



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

Dyddiad/ Date 2nd November 2020
Rhif Ffôn/ Direct Line 01639 686681
Ebost/ Email c.morris1@npt.gov.uk
Cyswllt/ Contact Ceri Morris
Eich cyf/ Your ref
Ein cyf/ Our ref

Mr Dai Richards

On behalf of:
Glynneath Residents "say enz-NO" Group

BY EMAIL ONLY TO dai@rugbyrelics.com

Dear Mr Richards,

Re: Heol Y Glyn, Glynneath

The Council acknowledges receipt of your email of 25th October 2020 which was forwarded to members of the Council's Planning Committee.

Email of 25th October 2020

In the first instance please note that elected members are not bound to the Freedom of Information Act 2000 and Environmental Information Regulations 2004 in the same manner as the Council.

It is the role of the Planning Committee, to consider the advice of officers of the Council, who advise based on local, regional and national planning legislation and to then make a determination whether to approve or refuse planning applications. Members will listen to all arguments and representations made and then objectively make a determination as to whether a planning application should be approved or refused based on the evidence that they are presented. The advice took account of the extensive submissions expressing concern about contamination and its impacts, with representatives of the objectors presenting their views to the Planning Committee in line with the Council's Public Speaking Protocol.

The issue of whether a Member holds any planning or construction related knowledge or qualification is irrelevant to any considerations. There is no legal requirement for Members to hold such qualifications or have requisite experience in this area, nor are they under an obligation to manually check information held by the Council.

Amgylchedd ac Adfywio

Ceri Morris Pennaeth Cynllunio a Gwarchod y Cyhoedd
Y Ceiau, Ffordd Brunel, Parc Ynni Baglan, Castell-nedd SA11 2GG
Ffôn 01639 686868

Environment and Regeneration

Ceri Morris Head of Planning and Public Protection
The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG
Phone 01639 686868

www.npt.gov.uk

In the event you feel that evidence is incorrect you are of course welcome to challenge the same via the appropriate legal process such as judicial review or a complaint to the Public Service Ombudsman for Wales.

Your comments regarding Councillor Williams are not applicable to any decision of the Planning Committee.

The scheme of remuneration which sets out the basic salary that a local authority Councillor receives is available on the Council's website:

<https://www.npt.gov.uk/media/13928/scheme-of-remuneration-20-21-english.pdf?v=20200730142056>

In the event you wish to make representation on the sum that Members are entitled to, you are able to make representations direct to the Independent Remuneration Panel for Wales who undertake a consultation on an annual basis. They can be contacted at irpmailbox@gov.wales

Future Protocol

You have continued to forward a number of emails to the Council, consuming a disproportionate amount of resources. This is disrupting our service delivery to other citizens. You repeatedly complain that the Council has failed to address your queries however, the Council has investigated your concerns and responded to you accordingly, providing you with an avenue of appeal against every issue. There is no further internal appeal mechanism for the Council to fulfil. The Council would therefore encourage you to refer your concerns to organisations referenced in that letter (and detailed below) if you continue to feel aggrieved by any action of the Council.

In addition to numerous email exchanges with the Planning Department, the Council has responded to you with our investigations into your complaints on 4th May'20, 12th May'20, 26th May'20 and 10th September'20 respectively, yet you continue to raise complaints with Council staff and elected members about matters we have already fully investigated. I consider this behaviour persistent and unreasonable. It is also noted that you have made a Freedom of Information Request (dated 26th October 2020) requesting these documents but given they have already been provided to you to date, the Council would refer you back to those letters pursuant to your request.

During and since the determination of the planning application, serious allegations have been directed at the Council and shared online and via social media. They insinuate that there has historically been illegal tipping of asbestos and toxic waste on the site. They also include serious and unsubstantiated allegations about the conduct of officers and councillors, stating that the Planning Department has colluded with the former site owners to hide contaminated land, which would constitute a breach of the Environmental Protection Act 1990.

The Council takes its responsibilities with regards to ground contamination very seriously. The Council is satisfied that it has not at any point contravened its duties under this legislation. Allegations that the Council has colluded with a former owner to 'hide' contamination are false and malevolent.

The most recent planning permission for the site was issued following lengthy consideration by councillors on the Planning Committee, with expert planning and land contamination advice being provided. The advice took account of the extensive submissions expressing concern about contamination and its impacts, with representatives of the objectors presenting their views to the Planning Committee in line with the Council's Public Speaking Protocol.

The Council therefore will not continue to investigate complaints that have been fully dealt with under the complaints and representations arrangements. You have been advised of your right to take matters further with the Public Service Ombudsman for Wales and/or seek a judicial review and you have been provided with the details on how you can do this.

As a result of these persistent and unreasonable behaviours, the Council intends to restrict further the way in which we will have contact with you. These actions are being progressed under the Council's Unreasonable and Persistent Complainants Policy:

The Council will not deal with complaints that have already been dealt with under our complaints and representations policy and procedures.

- Any repeated complaints you make will not be responded to but left on file for our future reference.
- The Council is prepared to deal with new service requests and new complaints but these must be put in writing and sent via email to environment@npt.gov.uk who will forward your email to the appropriate section of the Council. We will not deal with these requests if made in person or over the telephone. Our response to such contacts will be sent in writing to your email address dai@rugbyrelics.com unless you notify us they should go to a different email address.
- The Council will not deal with you if you present under an alias but will be noting such contact for further reference.

In line with the Council's Unreasonable and Persistent Behaviour policy I will proceed to review this revised strategy in a period of 6 months from the date of this letter. I would like to remind you that there are a range of organisations available to support you in the County Borough should you find it helpful to have assistance in your future dealings with the Council. These include Citizens Advice Bureau, or local solicitors.

If you wish to make a complaint to the Information Commissioners Office, I provide their contact details below:

Information Commissioner's Office

Address: Wales 2nd Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH.

Phone: 0330 4146421

Email: wales@ico.org.uk

If you wish to make a complaint to the Ombudsman, I provide a link to their website below:

<https://www.ombudsman.wales/complaints/>.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ceri Morris', written over a horizontal line.

Mr Ceri Morris
Head of Planning and Public Protection