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Tuesday, 22 November 2022

Dear Councillor

INDIVIDUAL CABINET MEMBER DECISIONS

Notice is hereby given that the following decisions made by a member of the cabinet will be made on Wednesday, 30 November 2022.

- GOVILON SECTION 106 FUNDING FOR RECREATION AND PLAY** 1 - 12

Division/Wards Affected: All Wards
CABINET MEMBER: County Councillor Rachel Garrick

AUTHOR: Mike Moran, Community Infrastructure Coordinator
CONTACT DETAILS:
Email: mikemoran@monmouthshire.gov.uk
Tel: 07894 573834
- MONMOUTHSHIRE PLANNING SERVICE ANNUAL PERFORMANCE REPORT (APR)** 13 - 90

Division/Wards Affected: All Wards
CABINET MEMBER: County Councillor Paul Griffiths

AUTHOR:
Craig O'Connor
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Philip Thomas
Development Services Manager
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- PROPOSED PROVISION AND AMENDMENTS TO TRAFFIC ORDERS AT VARIOUS LOCATIONS WITHIN MONMOUTHSHIRE.** 91 - 110

Division/Wards Affected: All Wards
CABINET MEMBER: County Councillor Catrin Maby

AUTHORS:

Mark Hand, Head of Placemaking, Highways and Flooding
Graham Kinsella, Traffic and Road Safety Manager

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4. **PROPOSED CHANGES TO SPEED LIMITS ON THE B4245 AND CALDICOT ROAD, CALDICOT AND ON THE B4293 AT DEVAUDEN** 111 - 148

Division/Wards Affected: Caldicot Cross; Devauden; Severn; West End
CABINET MEMBER: County Councillor Catrin Maby

AUTHORS:

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Graham Kinsella, Traffic and Road Safety Manager
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5. **TUDOR STREET PROPERTY** 149 - 170

Division/Wards Affected:
CABINET MEMBER: County Councillor Tudor Thomas

AUTHOR: Jane Rodgers, Chief Officer Social Care, Safeguarding & Health

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Yours sincerely,

Paul Matthews
Chief Executive

CABINET PORTFOLIOS

County Councillor	Area of Responsibility	Ward
Mary Ann Brocklesby	<p>Leader Lead Officer – Paul Matthews, Matthew Gatehouse</p> <p>Whole Authority Strategy and Direction Whole authority performance review and evaluation Cardiff City Region Joint Cabinet Regional working Government relations WLGA, LGA and Public Service Board</p>	Llanelly
Paul Griffiths	<p>Cabinet Member for a Sustainable Economy and Deputy Leader Lead Officer – Frances O'Brien</p> <p>Economic resilience and Sustainability focus towards foundational economy Local Development Plan and Strategic Development Plan Town Centre and neighbourhood investment and Stewardship Development Management and Building Control Skills and Employment including green jobs and apprenticeships Broadband connectivity Trading Standards, Environmental Health, Public Health, Licensing</p>	Chepstow Castle & Larkfield
Rachel Garrick	<p>Cabinet Member for Resources Lead Officers – Peter Davies, Frances O'Brien, Matthew Phillips, Jane Rodgers</p> <p>Finance Developing and proposing the budget to Council Digital and Information technology Human Resources, Payroll, Health and Safety Strategic Procurement – promoting localism Land and Buildings Property Maintenance and management Fleet Management Emergency Planning</p>	Caldicot Castle

Martyn Groucutt	<p>Cabinet Member for Education Lead Officers – Will McLean, Ian Saunders</p> <p>Early Years Education All age statutory education Additional learning needs / Inclusion Post 16 and adult education School Standards & Improvement Community learning 21st Century Schools Programme Youth service</p>	Lansdown
Sara Burch	<p>Cabinet Member for Inclusive and Active Communities Lead Officers – Frances O'Brien, Ian Saunders, Jane Rodgers, Matthew Gatehouse</p> <p>Affordable Housing Strategy Homelessness Community Safety Active Travel Leisure Centres Play and Sport Tourist Information, Museums, Theatres, Attractions</p>	Cantref
Tudor Thomas	<p>Cabinet Member for Social Care, Safeguarding and Accessible Health Services Lead Officer – Jane Rodgers</p> <p>Children's services Fostering & adoption Youth Offending Service Adult Services Whole authority safeguarding (children and adults) Disabilities Mental Health and wellbeing Relationships with health providers and access to health provision</p>	Park
Catrin Maby	<p>Cabinet Member for Climate Change and the Environment Lead Officer – Frances O'Brien, Matthew Gatehouse</p> <p>Decarbonisation Transport Planning Local Food production, consumption and procurement including agroforestry and local horticulture Traffic network planning Public Transport Highways including trunk roads Pavements and back lanes Flood alleviation, management and recovery, river quality</p>	Drybridge

	<p>Waste management Street care, litter and public spaces Countryside, Biodiversity and public rights of way including parks and open spaces Public conveniences</p>	
Catherine Fookes	<p>Cabinet Member for Equalities and Engagement</p> <p>Lead Officers – Frances O'Brien, Matt Phillips, Matthew Gatehouse</p> <p>Community inequality (health, income, nutrition, disadvantage, discrimination, isolation) Benefits Welsh language Democracy promotion and citizen engagement Community Hubs and Contact Centre Customer service and citizen experience Communications, public relations, marketing Working with voluntary organisations Registrars Service Electoral Services Constitution Review Ethics and Standards</p>	Town

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.

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SUBJECT: Govilon Section 106 Funding for Recreation and Play

MEETING: Individual Cabinet Member Decision

DATE: 30th November 2022

DIVISION/WARDS AFFECTED: Llanfoist and Govilon

1. PURPOSE:

To authorise the transfer of capital Section 106 funding for recreation and play improvements in Govilon to the Llanfoist Fawr Community Council.

2. RECOMMENDATIONS that:

- 2.1 a capital budget of £64,549 be created in 2022/23 to fund recreation improvements at the Govilon King George V Playing Field, and that this is funded by a corresponding contribution from the Section 106 balances held by the council from the S106 Agreement in relation to the former Govilon School site.
- 2.2 this funding is transferred to the Llanfoist Fawr Community Council as managing trustees of the playing field and that officers work closely with the community council to agree and implement the improvements.
- 2.3 when received, a capital budget of up to £51,000 be created to fund improvements to the existing play area at the Govilon King George V Playing Field, and that this is funded by a corresponding contribution from Section 106 balances due to be received from the S106 Agreement in relation to residential development land situated between the A465 Heads of the Valleys Road and the B4246 main village road.
- 2.4 when received this funding is transferred to the Llanfoist Fawr Community Council as managing trustees of the playing field and that officers work closely with the community council to agree and implement the improvements.

3. KEY ISSUES:

- 3.1 The Section 106 Agreement for the development of 19 dwellings on the former Govilon Primary School site contains a provision for an off-site recreation contribution to be spent on the provision of recreation facilities at Govilon Recreation Ground. The contribution expected was £62,548 but because the agreement was index linked the actual amount received is £64,549.
- 3.2 The Section 106 Agreement for residential development of land in Govilon between the A465 Head of the Valleys Road and the B4249 main village road contains a provision for an off-site contribution of

£927.94 per dwelling to be used towards the extension and improvement of the existing neighbourhood play area situated at the Govilon main village playing field. That development has not yet commenced so it is not possible to predict the total amount of funding likely to be received under this provision. The likely maximum number of new dwellings on this site is 51 so, if all these dwellings are built then the contribution could be as much as £47,325 plus any index-linked increase at the time of the payment. The contribution is due to be paid by the developer upon the occupation of 25% of the total number of dwellings to be constructed.

- 3.3 The main village playing field in Govilon is protected in perpetuity as a King George V Field and the managing trustees of the site are Llanfoist Fawr Community Council. The Community Council is responsible for ongoing upkeep and maintenance of the facilities at the site and for carrying out improvements to the provisions there.
- 3.4 It is proposed to transfer the recreation funding, and the play funding when received, to the Community Council and for officers to work with the trustees to ensure that the investments are carried out in line with the provisions of the Section 106 Agreement. It will also be necessary to obtain the consent of Fields in Trust (formerly the National Playing Fields Association) for the proposed improvements. It will be a matter for the community council to obtain this consent.
- 3.5 Officers have worked in collaboration previously with Llanfoist Fawr Community Council on capital improvements at the Llanellen and Llanfoist playing field sites – the Llanellen field is protected in perpetuity as an Owain Glyndwr field.

4. EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING)

The EQIA is attached to this report at Appendix 1. This highlights the positive impacts of play and outdoor recreation on children/young people, families and communities.

5. OPTIONS APPRAISAL

In reality, there are no options to appraise – the funding referred to in this report has been given for a specific purpose and can only be spent at the King George V Playing Field in Govilon

6. EVALUATION CRITERIA

Progress will be monitored in November 2023 to assess progress with the offsite recreation works at King George V Playing Field, Govilon.

7. REASON

This is a continuation of the council's continued investment, sometimes in partnership with town and community councils, in recreation and play to achieve significant community benefits, but there needs to be an approved budget in place to cover the costs incurred.

8. RESOURCE IMPLICATIONS

There are no additional resource implications, as the expenditure involved will be covered by Section 106 balances.

9. CONSULTEES

Cabinet Local Members Senior Leadership Team
Llanfoist Fawr Community Council Chief Operating Officer MonLife

10. BACKGROUND PAPERS

None

11. AUTHOR & CONTACT DETAILS:

Mike Moran, Community Infrastructure Coordinator

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Tel: 07894 573834

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<p>Name of the Officer Mike Moran Phone no: 07894 573834 E-mail: mikemoran@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>Govilon Section 106 Funding for Recreation and Play</p> <p>To upload existing and anticipated S106 capital funding to the 2022/23 capital budget and to transfer the funding to Llanfoist Fawr Community Council for implementation.</p>
<p>Name of Service area: MonLife</p>	<p>Date 7th November 2022</p>

1. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

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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	The target age range for the fixed play project is 0-12 years and for the recreation improvements it is mainly primary age children and adults.	None	Close integration between the play, sports development, youth and community agendas
Disability	The proposals for both the recreation and fixed play sites include increased inclusive access for disabled children & young people and people with other support needs.	None	Actions identified to sustain and enhance inclusivity
Gender reassignment	None	None	None

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?
Marriage or civil partnership	None	None	None
Pregnancy or maternity	Improved access to important community facilities for parents with young children	None	None
Race	None	None	None
Religion or Belief	None	None	None
Sex	None	None	None
Sexual Orientation	None	None	None

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6. 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.

	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?
Socio-economic Duty and Social Justice	Play is important in children’s lives, for both its recreational value and for the important part that it plays in children’s physical and emotional health and well-being and in their personal development. Play is a common denominator that should be capable of being enjoyed by all children irrespective of their social or cultural background or the ability of their parents to pay for the opportunity to participate.	None	Accessible play and recreation opportunities contribute to children’s lives and to the well-being of their families and communities, and helps address inequalities by contributing to developing child friendly communities, including prioritising investment in more income-deprived LSOAs. The provision of improved access will help to mitigate inequalities of provision.

3. Policy making and the Welsh language.

How does your proposal impact on the following aspects of the Council's Welsh Language Standards:	Describe the positive impacts of this proposal	Describe the negative impacts of this proposal	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts
<p>Policy Making</p> <p>Effects on the use of the Welsh language,</p> <p>Promoting Welsh language</p> <p>Treating the Welsh language no less favourably</p>	<p>All signage for the sites will be bilingual and we will ensure that they are fully compliant with the Welsh Language Standards</p> <p>Welsh will be treated no less favourable than the English</p>	<p>None identified at this stage</p>	<p>Will continue to explore the demand for Welsh language provision.</p> <p>Will also continue to promote bilingual signage on fixed play and recreational sites throughout the county.</p>
<p>Operational</p> <p>Recruitment & Training of workforce</p>		<p>Monmouthshire struggles to recruit Welsh speaking staff</p>	<p>All posts will be advertised as being Welsh Language Desirable as a minimum</p>
<p>Service delivery</p> <p>Use of Welsh language in service delivery</p> <p>Promoting use of the language</p>	<p>Any play publicity will be produced bilingually and we will continue to do this</p> <p>Use Welsh language greetings in everyday correspondence</p>	<p>None identified at this stage</p>	

4. Does your proposal deliver any of the well-being goals below? Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal. There's no need to put something in every box if it is not relevant!

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	Positive – Access to good quality play and active recreation opportunities contributes to education, particularly in the younger age groups (foundation and primary phases)	The actions proposed in this report are intended to support the delivery of good quality play and recreational opportunities
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	Positive – play and recreation opportunities extend across all open spaces and include those for environmentally focused play.	We will work with the community council to help to deliver ecology and biodiversity enhancements.
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Positive – Play and recreation participation are essential for the growth of children's cognitive, physical, social and emotional development	The actions proposed in this report are intended to support the delivery of good quality play and recreational opportunities
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Positive – Play and recreation contribute not only to people's lives but to the well-being of their families and communities.	The actions proposed are intended to support the delivery of good quality play and recreation opportunities .
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Positive - Children's right of play is enshrined in the United Nations Convention on the Rights of the Child, which the Welsh Government has formally adopted.	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Positive – recreational activities form part of play opportunities for all age groups.	All signage for sites will be bilingual and we will ensure that they are fully compliant with the Welsh Language Standards
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Play is established as one of children's rights internationally - access to good quality play and recreation provision can be a way of reducing inequalities between children and families	We will work with the community council to help to deliver good quality play and recreation opportunities at the Govilon Playing Field site.

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>Access to good quality play and recreation opportunities is a long term investment in children, families and communities. However short term pressures e.g. changes in the operating environment require changes in the delivery model require different approaches.</p>	<p>Continue to work with the community council on the development of the works proposed.</p>
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>Partnership working is central to the delivery of play and recreation opportunities.</p>	<p>The proposed actions include partnership delivery with Llanfoist Fawr Community Council</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>The investments to be undertaken via the funding uploads proposed have involved meetings with, and taking on board the views of the community council.</p>	<p>Continue to involve local interest groups where these exist so that they are able to contribute to future investment decisions.</p>

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>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>Actions are intended to support the longer term focus set out in the council's Play Sufficiency Audit and Action Plan and contributing to the delivery of the well-being objective to give children & young people the best possible start in life.</p>	
 <p>Integration</p> <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>As securing play and recreation opportunities contributes positively to children, families and communities it is inherently impacting on people, the economy and the environment.</p>	

6. 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?
Safeguarding	Safeguarding requirements are a fundamental component of play and recreation provision.	N/A	Safeguarding procedures are reviewed through the SAFE process as new provision is planned and developed to ensure maintenance of existing standards. The safeguarding responsibilities of the Authority and partners for children and young people are fully integrated into the identification of appropriate actions and reflected in the play action plan.
Corporate Parenting	Free access and unrestricted access to the improvements proposed will benefit all children & young people equally.	N/A	Continue to support open access for looked after children to access good quality play and recreation opportunities.

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7. What evidence and data has informed the development of your proposal?

- The Monmouthshire Play Sufficiency Assessment and Action Plan 2022
- The Welsh Government / Play Wales Play Sufficiency Assessment Toolkit 2018
- Comprehensive play value assessments of all council fixed play sites 2019
- Play Wales reasearch project “Making it possible to secure play sufficiency”

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 positive impact that securing sufficient and accessible play and recreation opportunities can have on children, families and communities. The positive impact in providing for diverse needs. The challenges of better understanding demand, existing provision and opportunities including for disabled children. Developing mechanisms to engage with children and communities to enable a better identification of needs.

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
Seek approval to upload S106 funding into the 2022/23 capital budget and, when received, into a future year's capital budget to enable identified improvements to be made.	<ul style="list-style-type: none"> ➤ ICMD on 30 Nov 2022; ➤ Recreation improvements in 2023/24 ➤ Ply improvements as and when funding is received 	Community Infrastructure Coordinator

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.

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Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1.	Meeting with Llanfoist Fawr Community Council	18 May 2021	Agreement on funding transfer and joint working
2	Receipt of Section 106 recreation funding from BBNP	May 2022	
3.	ICMD	30 November 2022	



SUBJECT:	MONMOUTHSHIRE PLANNING SERVICE ANNUAL PERFORMANCE REPORT (APR)
MEETING:	INDIVIDUAL CABINET MEMBER DECISION – PAUL GRIFFITHS – CABINET MEMBER FOR A SUSTAINABLE ECONOMY AND DEPUTY LEADER
DATE:	21 NOVEMBER 2022
DIVISION/WARDS AFFECTED:	ALL

1.0 PURPOSE

- 1.1 To seek the Cabinet Member for a Sustainable Economy and Deputy Leader's agreement to submit the 2021-2022 Annual Performance Report on the performance of the Council's Planning Service to the Welsh Government.

2.0 RECOMMENDATION:

- 2.1 That the Cabinet Member for a Sustainable Economy and Deputy Leader endorses the 2021-2022 Annual Performance Report on the performance of the Council's Planning Service 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). As with all previous APRs, it has been reported to the relevant Committee for scrutiny (previously the former Economy & Development Select Committee (with Planning Committee Members also invited), now the Performance and Overview Scrutiny Committee).
- 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 has 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. 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 21st 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. It will therefore 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 SE 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.

	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. 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

■ Statutory ■ Discretionary

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 m²
£0.1m uplift value
Tourism
120 bedspaces
40 self catering units

Permissions

■ Consistent with local plan
■ Departures from local plan

Commercial
6,790 m²
£0.2m uplift value
Renewables & other
0 MW
0 tonnes waste
0 tonnes minerals
0 ha remediation
2 ha formal open space

Contributions

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

CIL income



£0 total value

Completions

Residential
419 units
17% affordable
£76.5m uplift value
£0.5m council tax p.a
Retail & leisure
650 m²
£0.7m uplift value
12 gross FTE jobs
#N/A

Commercial
7,450 m²
£4.2m uplift value
115 gross FTE jobs
#N/A

Renewables
0 MW
£500 community benefit

Tourism
25
15 self catering units
8 FTE jobs

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/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.



ARUP



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 has been unable to provide the benchmarking figures to enable the council to review its current status against the up-to-date Wales average or best performers. 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 on 21 November 2022.
- Cabinet Member for Sustainable Economy and Deputy Leader
- SLT
- Communities and Place DMT

13.0 BACKGROUND PAPERS:

2021-2022 Annual Performance Report – Appendix 1

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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

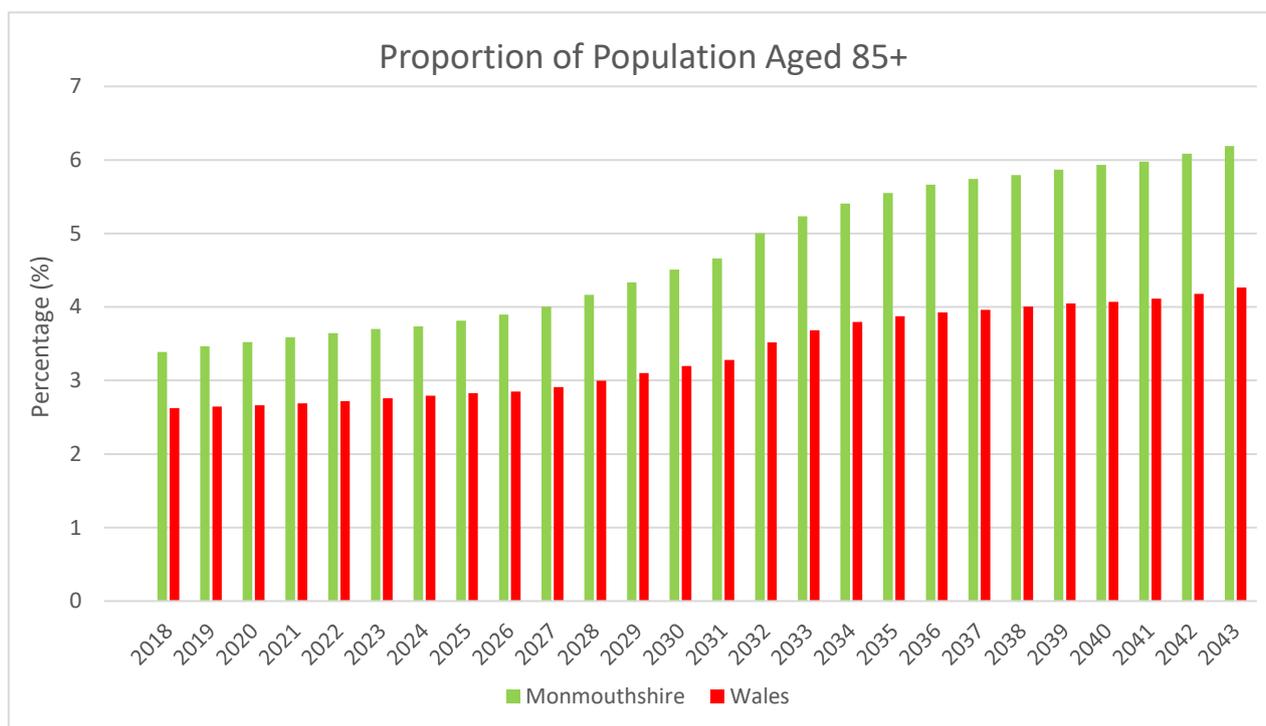
2.12 Located in South East Wales, Monmouthshire occupies a strategic position between the major centres in South Wales, the South West of England and the Midlands. The County shares a border with the neighbouring Local Planning Authorities of Newport, Torfaen and Brecon Beacons National Park (BBNP) in 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 2021¹. 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).

¹ 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 2021² 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 2021³ 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.

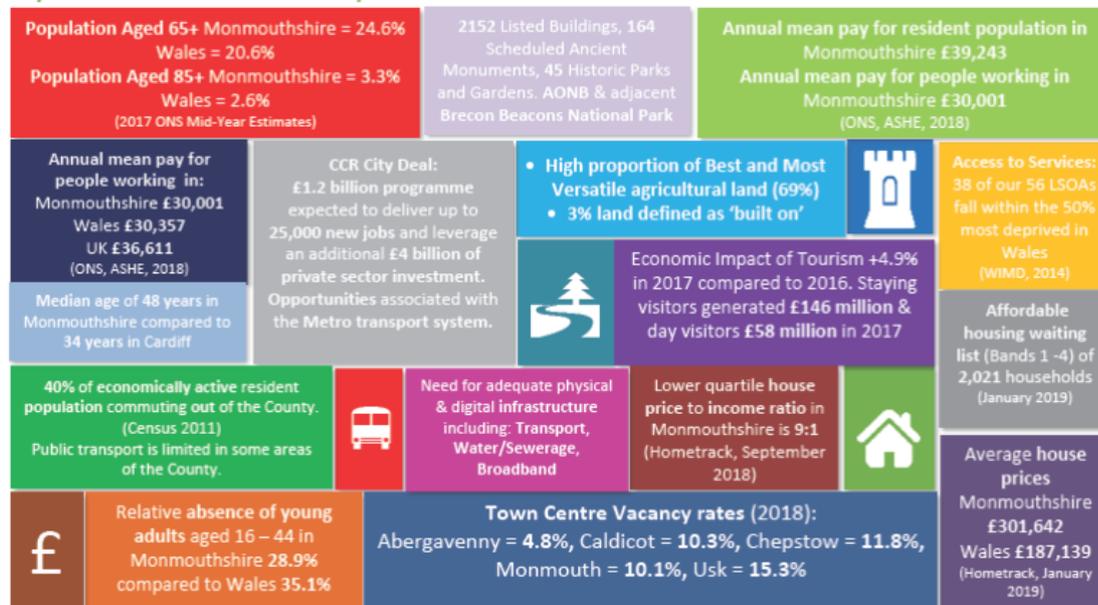
2.13.4 The following diagram encapsulates the issues that the Council are seeking to address during the development of the Replacement Local Development Plan (RLDP) over the next few years (Please see revised delivery agreement):

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

³ 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.

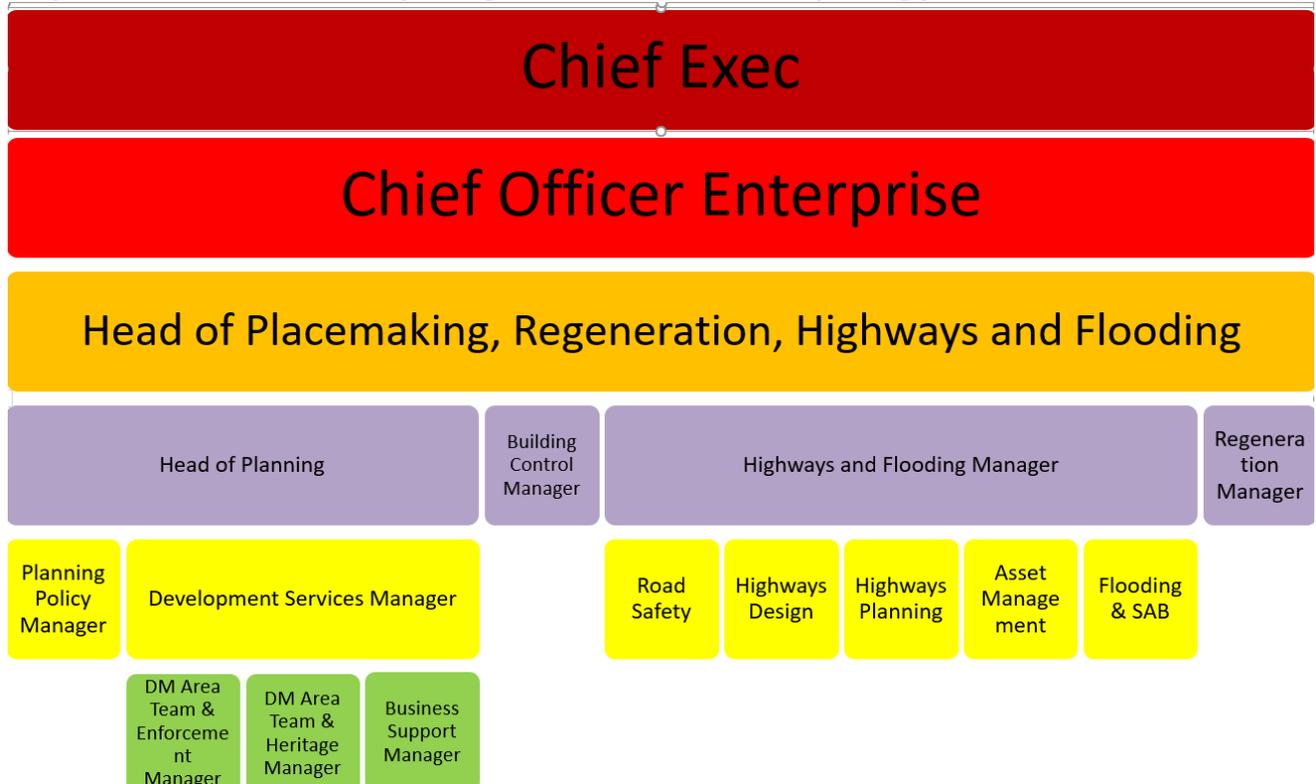
In the Planning Support Team, a Planning Support Officer left in March 2021 to pursue a career with a private company that provides back office and public access software for local

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

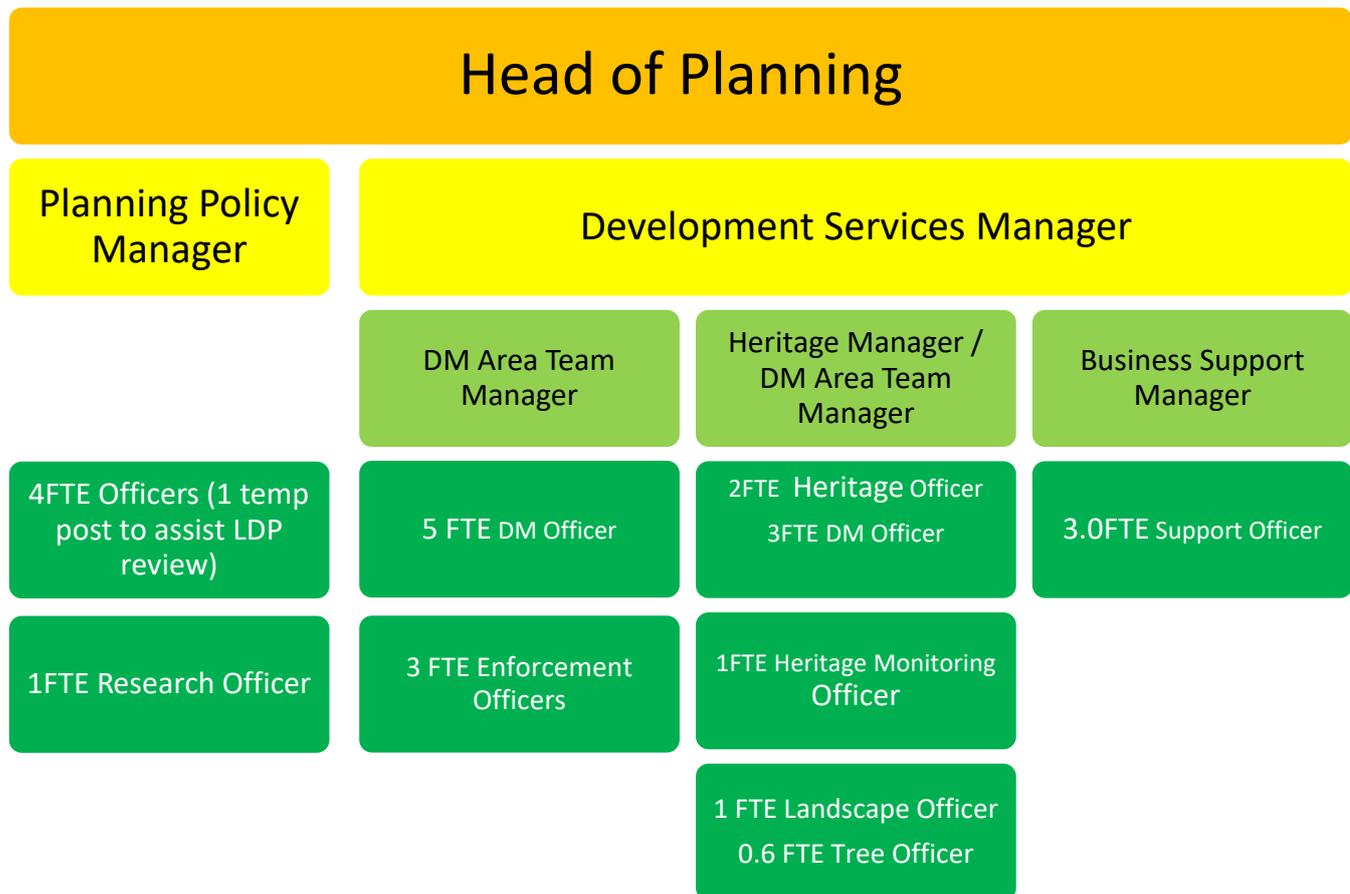
One Senior DMO post has been left vacant as we have taken stock of the downturn in major and more complex applications as a result of the life cycle of the LDP and prior to that the impact of the pandemic. This saving has been used to achieve some of the posts in the Applications Team and the Heritage 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
2013-14	£1,648,800	£601,200	£1,047,600	
2014-15	£1,397,400	£614,900	£782,500	-£265,100 (-25%)
2015-16	£1,360,500	£669,900	£690,600	-£91,900 (-12%)
2016-17	£1,363,600	£572,000	£791,600	+£101,000 (+15%)
2017-18	£1,292,600	£430,100	£862,500	+£70,900 (+9%)
2018-19	£1,426,500	£653,600	£772,900	-£89,600 (-10%)
2019-20	£1,535,022	£669,300	£865,722	+£92,822 (+12%)
2020-21	£1,610,000	£778,300 [#]	£831,700	-£34,022 (-4%)
2021-22	£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.

[#] 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
Budgeted fee income	£525k	£633k	£668k	£684k	£681k	£693k	£589k	£480k	£480k
Actual income	£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%).

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

Applications determined	852	1053	1085	1087	1071	1101	1106	947	1152
% within 8 weeks or agreed timescale	70%	76%	79%	90%	91%	88%	91%	91%	81%
% applications approved	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		£7, 235	£6,778

*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.

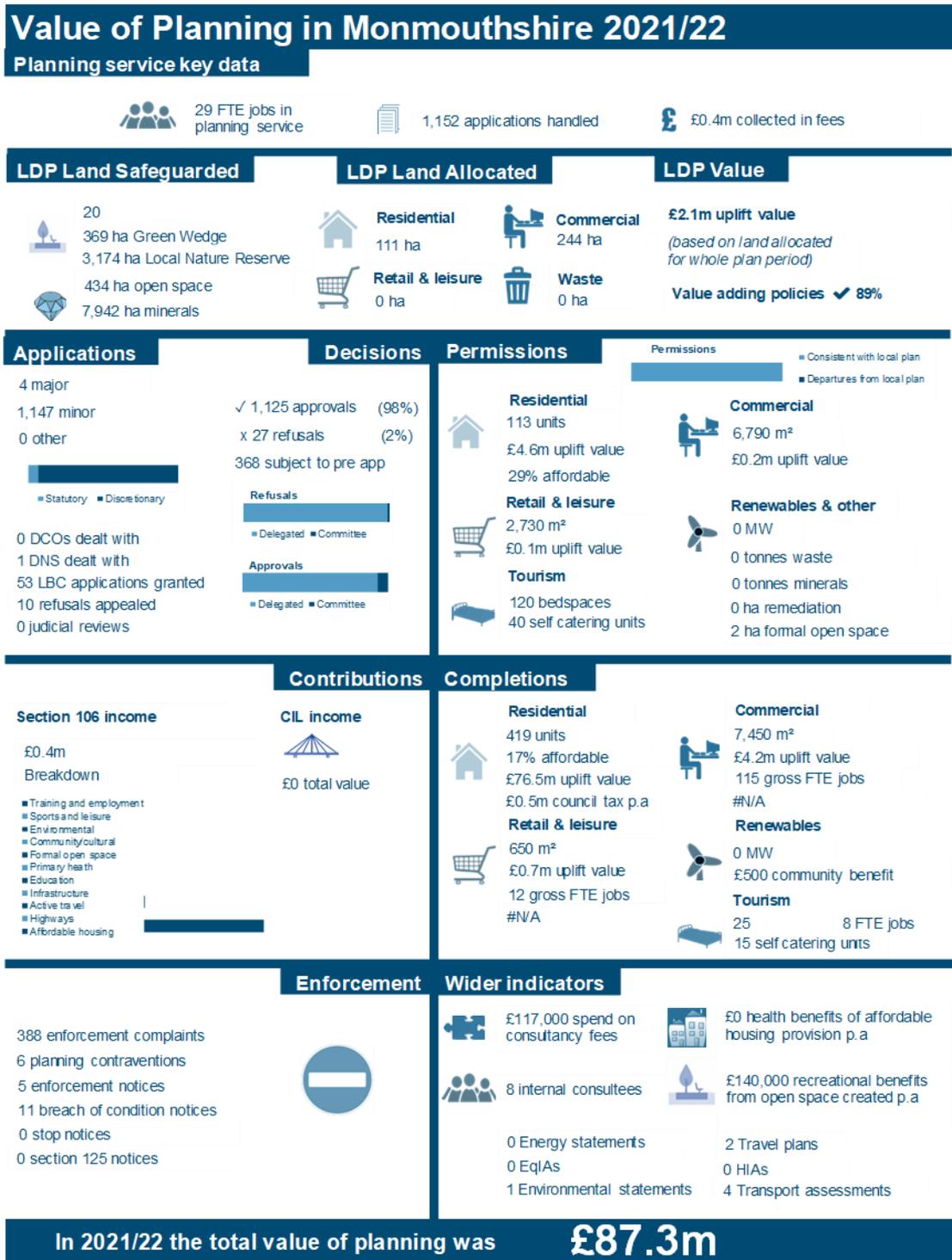
4.10 The AMR highlights issues surrounding the delivery of affordable housing, and developers continue to raise viability issues on some of the strategic housing sites above. This is a Wales-wide issue. The Council's approach to viability debates has now been established, and the links between a project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



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 (5th July- 31st 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 31st 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
Efficiency			
Percentage of "major" applications determined within time periods required	>60	50.1-59.9	<50
Average time taken to determine "major" applications in days	Not set	Not set	Not set
Percentage of all applications determined within time periods required	>80	70.1-79.9	<70
Average time taken to determine all applications in days	<67	67-111	112+
Percentage of Listed Building Consent applications determined within time periods required	80+	70.1-79.9	<70
Quality			
Percentage of Member made decisions against officer advice	<5	5-9	9+
Percentage of appeals dismissed	>66	55.1-65.9	<55
Applications for costs at Section 78 appeal upheld in the reporting period	0	1	2+
Engagement			
Does the local planning authority allow members of the public to address the Planning Committee?	Yes		No

WALES AVERAGE 2018/19	Monmouths hire LPA 2020/21	Monmouths hire LPA 2021/22
68	78	100
232	248	116
88	91	81
77	92	106
75	88	72
9	6	5
68	100	70
0	0	1
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
Enforcement			
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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“Good”	“Fair”	“Improvement needed”
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority’s performance	72
<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

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

Authority’s performance	5
<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"> - Adverse effect on the character of the area; - Detrimental impact on residential amenity; - Harm to the setting of the Blaenavon World Heritage Site. <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

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

Authority’s performance	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>		

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

Authority’s performance	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>		

Indicator	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)?	
"Good"	"Fair"	"Improvement needed"
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

Authority's performance	Yes
<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

Indicator	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	
“Good”	“Fair”	“Improvement needed”
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

Authority’s performance	55
<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>	

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

Authority’s performance	250
<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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SUBJECT:	PROPOSED PROVISION AND AMENDMENTS TO TRAFFIC ORDERS AT VARIOUS LOCATIONS WITHIN MONMOUTHSHIRE.
MEETING:	INDIVIDUAL CABINET MEMBER DECISION – COUNCILLOR CATRIN MABY
DATE:	30th NOVEMBER 2022
DIVISION/WARDS AFFECTED:	ALL

1. PURPOSE:

- 1.1 This report seeks Cabinet Member approval to proceed with a number of Traffic Orders in addition to variations to the car parking schedule around the County.
- 1.2 The Traffic Orders under consideration relate to:
- provision of motorcycle parking and permitting motorhomes to park at Abergavenny bus station;
 - a prohibition of driving on Frogmore Street and Lion Street in Abergavenny;
 - a number of variations to the off-street parking places and Schedule 2 (off street car parks – operational times and tariffs) sections of the consolidation order including:
 - the introduction of one newly constructed car park (Severn Tunnel Junction);
 - the inclusion of one existing car park into the car parking schedule (Rogiet Country Park Car Park);
 - the amendment of the description and charging schedule of the new Wyebridge Street Car Park (under construction);
 - to remove the overstay facility in all long stay Council owned car parks;
 - to introduce the enforcement of electric vehicle bay spaces and restrict waiting to 4 hours in these bays.

The proposed Orders were advertised in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

- 1.3 If significant unresolved objections arise from the consultation, a public inquiry can be held to reach a decision. However, in this instance, it is considered that a public inquiry is not required and it is recommended that all of the proposals proceed with the Traffic Orders made, as set out below.

2. RECOMMENDATIONS:

- 2.1 It is recommended to not hold a public inquiry, and to proceed to approve and implement the proposed Orders:
- 2.1.1 The introduction of one newly constructed car park (Severn Tunnel Junction);
- 2.1.2 The inclusion of one existing car park into the car parking schedule (Rogiet Country Park Car Park);

- 2.1.3 The amendment of the description and charging schedule of the new Wyebridge Street Car Park (under construction);
- 2.1.4 Removal of the overstay facility in all long stay Council owned car parks;
- 2.1.5 The introduction of enforcement of electric vehicle bay spaces and restrict waiting to 4 hours in these bays;
- 2.1.6 Provision of motorcycle parking and permitting motorhomes to park at Abergavenny bus station;
- 2.1.7 Prohibition of driving on Frogmore Street and Lion Street in Abergavenny.

3. KEY ISSUES:

Car Parking

- 3.1 Severn Tunnel Car Park, Rogiet – following the completion of construction of this car park (estimated December 2022) it is necessary to add the car park into Schedule 2 of the consolidation order in order to allow Civil Enforcement Officers to manage usage and to introduce charging of £3.00 per day. It is anticipated that the provision of this car park will lessen the impact of on street parking practices within the residential areas of Rogiet and provide additional parking for commuters as an alternative to using the M4 and M48 in accordance with the recommendations of the Burn Commission report into M4 relief road alternatives.
- 3.2 Rogiet Country Park Car Park, Rogiet – whilst this car park is an existing asset, it is anticipated that following the construction of the new Severn Tunnel Car Park, commuters using the nearby train station may decide to use Rogiet Country Park Car Park instead, which is currently free of charge. Therefore, in order to manage usage it is intended to add this car park into Schedule 2 of the Consolidation Order and introduce a parking fee for users. The first 3 hours will be free of charge with a £5.00 charge for the remainder of the day. This is intended to allow short stay users of the Country Park to park for free, but deter extended stays from commuters who should be using the station car parks.
- 3.3 Wyebridge Street Car Park, Monmouth – Whilst this car park is at the early stages of construction (anticipated for completion March 2023), it was previously included within Schedule 2 of the Consolidation Order under Wyebridge Car Park. The name will be amended to Wyebridge Street Car Park and the charging schedule updated to the current long stay charge, that being; £1.50 for the first 2 hours or part thereof, £1.90 for 3 hours or part thereof, £2.40 for 4 hours of part thereof, £4.80 for all day, £18.00 for 5 days, £21.50 for 6 days. Long Stay Car Park season permit at £430 per annum, £220 half year, £110 quarterly. These charges may be subject to future changes arising from wider consultation on fees and charges.
- 3.4 Overstay Penalty Payment, County Wide – Currently in all long stay off-street car parks in the County where a motorist exceeds the paid duration of stay they may receive a penalty charge notice. If the motorist returns to the vehicle they are currently permitted to purchase an overstay ticket at a cost of £6, providing this is within 1 hour of the expiry time of the pay and display ticket. This effectively cancels the penalty charge notice (PCN). However, there is very little evidence that this facility is being used and it causes complications with issued PCNs. We have recently introduced an alternative to purchasing a pay and display ticket via pay by phone. This system call alert the user that their ticket is due to expire and provides them with the opportunity to extend their stay at a lower cost and in a more convenient way, prior to their current ‘ticket’ expiring. This avoids the PCN being issued in the first place. Therefore, it is intended to remove the overstay facility from all car parks.
- 3.5 Abergavenny Bus Station, Abergavenny – Currently within the parking bays to the rear of the bus stands in Abergavenny Bus Station, caravans are permitted to park between the

hours of 8.00am and 6.00pm. There is no provision for motorhome parking within Abergavenny, therefore, it is proposed to add the provision of motorhome parking into Schedule 2 of the consolidation order. This will enhance the visitor attraction of Abergavenny and provide an appropriate place for motorhome visitors to park while visiting the town and supporting local businesses and attractions.

- 3.6 Electric Vehicle Charging Bays, County wide – recently MCC, via CCR/WG funding has introduced electric vehicle charging bays within a number of car parks across the County and has plans to expand this provision over coming years. In order to manage usage of these bays, it is necessary to introduce these bays into the Consolidation Order. Parking within these bays is currently free of charge for electric vehicles that are charging. However, the provisions within the Consolidation Order are not currently there to enable enforcement. This change will allow MCC Civil Enforcement Officers to enforce contraventions, such as, non electric vehicles being parked in the bays and electric vehicles being parked in a bay without charging. It is also intended to limit waiting in these bays to a maximum of 4 hours.

Traffic

- 3.7 Prohibition of Driving, Frogmore Street and Lion Street, Abergavenny – a Traffic Order is needed to permanently formalise the existing car-free arrangements on Frogmore Street and Lion Street following the recent public realm improvements. The Order will continue the existing practice of prohibiting driving along Frogmore Street and part of Lion Street between 10.00am and 4.00pm and a prohibition of driving except for loading between 4.00pm and 10.00am Monday to Sunday. Monmouthshire County Council has undertaken works within Frogmore Street to alter the highway layout and to enhance the urban street scene experience for pedestrians and other highway users. The proposed traffic order will continue to support the successful traffic free environment for visitors and residents and will also allow MCC to issue pavement café licences where appropriate.
- 3.8 Motorcycle Only Parking Area, Bus Station Car Park, Abergavenny – MCC has recently undertaken engineering works within the Bus Station and amended the bus station layout. The existing motorcycle parking bay was reduced in capacity due to the locating of a Hydrogen Refuelling Station, resulting in a lack of provision for motorcyclists. In order to remedy this, it is proposed to provide a formalised area for motorcycles to park within the revised bus station layout via a dedicated motorcycle only parking area in the vicinity of the Oasis Café which is a recognised meeting place for motorcyclists.

Conclusion

- 3.9 A summary of consultation responses can be found in Appendix 1 together with Officer responses. There are no issues or comments raised that cannot be overcome or that change the Officer recommendation to proceed with introducing the proposed restrictions or amendments.

4. EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):

- 4.1 The proposals aim to support the management of the Council's off street parking provision, and provide a traffic free environment in Abergavenny town centre. The proposal will also formalise current motorcycle parking practices within Abergavenny bus station.

5. OPTIONS APPRAISAL

- 5.1 Table One below therefore provides an options appraisal of the proposal:

Options	Benefits	Risks	Comments/Mitigation
Do Nothing	<ul style="list-style-type: none"> • Less demand on officer time and resource/budget 	<ul style="list-style-type: none"> • Loss of income from car parks. • Increase in extended duration of parking in the car parks • The use of designated electric vehicle parking bays by non electric vehicles for extended periods of time. • Motorcycles parking in areas not designated for that purpose. 	The benefits of taking action outweigh the resource implications.
Adopt the proposals	<ul style="list-style-type: none"> • Ensure the proposals are introduced as planned. • Maximise income from off street car parks. • Ensure inappropriate parking practices are kept to a minimum • Provide a traffic free environment for visitors in Abergavenny town. 	<ul style="list-style-type: none"> • None 	This is the preferred option.

6. REASONS:

6.1 The proposals will support the management of the Council's off-street parking provision, and provide a traffic free environment in Abergavenny town centre. The proposal will also formalise current motorcycle parking practices within Abergavenny bus station.

7. RESOURCE IMPLICATIONS:

7.1 The proposals will be funded from the Council's Road Safety and Traffic Management budget.

8. CONSULTEES:

- Cabinet Member for Climate Change and the Environment
- Communities and Place DMT
- SLT including Monitoring Officer and S151 Finance Officer
- The Traffic Orders were publicised in accordance with the statutory process including notification of County Councillors for the affected wards and the relevant Town/Community Council.

9. BACKGROUND PAPERS:

- Appendix 1; Schedule of consultation responses
- Appendix 2: Notice of Intention
- Appendix 3: Statement of Reasons
- Appendix 4: Drawing no's 1958, 1953, 1952
- Appendix 5: Wellbeing of Future Generations Equalities Impact Assessment

10. AUTHORS:

Mark Hand, Head of Placemaking, Highways and Flooding
Graham Kinsella, Traffic and Road Safety Manager

11. CONTACT DETAILS:

E-mail: markhand@monmouthshire.gov.uk

Appendix 1: Summary of Consultation Responses

Name/Details	Representations	Officer's Response
<p>Resident 1 (objection via email)</p>	<p>1. The consultation documents online do not include (as required by law) the order being amended.</p> <p>It's true that the consolidation order is "available" on the website but only in its original form and there is no link from the pages relating to the amendment order. In order for me to compare the amendment order to the consolidation order, the latter would have to be in a form which reflects all the previous amendments.</p> <p>2. When looking at the consolidation order in conjunction with the No 6 amendment order, it is not possible to identify what the approved plans are. No description of the approved plans is included, merely a list of numbers referencing "map tiles". This makes the orders ineffective.</p>	<p>The Consolidation Order and all previous amendment orders are available to view by appointment at County Hall, Usk, along with the other deposited documents as required by legislation. In addition to this, we make the documents available on the MCC website. All relevant documents are available, allowing comparison between Amendment Orders to be made in order to see how the proposal will affect the existing orders.</p> <p>The drawings 1958, 1953 and 1952 were included within the online documents and are referenced in the proposed order in addition to being available to view at County Hall by prior appointment. These documents identify the specific amendments. Map tile references refer to individual tiles associated with the overarching consolidation that will be amended as part of the order making process. The correct procedure has been followed and all relevant documents were available to view as part of the consultation process.</p>

Appendix 2:

ROAD TRAFFIC REGULATION ACT 1984

NOTICE OF INTENTION TO MAKE A PERMANENT ORDER

**MONMOUTHSHIRE COUNTY COUNCIL
MONMOUTHSHIRE COUNTY COUNCIL TRAFFIC REGULATION, SPEED LIMITS AND PARKING
REGULATIONS CONSOLIDATION ORDER 2019
(AMENDMENT ORDER NO 6) 2022**

**PROPOSED PROVISION AND AMENDMENTS TO TRAFFIC
ORDERS WITHIN VARIOUS COMMUNITIES IN MONMOUTHSHIRE**

NOTICE IS HEREBY GIVEN that Monmouthshire County Council of County Hall, The Rhadyr, Usk, NP15 1GA ("the Council") propose to make a Road Traffic Regulation Order as follows:

EFFECT OF THE ORDER: to introduce and amend-

- a prohibition of driving (except for loading) restriction, Frogmore/Lion Street Abergavenny
- a motorcycle only parking area and provision for motorhomes, Abergavenny Bus Station
- Off street parking at Severn Tunnel Junction and Rogiet Countryside Park
- parking charges at Wyebridge Car Park, Monmouth and all long stay car parks
- provision for the enforcement of parking Electric Vehicle Only bays

within the localities identified on the plans, which are available to view at County Hall, Usk or online via <http://www.monmouthshire.gov.uk/public-consultation-traffic>

Further details of the proposed Order, comprising plans and a statement of reasons for proposing to make the Order may be examined via pre-arranged appointment at County Hall, Usk NP15 1GA (appointments can be arranged by e-mailing traffic@monmouthshire.gov.uk) or by phoning 01633 644644 or online via <http://www.monmouthshire.gov.uk/public-consultation-traffic> or the via the below QR code

Any objections in respect of this proposal should be made in writing, stating the grounds on which the objection is being made and should be sent to Traffic Section, Monmouthshire County Council, County Hall, Usk NP15 1GA not later than 5 pm on Wednesday the 16th November 2022 or via scanning the QR code below and selecting "How to comment on a proposed TRO", where the public consultation response form can be accessed.



Date: 26th October 2022

**Mark Hand,
Head of Placemaking, Regeneration, Highways and Flooding,
Monmouthshire County Council**

Appendix 3:

STATEMENT OF REASONS

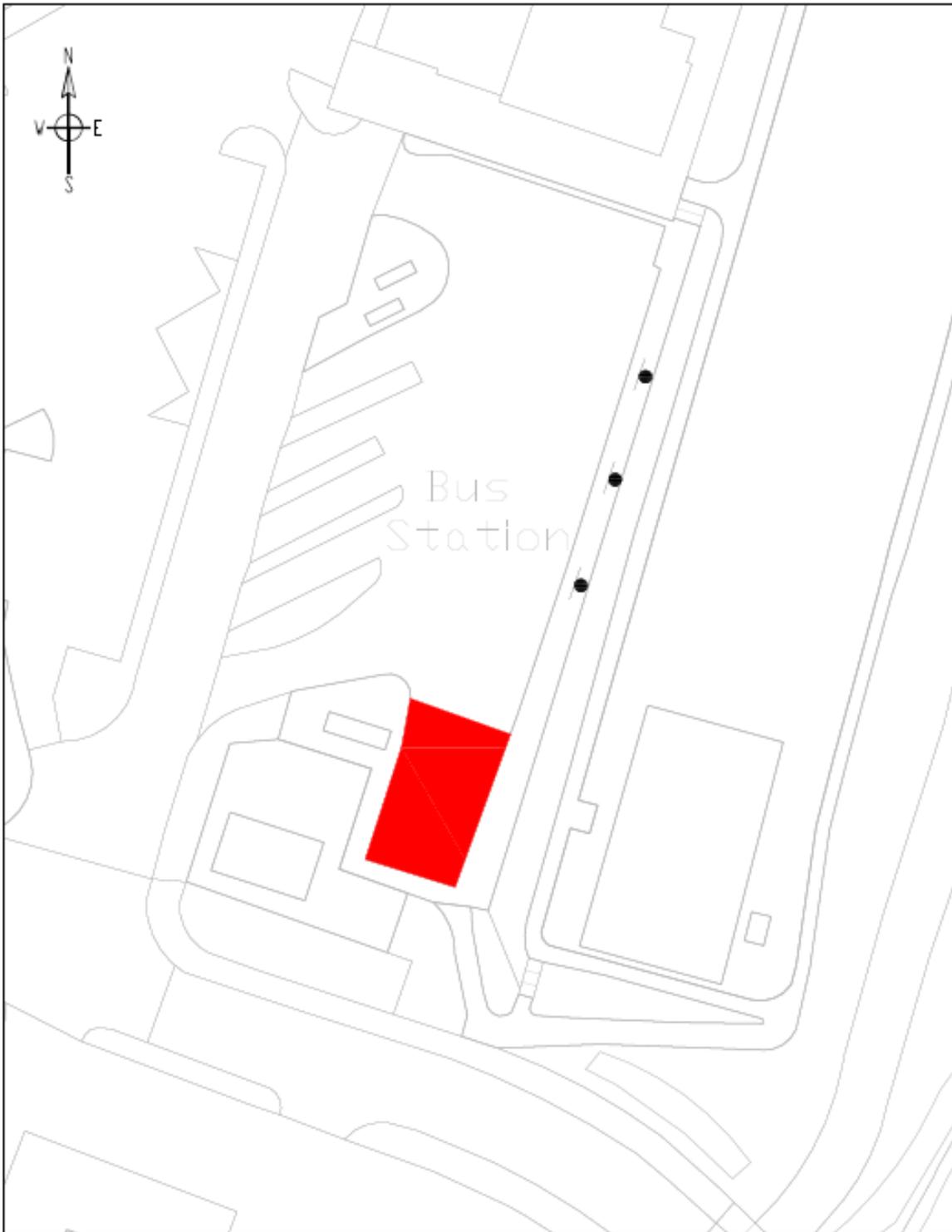
1. Motorcycle Only Parking area, Abergavenny Bus Station

Monmouthshire County Council has recently undertaken engineering works within the Bus Station and amended the bus station layout. In order to formalise an area for motorcycles to park within the revised bus station layout it is proposed to provide a dedicated motorcycle only parking area. This motorcycle only parking area is proposed to be situated in the vicinity of the Oasis Café which is patronised by the motorcyclists and other clients.

2. Prohibition of Driving and Prohibition of Driving (Except for Loading), Frogmore Street and Lion Street, Abergavenny

Monmouthshire County Council has previously undertaken works within Frogmore Street to alter the highway layout and to enhance the urban street scene experience for pedestrians and other highway users. In order to formalise and support the current usage of Frogmore Street it is necessary to prohibit driving on part of Frogmore Street and on part of Lion Street within a specified time period and to permit driving to undertake deliveries only within a specified time period only.

Appendix 4: Drawings

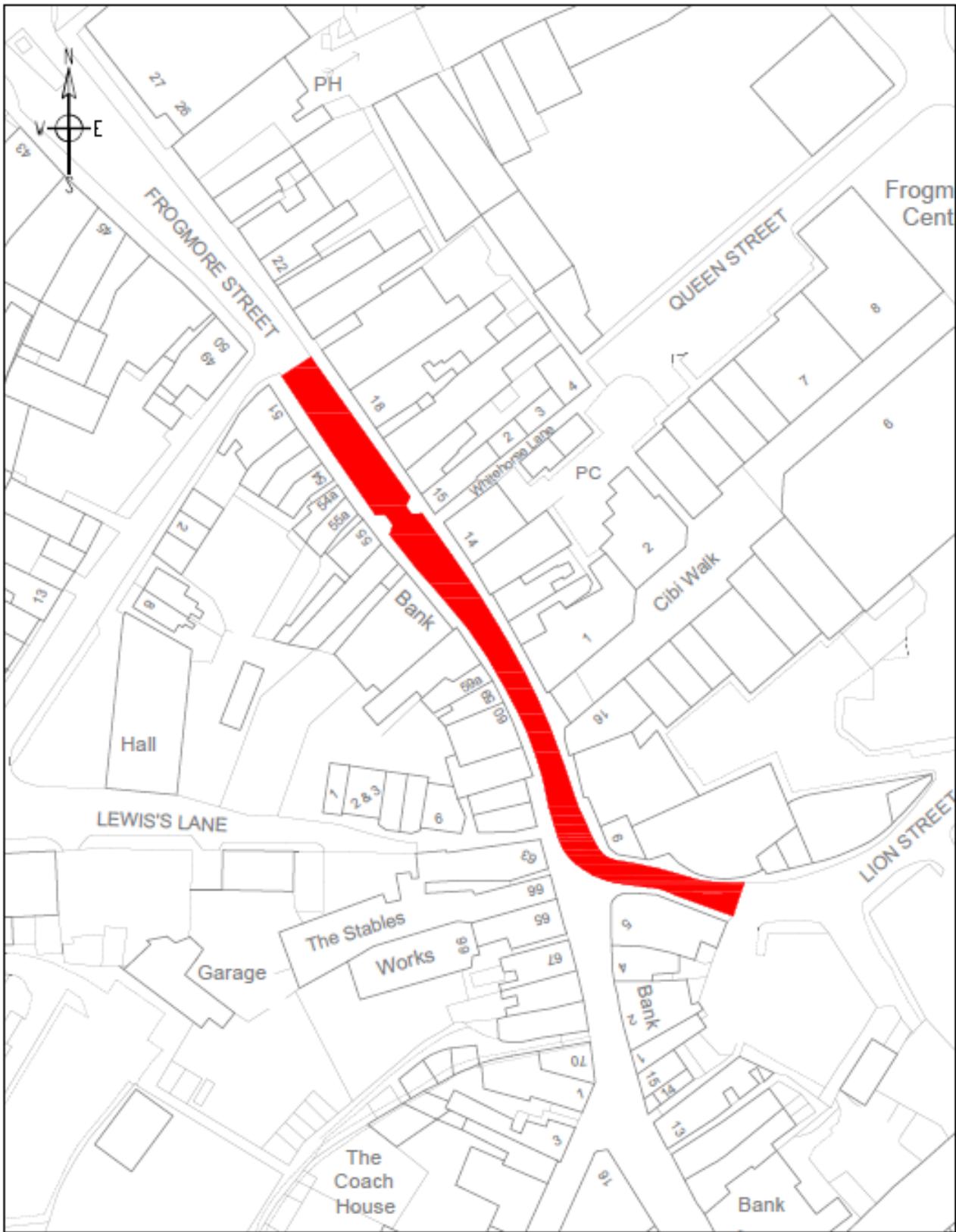


KEY

 PROPOSED MOTORCYCLE ONLY PARKING

 monmouthshire COUNTY COUNCIL <i>the county</i>	PROJECT TITLE ABERGAVENNY BUS STATION	
	PROPOSED MOTORCYCLE ONLY PARKING	
	DATE TBC	SCALE 1:500
	PROJECT NO. 1202	DATE 2022

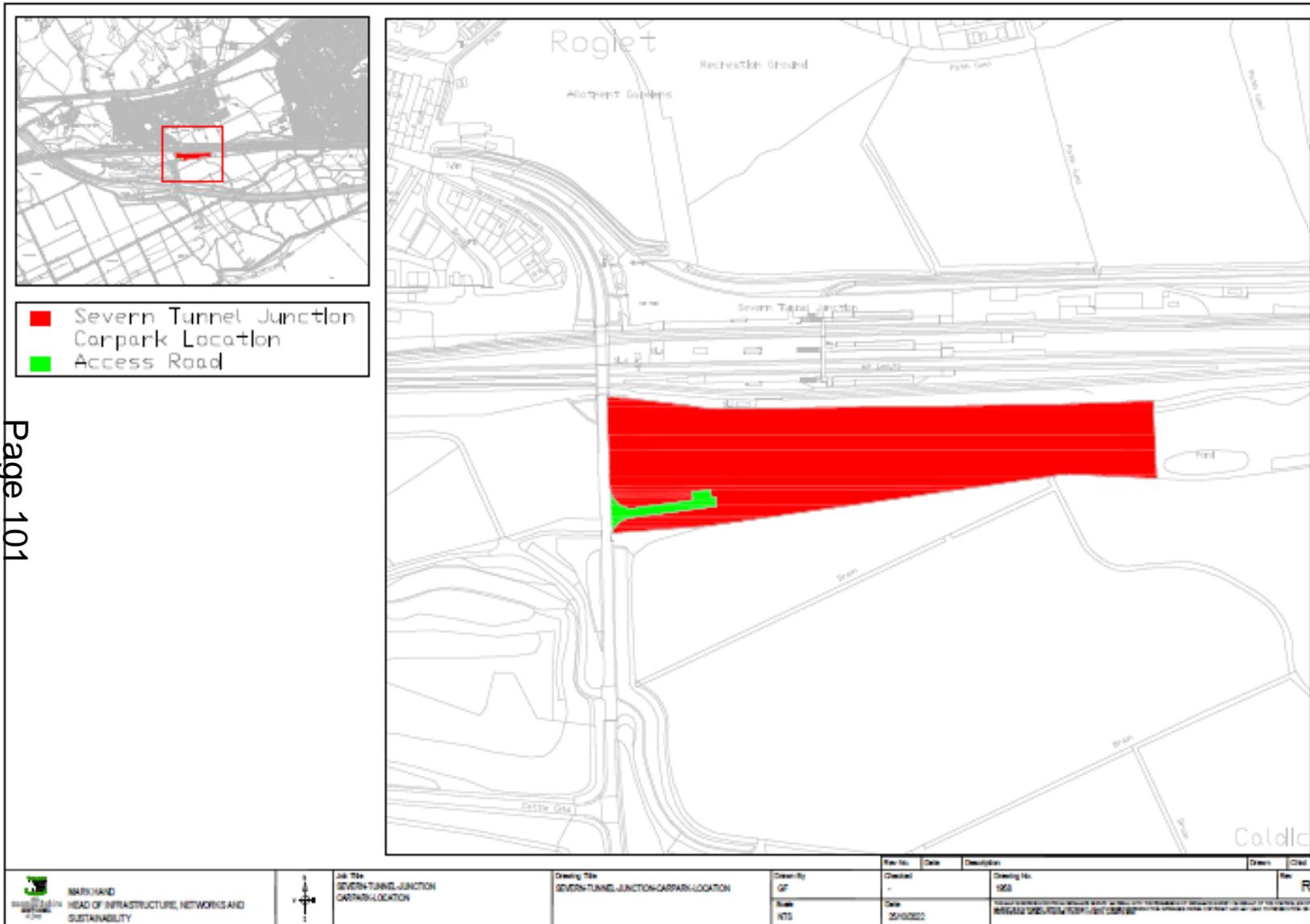
WAVE WIND
 HOUSE OF PLANNING, REGISTRATION,
 HIGHWAYS & FLOODING



KEY

- PROPOSED PROHIBITION OF DRIVING 10AM TO 4PM, MONDAY TO SUNDAY
- PROPOSED PROHIBITION OF DRIVING (EXCEPT FOR LOADING) 4PM TO 10AM, MONDAY TO SUNDAY

 monmouthshire COUNTY COUNCIL <i>at large</i>		Title: THE FROGMORE STREET AND LION STREET ABERGAVENNY Drawing No: PROPOSED PROHIBITION OF DRIVING Date: 1-1-2009 Drawing No: 1363	
NAME AND RANK OF PLACING ENGINEER HENRY L. R. JONES		Date: 1-1-2009 Drawing No: 1363	





monmouthshire
sir fynwy

Equality and Future Generations Evaluation

<p>Name of the Officer completing the evaluation</p> <p>Mark Hand Phone no: 01633 644773 E-mail: markhand@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>To consider a number of Traffic Orders and variations to the car parking schedule – Amendment Order 6</p>
<p>Name of Service area</p> <p>Placemaking, Regeneration, Highways and Flooding</p>	<p>8th November 2022</p>

Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

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	Making the part time pedestrianisation of Frogmore Street and Lion Street, with loading only at other times, will benefit children and young people, parents and people with mobility difficulties by creating a safer car free environment.	On-street parking immediately outside business premises is not available. Older people might be less likely to use the PaybyPhone app to extend their parking stay.	Blue badge holder parking provision has been increased in close proximity to the main shopping area, for example Tiverton Place car park. A phone number is available for people to access PaybyPhone services without the need for an app.

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?
Disability	<p>Introducing the specified car parks into the consolidation order will provide dedicated disabled persons parking places.</p> <p>Making the part time pedestrianisation of Frogmore Street and Lion Street, with loading only at other times, will benefit people with mobility difficulties and visual impairment by creating a safer car free environment.</p>	On-street parking immediately outside business premises is not available	Blue badge holder parking provision has been increased in close proximity to the main shopping area, for example Tiverton Place car park.
Gender reassignment	None	None	N/A
Marriage or civil partnership	None	None	N/A
Pregnancy or maternity	Making the part time pedestrianisation of Frogmore Street and Lion Street, with loading only at other times, will benefit expectant mothers and parents with children by creating a safer car free environment.	On-street parking immediately outside business premises is not available	The town benefits from several car parks in close proximity to the main shopping area.
Race	None	None	N/A
Religion or Belief	None	None	N/A
Sex	None	None	N/A
Sexual Orientation	None	None	N/A

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.

	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?
Socio-economic Duty and Social Justice	Providing a traffic free environment in Abergavenny will allow visitors to feely use the public space available. Additionally, it will encourage businesses to expand into the public realm.	Introducing charging within car parks whilst allowing MCC to manage usage, may lead to sections of society being excluded from parking legally.	N/A

Policy making and the Welsh language.

How does your proposal impact on the following aspects of the Council's Welsh Language Standards:	Describe the positive impacts of this proposal	Describe the negative impacts of this proposal	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts
Policy Making Effects on the use of the Welsh language, Promoting Welsh language Treating the Welsh language no less favourably	All new highway and car park signs and carriageway markings will be bi-lingual with Welsh appearing in front of English as per current guidance	None	N/A
Operational Recruitment & Training of workforce	None	None	N/A
Service delivery Use of Welsh language in service delivery Promoting use of the language	All documents are available to view via pre booked appointment at County Hall, Usk and the plans and orders are published online. All relevant documents are published bilingually as well as signage and road markings.	None	N/A

4. Does your proposal deliver any of the well-being goals below? Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal. There's no need to put something in every box if it is not relevant!

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Positive: Providing a traffic free environment in Abergavenny will encourage businesses to expand into the public realm.</p> <p>Allowing motorhome parking will support the visitor economy.</p>	N/A
<p>A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>Positive: Providing a traffic free environment in Abergavenny reduces noise and emissions within the main shopping area and allows space for planters. The new Severn Tunnel Junction Car Park will encourage the use of public transport. Managing electric vehicle parking bays will increase the opportunity for electric vehicle owners to charge their vehicle, which in turn may encourage people to purchase electric vehicles.</p>	N/A
<p>A Healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>Positive: Providing a traffic free environment in Abergavenny reduces noise and emissions within the main shopping area.</p>	N/A
<p>A Wales of cohesive communities Communities are attractive, viable, safe and well connected</p>	<p>Positive: providing additional parking places will lessen the impact of unregulated on street parking practices. Specifically the new Severn Tunnel Junction Car Park will encourage the use of public transport.</p>	N/A
<p>A globally responsible Wales Taking account of impact on global well-being when considering local</p>	<p>Positive: The new Severn Tunnel Junction Car Park will encourage the use of public transport. Managing electric vehicle parking bays will increase the opportunity for electric vehicle</p>	N/A

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
social, economic and environmental wellbeing	owners to charge their vehicle, which in turn may encourage people to purchase electric vehicles.	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Neutral	N/A
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Neutral	N/A

30 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?
 Balancing short term need with long term and planning for the future	Managing electric vehicle parking bays will increase the opportunity for electric vehicle owners to charge their vehicle, which in turn may encourage people to purchase electric vehicles.	N/A

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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>Working together with other partners to deliver objectives</p> <p>Collaboration</p>	<p>The proposals have been subject to consultation.</p> <p>The Orders support the visitor economy and local businesses for example by allowing motorhomes and motorcycles to park at the bus station, and by maintaining the car-free environment in the town centre during the core trading hours, with deliveries only outside those hours.</p>	N/A
 <p>Involving those with an interest and seeking their views</p> <p>Involvement</p>	<p>Statutory consultation has been undertaken with all necessary stakeholders including the general public.</p>	N/A
 <p>Putting resources into preventing problems occurring or getting worse</p> <p>Prevention</p>	<p>The proposals seek to increase off street parking provision within the county, which should reduce instances of inappropriate parking in residential streets.</p>	None
 <p>Considering impact on all wellbeing goals together and on other bodies</p> <p>Integration</p>	<p>The proposals consider the impacts on residents, businesses, public transport providers and emergency services.</p>	None

4. Council has agreed the need to consider the impact its decisions has on the following important responsibilities: Social Justice, 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?
Social Justice	N/A	N/A	N/A
Safeguarding	N/A	N/A	N/A
Corporate Parenting	N/A	N/A	N/A

5. What evidence and data has informed the development of your proposal?

Officer observations and correspondence from the respective communities and their elected representatives.

6. **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?

Positive impacts: The proposals will encourage the use of off street parking areas and facilities, and encourage economic growth within Abergavenny town. Managing electric vehicle parking bays will increase the opportunity for electric vehicle owners to charge their vehicle, which in turn may encourage people to purchase electric vehicles. The STJ car park will encourage public transport use in an appropriately enforced car park.

7. 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
Implement the various proposals as consulted upon and advertised	Following the making and publication of the traffic regulation orders	Traffic and Car Parking Teams (Graham Kinsella, Phaedra Cleary, Gareth Freeman, Neil Rosser)

8. 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
	ICMD decision post-consultation	Nov 2022	Review of impacts based on public consultation responses.

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SUBJECT: PROPOSED CHANGES TO SPEED LIMITS ON THE B4245 AND CALDICOT ROAD, CALDICOT AND ON THE B4293 AT DEVAUDEN

MEETING: INDIVIDUAL CABINET MEMBER DECISION – CATRIN MABY

DATE: 30 November 2022

DIVISION/WARDS AFFECTED: Severn, West End, Caldicot Cross and Devauden

1. PURPOSE:

- 1.1 This report seeks Cabinet Member approval to proceed with Traffic Orders to make the following changes:
- to revert to 30mph the section of the B4245 between Woodstock Way and the Castlegate roundabout, with a part-time 20mph limit alongside Durand Primary School at school start and finish times;
 - to revert to 30mph the section of Caldicot Road between the Castlegate roundabout and the bridge over the former railway line bounding Portskewett;
 - to extend the 30mph buffer on the B4293 in Devauden to include a bus stop used by the school bus.
- 1.2 The proposed Orders were advertised in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 1.3 If significant unresolved objections arise from the consultation, a public inquiry can be held to reach a decision. However, in this instance, it is considered that a public inquiry is not required and it is recommended that all of the proposals proceed with the Traffic Orders made, as set out below.

2. RECOMMENDATIONS:

- 2.1 It is recommended to not hold a public inquiry, and to proceed to approve and implement the proposed Orders:
- 2.1.1 to revert to 30mph the section of the B4245 between Woodstock Way and the Castlegate roundabout, with a part-time 20mph limit alongside Durand Primary School at school start and finish times;
- 2.1.2 to revert to 30mph the section of Caldicot Road between the Castlegate roundabout and the bridge over the former railway line bounding Portskewett;
- 2.1.3 to extend the 30mph buffer on the B4293 in Devauden to include a bus stop used by the school bus.

3. KEY ISSUES:

B4245 and Caldicot Road speed limit changes

3.1 In 2021, MCC secured Welsh Government (WG) funding to implement two settlement-wide 20mph pilot areas: one in Abergavenny and one in Severnside. The pilots are to test implementation of the legislative change that will see the 30mph speed limit on all 'restricted roads' in Wales become 20mph. The legislation to make this change was laid on 21st June 2022, debated in the Senedd on 12th July 2022 and is expected to come into force on 17th September 2023. A total of eight pilot areas have been implemented around Wales.

3.2 The overriding reason for the change is to make our roads safer, make places feel more pleasant and less car-dominated, and to encourage walking and cycling. On 21st June 2022, the WG Economic Infrastructure Directorate issued an explanatory memorandum to explain the proposed legislation to Members of the Senedd. It states:

“4.3 The legislation seeks to address the issues of road safety and the effects from vehicles and roads on the environment and communities. It seeks to improve road safety, encourage a shift to more active forms of travel and improve the local economy and environment in Welsh communities.

4.4 The legislation will also support the objectives of many Welsh Government strategies including Llwybr Newydd: the Wales Transport Strategy 2021 and the goals set out in other legislation such as the Active Travel (Wales) Act 2013 and the Well-being of Future Generations (Wales) Act 2015.”

3.3 The Traffic Order to introduce the 20mph zone in Severnside was approved by the then Cabinet Member for Infrastructure on 9th February 2022, following public consultation in December 2021 and January 2022. The report, including a summary of consultation responses, can be viewed [here](#) (agenda item 2). Implementation started in late March 2022 but took several weeks for signing and lining to be completed and signage corrected. It was completed on 18th May 2022.

3.4 The sketch plan below shows the speed limits currently in place on the B4245.



Key: 20mph – green
30mph buffer – orange
40mph buffer – red
60mph – pink

3.5 Implementation was undertaken during April and May 2022. The timing meant that elected members (both new and returning) received considerable feedback on the changes while canvassing for the May elections. The Highways Department has also received feedback outside of the statutory Traffic Order process, although as is

expected, those who comment are often those objecting to changes. The main issues raised are summarised below:

- Drivers focusing on their speedometers and not on the road ahead;
- Road rage and aggressive overtaking;
- Cars are not efficient at 20mph/sits uncomfortably between 2nd and 3rd gear;
- Traffic bunches up making it harder to leave side streets leading to increased congestion;
- Delays to school and public buses (with data suggesting a 6 minute delay to the eastbound X74 Newport to Chepstow bus and a 10 minute delay to the westbound X74 Chepstow to Newport bus);
- Bus passenger comfort, driver fatigue and fuel efficiency with vehicles not sitting comfortably in one gear (NB it has since been confirmed that all buses have automatic gearboxes: roll-out of electric buses will take a few years);
- Difficulty overtaking cyclists going at 18mph/19mph;
- Support for the 20mph speed limit on residential side roads and near schools but not on the B4245;

3.6 A smaller number of positive responses have been received:

- It feels safer for pedestrians and cyclists;
- MCC has responded at last to longstanding concerns about traffic speeds on the B4245;
- Issues of congestion are not new and are not caused by the new speed limit;
- People will get used to the change with time;
- The Magor Residents Against Speed group supports the 20mph speed limit.

3.7 Officers and the Cabinet Member for Climate Change and the Environment met with the elected members for Severnside on 18th May 2022 to discuss the project and feedback received, and again on 4th July 2022 to discuss concerns further and to examine the evidence to date and to review the B4245 and Caldicot Road in the light of the clarified WG guidance on where exceptions to the 20mph limit might be appropriate for A and B roads. The Welsh Government has now (November 2022) published this guidance. The changes proposed under Amendment Order 5 have been reviewed against this newly published guidance and the officer recommendation remains to proceed with the changes proposed here.

Criteria for A and B roads

3.8 As part of the Welsh Government Economic Infrastructure Directorate's June 2022 explanatory memorandum, reference is made to exceptions. At page 15 it states:

"Exceptions: It would not be appropriate to place a speed limit of 20mph on all existing 30mph roads. On well-engineered routes that are principal corridors for movement, where there is little frontage development or community activity and where pedestrians and cyclists do not need to mix with motor vehicles it will often be appropriate to retain a 30mph speed limit. An exceptions process forms part of the 20mph policy, through which local authorities (as the highways authority in their area) can determine the routes that need to be made exceptions to the default limit of 20mph. In such cases a speed limit order will be required. As with all speed limits, 30mph exceptions could be part time if the local authority considers this to be appropriate. The exceptions process will be conducted before the proposed introduction of the 20mph policy in 2023..."

3.9 In preparation for the Wales-wide legislative change, and as part of the pilots, WG and Transport for Wales (TfW) developed criteria setting out how existing 30mph A and B roads such as the B4245 should be dealt with. A series of 'place criteria' was provided

to identify when A and B roads can be excluded from 20mph zones and when those exceptions should not be applied. The aim is to have a consistent approach across Wales to provide certainty to drivers as part of the Wales-wide legislative change in September 2023.

Place Criteria

Key:
New criteria
Can be adjusted

Remember – all 30mph unclassified roads are currently assumed to default automatically to 20mph. **Place criteria only applied to A/B 30mph roads.**

Exceptions not allowed for A/B 30mph roads:

1. Within **100 metres** walk of any educational setting (e.g. primary, secondary, FE & HE)
2. Within **100 metres** walk of any community centre
3. Within **100 metres** walk of any **hospital**
4. Where number of residential and/or retail premises fronting a road exceeds a defined density (**20 properties per km equivalent**)

E.g. 250-metre link with > 5 residential properties

Automatic adjustments applied:

- Fill 20mph gaps < 300 metres between sections meeting the above 'place criteria'
- Fill 20mph gaps < 100 metres between roads automatically becoming 20mph and sections meeting 'place criteria'
- Over-riding exception to 30mph A/B roads defined as 'dual-carriageways'



3.10 These criteria were applied to the B4245 and discussed at the 4th July 2022 meeting, including the following clarification from WG officers:

- Criteria 1 refers to 100m walk from the school gate or any used school site access point (formal or informal);
- Criteria 4 does not apply where homes back onto the road with no access or only a rear gate access.

What does the data say?

3.11 Data is being collected on vehicle speed, traffic volumes and (once installed by WG) air quality. Casualty data continues to be recorded.

Casualty data

3.12 Casualty data is summarised in the table below and plotted on the map in Appendix 1. There have been 35 recorded road traffic incidents on the B4245 up to and including the J23A roundabout since the start of 2017 to mid 2021 involving 51 people. There was one fatality and ten seriously injured casualties. It is important to consider causation before drawing significant conclusions from this data. No data is available yet for the period following implementation of the new 20mph speed limit.

	Fatal Incidents	Serious Incidents	Slight Incidents	Total	Fatalities	Serious Casualties	Slight/No Injuries	Total Casualties
2017	0	0	7	7	0	0	13	13
2018	0	3	2	5	0	3	2	5
2019	0	1	9	10	0	1	11	12
2020	1	5	6	12	1	6	13	20
2021	0	0	1	1	0	0	1	1
2022								
	1	9	25	35	1	10	40	51

Speed

3.13 The data from April to August 2022 for the relevant part of the B4245 and for Caldicot Road is summarised in Appendix 2. Implementation began at the end of March and

was completed on 18th May 2022. It is worth bearing in mind that the emerging data may be affected by other factors:

- Easter school holidays 8th April to 25th April;
- Road closure at Church Road/Sandy Lane/Chepstow Road junction 11th April to 11th May;
- Summer half term holiday 30th May to 3rd June and Summer holidays;
- Queen's Jubilee bank holidays 2nd and 3rd June with road closures for street parties;
- Wales and West Utility gas works from 20th June for six months with traffic lights on Newport Road.

- 3.14 The data shows a significant and sustained reduction in mean, median and 85% percentile speeds at each of the monitoring locations. A significant increase in traffic volumes between April 2022 and May 2022 in most locations is most likely due to the start of the school term, which combined with completion of the 20mph zone could account for reports of initial congestion while the scheme was new.

Air quality

- 3.15 No air quality data is available at this time.

The proposed changes in Caldicot

- 3.16 At the meeting on 4th July 2022, officers and elected members agreed that the above clarification on place criteria does change the position for the very eastern end of the B4245 from Woodstock Way to the Castlegate roundabout. Having considered the guidance and the casualty and speed data, it was concluded that this section should revert to 30mph but with a part time 20mph alongside Durand Primary School at school start and finish times. In addition, the section of Caldicot Road from the Castlegate roundabout to the bridge over the former railway line passes through a business park without any residential properties fronting the road and with very little interaction between pedestrians and motorists. It is therefore proposed that this section reverts to 30mph. These changes are shown in the plan at Appendix 6.
- 3.17 These proposed changes were consulted on in August 2022. The responses are provided in Appendix 3 together with an officer reply to any issues raised.
- 3.18 A 20mph speed limit has been introduced in Devauden in 2022 in response to community concerns and associated evidence. The entrances to the 20mph speed limit area have 30mph buffers.
- 3.19 Under Amendment Order 5 it is proposed to extend the 30mph buffer on the B4293 heading north out of the village/south into the village, to incorporate a bus stop used by the school bus. This is something the former Ward Member, the late Councillor Bob Greenland, was campaigning for and he was aware that it was proposed for inclusion under this Amendment Order. Councillor Rachel Buckler has been briefed on the proposal, having been elected since the consultation in August.
- 3.20 No objections or comments were received in response to this proposal. A plan showing the extended 30mph buffer is provided at Appendix 6.

Conclusion

- 3.21 A summary of consultation responses can be found in Appendix 3 together with Officer responses. There are no issues or comments raised that cannot be overcome or that change the Officer recommendation to proceed with introducing the proposed speed limit changes.

4 EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):

- 4.1 The proposals aim to support the safety of all highway users by implementing appropriate speed limits. In the case of the proposed changes in Caldicot, these reflect the clarified WG exception criteria and respond to the evidence and community feedback.

Safeguarding and Corporate Parenting

- 4.2 There are no safeguarding or corporate parenting implications arising directly from this report.

Socio-economic Duty

- 4.3 The Welsh Government undertook a regulatory impact assessment of the proposed Wales-wide default speed limit change to 20mph which identified a theoretical economic cost arising from journeys taking slightly longer. Conversely, the reduced speeds result in safety benefits result in savings to the NHS due to fewer road traffic collisions and, where collisions do occur, reduced risk of death or serious injury; improved health and wellbeing by making streets more conducive to people walking and cycling; and improved quality of life in terms of the environment people live in.
- 4.4 This proposal would see two short sections of the B4245 reverting to 30mph, with the rest of the 20mph limit remaining unchanged. It is not considered that this small change would have a detrimental effect on road safety or quality of life given the specifics of the sections of road in question, which have been reviewed against the clarified WG criteria. A part-time 20mph limit is proposed alongside Durand Primary School to operate during school start and finish times.

5 OPTIONS APPRAISAL

- 5.1 Table One below therefore provides an options appraisal of the proposal:

Options	Benefits	Risks	Comments/Mitigation
Do Nothing	<ul style="list-style-type: none"> Less demand on officer time and resource/budget 	<ul style="list-style-type: none"> Retaining the 20mph limit in the areas where change is proposed could mean compliance with the wider speed limit is undermined. Not introducing the 30mph extended buffer in Devauden could present a risk to people using the bus stops including school children. 	The benefits of taking action outweigh the resource implications.
Adopt the proposals	<ul style="list-style-type: none"> Ensures appropriate speed limits are in place that safeguard the safety of highway users 	<ul style="list-style-type: none"> None 	This is the preferred option.

6. REASONS:

- 6.1 The proposals aim to support the safety of all highway users by implementing appropriate speed limits. In the case of the proposed changes in Caldicot, these reflect the clarified WG exception criteria and respond to the evidence and community feedback.

7. RESOURCE IMPLICATIONS

- 7.1 The Severnside pilot cost £243,790 to date which was fully funded by Welsh Government grant explicitly for this purpose. MCC contributed officer time. There will be an additional costs arising from the proposed changes that are expected to be in the region of £10,000 and would be funded from the existing Highways budget.

8. RESOURCE IMPLICATIONS:

- 8.1 The proposals will be funded from the Council's Road Safety and Traffic Management budget.

9. CONSULTEES:

- Cabinet Member for Environment and Climate Change
- Severnside Ward Members for the Severnside pilot review: Elected members support the proposed changes but also expressed concerns about the short length of national speed limit on the section of the B4245 between Magor with Undy and the Llanvihangel bends and suggested it be reduced to 40mph to match the surrounding sections. This will be progressed via Amendment Order 7 which will be consulted upon later this month and, subject to the responses received, reported to Cabinet Member for approval on 11th January 2023.
- Welsh Government 20mph project officers: comfortable with the proposed Caldicot changes as a local decision based on the exception criteria.
- Public consultation on the original Severnside pilot Traffic Order (December 2021 and January 2022)
- Place Scrutiny Committee: considered and confirmed its support for the Caldicot proposals at its meeting on 10th November 2022
- Communities and Place DMT
- SLT including Monitoring Officer and S151 Finance Officer
- The Traffic Orders were publicised in accordance with the statutory process including notification of County Councillors for the affected wards and the relevant Town/Community Council (3rd August to 31st August 2022)
- Head Teacher of Durand Primary to agree the times for the part-time 20mph limit adjacent to Durand Primary School.

10. BACKGROUND PAPERS:

- Welsh Government and Welsh Local Government Association joint Task Force on speed limit change <https://gov.wales/sites/default/files/publications/2020-07/20mph-task-force-group-report.pdf>
- Welsh Government Exceptions Guidance October 2022

11. AUTHORS:

Mark Hand, Head of Placemaking, Highways and Flooding
markhand@monmouthshire.gov.uk
07773478579

12. APPENDICES:

APPENDIX 1: Location of reported casualties in Severnside 2017-2021

APPENDIX 2: Speed data for the B4245 near Denny View and for Caldicot Road

APPENDIX 3: Schedule of consultation responses

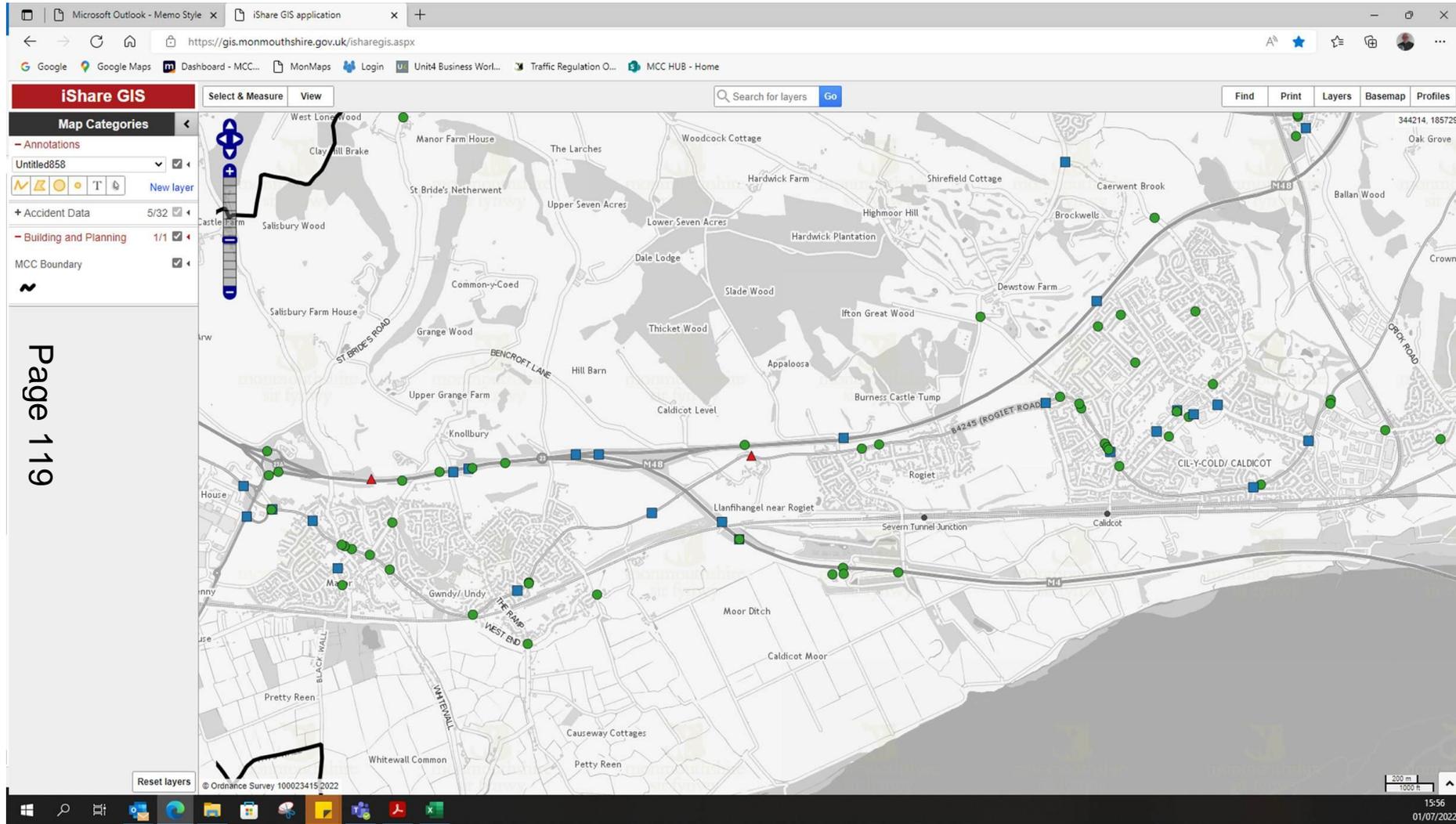
APPENDIX 4: Notice of Intention

APPENDIX 5: Statement of Reasons

APPENDIX 6: Plan showing the parts of the B4245 proposed to revert to 30mph (with a part-time 20mph adjacent to Durand Primary School) and B4293 Devauden 30mph buffer

APPENDIX 7: Wellbeing of Future Generations Equalities Impact Assessment

APPENDIX 1: Location of reported casualties in Severnside 2017-2021



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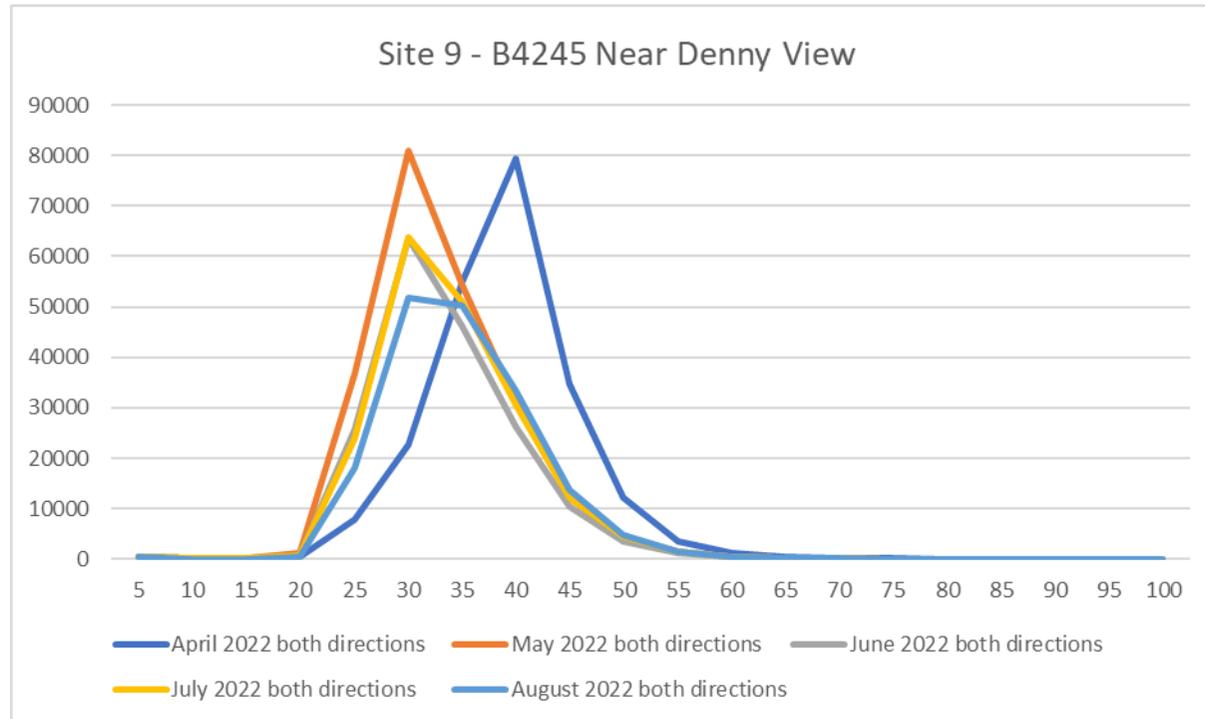
Key: green circle = slight injury, blue square = serious injury, red triangle = fatality

APPENDIX 2: Speed data for the B4245 near Denny View and for Caldicot Road

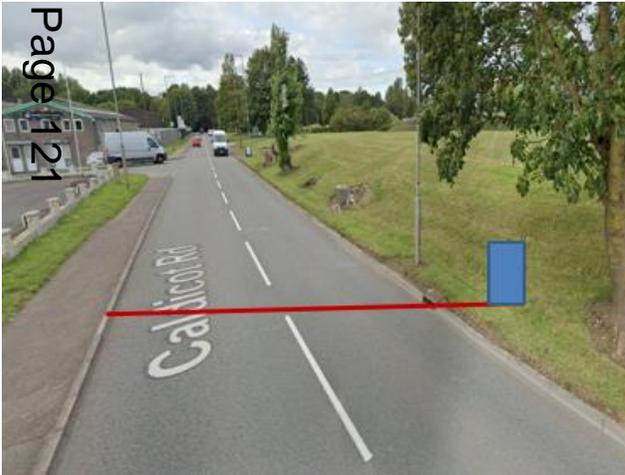
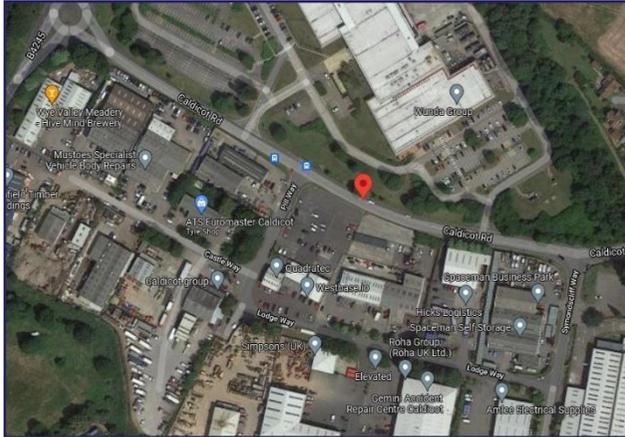
Sevenside Speed Data – Site 9 - B4245 Near Denny View



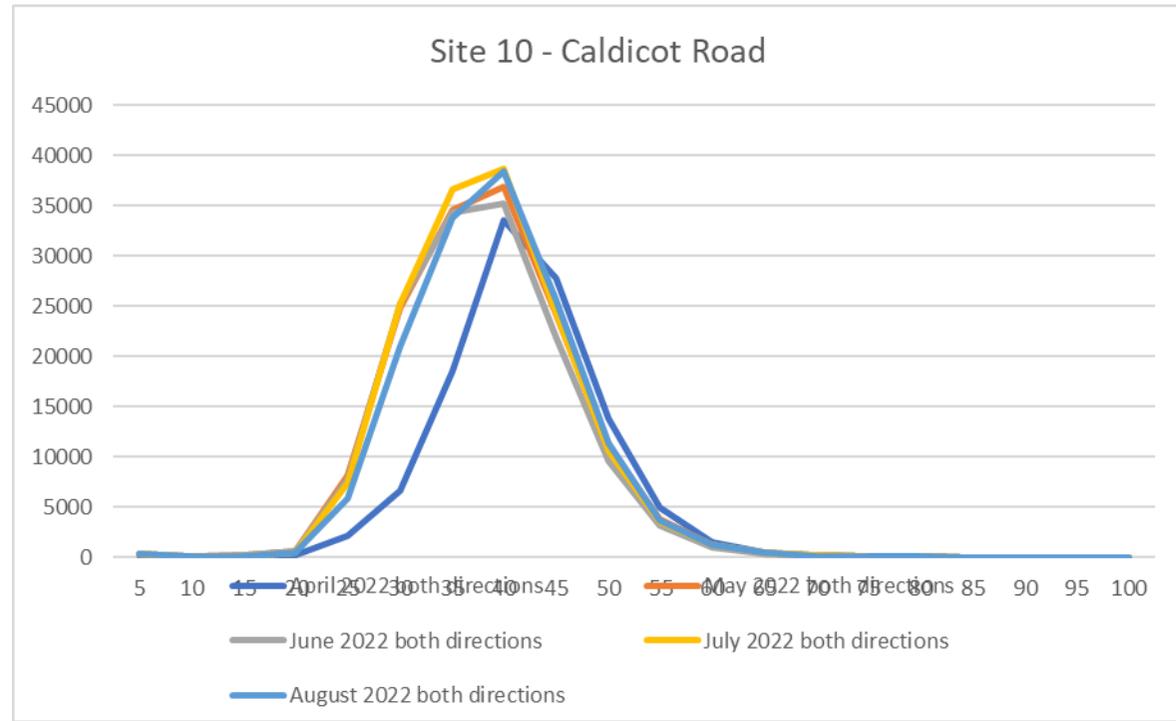
Date	Total number of vehicles	Mean vehicle speed	Median vehicle speed	Maximum vehicle speed	% vehicles exceeding 20mph	% vehicles Exceeding 30mph	85% percentile speed (mph)
Apr-22	217948	36.3	36.2	118.7	99.6	85.6	42.2
May-22	223580	30.7	29.4	126.5	99.2	46.6	37.1
Jun-22	179227	31	30.0	101.0	99.33	49.5	37.5
Jul-22	189660	31.5	30.5	118.8	99.37	53.1	38
Aug-22	175541	32.3	31.5	103.5	99.4	59.6	38.9



Sevenside Speed Data – Site 10 – Caldicot Road



Date	Total number of vehicles	Mean vehicle speed	Median vehicle speed	Maximum vehicle speed	% vehicles exceeding 20mph	% vehicles exceeding 30mph	85% percentile speed (mph)
Apr-22	110666	39.3	39.0	108.5	99.4	91.4	46.2
May-22	146742	35.8	35.6	116.8	99.1	76.6	43.6
Jun-22	140141	35.5	35.2	96.7	99.1	75.5	43.1
Jul-22	149585	35.9	35.6	97.1	99.3	77.5	43.4
Aug-22	142642	36.4	36.2	98.3	99.2	80.5	43.8



APPENDIX 3A: Summary of Consultation Responses relating to proposed speed limit changes on the B4245 and Caldicot Road and officer response.

Name/Details	Representations	Officer's Response
Resident 1 (Somewhat supports).	The whole of the B4245 from Caldicot to Magor including Magor and Undy should be 30 mph speed limit. The B4245 has become more unsafe due to vehicles tailgating and driving inappropriately.	Support noted. The 20mph speed limit currently in effect is part of the phase 1 rollout of the national reduction for restricted roads in Wales to reduce to 20mph. From September 2023, all restricted roads in Wales will come down to 20mph. However, exceptions can be applied to retain sections of A and B roads at 30mph where they do not meet the Welsh Government's 'place criteria'. Unlike the two sections where 30mph limits are now proposed, the remainder of the B4245 does meet the place criteria for 20mph. Therefore, the request to increase the whole of the B4245 to 30mph is not supported.
Resident 2 (Objection via e-mail)	The existing 20 mph speed limit should be retained on the B4245 and on Caldicot Road. It is safer for pedestrians to cross the B4245 with a 20 mph speed limit. The Council should not succumb to "a vocal minority" who wish to reinstate the 30 mph speed limit.	In proposing the two 30mph speed limits on parts of the B4245, the Council is trying to strike an appropriate balance between implementing the Welsh Government's Wales-wide policy ambition, responding to objections raised by some members of the local community and road users via Ward Members, safety and consistency for road users. The WG 'place criteria' set out when A and B roads should be 20mph vs 30mph. The B4245 from Woodstock Way to the Castlegate roundabout does not meet the 'place criteria' for a 20mph limit. Similarly, the Caldicot Road through the Castlegate Business Park is considered to be

		<p>suitable for a 30mph limit. There are several controlled puffin crossings for pedestrians to use to cross the B4245 over the extent of the proposals which provide safe crossing locations for pedestrians. Speed data, casualty data, the WG 'place criteria' and local opinion raised via this consultation and via elected members for Severnside have all been carefully considered. The proposed changes, including a part-time 20mph limit at school start and end times near Durand Primary School, are considered to be safe and appropriate speed limits.</p>
<p>Resident 3 (Objection via e-mail)</p>	<p>The reduction to 20 mph speed limit in Caldicot has improved the level of pedestrian and cyclist safety. The reason for the congestion is vehicles tailgating and vehicles speeding inappropriately. The area in the vicinity of the Mitel roundabout and Caldicot is particularly dangerous when events are held at Caldicot Castle and for school children using the school bus service.</p>	<p>Speed data, casualty data, the WG 'place criteria' and local opinion raised via this consultation and via elected members for Severnside have all been carefully considered. The proposed changes, including a part-time 20mph limit at school start and end times, are considered to be safe and appropriate speed limits.</p> <p>Events at Caldicot Castle are risk and safety assessed and appropriate safety and traffic management measures are put in place. The Passenger Transport Team will have risk assessments in place for all bus stops.</p>
<p>Resident 4 (Somewhat supports via e-mail)</p>	<p>Supports the proposal regarding the B4245 but is disappointed that the 30 mph is not being increased all the way from Caldicot to Magor. Supports a 20-mph speed limit on side roads only. The 20 mph speed limit is not being adhered to on the B4245. Concerned that in an emergency that the journey</p>	<p>Support noted for the proposed changes and for 20mph on side roads.</p> <p>The 20mph speed limit currently in effect is part of the phase 1 rollout of the national reduction for</p>

	<p>time to take a relative (as done recently due to lack of ambulance) will be excessive due to adhering to the 20 mph speed limit on the B4245.</p>	<p>restricted roads in Wales to reduce to 20mph. From September 2023, all restricted roads in Wales will come down to 20mph. However, exceptions can be applied to retain sections of A and B roads at 30mph where they do not meet the Welsh Government's 'place criteria'. Unlike the two areas where 30mph limits are now proposed, the remainder of the B4245 does meet the place criteria for 20mph. Therefore, the request to increase the whole of the B4245 to 30mph is not supported.</p> <p>The concerns a regarding journey times are noted however there is limited evidence on this to date, and in any case the safety and amenity benefits of the 20mph limit are considered to outweigh the potential disbenefit of a slight increase in journey times. The circumstances described here with an emergency journey needing to be made in a regular vehicle due to no emergency response vehicles being available would be unlikely to be a frequent occurrence.</p>
<p>Resident 5 (Somewhat supports via e-mail)</p>	<p>The whole of the B4245 from Magor to Caldicot should be reinstated to the 30 mph speed limit. Travelling on the B4245 through Magor and Undy is now more dangerous than ever. Due to the 20 mph vehicles are now tailgating. Drivers adhering to the 20 mph speed limit are being harassed by drivers tailgating behind.</p>	<p>Support noted. The 20mph speed limit currently in effect is part of the phase 1 rollout of the national reduction for restricted roads in Wales to reduce to 20mph. From September 2023, all restricted roads in Wales will come down to 20mph. However, exceptions can be applied to retain sections of A and B roads at 30mph where they do not meet the Welsh Government's 'place</p>

		<p>criteria'. Unlike the two sections where 30mph limits are now proposed, the remainder of the B4245 does meet the place criteria for 20mph. Therefore, the request to increase the whole of the B4245 to 30mph is not supported.</p>
<p>Resident 6 (Somewhat Supports via e-mail)</p>	<p>Supports the proposals however wishes to see the speed limit reinstated to 30 mph through Rogiet as it is an arterial and not a residential route. Most of the properties through Rogiet are only located on one side of the B4245 and the only exception to that layout is by Ifton in Rogiet. The vast majority of residents in Rogiet have no necessity to cross the B4245 as pedestrians.</p>	<p>Support noted. The 20mph speed limit currently in effect is part of the phase 1 rollout of the national reduction for restricted roads in Wales to reduce to 20mph. From September 2023, all restricted roads in Wales will come down to 20mph. However, exceptions can be applied to retain sections of A and B roads at 30mph where they do not meet the Welsh Government's 'place criteria'. Unlike the two sections where 30mph limits are now proposed, the B4245 through Rogiet does meet the place criteria for 20mph. Therefore, the request to increase the B4245 through Rogiet to 30mph is not supported.</p>
<p>Councillor Peter Strong</p>	<p>I support the changes but think that the B4245 through Rogiet should also revert to 30mph. This is an arterial rather than residential route. For most of this length of road the houses are only on one side of the road. People have very little reason to cross the road. Where there are houses they are set well back from the road. The only exception is by the filling station at Ifton. The best way to improve safety there is through a pedestrian crossing.</p>	<p>Support noted. The 20mph speed limit currently in effect is part of the phase 1 rollout of the national reduction for restricted roads in Wales to reduce to 20mph. From September 2023, all restricted roads in Wales will come down to 20mph. However, exceptions can be applied to retain sections of A and B roads at 30mph where they do not meet the Welsh Government's 'place criteria'. Unlike the two sections where 30mph limits are now proposed, the B4245 through Rogiet does meet the place criteria for 20mph. Therefore, the</p>

		request to increase the B4245 through Rogiet to 30mph is not supported.
Resident 7 (Somewhat support via e-mail)	Supports the proposal. The main road (B4245) through Magor, Undy, Rogiet and Caldicot should be reinstated with a 30 mph speed limit. Supports that the side roads should be subject to a 20 mph speed limit. Extended travel times to reach the nearest motorway junctions. No drivers (including bus drivers) are adhering to the 20 mph speed limit through Caldicot.	Support noted for the changes and for 20mph on residential side streets. The 20mph speed limit currently in effect is part of the phase 1 rollout of the national reduction for restricted roads in Wales to reduce to 20mph. From September 2023, All restricted roads in Wales will come down to 20mph. However, exemptions can be applied to sections of A & B roads which do not meet the criteria. The remainder of the B4245 does meet the place criteria for speed limits in urban areas to reduce to 20mph, therefore, at this time we are unable to support the increase to 30mph through the other settlements along the B4245 corridor .
Resident 8 (Somewhat support via e-mail)	Caldicot “bypass” and main road through Caldicot and Rogiet should be a 30 mph speed limit. Supports a 20 mph on side roads and on housing estates only as it is a good idea and safer in those locations.	Support noted for the changes to Caldicot bypass and for 20mph on side streets. The 20mph speed limit currently in effect is part of the phase 1 rollout of the national reduction for restricted roads in Wales to reduce to 20mph. From September 2023, all restricted roads in Wales will come down to 20mph. However, exceptions can be applied to retain sections of A and B roads at 30mph where they do not meet the Welsh Government’s ‘place criteria’. Unlike the two sections where 30mph limits are now proposed, the remainder of the B4245 does meet the place criteria for 20mph. Therefore, the request to increase the

		whole of the B4245 to 30mph through Caldicot and through Rogiet is not supported.
Resident 9 (Objection via e-mail)	The 20 mph speed limit on the B4245 and Caldicot Road should be retained and it should be enforced. However, objector notes that cyclists are not adhering to the 20 mph speed limit.	In proposing the two 30mph speed limits on parts of the B4245, the Council is trying to strike an appropriate balance between implementing the Welsh Government's Wales-wide policy ambition, responding to objections raised by some members of the local community and road users via Ward Members, safety and consistency for road users. The WG 'place criteria' set out when A and B roads should be 20mph vs 30mph. The B4245 from Woodstock Way to the Castlegate roundabout does not meet the 'place criteria' for a 20mph limit. Similarly, the Caldicot Road through the Castlegate Business Park is considered to be suitable for a 30mph limit. There are several controlled puffin crossings for pedestrians to use to cross the B4245 over the extent of the proposals which provide safe crossing locations for pedestrians. Speed data, casualty data, the WG 'place criteria' and local opinion raised via this consultation and via elected members for Severnside have all been carefully considered. The proposed changes, including a part-time 20mph limit at school start and end times near Durand Primary School, are considered to be safe and appropriate speed limits.
Resident 10 (support via e-mail)	The 20 mph speed limit on the main road (B4245) is "ridiculous" and has caused many problems with vehicles	Support noted. From September 2023, all restricted roads in Wales will

	<p>being overtaken and tailgating. It has also caused an increase in pollution (especially hgvs) and an increase in fuel costs. The extents under consideration have very limited direct frontal development and the highway is wide with footways provided. The side roads only should be subject to the 20 mph speed limit.</p>	<p>come down to 20mph. However, exceptions can be applied to retain sections of A and B roads at 30mph where they do not meet the Welsh Government's 'place criteria'. Unlike the two sections where 30mph limits are now proposed, the remainder of the B4245 does meet the place criteria for 20mph. Therefore, the request to increase the whole of the B4245 to 30mph (i.e. all roads other than side roads) is not supported.</p> <p>Driver behaviour is an enforcement issue which needs to be directed towards Gwent Police as enforcement authority for this function. There is no evidence to suggest that the reduction of speed limits to 20mph has any significant impact on pollution levels, however, air quality is currently being monitored at Magor and Abergavenny.</p>
<p>Resident 11 (Objection via e-mail)</p>	<p>The 20 mph speed limit on the B4245 through Caldicot should remain. There are footways here which are used by pedestrians including school children attending the nearby school.</p>	<p>In proposing the two 30mph speed limits on parts of the B4245, the Council is trying to strike an appropriate balance between implementing the Welsh Government's Wales-wide policy ambition, responding to objections raised by some members of the local community and road users via Ward Members, safety and consistency for road users. The WG 'place criteria' set out when A and B roads should be 20mph vs 30mph. The B4245 from Woodstock Way to the Castlegate roundabout does not meet the 'place criteria' for a 20mph limit. Similarly, the Caldicot Road through</p>

		<p>the Castlegate Business Park is considered to be suitable for a 30mph limit. There are several controlled puffin crossings for pedestrians to use to cross the B4245 over the extent of the proposals which provide safe crossing locations for pedestrians.</p> <p>The proposed changes, including a part-time 20mph limit at school start and end times.</p>
Resident 12 (Observation and other request made via e-mail)	In addition to the proposals for Caldicot the resident has made the comment that a controlled pedestrian crossing facility should be provided in Portskewett on the main road east of the railway bridge in Portskewett.	Noted. There are current proposals for a controlled crossing point at this location, this scheme is being progressed by colleagues in the Active Travel team.
Resident 13 (Support via e-mail)	Supports the proposals and believes the whole “20 experiment” has “been a costly farce”. It has increased tailgating, driver frustration and dangerous overtaking on the highway.	<p>Noted. The 20mph speed limit currently in effect is part of the phase 1 rollout of the national reduction for restricted roads in Wales to reduce to 20mph. From September 2023, All restricted roads in Wales will come down to 20mph. However, exemptions can be applied to sections of A & B roads which do not meet the criteria. The remainder of the B4245 does meet the place criteria for speed limits in urban areas to reduce to 20mph, therefore, at this time we are unable to support the increase to 30mph through the other settlements along the B4245 corridor.</p> <p>Inappropriate and dangerous driver behaviour is an enforcement issue and can only be addressed by Heddlu Gwent Police.</p>

Resident 14 (Support via e-mail)	Supports the proposals. States that a 20 mph is too low a speed limit for a main road. Supports a 20 mph speed limit outside schools and on residential roads.	Support noted. The 20mph speed limit currently in effect is part of the phase 1 rollout of the national reduction for restricted roads in Wales to reduce to 20mph. From September 2023, all restricted roads in Wales will come down to 20mph. However, exceptions can be applied to retain sections of A and B roads at 30mph where they do not meet the Welsh Government's 'place criteria'. Unlike the two sections where 30mph limits are now proposed, the remainder of the B4245 does meet the place criteria for 20mph. Therefore, the request to increase the whole of the B4245 to 30mph is not supported.
Resident 15 (Somewhat supports via e-mail)	Somewhat supports the proposals. States that all main roads should revert to 30 mph speed limit. The 20 mph speed limit is causing more congestion and making it more difficult to exit of the resident's driveway. Cyclists are overtaking cars and frustrated drivers are overtaking slower drivers.	Support noted. The 20mph speed limit currently in effect is part of the phase 1 rollout of the national reduction for restricted roads in Wales to reduce to 20mph. From September 2023, all restricted roads in Wales will come down to 20mph. However, exceptions can be applied to retain sections of A and B roads at 30mph where they do not meet the Welsh Government's 'place criteria'. Unlike the two sections where 30mph limits are now proposed, the remainder of the B4245 does meet the place criteria for 20mph. Therefore, the request to increase the whole of the B4245 to 30mph is not supported.
Resident 16 (Objection via e-mail)	Objection. States that the 20 mph speed limit should remain and states that injuries are less severe for accidents that occur at 20 mph compared to accidents that occur at 30 mph.	Whilst it is true that the severity of injuries is less if an accident occurs at 20 mph compared to at 30 mph In this instance the "place criteria" for provision of a

		<p>20mph has not been met in the two areas where 30mph limits are proposed, therefore, we are unable to retain this section of 20mph speed limit. However, please note that a part time 20 mph speed limit is proposed on the B4245 in the vicinity of Durand school at specific times i.e at school opening and closing times (Monday to Friday, 08:30 - 09:30 & 14:30 – 16:00)</p>
Resident 17 (Objection via e-mail)	<p>Objection. The objector states that the proposals “do not go far enough” and that a 40 mph speed limit should be proposed to be implemented on the B4245 “Caldicot bypass”. The buffer speed limits on the B4245 are in the wrong location and incorrectly positioned.</p>	<p>Noted, however an increase of speed limit on the B4245 to 40mph cannot be supported. It would not comply with the Welsh Government’s policy ambition to promote active travel and healthy, sustainable communities. The buffer speed limits are considered to be acceptable.</p>
Resident 18 (Support and an observation via email)	<p>Supports the proposals. States that a 20 mph is too low a speed limit for the main road (i.e. the B4245) and the 20 mph limit is leading to more pollution as vehicles are travelling in a lower gear all the time resulting in more air pollution. There are very few properties fronting directly on to the main road (the B4245) here. Supports the 20 mph speed limit on the side road (Alianore Road) in front of the nearby school which is also a residential road. Observation that Newport Road in Caldicot from its junction with the B4245 should remain at its current 20 mph speed limit and that speed bumps are needed on Newport Road as the 20 mph speed limit is being ignored by highway users.</p>	<p>Support noted. From September 2023, all restricted roads in Wales will come down to 20mph. However, exceptions can be applied to retain sections of A and B roads at 30mph where they do not meet the Welsh Government’s ‘place criteria’. Unlike the two sections where 30mph limits are now proposed, the remainder of the B4245 does meet the place criteria for 20mph. Therefore, the request to increase the whole of the B4245 to 30mph (i.e. all roads other than side roads) is not supported.</p> <p>Driver behaviour is an enforcement issue which needs to be directed towards Gwent Police as enforcement authority for</p>

		<p>this function. There is no evidence to suggest that the reduction of speed limits to 20mph has any significant impact on pollution levels, however, air quality is currently being monitored at Magor and Abergavenny.</p>
<p>Resident 19 (Support via email)</p>	<p>Safer at 30 mph on the main road as drivers will not need to overtake and drivers take more attention whilst driving.</p>	<p>Noted; From September 2023, all restricted roads in Wales will come down to 20mph. However, exceptions can be applied to retain sections of A and B roads at 30mph where they do not meet the Welsh Government's 'place criteria'. Unlike the two sections where 30mph limits are now proposed, the remainder of the B4245 does meet the place criteria for 20mph. Therefore, the request to increase the whole of the B4245 to 30mph (i.e. all roads other than side roads) is not supported.</p>

APPENDIX 3A: Summary of Consultation Responses relating to proposed 30mph buffer extension in Devauden.

Name/Details	Representations	Officer's Response
None.	None.	n/a

APPENDIX 4: Notice of Intention

. SECTION 84 - ROAD TRAFFIC REGULATION ACT 1984

NOTICE OF INTENTION TO MAKE A PERMANENT ORDER

**MONMOUTHSHIRE COUNTY COUNCIL
MONMOUTHSHIRE COUNTY COUNCIL TRAFFIC REGULATION, SPEED LIMITS
AND PARKING REGULATIONS CONSOLIDATION ORDER 2019
(AMENDMENT ORDER NO 5) 2022**

**PROPOSED PROVISION AND AMENDMENTS TO TRAFFIC
ORDERS AT VARIOUS LOCATIONS WITHIN CALDICOT COMMUNITY AND
DEVAUDEN COMMUNITY IN MONMOUTHSHIRE COUNTY COUNCIL**

NOTICE IS HEREBY GIVEN that Monmouthshire County Council of County Hall, The Rhadyr, Usk, NP15 1GA ("the Council") propose to make a Road Traffic Regulation Order as follows:

EFFECT OF THE ORDER: to introduce various speed limits within the localities identified on the plans, which are available to view at County Hall, Usk or online via <http://www.monmouthshire.gov.uk/public-consultation-traffic>. To introduce a 30 mph speed limit on the B4293 within Devauden Community and to introduce a 20 mph and a 30 mph speed limit on the B4245 within Caldicot Community and to introduce a 30 mph speed limit on Caldicot Road within Caldicot Community.

Further details of the proposed Order, comprising plans and a statement of reasons for proposing to make the Order may be examined via pre-arranged appointment at County Hall, Usk NP15 1GA (appointments can be arranged by e-mailing traffic@monmouthshire.gov.uk) or by phoning 01633 644644 or online via <http://www.monmouthshire.gov.uk/public-consultation-traffic> or the via the below QR code

Any objections in respect of this proposal should be made in writing, stating the grounds on which the objection is being made and should be sent to Traffic Section, Monmouthshire County Council, County Hall, Usk NP15 1GA not later than 5 pm on Wednesday 31st of August 2022 or via scanning the QR code below and selecting "How to comment on a proposed TRO", where the public consultation response form can be accessed.



Date: 3rd August 2022

**Mark Hand,
Head of Placemaking, Regeneration, Highways and Flooding,
Monmouthshire County Council,
County Hall,
The Rhadyr,
Usk,
Monmouthshire.
NP15 1GA**

APPENDIX 5: Statement of Reasons

1. B4293, Devauden Community

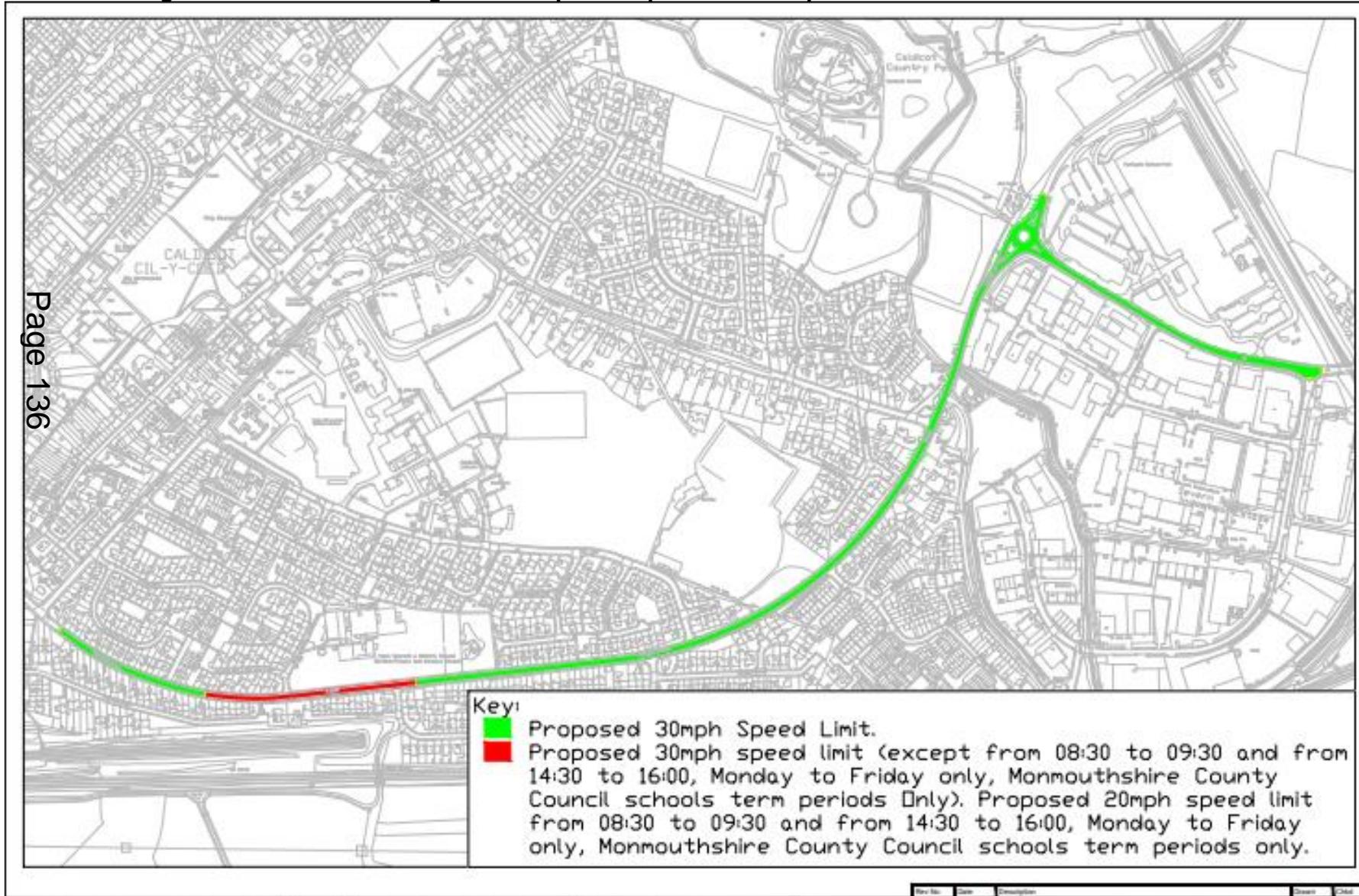
Monmouthshire County Council has received concerns from local residents and representations from local elected Council member regarding the level of road safety for users of the bus stop (including school children who access and exit the school bus at this location) which is currently situated within the national speed limit extents. In order to raise the level of road safety for vulnerable highway users including the users of the bus stop it is proposed to reduce the current national speed limit to a 30 mph limit. The extent of the proposed 30 mph limit also includes vehicular driveways from residential dwellings.

2. B4245 and Caldicot Road, Caldicot Community

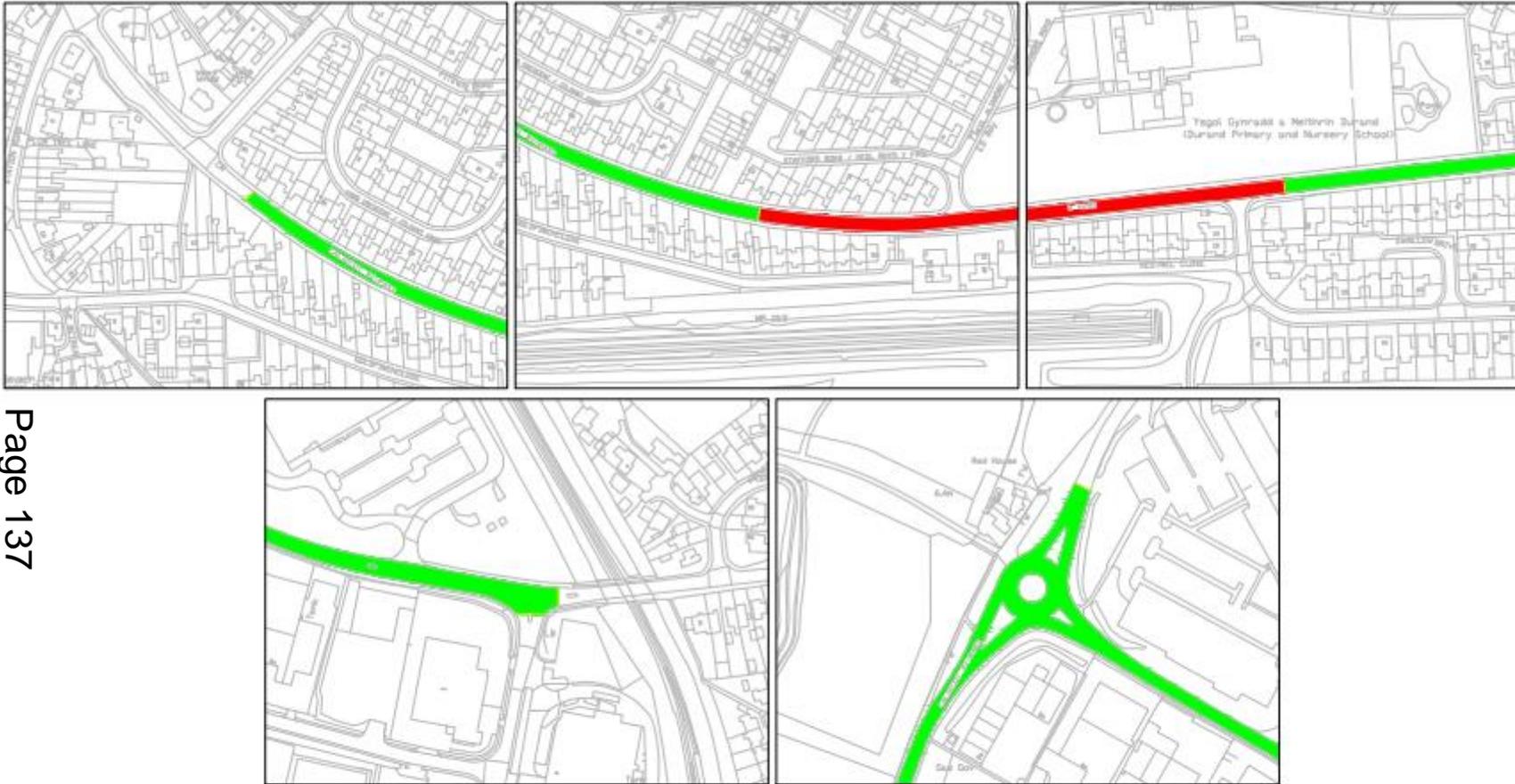
Monmouthshire County Council has previously made an Order to implement a 20 mph speed limit on the B4245 and on Caldicot Road as part of Amendment Order Number 1 (2022). This 20 mph speed limit was one of the Welsh Government's Severnside pilot area. The Council has received representations from local elected Council members regarding this 20 mph speed limit which was implemented in Amendment Order Number 1 (2022). Following a review of the application of the Welsh Government's 'place criteria' to the B4245 by officers and elected Members for Severnside, it is proposed to (a) implement a 30 mph speed limit on part of the B4245 between Woodstock Way and the Castlegate Business Park roundabout where residential properties back onto the B4245 and there is no direct residential frontage development; and (b) implement a 30mph speed limit on Caldicot Road from the Castlegate Business Park roundabout to the bridge over the former railway line; and (c) in the interests of road safety for the vulnerable highway users including the school children who attend Durand School, implement a 20 mph speed limit at specified times and periods only on the part of the B4245 within the vicinity of Durand School.

APPENDIX 6: Plan showing the parts of the B4245 proposed to revert to 30mph (with a part-time 20mph adjacent to Durand Primary School) and B4293 Devauden 30mph buffer

Drawing 1944A: Caldicot changes to 30mph with part time 20mph



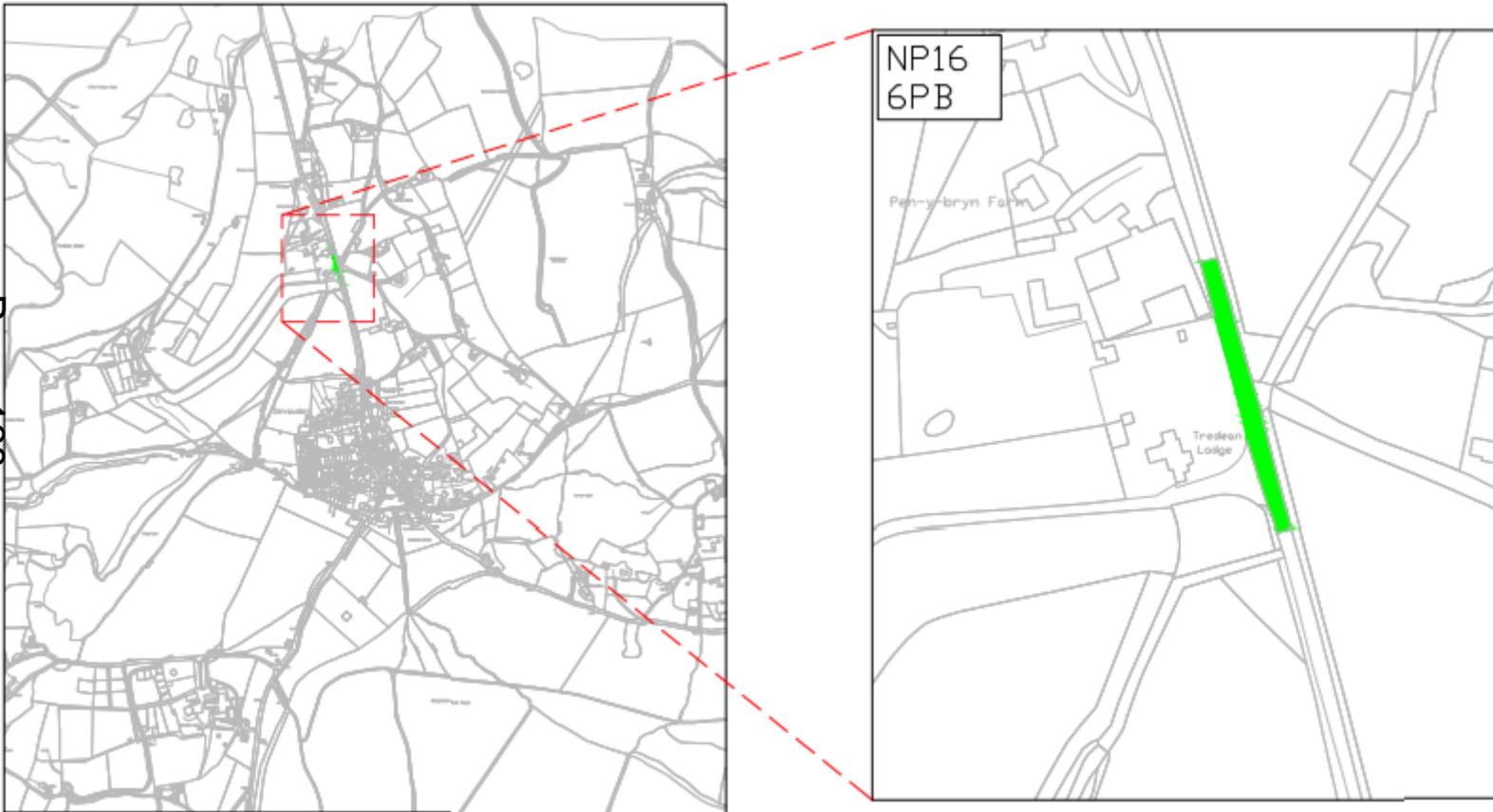
Drawing 1944B: Caldicot changes to 30mph with part time 20mph



Key:

- Proposed 30mph Speed Limit.
- Proposed 30mph speed limit (except from 08:30 to 09:30 and from 14:30 to 16:00, Monday to Friday only, Monmouthshire County Council schools term periods Only). Proposed 20mph speed limit from 08:30 to 09:30 and from 14:30 to 16:00, Monday to Friday only, Monmouthshire County Council schools term periods only.

Drawing 1943: Devauden B4293 30mph buffer extension



Key:
■ Proposed 30 Mph Speed Limit

APPENDIX 7: Wellbeing of Future Generations Equalities Impact Assessment



monmouthshire
sir fynwy

Equality and Future Generations Evaluation

<p>Name of the Officer completing the evaluation</p> <p>Mark Hand Phone no: 07773 478579 E-mail: markhand@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal To consider Traffic Orders to amend speed limits on part of the B4245 and Caldicot Road in Caldicot and part of the B4293 in Devauden.</p>
<p>Name of Service area Placemaking, Highways and Flooding</p>	<p>10th November 2022</p>

1. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

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	<p>Appropriate speed limits improve highway safety for all highway users.</p> <p>The proposed 30mph buffer in Devauden reduces the speed limit in an area used by the school bus which will benefit children and their parents/guardians.</p>	<p>Part of the 20mph speed limit in Caldicot will increase to 30mph, however this aligns with WG criteria.</p>	<p>There will be a part time 20mph limit adjacent to Durand Primary School for school start and finish times.</p>

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?
Disability	Appropriate speed limits improve highway safety for all highway users.	Part of the 20mph speed limit in Caldicot will increase to 30mph, however this aligns with WG criteria.	There is a safe pedestrian crossing point across the B4245 near Durant Primary School which provides access from homes to the town centre, leisure centre and amenities.
Gender reassignment	None	None	N/A
Marriage or civil partnership	None	None	N/A
Pregnancy or maternity	Appropriate speed limits improve highway safety for all highway users. The proposed 30mph buffer in Devauden reduces the speed limit in an area used by the school bus which will benefit children and their parents/guardians.	Part of the 20mph speed limit in Caldicot will increase to 30mph, however this aligns with WG criteria.	There will be a part time 20mph limit adjacent to Durand Primary School for school start and finish times.
Race	None	None	N/A
Religion or Belief	None	None	N/A
Sex	None	None	N/A
Sexual Orientation	None	None	N/A

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.

	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?
Socio-economic Duty and Social Justice	None.	None.	N/A

Policy making and the Welsh language.

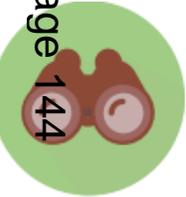
How does your proposal impact on the following aspects of the Council's Welsh Language Standards:	Describe the positive impacts of this proposal	Describe the negative impacts of this proposal	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts
<p>Policy Making Effects on the use of the Welsh language, Promoting Welsh language Treating the Welsh language no less favourably</p>	<p>All new highway signs and carriageway markings will be bi-lingual with Welsh appearing in front of English as per current guidance</p>	<p>None</p>	<p>N/A</p>
<p>Operational Recruitment & Training of workforce</p>	<p><u>None</u></p>	<p><u>None</u></p>	<p><u>N/A</u></p>
<p>Service delivery Use of Welsh language in service delivery Promoting use of the language</p>	<p>All documents are available to view via pre booked appointment at County Hall, Usk and the plans and orders are published online. All relevant documents are published bilingually as well as signage and road markings.</p>	<p>None</p>	<p><u>N/A</u></p>

4. Does your proposal deliver any of the well-being goals below? Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal. There's no need to put something in every box if it is not relevant!

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	None	N/A
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	Positive: Appropriate speed limits improve highways safety for all highway users which in turn encourages walking, cycling and public transport use (the latter by ensuring parents feel safe about their children using the school bus in Devauden)	N/A
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Positive: Appropriate speed limits improve highways safety for all highway users which in turn encourages walking, cycling and public transport use (the latter by ensuring parents feel safe about their children using the school bus in Devauden)	N/A
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Positive: Appropriate speed limits improve highways safety for all highway users which in turn encourages walking, cycling and public transport use (the latter by ensuring parents feel safe about their children using the school bus in Devauden)	N/A
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Positive: Appropriate speed limits improve highways safety for all highway users which in turn encourages walking, cycling and public transport use (the latter by ensuring parents feel safe about their children using the school bus in Devauden)	N/A
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and	Neutral	N/A

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
recreation		
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Positive: Appropriate speed limits improve highways safety for all highway users which in turn encourages walking, cycling and public transport use, benefitting those who cannot afford to own or use a car.	N/A

3. 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>Page 144</p> <p>Long Term</p> <p>Balancing short term need with long term and planning for the future</p>	<p>The new Severnside speed limits have been controversial but the long terms gains in terms of improved safety and reduced casualties, as well as encouraging and enabling more people to walk or cycle, outweigh the short term challenges. Although the proposals relate to 30mph limits, these form part of ensuring the 20mph areas work effectively.</p>	<p>Embedding the new 20mph speed limits in Severnside and Devauden will require culture change and enforcement.</p>
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>The proposals have been subject to consultation. The wider speed limit changes have been introduced working in partnership with WG and Heddlu Gwent Police and GoSafe.</p>	<p>Embedding the new 20mph speed limits in Severnside and Devauden will require culture change and enforcement.</p>

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>Involving those with an interest and seeking their views</p> <p>Involvement</p>	<p>Statutory consultation has been undertaken with all necessary stakeholders including the general public.</p>	<p>N/A</p>
 <p>Putting resources into preventing problems occurring or getting worse</p> <p>Prevention</p>	<p>There is clear evidence that the new Severnside and Devauden 20mph speed limits should result in long terms gains in terms of improved safety and reduced casualties, as well as encouraging and enabling more people to walk or cycle. Although the proposals relate to 30mph limits, these form part of ensuring the 20mph areas work effectively.</p>	<p>Embedding the new 20mph speed limits in Severnside and Devauden will require culture change and enforcement.</p>
 <p>Considering impact on all wellbeing goals together and on other bodies</p> <p>Integration</p>	<p>The proposals consider the impacts on residents, businesses, public transport providers and emergency services.</p>	<p>None</p>

4. Council has agreed the need to consider the impact its decisions has on the following important responsibilities: Social Justice, 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?
Social Justice	N/A	N/A	N/A
Safeguarding	N/A	N/A	N/A
Corporate Parenting	N/A	N/A	N/A

5. What evidence and data has informed the development of your proposal?

- Officer observations and correspondence from the respective communities and their elected representatives.
- According to the World Health Organisation, the most effective way to improve pedestrian safety is to reduce the speed of vehicles. In 2018, 50% of casualties on our roads happened on 30mph roads. The Royal Society for the Prevention of Accidents states that 45% of pedestrians are killed when struck by a car going at 30mph or less, but 5% when going at 20mph or less.
- In the distance it takes for a car travelling 20mph to stop, a 30mph car is still moving at 24mph. This makes a substantial difference to the ability to avoid collisions. There is evidence from across the world that vehicle speeds are the main reason why people do not walk or cycle or do not allow their children to walk or cycle to school.
- Lower traffic speeds will create more liveable communities and encourage walking and cycling. People will feel more comfortable when walking and cycling, it is safer for children to walk from the moment they are outside their homes, play outside and to walk to school, while older people also feel more able to travel independently and safely.
- Public Health Wales believes that lowering the default speed limit to 20mph could have substantial health benefits. 20mph will reduce the risk and severity of collisions, help people feel safer and benefit people's physical and mental wellbeing. Driving slower produces less noise, reduces fuel consumption, and exhaust and non-exhaust emissions are likely to be reduced at lower speeds, tyres and roads will

not breakdown so much, thereby reducing non-exhaust emissions. There is limited evidence on emissions to date and some of these issues such as tyre wear will be impossible to measure.

6. 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?

Positive impacts: There is clear evidence that the new Severnside and Devauden 20mph speed limits should result in long terms gains in terms of improved safety and reduced casualties, as well as encouraging and enabling more people to walk or cycle. Although the proposals relate to 30mph limits, these form part of ensuring the 20mph areas work effectively.

7. 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
Implement the various proposals as consulted upon and advertised	Following the making and publication of the traffic regulation orders	Traffic and Road Safety Team (Graham Kinsella, Phaedra Cleary, Gareth Freeman)

8. 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	ICMD decision post-consultation	Nov 2022	Review of impacts based on public consultation responses.
2			
3			

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SUBJECT:	Tudor Street Property
MEETING:	Individual Cabinet Member Decision
DATE:	30th November 2022
DIVISION/WARDS AFFECTED:	North Monmouthshire

1. PURPOSE:

To seek a decision regarding the Council's forward use of the property located in Tudor Street ahead of the outcomes of the wider review of My Day My Life Services which is currently being undertaken.

To set out the reasons why an earlier decision is required due to time restrictions associated with TAN 15.

2. RECOMMENDATIONS:

- i) For Tudor Street to be de-commissioned as the accommodation base for the provision of day support services for adults with learning disabilities in the North of Monmouthshire.
- ii) For Tudor Street to be re-purposed to support the Council's policy aims in providing affordable housing within the county.
- iii) That Tudor Street is declared surplus and transferred to Landlord Services for disposal, on terms to be agreed with the Chief Officer for Resources in consultation with the Cabinet Member for Resources.

3. KEY ISSUES:

Background and Context

My Day My Life provides day support for people with learning disabilities in North and Central Monmouthshire. The concept and ethos of My Day My Life was established in 2014 as a strengths-based, enabling approach which seeks to support people with a learning disability to pursue their individual interests and aspirations within every day, community settings.

The Tudor Street building provided a fixed base for the provision of My Day My Life services for people in the North of the County. However, since the inception of the My Day My Life model in 2014 there has been a gradual decline in the number of people regularly using Tudor Street, for the following reasons:

- More and more people had fully embarked upon the My Day, My Life process, some no longer accessing services/support.

- Others were being supported to access community-based opportunities rather than being offered a traditional day service.
- Building based activities were being led predominately by people's choice.
- More people experiencing a very different community-based support offering. Examples of such opportunities include Yam Jams music workshop, swimming, Touch Trust, yoga, Abergavenny Tea Dance, cinema, bowling, drumming and other sports opportunities.

Consequently, prior to 2020, because of this change in how the service was delivered, a decision was made for the building to open for 3 rather than 5 days per week.

Prior to the pandemic in March 2020, approximately 17/18 people were receiving support from the service and using the building regularly.

Early on in the pandemic Tudor Street was temporarily closed (March 2020) in line with all LA day centres due to the risks and the COVID-19 restrictions. Throughout the pandemic people continued to receive support via My Day My Life through one to one support and other group activities in the community. People using My Day My Life who lived in either supported housing or care homes received additional support from their care providers and additional funding has been made available to continue this moving forward. As restrictions started to lift, 7/8 people were being supported by the My Day My Life Hub service so instead of re-opening the building an Individual Cabinet Member Decision was made on 31st August 2022 to allow for an independent review of My Day My Life Services using a collaborative and inclusive approach.

The purpose of the review is to establish the basis for future service development including the exploration of accommodation options in-keeping with the purpose and ethos of the service. This review is scheduled to conclude in March 2023.

The need for an early decision outside of the review timeframe

Tudor Street is a property that has been integral to the overall service provision for people with learning disabilities in the north of the county for a long-time. With that in mind, we recognise that discussions regarding its future use would be a feature within the current review.

However, it is also fair to say that the Council's Adult Social Care and Health Service is currently working on the assumption that Tudor Street is no longer fit for purpose for My Day My Life services. This is based on a number of correlated factors including:

- Tudor Street is a large property which was originally utilised, prior to the development of My Day My Life services, as a 'one-size fits all' day centre for adults with learning disabilities and is not conducive to individual person-centred support.
- The building is exclusively used by people with a learning disability and doesn't support an inclusive community approach.
- The building needs considerable renovation and has high running and maintenance costs that could be better invested in an individualised service approach.
- The service model of community-based activity / individualised support has accelerated during the COVID period.
- The building is significantly under-utilised.

Within this context we are now in the position of seeking an early decision on the forward use of Tudor Street for three prime reasons:

- The imperative on the Council to make maximum use all its available assets has become even more critical given the current financial and economic situation.
- Although ideally we wanted the review to test our assumptions, the evidence to date strongly suggests that Tudor Street is no longer fit for purpose.
- There is an urgent and pressing need for affordable housing throughout the County. Development in the north of the County is currently on hold due to an issue with water quality in the rivers Usk and Wye. This sustainably located brownfield site represents an ideal opportunity to deliver affordable housing. The lawful planning use means there is a fallback position in terms of phosphates which it is hoped means this development can proceed promptly;
- Development of this site would be policy compliant under current flood risk policy but there is ongoing uncertainty about whether or not the awaited amended TAN15 policy will allow for the redevelopment of brownfield sites in areas at flood risk after June 2023.

A review of the sites development potential is underway and it is intended that a planning application for residential development is submitted shortly. As a consequence of the timescales to achieve planning consent and necessity to deliver affordable housing at speed, it is proposed that the site will be sold for housing development. As per the recommendations of the report, it is intended that the asset would be transferred to Landlord Services to dispose of the asset in the interest of supporting the Council's policy aims in providing affordable housing.

This site present a strong opportunity to increase the provision of sufficient good quality housing for people's needs. The Local Housing Market Assessment carried out in 2020 highlighted a growing disparity in the affordability of housing, as well as an increasing demand for the provision of affordable housing across the county. This estimated a shortfall of 468 affordable homes per year between 2020,2025, with the majority to be provided as Social Rented accommodation (68%), followed by Low Cost Home Ownership (25%) and Intermediate Rent (7%). As of September 2022, there were 2,220 households with a recognized housing need registered on the housing waiting list. Affordable housing is a cross-cutting theme that will help deliver many of the wellbeing goals of the Future Generations Act, including a more equal Wales, a Wales of cohesive communities, a prosperous Wales and a healthier Wales.

4. EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):

The people who will be potentially affected by the forward use of Tudor Street include adults with Learning Disabilities in the north of the County. There are currently between 6 and 10 individuals who are identified as using the building as part of their My Day My Life care and support plan prior to its temporary closure. All but one of these individuals are receiving support at the moment via My Day My Life or Individual Support Services.

People with learning disabilities should be afforded choice and control over the services that are in place to support them. The service recognises this and is currently undertaking a full review of My Day My Life Services including exploring the sort of accommodation that will be required to

support a full range of activities. People who might potentially have wished to continue to use Tudor Street will be invited to contribute to the review.

The workforce of Tudor Street is predominantly female, some of whom have worked for the service over many years. The proposal to de-commission Tudor Street will affect their work base location. However; as described within this report in respect of current practice being far more community orientated and individualised, the impact of changing from a fixed work-place to a flexible one has already happened. The workforce will be fully involved in the review that is taking place and will have the opportunity to further shape and influence the development of My Day My Life Services going forward.

5. OPTIONS APPRAISAL

Option – to de-commission the accommodation base for the provision of day support services			
Option	Benefit	Dis-benefit	Recommended
<p>Do Nothing – include the future use of Tudor Street within the current review of MDML services, and do not take any further actions until the full outcomes of the review are received.</p>	<p>People will have full opportunity for their views to be heard specifically with regards to the future use of the building in Tudor Street</p> <p><u>Mitigation:</u></p> <p>People with learning disabilities who were using the building and their families will be consulted separately regarding the specific issue of Tudor Street.</p>	<p>The Council would lose the opportunity to re-purpose the building if an early decision was not taken because of TAN 15.</p> <p>It is predicted that the outcome of the review would conclude that Tudor Street was no longer fit for purpose. If an early decision was not made, the Council would risk a significant opportunity to pursue its policy objectives in respect of developing affordable housing.</p> <p>MCC will carry the running costs for the property, should it continue to remain vacant or fail to be repurposed/reopened.</p>	NO
<p>Decide at this point to de-commission Tudor Street as the accommodation base for the provision of day support services for adults with learning disabilities in the North of Monmouthshire.</p>	<p>This would ensure that the building could potentially be re-purposed for affordable housing (subject to planning) because an early decision would allow alternative development to be pursued ahead of TAN-15 implementation.</p>	<p>Bringing forward the decision regarding Tudor Street would mean that it would no longer be available as an accommodation base for My Day My Life Services.</p> <p><u>Mitigation:</u></p> <p>The current review will explore suitable accommodation for My Day My Life activities to ensure that people with learning</p>	YES

		disabilities will have a full offer of services and will not be dis-advantaged through the de-commissioning of Tudor Street.	
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Option – to dispose of the property for development			
Option	Benefit	Dis-benefit	Recommended
Retain the asset and let for alternative purposes	<p>Opportunity to generate rental return, albeit limited given condition of property.</p> <p>MCC have received approaches from local community groups seeking to take on the property for social enterprise. We actively work to support community groups in shared use or partnership with other providers before utilising vacant buildings. As considered on a case by case basis, this asset lends itself well to residential development.</p>	<p>The property requires investment and therefore any letting would carry ongoing liability to MCC or require rental incentive due to required tenant improvements. It is unlikely that any community use could accommodate the required costs. Limited income would be achieved.</p> <p>Affordability disparity continues to widen.</p> <p>The opportunity to deliver housing development is missed as a consequence of the amended TAN15 policy.</p>	NO
Retain the asset and develop the site, inclusive of open market housing	<p>The site is inside the development boundary and can facilitate housing development in the north of the County, which has been frustrated due to phosphates constraints.</p> <p>MCC would generate a financial benefit to the authority, albeit delayed return as a consequence of the capital outlay required to undertake the development.</p>	<p>The scale of development is limited and therefore would result in additional cost and delays to the construction and availability of the properties, compared to that of a private development or housing association.</p> <p>Given the significant upfront cost required to support the build, and restricted timescales on which to achieve a planning consent, it is recommended that an RSL is approached given risk against the experience and track record of delivery.</p> <p>Affordable housing is considered the most appropriate use of the site</p>	NO

	MCC would retain control of the properties.	given the site constraints (which limit new build development to that of block/s of flats).	
Dispose of the property for residential development	<p>The site is inside the development boundary and can facilitate housing development in the north of the County, which has been frustrated due to phosphates constraints.</p> <p>Given timescales do not allow for a tender process to be undertaken, it is recommended that disposal directly to housing association will best enable a planning consent to be achieved on the site under current flood risk policy and ahead of uncertainty associated with the proposed amended TAN15 policy. The site lends itself to demolition to facilitate affordable housing due to its layout and constraints.</p> <p>Disposal of the site will accelerate the availability of affordable housing, including the provision of accommodation for the homeless, in accordance with the council's policy objectives.</p> <p>The disposal of the property for development would generate a capital receipt.</p>	<p>MCC would not retain control of the property, however the Housing Department would work with the purchaser to retain nomination rights over the properties.</p> <p>The financial return is lower than that of a development inclusive of market housing. However, the potential for open market housing is considered limited due to site constraints. In order to demonstrate best value, any sale would be supported by an independent valuation.</p>	YES

6. EVALUATION CRITERIA

None considered specifically in relation to this report.

The number of people using My Day My Life services and evidence of their individual outcomes is routinely monitored.

7. REASONS:

To ensure that the potential to make the best future use of the building at Tudor Street is secured, whilst not disadvantaging people with learning disabilities.

Development of the site for the provision of affordable housing will allow the Council to intervene in the affordable housing market.

8. RESOURCE IMPLICATIONS:

Due to the property sitting vacant, the conditions are deteriorating and potentially could become a liability to the Council. Despite closure, the property continues to carry running costs (rates/utility) that will increase if the asset is re-opened or left vacant. The disposal of this property will generate a capital receipt for Monmouthshire County Council. An appraisal will be undertaken to ascertain the market value of the site.

9. CONSULTEES:

Nick Keyse – Estates Development Manager

Ceri York – Service Manager Commissioning and Disability Services

Strategic Leadership Team

10. BACKGROUND PAPERS:

None

11. AUTHOR:

Jane Rodgers, Chief Officer Social Care, Safeguarding & Health

12. CONTACT DETAILS:

E-mail: janerodgers@monmouthshire.gov.uk

Is my report exempt?

In some instances it may be necessary to submit a report to a committee but withhold the whole report, or part of that report, due to the sensitive nature of information contained within it.

There are specific circumstances in which a report may be considered exempt which are set in legislation. When writing your report bear in mind the following circumstances to consider whether your report should be exempt;

Local Government Act, Schedule 12A, Part 4;

12. Information relating to a particular individual
13. Information which is likely to reveal the identity of an individual
14. Information relating to the financial or business affairs of any particular person (including the authority holding that information)
15. Information relating to any consultation or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
16. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
17. Information which reveals that the authority proposes –
 - a. To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b. To make an order or direction under any enactment
18. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

If you are unsure if the report should be exempt or not you should contact Democratic Services or the Monitoring Officer for further advice and guidance. The principal to bear in mind however is that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

If your report is to be exempt you should let Democratic Services know as soon as possible if you have not already done so when adding the item to the forward plan of the relevant committee.

When submitting your report to Democratic Services for publication with the agenda you must also include an exemption certificate which give details as to why the report is exempt and not for publication. This certificate will be publicly available with the agenda in place of the report so the reasoning for the exemption should be made clear on this form. The exemption certificate is available overleaf.

Further information on definitions and exemptions is available within the Local Government Act at the following link; <http://www.legislation.gov.uk/ukpga/1972/70/schedule/12A>

**SCHEDULE 12A LOCAL GOVERNMENT ACT 1972
EXEMPTION FROM DISCLOSURE OF DOCUMENTS**

Meeting and Date of Meeting: Insert date and meeting

Report: Insert report title

Author: Insert author

I have considered grounds for exemption of information contained in the background paper for the report referred to above and make the following recommendation to the Proper Officer:-

Exemptions applying to the report:

[Enter the section and reason of the exemption, as defined by the Local Government Act set out above e.g – This report will be exempt under paragraph 12 of Schedule 12A – Information relating to a particular individual]

Factors in favour of disclosure:

Openness & transparency in matters concerned with the public

Prejudice which would result if the information were disclosed:

[Give a brief indication of what information would be disclosed and the impact of its disclosure]

My view on the public interest test is as follows:

Factors in favour of disclosure are outweighed by those against.

Recommended decision on exemption from disclosure:

Maintain exemption from publication in relation to report

Date: Insert date

Signed: Signed by report author

Post: Insert post

I accept/I do not accept the recommendation made above

Signed: [Signed by Chief Officer / Head of Service / Chief Executive]

Date: Insert Date

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Integrated Impact Assessment document

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

<p>Name of the Officer Jane Rodgers</p> <p>Phone no:</p> <p>E-mail: janerodgers@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>To seek a decision regarding the Council's forward use of the property located in Tudor Street ahead of the outcomes of the wider review of My Day My Life Services which is currently being undertaken.</p> <p>To set out the reasons why an earlier decision is required due to time restrictions associated with TAN 15.</p> <p>To release the Tudor Street property for redevelopment into affordable housing.</p>
<p>Name of Service area</p> <p><input type="radio"/> Disability Services</p> <p><input checked="" type="radio"/> Adult Social Care</p>	<p>Date: November 2022</p>

1. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

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	None identified	The decision to de-commission Tudor Street will change the traditional 'fixed base' day support service that some people may still prefer.	An inclusive evaluation of day support services (My Day My Life) will ensure all groups of all ages are effectively consulted with to ensure that the direction of service for the future is based as far as possible on what people want and need. The project brief will specify the need to ensure the equality, diversity and inclusion needs of stakeholders are identified and taken in to account when formulating recommendations for the future.
Disability	None identified	There are a number of individuals who receive day support services who have very complex needs, who may feel (or their families may feel) that their needs can only be met through a fixed accommodation based service. Prior to the pandemic Tudor Street provided this fixed base for people in the north of Monmouthshire.	<p>The review will ensure that as far as possible all individuals' views regarding accommodation requirements for the service moving forward are represented and considered. Specific consideration has been given when shaping the terms and conditions of the review to those with more complex need and the need for identification of appropriate opportunities for this group.</p> <p>Ensuring the meaningful involvement of people using the service in the review is crucial. The project brief requires the reviewer to ensure the equality, diversity and inclusion needs of stakeholders are identified and taken in to account when formulating recommendations for the future.</p> <p>The evaluation criteria of the review has been expanded to include explicit requirements relating to successful outcomes and outputs for people.</p>

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?
Gender reassignment	None identified	None identified	None identified
Marriage or civil partnership	None identified	None identified	None identified
Pregnancy or maternity	None identified	None identified	None identified
Race	None identified	None identified	None identified
Religion or Belief	<i>Consider the provision of inclusive services for Transgender people and groups. Also consider what issues there are for employment and training</i> None identified	None identified	None identified
Sex	<i>Consider the provision of inclusive services for Transgender people and groups. Also consider what issues there are for employment and training</i>	The majority of staff employed by My Day My Life service are women. The decision to de-commission Tudor Street will impact on their work location.	As Tudor Street is closed the service is currently operating a different model, so there will be no immediate change to the nominated base for travel claim purposes. An alternative Abergaveny base for this purpose can be agreed in due course.

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?
Sexual Orientation	None identified	None identified	None identified

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.

	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?

**Socio-economic
Duty and Social
Justice**

Under the Welsh Language measure of 2011, we need to be considering Welsh Language in signage, documentation, posters, language skills etc. and also the requirement to promote the language This site present a strong opportunity to increase the provision of sufficient good quality housing for people's needs. The Local Housing Market Assessment carried out in 2020 highlighted a growing disparity in the affordability of housing, as well as an increasing demand for the provision of affordable housing across the county. This estimated a shortfall of 468 affordable homes per year between 2020,2025, with the majority to be provided as Social Rented accommodation (68%), followed by Low Cost Home Ownership (25%) and Intermediate Rent (7%). As of September 2022, there were 2,220 households with a recognized housing need registered on the housing waiting list. Affordable housing is a cross-cutting theme that will help deliver many of the wellbeing goals of the Future Generations Act, including a more equal Wales, a Wales of cohesive communities, a prosperous Wales and a healthier Wales.

None identified

. None identified

3. Policy making and the Welsh language.

How does your proposal impact on the following aspects of the Council's Welsh Language Standards:	Describe the positive impacts of this proposal	Describe the negative impacts of this proposal	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts
<p>Policy Making</p> <p>Effects on the use of the Welsh language,</p> <p>Promoting Welsh language</p> <p>Treating the Welsh language no less favourably</p>	<p>The evaluation will take in to account the wants and needs of all individuals. This may identify need for more Welsh speaking staff, or Welsh activities or opportunities. The evaluation will enable us to identify further ways in which these requests can be met.</p>	<p>None identified</p>	<p>Evaluate and take in to consideration the Welsh Language needs of all individuals and ensure this is reflected in any decisions</p>
<p>Operational</p> <p>Recruitment & Training of workforce</p>	<p>No new posts will be created or advertised because of the proposal. There is an evaluation on-going to determine the nature of the service moving forward.</p>	<p>None identified</p>	<p>Evaluate and take in to consideration the Welsh Language needs of all individuals and ensure this is reflected in any decisions</p>
<p>Service delivery</p> <p>Use of Welsh language in service delivery</p> <p>Promoting use of the language</p>	<p>Any publicity about, or engagement activity by or through the review will be promoted as available in Welsh.</p>	<p>None identified</p>	<p>Evaluate and take in to consideration the Welsh Language needs of all individuals and ensure this is reflected in any decisions</p>

4. Does your proposal deliver any of the well-being goals below? Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal. There's no need to put something in every box if it is not relevant!

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	Positive: The recommendations within the report increase the potential for additional affordable housing in the North of the county	Neutral
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	Positive: releasing Tudor Street will drive increased opportunities for My Day My Life to continue increased use of community based assests to provide day support to people with learning disabilities	Neutral
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Positive: This review will seek to maximise choice and diversity of opportunity through moving away from a fixed base accommodation model at Tudor Street	Some people may experience disappointment about the loss of Tudor Street and anxiety about the service changes that this will mean.
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Positive: Releasing Tudor Street will necessitate a renewed focus on community based opportunities for people with learning disabilities in North Monmouthshire. Supporting people to be well connected to local networks.	Neutral
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Positive: The current building is old and not in a good state of repair. The recommendation presents an opportunity to develop the site in a way that supports improvement to the environment using modern building methods regarding energy efficiency. Increased affordable housing increase opportunities for local employment and for essential workers to live close to their places of work.	Neutral

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Neutral	Neutral
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Positive: People with a learning disability have more choice and control over how they receive support and live their lives. There is more opportunities for affordable housing in the north of the county	Some people may experience disappointment about the loss of Tudor Street and anxiety about the service changes that this will mean.

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>Releasing Tudor Street will ensure a more sustainable service model moving forward. The review will enable us to future proof the service.</p>	<p>None identified</p>
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>The proposal represents an opportunity to deliver the County's strategic objectives regarding increased affordable housing working in partnership with housing partners.</p> <p>The wider review of My Day My Life Services will be inclusive of people using the service, their families / carers and the workforce</p>	<p>It will be crucial to ensure that the successful external reviewer has strong collaboration and engagement skills to ensure meaningful engagement with all individuals, including those with more complex communication methods.</p>

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 data-bbox="349 400 517 587">Involving those with an interest and seeking their views</p> <p data-bbox="141 627 297 651">Involvement</p>	<p data-bbox="544 256 1328 767">The key stakeholders for this project are people with learning disabilities and their families in Monmouthshire, in particular those who currently use My Day, My Life and those who may want to use it in the future. Staff currently working in the service are also significant stakeholders. Other stakeholders include Social Workers, service managers and other internal staff. This review is a key part of the ongoing development of My Day, My Life ensuring that it continues to meet the needs of people with disabilities in Monmouthshire enabling them to be connected to their local communities and develop and flourish in the lives they choose.</p>	<p data-bbox="1350 256 1552 280">None identified</p>
 <p data-bbox="349 815 506 1110">Putting resources into preventing problems occurring or getting worse</p> <p data-bbox="152 1050 293 1074">Prevention</p>	<p data-bbox="544 815 1305 1015">The proposal is considered to be the best use of the Council's assets by promoting a strengths based / community asset approach to supporting people with LD and by releasing a building that is no longer fit for purpose and in a state of disrepair.</p>	<p data-bbox="1350 815 1552 839">None identified</p>
 <p data-bbox="349 1153 517 1414">Considering impact on all wellbeing goals together and on other bodies</p> <p data-bbox="159 1393 300 1417">Integration</p>	<p data-bbox="544 1153 1328 1374">This review will enable us to fully understand what individuals with learning disabilities want from the My Day, My Life service maximizing opportunities for independence, choice and control. The approach is likely to continue to be community focused, linking people to other organisations and resources in their local communities.</p>	<p data-bbox="1350 1153 1552 1177">None identified</p>

6. 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?
Safeguarding	The review will enable us to understand what works well and doesn't work well about the service currently. My Day My Life Services have appropriate safeguarding arrangements in place to ensure that adults at risk are safeguarded	.Some people may experience disappointment about the loss of Tudor Street and anxiety about the service changes that this will mean. Some people may	The review will ensure that as far as possible all individuals' views regarding accommodation requirements for the service moving forward are represented and considered. Specific consideration has been given when shaping the terms and conditions of the review to those with more complex need and the need for identification of appropriate opportunities for this group.
Corporate Parenting	None identified	None identified	None identified

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7. What evidence and data has informed the development of your proposal?

The current proposal has been informed by:

- Knowledge of existing service and service delivery
- Use of Tudor Street building prior to its temporary closure
- The service plans and aims of My Day My Life
- Knowledge of the current housing market and housing issues
- The current policy aims of the council

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?

Positive Impact

The proposal will release a building that is significantly under-utilised and allow it to be developed into a positive asset for the community providing increased employment and workforce potential and affordable housing to support to support a thriving community.

Changing the use of the building should not adversely affect people with learning disabilities as the service model for day support has been developing over a number of years to move away from a fixed base to the use of a range of different community based opportunities. The wider review of the service will continue to explore ways that the service can be developed to respond to individual needs and ensure that everyone has a chance to express their wishes and feelings.

Negative Impacts

Releasing Tudor Street will be affect people with learning disabilities some of whom have been attached to the building and the traditional model of day serveive delivery over many year,

It is possible that the evaluation may create anxiety and uncertainty for individuals using the service, their families and the staff team due to its signaling of potential change.

There are a number of individuals with very complex needs, if the majority of the consultees signal a further move to building less/community based services this could negatively impact those who have complex needs who may feel (or their families may feel) need a buildings based service to be or feel safe. It will be important to mitigate this risk through effective engagement with this group.

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
Ensure the successful external reviewer has strong collaboration and engagement skills to ensure meaningful engagement with all individuals, including those with more complex communication methods. Ensure that the review takes full account of people's views regarding the accommodation requirement for the service and explores what options would then be available in the absence of Tudor Street.	September 2022	My Day, My Life Project Review Group

Ensure that as far as possible all individuals views are represented and considered. The evaluation will ensure all groups of all ages are effectively consulted with to ensure that the direction of service for the future is based as far as possible on what people want and need.	September 2022 – February 2023	My Day, My Life Project Review Group External Reviewer
Ensure that any impact on staffing is understood and communicated as a result of any future change of employment base.	February 2023 onwards	My Day, My Life management team Peoples Services

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.

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Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
2	ICMD	30 th Nov 2022	<i>The form has been updated to reflect the pertinent issue i.e. to separately consider the impact of making an early, separate decision on Tudor Street</i>
1	ICMD	31 st Aug 2022	None