul Pavia) Jayne McKenna, Maureen Powell, Sue Riley, Jackie Strong, Peter Strong and Laura Wright

Also in attendance County Councillors: Paul Griffiths, Deputy Leader and Cabinet Member for a Sustainable Economy, Rachel Garrick, Cabinet Member for Resources, Martyn Groucutt, Cabinet Member for Education and Tudor Thomas, Cabinet Member for Social Care, Safeguarding and Accessible Health Services

## Officers in Attendance

Peter Davies, Deputy Chief Executive and Chief Officer, Resources  
Jane Rodgers, Chief Officer for Social Care, Safeguarding and Health  
Hazel Ilett, Scrutiny Manager  
Jonathan Davies, Head of Finance  
Tyrone Stokes, Accountant  
Nikki Wellington, Finance Manager  
Mark Hand, Head of Place-making, Housing, Highways and Flood  
Rachel Lewis, Planning Policy Manager  
Diane Corrister, Head of Children's Services  
Craig O'Connor, Head of Planning

**APOLOGIES:** County Councillors Angela Sandles, Paul Pavia and Maria Stevens

### 1. Election of Chair.

Councillor Alistair Neill was elected as Chair.

### 2. Appointment of Vice-Chair.

Councillor Tony Kear was appointed as Vice-chair.

### 3. Declarations of Interest.

There were no declarations of interest.

### 4. Public Open Forum.

No public submissions were received.

**5. To confirm the following minutes:**

**Performance and Overview Scrutiny Committee dated 7th July 2022.**

*Performance and Overview Scrutiny Committee Minutes – 7<sup>th</sup> July 2022*

The minutes were confirmed as a true and accurate record. Concern was expressed regarding actions arising and the timeliness of responses received.

**People Scrutiny Committee dated 20th July 2022.**

*People Scrutiny Committee Minutes – 20<sup>th</sup> July 2022*

The minutes were confirmed as a true and accurate record.

**6. Safeguarding and Performance Report - To Scrutinise the performance of the service area.**

Jane Rodgers presented the report and answered the members' questions.

**Challenge:**

*Please can you explain what 'Thinky' training is and confirm when it will begin?*

It's a database for storing safeguarding training. We do not have a date for the roll out, but the expectation is that it will be this year.

- *With reference to Appendix 4, which reviews the previous actions outlined in the action plan, there are explanations for the delay in implementing the actions in red, however, it doesn't say when these are expected to be completed. Do you have timeframes for these?*

There were 2 red actions, the first being related to the development of the core data set, which we have moved forward into our current action plan and set a completion date for March 2023. The second red action relates to the delay in the revision of the safeguarding training strategy. This was a deliberate delay because there is a national training framework being implemented, so that needs to dovetail, the expectation being that this will be April 2023.



- *In Section 3 of the report which outlines the preventative approach, I note there are professional strategy meetings, and you refer to 63 professionals for 78 children with 33 claims being substantiated ~ this seems to be a high figure, but is this a high figure compared to previous years? I'd like to ask the same question for adult services.*

It is higher than previous years. Prior to this year, for adult services, there hasn't been a statutory duty, whereas for children's services, there was a statutory duty in place. We are continuing to use the excellence we have developed to upskill teams across multiple agencies to understand what a professional concern looks like and the process that needs to happen. For example, we have trained managers at McDonalds who meet children through their occupation, so working with partners is very important.

- *Page 27-28 refers to the Violence Against Woman, Domestic Abuse and Sexual Violence (VAWDASV) training. I'd like to know if that training is being undertaken in schools as it doesn't feature in your report.*

Yes, it is undertaken in schools.

- *Would greater spending in targeted preventative services prevent children being on child protection plans for neglect. I'm not familiar with the contracts of shared preventative services, but my concern is around safe recruitment, being aware that the shared Emergency out of hours service has some staff retirement age. Are contracts proportional to the size of the authority?*

Yes, we have a set contract that is proportionate to the size and need of the county. We are aware of the retirement of some of the staff in that service and there are clear plans in place, so we shouldn't need to rely on agency staff.

- *In terms of how we measure ourselves, in paragraph 3 of Appendix 1, there are 6 scoring levels and of the 6, 4 are described as positive. Do you think there may be a tendency towards a positive bias? Do you have any comment on that?*

Yes, quite possibly. It's a corporate scoring framework and is just one way to describe where we are, but the body of evidence is wider than that, so we wouldn't use the score in isolation. It's the analysis of information that assesses what the score should be and allows us to assess our priorities.

- *I'm not suggesting things are more negative, but I think we may want to consider how we measure ourselves to see if there is any relevance there. For example, if prevention is measured down from a level 5 to 4 and safe services is measured up from a level 3 to 4, does that reflect some diminishment in our previous focus, in that we are picking up post prevention, when problems emerge?*

I don't think that's the case. I think it's very clear in the report that we gave that measurement because of the impact of the pandemic at that time. It's a snapshot in time and where we felt we were at that point.

Cabinet Member Councillor Tudor Thomas: I do think we have been through the most difficult period of time during the pandemic which affected the ability to undertake visits in person, so it was more difficult to identify some of the issues that you may when conducting visits in person rather than by the telephone. Also, teachers who would ordinarily be able to raise concerns weren't seeing pupils in person, so I think the pandemic certainly impacted on the score we have given ourselves at that point, which is an honest reflection.

- *We're looking analysis of key strengths in this report, but why are we also not looking at key weaknesses in the same way, to ensure there isn't a positive bias?*

I accept your point, we have tried to draw out areas for improvement in our action plan. We will bear this in mind for future reports. We have been very good at identifying risks and managing those, rather than outlining our weaknesses but I accept that point.

- *Has training been adapted to take into account the cost-of-living crisis, which may cause more family breakdowns and are you adapting your training to take account of this?*

Yes, we have had to adapt our training over the years due to different factors and this latest context will need to be taken into account as it will undoubtedly place great pressure on families. The signs of family breakdown are likely to be the same, but the context different.

- *Being a new councillor, how does the performance compare to the previous year? And are you confident the measures you are putting in will ensure your continued progress?*

I think we have been on a real journey since 2016 and it's hard to say whether we have improved, but we are very flexible and we have a good regional and local approach and a comprehensive safeguarding hub. We have put tremendous effort into embedding safeguarding into all services, into everything we do as a council and I believe we have a strong infrastructure, good skills, the right culture and a lot of experience to guide us, so I think we are well placed moving forward.

Cabinet Member Councillor Tudor Thomas: In my view, it's one of the key responsibilities of the authority to safeguard vulnerable people and as a key feature in the Corporate Plan, I can see this is embedded through everything we do.

- *In relation to previous approaches to prevent escalation, do you think the school's councillor service is adequate and is it part of the curriculum to teach self-esteem and resilience? Do we have independent visitors to support young people in this way?*

Within schools and the Looked After Population, we have undertaken training on well-being and health and young people can access advocates, however, we do not have independent visitors. I will provide the committee with a written explanation to explain the position on this (Action – Diane Corrister).

- *I have concerns that the cost of petrol is affecting the provision of some of adult services. How are we going to attract people to provide important services when the cost of petrol is inhibiting?*

Cabinet Member Councillor Tudor Thomas: This is unfortunately a national issue and as a small authority with a wide geographical span, we do inevitably have to draw on people from outside the county to provide services. There isn't a simple solution to attracting people into care when other roles are better paid and less challenging, but I agree, we need to consider how we can encourage them.

### **Chairs summary:**

I'd like to offer thanks to all the services for their work during extremely challenging times and to officers for the report. The committee supports the report's recommendations.

## **7. Chief Officer for Social Care and Health: Annual Report - To conduct pre-decision scrutiny on the report and scrutinise the performance of the service area.**

Jane Rodgers presented the report and answered the members' questions.

**Challenge:**

- *Some of the language that used objectively is somewhat alarming and may need further consideration, an example being of a system that is "broken" and "in crisis" which links to a statement of "expectations of services that are shifting" and "change being the only constant". Please can you explain what is changing significantly, that is not predictable, accepting that the pandemic wasn't.*

We have a system that does feel at times in crisis, for all the reasons we are aware of such as demography and the pandemic. We have thought hard about how to solve those challenges, but the change required is to think about how we can organise ourselves from a whole system approach, re-engaging with our partners to understand practice and to determine risk in our communities. This is happening slowly, neighbourhood care networks being a new development that has been positive in developing an understanding of our communities and repurposing ourselves to do things differently. We know things are shifting but we don't know exactly how it will develop.

Cabinet Member Councillor Tudor Thomas: It's a challenging question, because the demographic in Monmouthshire is aging and that means people will need more support. The health service is under such strain and the pressure on hospitals is immense. We also have practical challenges such as recruitment, which we've spoken about.

- *What is predictable change versus unexpected change?*

Our demographic and our workforce issues are predictable to a degree, but the pandemic has brought about changes that were less predictable and we are in a different territory, trying to determine how to respond.

- *Looked after children numbers have declined whilst the number of children on the child protection register have doubled. Please can you explain potential reasons for this?*

We have had a strategy of changing the culture and practice, becoming more effective at care planning, which builds on the preventative approach, so children are staying on the register longer to seamlessly integrate them back into the community with family support services, so that's the reason for the decline in the numbers of LAC together with those higher numbers on the child protection register.

- *In terms of the future challenge, we've seen examples such as the very successful Raglan Project, where the situation required us to be creative in solving our challenges, so given that we are in a similarly difficult situation, is there a prospect doing something similarly creative?*

The question is whether we go alone or with others. I think we need to do both, working with the health board and other Gwent partners, accepting we have different challenges to our Gwent partner authorities, but we need to do it in partnership with health. I agree that we often have to find our own solutions, our Community Night Sitting Service and the Micro Carers project being key examples. We are starting to think of different ways of procuring care at home by taking a place-based approach, to put options in place that suit the community. This will require us to have a different relationship with the care provider, commissioning a different service where there is more flexibility and autonomy in the care offered, whilst providing greater security than a spot purchase contract. This direction will require us to upskill our micro carers, our direct payments, our in-house care and our procured care, but this where we are heading in trying to address the issue.

- *In terms of the data, if we are to adequately scrutinise the performance of services, we need more data, for example, rather than solely the number of children on the child protection register, we need to know how long they have been on the register and their status on the register, so I'd like to request that.*

We do collate this information so we can provide you with this following the meeting (**Action: Jane Rodgers**). In terms of what happens to children on the register, they are reviewed frequently on a multi-agency basis with the children sometimes involved in this and every 3-6 months, there is an independent review, so the review process is continuous and is robust.

- *The report refers to 89% of adults in receipt of social care being satisfied with the services they receive, however, I'm concerned that responses can be overly positive where people are reluctant to say anything negative, so how was the survey conducted?*

The adult services questionnaire is sent automatically to service users via the Council's Policy and Performance Team, so it's not a case of a service provider going through the questions with the service user. The template is a national one, but I accept your points around needing to see numbers not just percentages and I will convey that. I will provide further information on this following the meeting (**Action: Jane Rodgers**).

*The report indicates a low score in terms of the participation of service users in the design of their care packages, so what are we doing to rectify that?*

Unfortunately, the figure is lower, which is very disappointing. The reason for this is that there is so little choice currently, so people do not have a lot of choice in their care plan and are not able to make decisions about coming home or going into care, because of the challenges these services are facing.

- I note in the report that there are 2000 weekly hours of unmet care which is highly alarming. The Care Inspectorate Wales has also highlighted this. It is also very concerning that people are not being able to choose their own care plan, given the Social Services and Well-being Act champions this. What are your thoughts about the financial impact of people going into residential care as opposed to receiving care at home? Has thought been given to the social price of a person losing their independence and connection with the local community? Conversely, if a person needs residential care and cannot obtain it, there would be significant pressure placed on carers to deliver care at home.*

I agree with many of your sentiments – I feel this daily and so staff. The challenges are impacting on the choice. All we can do at the moment is continuously assess and prioritise, try to broker the right care for the person and to support carers, working with people and their families to deliver the best outcomes for them. We know people are in hospital waiting to come home, rather than going into residential care and we know it has a negative effect on people and on their carers. Our staff feel very strongly about this every single day, but the circumstances are so strained. As the chief officer, this is something I carry with me every day. I want to work preventatively with partners to change the situation and to avoid people going into hospital, to increase our options around direct care, our micro carers, doing more work to support direct payment carers to support people to live the lives they want to live in the best way we can.

Cabinet Member Councillor Tudor Thomas: It concerns me greatly, but it's a very difficult situation and there are clear fundamental issues in the care system that we cannot solve ourselves.

- *Is there an opportunity to capitalise on some of the wonderful work that was undertaken in communities during the pandemic to support people in tasks such as shopping, collecting medication, running errands and cleaning.*

Yes, there is. We have new community teams that work alongside our social care colleagues, and they work closely with the Gwent Association of Voluntary Organisations and Bridges Community Project to provide lower level support, such as shopping, making telephone contact and home calls and running errands. We have a new point of contact system, whereby people are redirected to that service rather than front line social care if appropriate.

- *I have personal experience of the difficulty in recruiting direct care by out of county providers, following a lengthy assessment process, with services since being cancelled, due to the increased fuel costs. Do you have any solutions for this?*

We do face particular challenges that are different to our colleagues in Gwent, particularly our rurality, the higher cost of living and our demographic, which makes it difficult to recruit carers who live in Monmouthshire, so many do come from Torfaen and Blaenau Gwent and the increased fuel costs, and the cost of living means they choose to take up work closer to home. There is no easy solution to this. As an authority, we do pay above living wage and we make sure any additional payment to carers from Welsh Government flow directly to carers, but this is a problem that we cannot dog ourselves out of financially, it needs a multi-faceted solution. The 'place-based' approach tries to reduce costs and time for carers in terms of travelling, by basing them in the community in which they live.

- *Recognising that the current economic challenges may mean some people may not occupy the same roles in coming months, is there potentially an opportunity to recruit people into social care?*

Yes, you are correct we look at any and every opportunity to attract and recruit staff.

*What are the contingency plans within the services to ensure we don't lose essential skills and experience through people retiring?*

I accept your concerns; we are very aware of this and note your point.

- *In terms of workforce development, you refer to a 10% staff turnover in adult services and a 12% in children's social care. Is that directly within the council? I'm*

*not sure what grades or roles that refers to, but is there a similar percentage within the external sector? You talk about recruitment in the report, but I don't see much about retention.*

We put a lot of effort into retaining our staff with a significant well-being offer for staff, put in place during the pandemic and continued afterwards. Our Workforce Development Team look carefully at our training offer for all different types of practitioners who are building a career in social care. There are several aspects: supporting professional development, then listening to staff on their terms and conditions and then also supporting them day to day in their work. We take this very seriously, meeting senior leaders every week for 2 hours to talk about their staff, so we know the individuals and their needs for coaching or mentoring and we look at caseloads. Also, wider than this, we think about how we can support home carers, foster carers and social guardians, because it's a highly stressful field in which to work and we know we are in direct competition with other fields where you can earn similar wages without the stress and responsibility.

#### **Chair's Summary:**

Thank you so much for bringing this report, which we have scrutinised in detail and we support. I'm aware there are staff vacancies across the council, so workforce retention is not an issue isolated to social services. One point I would like to raise, is the timeliness of reviews into need. The report indicates that 54% are completed on time, so my concern is that if 46% of reviews are delayed, people may be in receipt of services they may not need, against a backdrop of increased need. I would urge the Chief Officer to explore this further to ensure this isn't affecting the availability of services for those who need them (**Action: Jane Rodgers**).

#### **8. Chief Officer for Education: Annual Report - To conduct pre-decision scrutiny of the report and scrutinise the performance of the service area (report to follow).**

This report was deferred from this agenda after agenda publication and will be received by full Council at a future meeting.

#### **9. Local Development Plan (LDP) annual monitoring report - To scrutinise the annual monitoring report for the current adopted LDP prior to submitting to Welsh Government.**

Councillor Paul Griffiths, Cabinet Member presented the report and answered questions, together with Mark Hand and Craig O'Connor.



## Challenge:

- *The shortfall in actual housing and affordable housing in particular is a key concern and the plan will be for significant growth, so please can you comment on the potential for different construction methods, such as pre-fabricated houses and timber frame houses, to make faster progress?*

One thing to note before answering the question is that the replacement Local Development Plan runs from 2018-2033, so what is coming through the system now, is counting towards our newly identified housing need. We have a desire to move at a faster pace, but large strategic sites can take some time to come forward, so we need to secure some smaller easy wins that can come forward quicker. Methods of construction is not something we can greatly influence as this is more 'a land use' document so, those are things for site developers to consider, although homes will need to meet the zero carbon and other required criteria. As part of the plan, we have to show trajectories of delivery and show how the new housing number will be delivered in the new plan. We are working with developers to put master planning in place so that by the time we are at the point of our plan being examined, we are ready to go, thus avoiding a time lag. So in conclusion, there are a range of things we can do to expedite delivery.

- *What is the definition of affordable housing, low-cost housing and what is an allocated site?*

This means a site allocated within the exiting LDP. Six of the seven residential sites have already got planning permission, it's just that there's just a time lag for construction. There are number of sites coming forward that are currently under development. The aim is to ensure sites meet the active travel requirements and are sustainable sites. We use Welsh Government's Technical advice note 2 for the definition of affordable housing, which means 'affordable in perpetuity', but I will forward the definition of affordable housing and low-cost housing to the committee (**Action: Craig O'Connor/Mark Hand**).

- *What is an unallocated site?*

We have to review the appropriateness of sites that come forward in line with policy, so we are not looking to support unallocated sites that don't meet the criteria.

- *The affordable housing delivery figures do raise concern, given that only 35 affordable houses were completed during this monitoring period, plus the ones not*

*delivered in the 10-year plan. How do we compare with neighbouring authorities? Also, in terms of completed dwellings, Chepstow accounted for 90 completed units, but Monmouth only 3. In the report, you state that there isn't a significant issue with the implementation of the plan's spatial strategy in relation to the delivery of new housing in the main towns, so please can you explain how you came to that conclusion?*

In terms of comparison with neighbouring authorities, we are all completing our annual monitoring reports at the same time, the end of October being the deadline to submit them, so I'm afraid that at this point, we don't have any information on how others are faring. In respect of your question around completions, there are a few things taking place at the moment. Generally, in terms of our plan's performance, it has done very well, with sites being completed. Our big issue at the moment is the difference between the number of completions in Chepstow versus Monmouth, due to one area being affected by phosphates and the other not being affected. This issue means that drawing comparison with neighbouring authorities is not helpful because Torfaen and Newport are not affected by phosphates in the same way as the north of our county, which is affected due to the non-tidal reach. We will reflect on the wording of the report in terms of whether the spatial strategy has been achieved. We measure the proportion of properties in different settlement hierarchies that are completed in the main towns, so against the plan's intention, we feel completions are being achieved, but it is possibly helped by the fact most of the site at Wonastow Road, Monmouth was completed before phosphates became a problem.

- *Is it possible to prioritise the affordable houses in a scheme, as in to build them first before the market housing?*

Not really, because housing developments tend to be built in phases, to ensure the infrastructure is in place and is ready. We have a 'pepper potting' approach in place so that properties are not distinguishable as affordable or market housing, so when developments take place, there is a balance in the delivery of market and affordable housing. That said, to reassure you that we do ensure the affordable housing is delivered, we have trigger points in our contracts with developers in which we discuss the progress of delivery.

- *I am concerned about Monmouth town's vacant shops, the vacancy rate having gone from 10% to 15.5%, so if we haven't got the housing or the jobs, I'm concerned about how many young people will be attracted to stay and work in the area and that there may be a decline of the economy. Do you have any timescale for when we will have a decision from Welsh Government on our bid for Levelling Up Funding and if we are not successful, do we have an alternative plan?*

In terms of town centre vacancies, outside of this process is the regeneration work that is ongoing. We have met with Monmouth Town Council to seek their agreement to co-produce a masterplan for the town, having been identified in a report to Cabinet in July 2022 as a key priority. From a planning perspective, our town centres have changed significantly since this plan was produced in 2011 and adopted in 2014. Considerations will include whether the central areas should be contracted and whether they should encompass more mixed use i.e. leisure use, cafes and community use as opposed to solely retail use, potentially freeing up areas surrounding for residential use.

As to when we expect to hear back from Welsh Government on whether we have been successful in our bid for Levelling up Funding (LUF funding), we hope to hear at some point during the autumn. There's a separate Welsh Government funding stream for 'transforming towns' and some work could happen simultaneously with that funding and if we aren't successful in the LUF funding, we'll have to look at what we can prioritise using other funding streams. We have a report to bring to cabinet to discuss what those priorities should be, but we can't draft that until we know whether we have the LUF funding.

- *In relation to the proposal for Raglan that was rejected, do you think this was due to the amount of housing and that a smaller number of houses would have been more accepted?*

In short no. The policy we had in place for unallocated sites did us proud for a short amount of time, but that policy is no longer in place, so this will be a discussion for determining which candidate sites to bring forward in the replacement plan.

- *I would like to request that officers reword the reference to Raglan having a village hall, when the facility referred to is in poor condition and is not usable as a village hall. **Action: Mark Hand agreed to discuss outside the meeting.***
- *The plan refers to the successful '21<sup>st</sup> century schools' programme. Are we marketing the education success story, by highlighting the learning and skills offer, thus attracting people to Monmouthshire?*

We're in discussions with colleagues around the wider skills agenda but there's an extent to which the council should influence the education curriculum and a question as to how a land use planning document can influence that. It is something we are mindful of and can give further thought to.

- *With reference to the transport strategy analysis on page 95, the report mentions that there are no new Section 106 agreements because there are no new developments and goes on to discuss existing road infrastructure and primarily rail interchanges, but there is nothing spoken about other forms of public transport or active travel. It then says, 'nothing recommended' and 'no action required at present', and I'm wondering if we giving it the attention it requires?*

Just to advise members that this is a report about historic performance at bringing sites forward, so it's not to say that changes aren't required, but this is essentially a backward-looking document.

### **Chair's Summary:**

Thanks are given to officers for this report and to members for their questions. The recommendations are moved and agreed by members.

### **10. Month 4 Budget Monitoring report - Scrutiny of the Council's budgetary position (revenue and capital).**

Cabinet Member Councillor Rachel Garrick presented the report, Jonathon Davies and Peter Davies in attendance to assist her in answering members' questions.

### **Challenge:**

- *I was surprised and disappointed to hear of the £8.8m shortfall in the budgetary position and I'd like to know whether there are weaknesses in our budget management process, and I'd like to ask why we heard of this via a press release. I don't feel this was adequately communicated. Also, I object to the term 'budget recovery' when we are talking about service cuts.*

Cabinet Member Councillor Rachel Garrick: All group leaders were briefed in advance of the agendas for Governance and Audit Committee and this committee being published so this is a conversation you would need to have outside the meeting with your group leader. I can confirm that due process was followed.

- *If we are already in month 7 but are discussing a report detailing the position at month 4, given the severity of the situation, is it not appropriate that we look at the month 7 headline position, rather than waiting for the lengthy reporting schedule to catch up?*

Cabinet Member Councillor Rachel Garrick: We are reacting to the forecast and looking to see how we can recover the budget.

Deputy Chief Executive: There are times when our budget monitoring reporting and the alignment of the scrutiny committee dates may mean that we are reporting retrospectively and there is a process those reports have to go through. The first cabinet meeting was 19<sup>th</sup> October, so it's just been a consequence of this, however, the month 6 report will be available in the next couple of months. It is my responsibility to arrest and recover a budgetary position and there are times that this can be achieved without necessarily resorting to service cuts or services being withdrawn, as sometimes efficiencies can be made, and conscious decisions taken. Today's report talks to the levers we are intending to use, and the month 6 report will provide further detail on those. In terms of your question as to whether there are inherent weaknesses in our budget management process, I'd like to emphasise the budget pressures that were evident in March and the risks in the escalating social care costs reported at that time. Together with factors such as the pay award and the current economic climate, these factors together have led us to the current position. We need to arrest the position to achieve a balanced budget by the end of the year, which is something we have a track record of being very effective in doing.

- *In your role, you will have a good understanding of what month 5 and 6 look like, however I think it's important all councillors are kept up to date with the headline position, rather than awaiting the full report.*

We have management accountancy maintaining this continually, identifying where the biggest risks are and preparing updated forecasts. The month 4 report provide a very representative analysis of the situation we face at month 5.

- Has this happened before on this scale? What can councillors do to assist and what do you think the impacts are on services? Why are children's services costs so high?

We always knew there was pressure coming forward into this financial year and we know the Covid Hardship Fund was due to end on 31<sup>st</sup> March. This created uncertainty as to how quickly the legacy pressure would impact. The wider economic environment has accelerated those impacts in addition to the inflationary environment, the staffing shortages that have led to the need for agency staff and the increased demand for additional services. For example, if we consider the homelessness challenge - we knew there would be a residual pressure coming into this year as a result of the policy change by Welsh Government and we knew that sufficient consequential funding wasn't going to flow from Welsh Government, but what we didn't know was how quickly the

situation would develop and together with the cost of living crisis and the inflationary pressures, it has accelerated things and created an unprecedented overspend position early in the year, to which we knew we would have to apply a level of reserve. There are options available outlined in the report in terms of leverage measures and the senior leadership team will be keeping all options on the table given that the situation is rapidly evolving on a daily basis.

- In terms of the overall position, recognising this is not a planned monitoring report, the descriptions and language used in the report is akin to Armageddon situation, whereas you are suggesting that things haven't got any worse or any better, which could suggest there hasn't been corrective action taken at month 5 and month 6 and that now there is 5 and a half months to correct a serious situation. The question I want to answer residents in my ward is if this continues and reserves continue to be applied in the way suggested, doesn't this inevitably lead to council tax rises to fill the space that would otherwise be managed by budgetary control?

Cabinet Member Councillor Rachel Garrick: I think you may have taken a lot from some casual language on that implication, but I'll ask officers to provide an update on the actions that have been identified and that we believe we can take at this stage.

Officers: The 'no better, no worse' comment is related to the £8.8m position. The question around the used of reserves is well made and we are very cautious in drawing on those and similarly, the use of capital reserves. There are things we cannot precisely pre-determine, and we have an upcoming central government fiscal event that will talk to the position for public services. Regardless of any fiscal deficit that needs to be arrested nationally, if not next year, but over the medium term for the current government, it's difficult to speculate on the outcome of that. Council tax will be a topic for conversation for all councils across the UK with hard decisions to be made to bring a balanced budget to the council. We are not unique, all councils are in this situation. We need to communicate honestly with each other and with communities about such difficult decisions.

- *As a new councillor, please can you explain why the children services overspend is so high?*

The overspend is due to the cost of placements for children. When a child comes into care, the process begins by exploring opportunities with family and friends, but if this isn't successful, we try our in-house carers, then if that isn't possible, we seek independent carers, with a residential setting being the last resort. This is extremely challenging, as there is a national shortage of placements and foster carers across the UK. So every time we need to place a child in care, it is a major

incident for us to even find a placement, never alone to find the right placement. Often the children have complex needs and may have suffered abuse and trauma and therefore they need a bespoke package to look after them – these placements are costly at the best of times, but in the current market which is so constrained, they are even more difficult to find, and this is our statutory duty as a council.

- *Of the £8.8m budgetary shortfall at month 4, are you able to say how much of that was incurred by month 4 or whether it is building month on month? You also mention £9.8m of capital receipts that we are due. Are financial factors likely to affect receipt of that and put greater pressure on the budgetary position?*

It would be a challenge to explain the monthly progression, but we can provide further detail on the major issues and how they have progressed through the year if the committee requests it. In terms of the capital receipts that were expected, we have now received £7m of the £9.8m, so a significant part of the risk falls away.

- The committee would like to be kept as closely up to date with the situation because whilst we understand the process in forecasting and preparing the reports, members need to be informed in order to reassure their residents.
- *Are we responding to crisis in families that result in high-cost placements rather than putting in preventative provision, recognising the staffing input required and the costs of placements?*

The costs of these placements are very high, but the preventative work we do to try to avoid children going into residential care is consistent right throughout the service, at all levels to reduce and prevent children coming into care. If foster placements break down, we have services in place, and I want to reassure you that there is prevention and de-escalation of risk at every tier, but there are some instances when a residential placement is the only option. We also have our MIST service which seeks to bring children out of residential, but a key issue is our shortage of foster carers.

- *Chair: I think this is an area where members could assist, in spreading the message about how rewarding foster caring is.*
- *Will schools with a projected budget deficit be assisted to manage it?*

We have 6 schools and the Pupil Referral Service in a deficit position at present. We do not provide them with financial assistance; however, the finance teams

work with the schools over an extended period of time to produce budget recovery plans to bring them back into a surplus position.

### **Chair's Summary:**

The Performance and Overview Scrutiny Committee has scrutinised the Month 4 budget position and expressed significant concern for the Council's budgetary position at month 4. The Committee acknowledged the reasons for the deficit position and recognised that other councils will be facing similar challenges, however, the scale of the challenge is felt to be unprecedented and significantly concerning at month 4. Members have expressed concern about the use of reserves and agreed that this approach would be an unsustainable approach to fund service delivery in the subsequent year. I would like to request that, if possible, the Month 6 report be brought to the next meeting on 21st November 2022, however if that isn't possible, that an interim report be brought before members to detail the headline position. The chair expressed thanks that two cabinet members, Councillors Garrick and Thomas, attended the Scrutiny Committee and responded to questions raised, restating how important it was for the scrutiny function and for the cabinet, but also for residents, to be assured that they have a well-functioning council.

### **11. Performance and Overview Scrutiny Committee Forward Work Programme.**

The forward work programme was noted.

### **12. Cabinet and Council Work Plan.**

### **13. Next meetings:**

The next Meeting was confirmed as Thursday 21<sup>st</sup> November 2022 at 10.00am.

The meeting ended at **12.56 pm**