

# CYNGOR GWYNEDD CABINET



## Report to a meeting of the Cyngor Gwynedd Cabinet

**Date of meeting:** 13 December 2022

**Cabinet Member:** Councillor Dafydd Meurig

**Contact Officer:** Dafydd Wyn Williams – Head of Environment Department

**Subject:** Performance Report of the Cabinet Member for the Environment

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### THE DECISION SOUGHT

To accept and note the information in the report.

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### THE REASONS WHY A DECISION IS NEEDED

In order to ensure effective performance management.

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## 1. INTRODUCTION AND RELEVANT CONSIDERATIONS

- 1.1 The purpose of this report is to update my fellow members on developments in the fields within my remit as Cabinet Member for the Environment. This includes outlining the latest developments to date against the pledges within the 2018-2023 Cyngor Gwynedd Plan; and the position regarding the performance measures.
- 1.2 I would like to remind you that all matters have already been discussed at a meeting between me, the Head and Deputy Head of the Department in November, following the previous performance challenge meeting in September that included the Chief Executive and representatives from the Communities Scrutiny Committee.
- 1.3 On the whole, I am satisfied with the progress of projects that the Environment Department lead on and contribute to in the Council's Plan, as well as the performance measures for which I am responsible. Although some challenges continue to face some services as a result of the pandemic's after-effects and recruitment challenges, I am confident that the Department has suitable plans to try and address these.
- 1.4 As you are aware, since the previous performance report, operational responsibility for waste and recycling has been transferred to the Environment Department with the financial responsibility to be formally transferred at the end of the financial year. The Environment Department is continuing to familiarise itself with the field, however, it is known that there is substantial overspend in the waste collection and recycling field, and efforts continue to try and address these historical challenges.

## **2. CYNGOR GWYNEDD PLAN PRIORITIES 2018-2023**

The Department leads on two of the improvement priorities in the Council Plan this year, and contribute towards two priorities jointly with other departments. I summarise below what has been achieved so far:

### **2.1 Climate and Nature Emergency Plan**

- 2.1.2 The plan adopted in March this year outlines the steps that will need to be taken when working towards the ambition that "Cyngor Gwynedd will be net-zero carbon and ecologically positive by 2030."
- 2.1.3 Since the previous report, the data about the Council's carbon emissions for 2021/22 have been submitted to the Welsh Government and an analysis report is expected from them this month.
- 2.1.4 Plans for the carbon literacy training programme are proceeding, and an invitation to offer a quotation to provide a training programme has been publicly shared. Applications are currently being processed, with the intention of commissioning in the near future.
- 2.1.5 A joint information session was held with Business Wales in order to give advice and information to some Council contractors who are businesses and maintenance contractors on how to decarbonise their work.
- 2.1.6 The work of pricing many of the projects that contribute to the Climate and Nature Emergency Plan has been completed, with a report submitted to the Council's Climate and Nature Board outlining the financial contribution required from the Council's coffers.
- 2.1.7 Grant applications for external funding sources are also being prepared to support the Council's efforts to reach the challenging net-zero target by 2030.

### **2.2 Public Protection Capacity**

- 2.2.1 The pandemic highlighted the importance of the Public Protection field and the need to ensure future resilience. As part of plans to increase capacity and planning for progression, funding has been secured from the corporate bidding system to fund 3 Public Protection trainee posts for a period of 3 years.
- 2.2.2 Specific recruitment packages have been prepared and the opportunities have been promoted via corporate social media accounts. It is expected that interviews will take place soon, and we aim to appoint trainees to commence in the next few weeks.
- 2.2.3 There is funding in place to introduce Team Leader posts within the current structure and we plan to advertise these posts internally subject to the completion of evaluations.

### **2.3 Second Homes and short-term holiday lets**

- 2.3.1 The Environment Department contributes towards the 'Access to suitable homes' Improvement Priority 4 (Management of the use of housing as holiday homes and second homes). The Department is coordinating and contributing to the Cross-departmental Group, which includes the relevant Cabinet Members and Senior Officers, which has been established to facilitate the Council's efforts in this key field.

- 2.3.2 Specifically, the Department leads on the work of preparing Article 4 direction in order to ensure better management of the three new planning use classes introduced by the Welsh Government in October 2022, namely main home, second home and short-term holiday let.
- 2.3.3 Planning policy officers have been proceeding with the necessary work of preparing a strong evidence base to clearly show that second homes and/or short-term holiday lets have a detrimental effect on an area(s) within Gwynedd, that warrant introducing Article 4 Direction.

## **2.4 Control of Motorhomes**

- 2.4.1 The Department is also contributing to Improvement Priority 1 – Creating a viable and prosperous economy (Sustainable tourism plan) by collaborating with the Economy and Community Department on the 'Aros-fan' project, to pilot a scheme to improve the management of motorhomes in the county.
- 2.4.2 A grant has been secured from the Welsh Government's Brilliant Basics fund to assist to fund the plan that will develop up to six designated sites for motor homes to stay overnight.
- 2.4.3 Preparatory work is proceeding with the intention that planning applications are submitted to put the relevant infrastructure in place by the end of 2022/23, however identifying suitable sites due to planning constraints etc has proven extremely challenging.

## **3. PERFORMANCE**

Below, I outline the main matters that have arisen from the department's performance since the beginning of April 2022. The information does not refer to all services in the department, only to those where I feel the need to bring to your attention.

### **Planning Service**

- 3.1 It is fair to say that there have been staffing challenges in the Development Control and Planning Enforcement field, and there are efforts to get to grips with this. In terms of **the average time taken to determine a planning application**, the performance since April continues to show an improvement since last year. The average time taken over the course of the year to make a decision is 87 days (72% within the statutory time), compared to 103 days last year. Although work continues to try and deal with the backlog of applications in the system, the service is managing to deal with the monthly average of approximately 100 new applications submitted.
- 3.2 There are efforts afoot to continue to improve performance, with the Planning Service cooperating with other relevant departments in the Council where there is input when determining applications. There is an effort to try and reduce the workload, including checking when there is an actual need for input, and improve communication to understand the challenges that exist (e.g. only send consultations when there is an actual need for advice) and communicate regularly to understand the challenges that exist.

- 3.3 Since I last reported on performance to you, there has been a significant effort to close old cases that were open in terms of investigating **alleged cases of breaching planning regulations**. Supportive assistance has commenced to support the work, with 586 applications open at the end of October compared with 741 open at the end of June when I last reported to you. There is also support from Development Control officers when assisting with enforcement work, however, the impact of this on the performance of dealing with planning applications over time will need to be monitored. In addition, there is an effort to fill an empty post in the field, with an advertisement for an Enforcement Officer, and if we are successful with recruitment we are confident that performance will continue to improve.

#### **Joint Planning Policy Service**

- 3.4 The staff of the joint planning policy service offer guidance on planning applications and pre-application enquiries. Generally, the service's performance in **responding to planning application consultations and pre-application advice enquiries**, remains consistent. 263 of the total of 295 responses, namely 89.7%, were presented within the time permitted, which is slightly lower than the average when I reported on performance in July.
- 3.5 It should be noted that priority has been given in the last few months to preparing the Annual Monitoring Report on the performance of the Local Development Plan. This is a statutory report that must be submitted to the Welsh Government by the end of October. This affected the ability of the service to provide responses to planning applications in September, where it was seen that 72% of responses had been provided within the time-schedule, however, by October it was heartening to see that the figure had increased to 95%. It should also be noted that the Service is giving high priority to the work of preparing an evidence base to justify article 4 direction.

#### **Building Control Service**

- 3.6 The Building Control Service ensures that building work satisfies the reasonable health and safety standards for people in or near the county's buildings. While there have been efforts to fill empty posts over the last few months, the **percentage of Building Control applications determined within the statutory period** (5 and 8 weeks, dependent on the nature of the application) **is 93%** for the reporting period. The service is working to improve capacity and continues to monitor the timescales in their regular work allocation meetings.
- 3.7 Although changes are needed to the work flow of the computer system used as well as staff training in order to be able to gather all the required information for reporting fully on the open files within specific time periods, we can report that the Service continues to ensure that **every dangerous structure receives attention** within 24 hours. Although the 19 buildings were made safe on the day of the notification with the backlog of cases that remain open also protected, a number of significantly complex cases continue to take a great deal of the team's time and resources. This is also true of the 25 cases of unauthorised work reported over this period.
- 3.8 It is pleasing to report that **applications for a general service (request for advice/enquiry)** have been dealt with within three days on average, which shows an improvement from the 4 days for processing presented in the previous performance report.

#### **Business Service (Back Office) – Land charges**

- 3.9 The Department's Business Service (Administration) provides searches information to anyone who wishes to purchase property within the county. The searches take more time than we would wish, due to an increase in the demand for the applications service together with the fact that the Council is amongst the first in Wales to transfer to a new computer system that entails short-term challenges. The service has already employed temporary staff to increase capacity.
- 3.10 With 1,911 applications received since the beginning of April, the **time taken on average to process land charges** is 39 days for the period. Generally, I am satisfied that the team is making progress and the processing days are gradually being reduced. However, there are some circumstances that affect the service's performance, for example, of the 349 applications received in October, there was an unexpected case whereby 160 applications were received from a particular company in one day, and this inevitably had an impact on performance.

### **Public Protection Service**

- 3.11 As you are aware, officers from **the Food and Safety Service**, Public Protection Department, played a key role in seeking to control the spread of Covid-19 during the pandemic. Consequently, there has been an impact on the capacity of work units to achieve their usual work programmes. However, now it is evident that the services can resume the programmed work, and there are efforts to increase capacity with funding earmarked for the recruitment of three trainees for a period of three years in order to seek future progression.
- 3.12 Regarding the **percentage of food businesses attaining the food hygiene standards**, the performance has been consistent since April, with 99% of food businesses achieving a score of 3 or higher. At the end of October, there were 2,203 businesses subject to the scoring system, with only 21 not meeting the standard (0.95%). All such properties receive a second visit within 3 months to ensure that standards have improved. However, in accordance with the national food hygiene scoring conditions, a business can only receive a new score following a programmed inspection or by requesting an inspection to re-score.
- 3.13 The Service follows the Food Standards Agency Recovery Plan when conducting **inspections of standards and food hygiene**. In accordance with the plan, all properties in food standards category risk A have received an inspection, with 49% of food standards inspections programmed for the year completed thus far. In order to improve efficiency, officers undertake joint inspections of food hygiene and standards. Since June, officers have focused on undertaking programmes of hygiene inspections in seasonal premises (open during the summer only) that are in the C and D hygiene risk categories, completing any standards inspection required at the same time. With the majority of seasonal businesses closed, officers now prioritise food safety inspections in accordance with their hygiene risk category with the focus mainly on hygiene risk category C.
- 3.14 It is fair to note that **the percentage of food businesses that have received food hygiene inspections** is lower than what we would expect to see for the year, with 36% completed by the end of October. The fact that members of staff have returned to work following long-term absence has increased the service's ability to complete inspections. There are three officers who are also in the process of securing qualifications which means that they can undertake official food interventions once they have qualified, but the capacity of current staff continues to be challenging.

- 3.15 The Food and Safety Service also receives a significant number of **service requests**, with the majority for food hygiene. The requests can vary with some being dealt with immediately, while others take some months to be resolved. Although there is a backlog of requests, officers continue to try and deal with these, the percentage of requests closed since April is 85% from a total of 713 requests received.
- 3.16 **The Trading Standards Service** deals with matters relating to Animal Health and Welfare as well as Consumer Protection. In accordance with the service work programme, there is an expectation to inspect 49 establishments during 2022/23 that have been prioritised at risk level. As noted in the July report, a significant portion of inspections are completed during the autumn and winter seasons when the risk is higher, and by now 59% of the inspections have been undertaken.
- 3.17 Trading Standards received a total of 738 **service requests** during the period since April 2022, which is a combination of requests to the animal welfare and consumer protection fields. 82% of requests received during this period have been dealt with, and there has been good progress also to deal with the backlog of service requests received, which has reduced from 109 in August to 70 by the end of October. In addition, Trading Standards have completed 531 inspections or visits and have recorded 125 cases of non-compliance between April and October, with action taken on each one, which may include advice and guidance, notices or further investigations where required.
- 3.18 **The Pollution Control and Licensing Service**, Public Protection works to ensure that licensable activities in relation to taxis, alcohol, gambling and entertainment are provided in a way that protects the public and supports businesses.
- 3.19 A significant portion of the service's work deals with licensing taxis, with the **average time taken to process an application for a taxi licence** being 11 days during the period in question. Although applications from drivers that need to be referred to a Committee hearing for a decision can significantly affect the processing time, it is encouraging to report that more people are using the electronic self-service system via the Council's website which improves the system's efficiency. Nevertheless, the Revenue and Customs department of Central Government (HMRC) has introduced a mandatory system since April 2022, which means that every taxi driver must register on the HMRC website to record payment of taxes, before an application can be processed to renew a taxi licence. Many taxi drivers have difficulties when doing this, and this may mean a delay in processing applications for licences.
- 3.20 The Pollution and Licensing Service continues to accept a **number of service requests** with 2,312 received since April, and 68% of these are now closed. A significant proportion of these relate to noise, and such complaints can take some time to establish an evidence base before the enquiry can be implemented and closed. This is also a reflection of the backlog of requests that remain open.

#### **Network Management Services**

- 3.21 The work of **the Parking and Street Works Service** is to ensure safe management of the highway. As part of this duty, ten Parking Enforcement Officers operate across the county over 7 days a week, which includes flexible hours beyond normal hours. The service receives regular complaints regarding parking, with a specific indicator measuring the **time taken to respond to complaints about illegal parking**. During the period in question, 114 complaints were received, with staff visiting each site in question within three days of receiving the request, with an average processing time of 1 day for the period.

- 3.22 The other measure for parking relates to **the percentage of successful appeals regarding parking tickets**. Fines are issued for vehicles that park in breach of the on-street and off-street restrictions (car parks). The service deals with everyone in a consistent, fair and transparent manner, and every motorist is entitled to appeal if they feel that any unfairness or error has occurred. Every appeal is considered in full and if robust evidence reinforces the claim that a genuine mistake has occurred, the fine is revoked. From the 1,144 appeals submitted since April, 269 or 24% have been revoked.
- 3.23 Since April, a new measure has also been introduced to the Streetworks field, to monitor the **percentage of works by statutory contractors that has taken longer than the original timetable**. The service's street inspectors are responsible for coordinating and monitoring all activities to avoid situations where areas are disrupted for long periods of time. Of the 2,200 works by contractors (electricity, gas, water companies etc.) since April, 98% were achieved within the original timetable. Although the majority of the activities were achieved within the timetable, it is not uncommon to run over time for a number of various reasons, and the service can set specific conditions to try and control this, and in some circumstances no option is given for contractors to be able to extend the period.
- 3.24 The **Traffic and Projects Service** leads on matters regarding any changes to the highway. Of the 1,129 requests for a service received in the period from April to October, 78% have been closed. The service has faced a period of significant capacity challenges with a high turnover during the Covid period. I see that the service has started to turn a corner with staff in place, and a professional trainee has also joined in recent months which will assist capacity and improve future progression. It has to be accepted that the officers that are new to some posts will continue to train and develop their expertise over the coming months.
- 3.25 The **Public Transport Service** is working with public transport providers as well as other bodies to try to respond to any concern or obstruction arising, for example, by arranging an on-demand service or establishing a new service. Work is proceeding to ensure that the system to record **service requests** is operational and I anticipate that it will be possible to report on performance in the next report.
- 3.26 There is also an expectation that the service will report on **the percentage of bus services that are on time**. Although the data is not currently available, the tracking system is currently being trialled with the TrawsCymru service, with the technology available on every bus via the tickets machine. In future, it is intended that this technology will be available, by including it in the terms and conditions of the contracts, and will offer more accurate data with no reliance on staff randomly monitoring, as in the past.
- 3.27 The **Countryside Service** (Paths and Biodiversity) intends to commence using a computerised system that has been developed with the Information Technology Service to be able to monitor performance when dealing with **requests for service**. It is intended that the system will be operational from this month onwards and therefore it will be possible to report on performance in the next report.
- 3.28 It is also worth reminding you that the Service has prepared a Rights of Way Improvement Plan for the Council, and the plan that sets a direction and priorities for the field for the next few years was approved at a meeting of the Cabinet on 22 November.
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**Views of the statutory officers**

**The Monitoring Officer:**

No observations to add in relation to propriety.

**Head of Finance Department:**

I am satisfied that the report is a fair reflection of the financial situation of the Environment Department.

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