

PLANNING INSPECTORATE WALES

Business Plan 2020/2021



The Planning Inspectorate
Yr Arolygiaeth Gynllunio



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Teg

Fair

Agored

Open

Diduedd

Impartial

Amserol

Timely

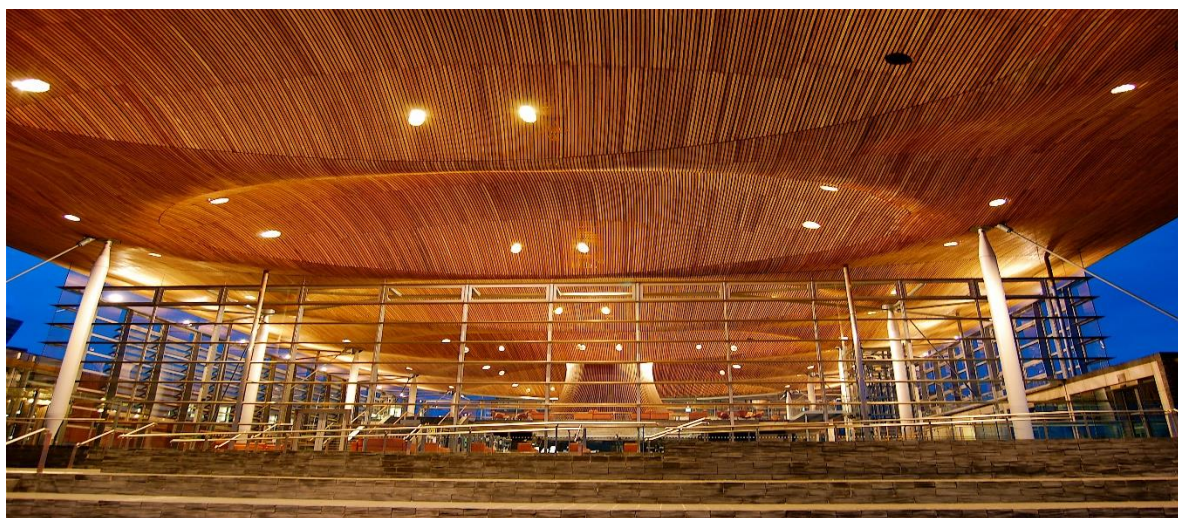




Planning Inspectorate Business Plan 2020/2021

1. WHAT WE DO

The Welsh operational area of the Planning Inspectorate undertakes all planning, environmental and associated casework in Wales apart from the largest national infrastructure projects, for which the responsibility for processing and determination has not been devolved to Welsh Government. Planning Inspectorate Wales deals with some types of casework that are specific to Wales and not dealt with by the wider Inspectorate.



The Planning Inspectorate's team in Wales has a vital role in supporting Welsh Government's aims and objectives of delivering a Wales which is;

- ❖ prosperous and secure,
- ❖ healthy and active,
- ❖ ambitious and learning,
- ❖ united and connected.

This Business Plan sets out what we'll deliver and how we will deliver it in 2020/2021.



2. WHAT WE DID - 2019/2020

Progress against Business Plan Goals 2019/20

The previous year's business plan set out our ambition to consolidate our flexible approach to processing casework by allocating the full range of major and non major casework across one team. This has been achieved. Our future plan was to include specialist and environmental casework in this approach. It has to be borne in mind a fully experienced, flexible casework team, across all of the case types will take time to achieve whilst preventing the loss of expertise we have built up in the more complex environmental casework. However, steps have been made in this direction.

Casework 3 now sits alongside Casework 1 and 2. Some case types, historically dealt with by Casework 1 and 2 are beginning to be handled by Casework 3 and all members of the team are planned to begin coaching in other areas of casework they have previously not dealt with.

For management purposes there remains 3 leads, each with their own specific area of expertise. They meet regularly to share best practice and expertise.

Timeliness Performance

Appendix 1 sets out our expected year end performance against the targets set for us by Ministers. Low numbers of oral events being held make meeting these targets challenging. Our performance against the quality target remains of a good standard, it is recognised however there are improvement still to be made. A review of our procedural guidance for both appellants and interested parties is taking place, aimed at providing clarity for each stage of our processes and let those engaging with the system an idea of what they can expect.

Casework

In the summer of 2019, the Minister for Environment, Energy and Rural Affairs issued her decision on the Wales Rod and Line (Salmon and Sea Trout) and Wales Net Fishing (Salmon and Sea Trout) Byelaws 2017 following the submission of our Inspectors report and recommendation. The Inspector who held the inquiry to hear objections into the confirmation of the byelaws received a letter of thanks from the Minister commending the open, impartial and fair way the inquiry was run, identifying in particular, his professionalism and expertise.



2 reports on DNS were submitted for decision by Welsh Ministers with 8 reports to BEIS in relation to Wayleave applications under the Electricity Act. An application for an Order under the Transport of Works Act has been submitted, the first of its kind to be considered following power to determine these applications being devolved to Welsh Ministers. Similarly, an application for a Harbour Revision Order has been received.

Stakeholder Engagement

Events were held designed to introduce Community Council's to the work of the Planning Inspectorate and explore how Community Councils can effectively engage with the planning system. We explained our approach to decision making, in appeals, local plan examinations and developments of national significance applications (DNS), and the matters that are and aren't relevant. Working with Planning Aid Wales we then facilitated workshop sessions to discuss how Community Councils can use their resources to get the best for their communities.



Discussing planning scenarios with Community Councilors in Builth Wells

The Head of Service for the Inspectorate in Wales presented to local authority committee members on their role in the planning system and evidence-based decision making. We also led sessions at the RTPi Cymru summer and autumn conferences and, at the invitation of the RTPi and Department of Infrastructure in Northern Ireland, spoke at events designed to help them prepare for their first local development plan examinations.



We have also worked with Welsh Government Planning Directorate and the Well Being and Welsh Language Commissioners on improving the planning system in Wales.



Addressing a RTPI conference in Belfast.

Team Engagement

Sustaining a high level of performance against ministerial targets is, in no small part, a result of a flexible efficient team. Planning Inspectorate Wales are a bespoke team based in Cardiff, independent from Welsh Government (WG) but funded by them. The team comprises 20 home-based Inspectors and 26 office based professional administrative staff who provide support to Inspectors. There are currently 4 Welsh speakers across the team and any recruitment exercise actively seeks to strengthen this number.

We have carried out several activities to ensure communication and understanding of individual roles within the team is fostered. A team away day at an Escape Rooms was received well by all involved, the measure of success being the tangible improved communication between those usually at home and those usually in the office.



We Escaped!

Run by the University of South Wales, a Welsh Language taster session for the team was arranged. Planning Inspectorate Wales takes promoting the use of the Welsh language very seriously and whilst we have Welsh language speakers in the team, as well as those who are independently learning to speak Welsh, ensuring a basic level of skill throughout the whole team demonstrates our commitment to promoting the language and improving the service we provide to our Welsh speaking customers.

The session was high energy, and everyone present was able to engage. There was physical activity and a lot of speaking to different people on several different subjects in the Welsh language. Further similar sessions will be held.



Sut dych chi? How are you?



Every Civil Servant is entitled to 5 volunteering days a year. Members of the Planning Inspectorate Wales team volunteered with the cancer care trust Tenovus. There are several different activities that you can help Tenovus with, but we chose to volunteer at their warehouse in Cardiff. Our task was to process returned and unsold stock, ready for listing on eBay. The sale of these items is a great source of income for the charity.



3. WHAT WE'LL DELIVER - 2020/21

A similar level of incoming planning appeals to that in the previous year is expected in 20/21 and there are no indications to suggest a great variance either way. Neither do we anticipate an upturn in enforcement appeals. Environmental and Rights of Way casework numbers are similarly not anticipated to alter significantly.

Information received from developers anticipates the submission of 4 DNS applications; it is possible that other DNS applications will be submitted in the year without our prior knowledge or a notification of an application submitted without previous engagement with us. 3 LDP's are expected to be submitted for examination (Carmarthenshire, Pembrokeshire and Flintshire). Inquiries are likely to be held into 3 compulsory purchase orders in relation to trunk road schemes and the submission of an application under the Electricity Act is also possible. This will be the first application under this act that Planning Inspectorate Wales will process under newly devolved powers to Welsh Ministers.

An inquiry into a large complex Rights of Way Order in Merthyr Tydfil is set to open Summer 2020 and will sit for 10 weeks. Running at the same time will be the consideration of the Transport and Works Act application and the Harbour Revision Order. An application under Section 36 of the Electricity Act is expected to be submitted later in the year.





4. HOW WE WILL DELIVER

A separate Planning Inspectorate for Wales

In May 2019, Julie James the Minister for Housing and Local Government made a written statement to the Senedd, setting out WG's intention to establish a separate, dedicated planning service for Wales. Setting up a new organisation will be a challenge and a significant piece of work which will divert people and resources. Nevertheless, Planning Inspectorate Wales is committed to maintaining the same level of excellent performance during the transition to independence and is working with colleagues in WG and Planning Inspectorate England to ensure that the new organisation is in place by April 2021.

Members of staff in Planning Inspectorate Wales are being kept up to date with progress, all will be consulted at appropriate stages and some will be directly involved in project teams. The aim is that this change will be done with and not to our staff.

Planning Inspectorate Wales is committed to making the planning system open and accessible to all, and to the provision of a high level of customer service. With this sits our responsibility to handle customers personal data in an appropriate way and ensure those who wish to engage with our services through the Welsh Language, are able to do so.

It is recognised that specific resource is required to support these aims. The establishment of a separate Planning Inspectorate for Wales will, likewise require a dedicated resource to support and inform the projects various working groups.

Working Flexibly

We have established an aligned casework team, ensuring a mobile resource able to be deployed, where needed, when needed with the benefit of improved continuity of service for customers and other stakeholders. The expansion and development of knowledge, expertise and experience in the team, will continue to be driven.

The year 2021/2022 is likely to see 9 LDP examinations running concurrently. The impact this will have on the limited Inspector resource available to us, would be extreme. To prepare, we are exploring different way of using our resources including a team approach to examining multiple plans and our planning officers taking a greater role in examinations.



APPENDIX 1 - EXPECTED TIMELINESS PERFORMANCE

Timeliness	2019/20	2018/19
To determine 90% of all planning appeals decided by written representations (part 1 and part 3 of 2017 Regulations) in 8 weeks	100%	98.8% (116)
To determine 85% of all planning appeals decided by written representations (part 4) in 14 weeks	100%	92.5% (256)
To determine 85% of all planning appeals decided by hearings in 21 weeks	93.75%	93.5% (34)
To determine 85% of all planning appeals decided by inquiries in 29 weeks	~	0% (1)
To determine 85% of all enforcement appeals decided by written representations in 27 weeks	100%	91.7% (24)
To determine 85% of all enforcement appeals decided by hearings and inquiries in 41 weeks	87.5%	100% (9)
To meet the timetable set by WG in respect of recommendations provided by the Inspectorate on recovered appeals and called in applications	100%	100% (5)
To submit recommendations on Developments of National Significance within 36 weeks	100%	100% (3)
To provide an Inspector for Development Plan examinations in all cases on the date requested by the LPA	100%	100% (2)
To deliver Inspectors' reports on Development Plan examinations according to agreed timescales	100%	50% (2)



APPENDIX 2 - EXPECTED FINANCIAL PERFORMANCE

	Full Year Original Budget (£)	Expected Year End Total (£)
Pay	2,342,947	2,275,060
Travel & Subsistence	58,500	49,562
Non-Pay Running Costs	144,000	121,230
Government Legal Costs	50,000	67,050
Adverse Costs	20,000	0
Overheads	601,396	601,395
Total	3,216,842	3, 114, 299
Adjustments		
Cross border charges	27,000	-114,399
Non-Salaried Cross Border Charges	0	0
Reimbursable cases	-386,770	-465,829
Government Legal receipts	-2,000	-37,698
Capital Allocation - IT	0	0
Total	-361,770	-617,926
Adjusted Total	2,855,072	2,496,372



APPENDIX 3 - CASE TYPE LIST

- ❖ Planning Appeals
- ❖ Enforcement Appeals
- ❖ Listed Building Appeals
- ❖ Listed Building Enforcement Appeals
- ❖ Section 106 Appeals
- ❖ Community Infrastructure Levy Appeals
- ❖ Developments of National Significance (DNS)* (including pre-application advice)
- ❖ Non-Validation Appeals*
- ❖ Marine Licensing Appeals
- ❖ Environmental Permitting Appeals (inc, Waste carriers licensing, Water abstraction licensing, Drought Orders)
- ❖ Common Land Appeals
- ❖ Rights of Way Orders
- ❖ Schedule 14 Applications and Appeals
- ❖ Transport and Work Act Orders
- ❖ Sustainable Drainage Appeals*
- ❖ Review of decision to List a Building*
- ❖ Harbour Orders
- ❖ Compulsory Purchase Orders
- ❖ Commonable Rights
- ❖ Section 215 Notice Appeals*
- ❖ Purchase Notices
- ❖ Contaminated Land Appeals
- ❖ Hazardous Waste Appeals
- ❖ Joint Housing Land Availability Studies*
- ❖ Environmental Scoping/Screening

*Unique to Wales