



City and County of Swansea

Minutes of the **Scrutiny Performance Panel – Service Improvement & Finance**

Remotely via Microsoft Teams

Tuesday, 16 November 2021 at 9.30 am

Present: Councillor C A Holley (Chair) Presided

Councillor(s)

P M Black
I E Mann
P K Jones
B J Rowlands

Councillor(s)

P Downing
L James
J W Jones

Councillor(s)

P R Hood-Williams
M H Jones
D W W Thomas

Other Attendees

David Hopkins Cabinet Member - Delivery & Operations (Deputy Leader)

Officer(s)

Geoff Bacon	Head of Property Services
Ian Davies	Development Conservation and Design Manager
Tom Evans	Placemaking and Strategic Planning Manager
Phil Holmes	Head of Planning & City Regeneration
Alex O'Brien	Property Manager
Michelle Roberts	Scrutiny Officer
Ben Smith	Chief Finance Officer / Section 151 Officer

Apologies for Absence

Councillor(s): A H Stevens, R Stewart

36 Disclosure of Personal and Prejudicial Interests

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

37 Prohibition of Whipped Votes and Declaration of Party Whips

In accordance with the Local Government (Wales) Measure 2011, no declarations of Whipped Votes or Party Whips were declared.

38 Minutes of Previous Meeting(s)

The minutes of the Service Improvement and Finance Scrutiny Performance Panel meeting, held on 19 October 2021, were agreed as an accurate record.

39 Public Questions

There were no public questions submitted in relation to the open part of the Agenda

40 Mid-term Budget Statement (verbal update)

The Panel received a verbal update from Ben Smith, Chief Finance Officer / S.151 Officer, regarding the Mid-term Budget Statement.

Discussions focused on:

- Nothing further to add since update to Council on 4th November.
- Q2 is delayed, as re-claims are finalised from Welsh Government (WG).
- Members queried the effects of the 1.25% National Insurance contribution. Officers outlined that there is upfront early money in Year 1, and there will be enough money in the system to recompense.
- Members raised concerns over whether the WG settlement will be favourable and what the options are if not.
- The Panel heard that if it is a fair and reasonable settlement, there is likely to be a medium-term plan, which balances over the medium term period (2025/26)
- Officers explained that inflation is higher, and likely to be so for coming years.
- Members raised concerns over the indirect effect of the NI rise on Council services.
- The Panel asked about the impact of rising interest rates on the cost of future borrowing.
- Officers explained that fixed rate loans will not be impacted upon.
- Future plans, for example Net Carbon Zero commitments, will require significant expenditure and at more expensive rates in the longer-term.

41 Planning Annual Performance Report

- The Panel received an introduction from Cllr David Hopkins, Deputy Leader, who acknowledged the hard work of officers and thanked all for their input.
- The Panel heard that the Annual Performance Report (APR) is produced each year to allow Welsh Government (WG) to monitor performance against a specific set of indicators.
- October 2021 APR covers a two-year period, having regard to the pandemic.
- Officers explained that the impacts of the pandemic have led to limited resources and working practices needed to be changed, for example site visits and risk assessments.
- Number of applications received since Q3 of 2021 - has been a significant increase (circa 40% on previous years).
- Increased pressure on officer workloads noted.
- Increase in number of complaints / enforcement issues.
- Issues have arisen in terms of enforcement – for example, some people were

reluctant to let officers into properties due to Covid restrictions.

- Previously, comparison data has allowed Swansea Council to compare with other Local Authorities. The last two years data is not available so the Council cannot make those comparisons, although it is noted that the planning department has continued to meet the targets set by WG.
- Members raised concerns over the WG lack of reporting this year. Officers explained that workloads last year were too onerous across Local Authorities and a number of issues have arisen this year in terms of introduction of temporary legislation for businesses to deal with pandemic adaptations.
- Officers expect comparable data to be provided in future years. APR reports this year were optional, however SCC have completed this in any event.
- Members raised issues relating to the Natural Environment and monitoring planning enforcement in relation to ecological issues.
- Officers explained that there is currently no designated monitoring officer. Complaints are submitted and dealt with as a whole team. Officers acknowledged that a lot of enforcement work could be more proactive, including tourism occupancy / agricultural occupancy issues.
- Officers highlighted that when dealing with a large number of complaints it is difficult to proactively monitor specific issues, and acknowledged that a dedicated enforcement officer would be beneficial.
- Staffing capacity levels – members queried if posts have been filled.
- The Panel understand that the planning department is fully staffed as of 1st November, however, some officers are employed on temporary contracts.
- Members noted issue of staff recruitment / retention across the Council, commenting that the use of temporary contracts may not retain staff.
- Members questioned whether the eighty-four days target period is set by WG. Officers explained that yes, this is the period within which to decide what action to take, for example, resolve an issue by inviting a planning application or alternatively enforcement.
- Members queried the generic email response that is sent from the Council currently, in relation to planning enquiries. Members raised concerns that this may give people the impression it is not urgent, suggesting the Council could consider re-phrasing this automated response.
- Officers outlined that having funding / grants to secure additional staff is beneficial, however, the labour market is not always sufficient to meet demand and it can be difficult to recruit certain skill sets across the region.
- Officers explained that consideration is being given to the possibility of developing Council staff via apprenticeships / trainees.
- Members asked how this could be progressed and moved forward. Officers explained that the Director of Place was considering this as a wider issue.
- Enforcement actions report – the Panel asked if this report would be available for non-planning committee Members.
- The Panel raised queries about how a Land Charge may be put on some parcels of land and not on others. Officers explained that when a formal enforcement notice is served, the charge appears as a Land Charge.
- Fees charged for pre-planning advice - members queried whether the same officers / staff that give such advice are the same planning officers that sit on the planning committee. Members also raised queries over the continuity of such advice between applicants and the planning committee.

- In relation to pre-application fees, officers explained that an enquiry is dealt with by a case officer for the area, then signed off by area Team Leader. If a particular case is referred to the panel, the area Team Leader will be present.
- Joint Committees in future may have a planning element – Members were interested to find out what will this element consist of and how will Members be included in this.
- Officers explained that a new complaints report has been instigated, to send to Members on a weekly basis advising of complaints received in each ward.
- Timescales – Members were interested to know more about factors leading to increased timescales for applications.
- Officers explained that WG monitors performance of local authorities and looks at the percentage of applications processed within agreed timescales (normally eight weeks from when a valid application is submitted). Officers highlighted that, during processing, that timescale may change, for example if an incorrect certificate has been submitted. When correct documents are re-submitted the eight-week period begins again.
- Officers explained that current legislative provision means that if any amended/additional plans are submitted, there will be an automatic extension of four weeks (for determination).
- Officers commented that, occasionally, it is not possible to determine a case within the eight week period, for example if a case is referred to the committee applicants will need to agree an extension of time to fit in with committee meeting dates.
- The Panel heard that if a case is determined outside of the agreed timescale, the applicant has a right to appeal non-determination to WG, asking WG to consider the case through the planning inspectorate.
- Officers explained that if an applicant decides to amend a scheme, and submit amendments, which would likely take the matter outside of agreed timescales, the Council would ask applicants to agree an extension of time. Council performance is measured against that agreed timescale.
- Swansea Council provides a pre-application advice service so any issues can be dealt with before submission.

42 Letters

43 Work Programme

The Panel noted the Work Plan

44 Exclusion of the Public

The Panel voted and agreed on exclusion of public from the meeting during consideration of item 11, as it involves likely disclosure of exempt information. Relevant paragraphs of Public Interest Test are 14 and 16.

45 Pre-Decision Scrutiny: Update Management Report on Swansea Airport

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Cont'd

The meeting ended at 11.00 am