

PUBLIC QUESTIONS TO CABINET MEMBERS AND COMMITTEE CHAIRS
Council Meeting – 29 September 2022

Question: 1.
From: Mr J R

Response by: Councillor Frost (Cabinet Spokesperson for Regeneration and Culture)

Question:

The onsite activities on a building site can become a danger to the public, and damage, or pollute the environment of all forms of life.

There are legal obligations placed on all parties involved in planning and agreeing for building work to go ahead and also on the developer.

When the Council are considering a planning application, what questions are asked, and what written information is required from the applicant on how the site will be managed, to prevent it being a danger to the public, or damage, or pollute the environment.

On protecting the public, which departments, would inspect building sites to enforce agreed conditions.

The Government expects planning authorities to only ask for the minimum amount of information when validating a planning application. As a general rule, authorities do not therefore insist on a construction management plan in order to determine a planning application. This avoids the need for the applicant to undertake potentially abortive work should the planning application be refused.

Instead, when we are minded to grant planning permission and where it is deemed necessary (for example, if the application is for a major development), we impose a planning condition that requires the developer to submit a construction method statement. This includes measures to control noise and dust during construction work as well as highway safety related matters such as access points and areas devoted to parking and manoeuvring of vehicles. The Planning Service then consults colleagues in Pollution Control and Highways to decide if the information is acceptable. The condition prevents work commencing on site until the construction method statement has been formally approved. Alongside this, for new dwellings or commercial developments, we also impose a planning condition limiting the hours that construction work can take place.

In respect of monitoring and enforcement, it will really depend what the issue is. From time to time, Pollution Control may need to get involved (e.g. contaminated

land concerns) as may highways if the developer is breaching the Highways Act (mud on the road, illegally working in the highway). From time to time, the Planning Service also issues temporary stop notices requiring all work to cease. Examples of these are included in our quarterly enforcement report to Planning and Regulatory Board, the most recent of which showed that Barnsley is ranked 7th out of over 330 authorities in respect of enforcement notices served.

Building Control also have powers to intervene if there is deemed to be a “dangerous structure” on site and the Health & Safety Executive also have their own role should any incidents occur or concerns be reported.

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Question: 2.
From: Mr J R

Response by: Councillor Gardiner (Cabinet Spokesperson Core Services)

Question:

It is becoming reported more, of men to self identify as a woman, has the council a transgender policy?

Women do have rights in places under the Council's control, should there be a need for toilets and changing rooms, will there be separate facilities which provide safe places for women, and girls?

Information for response:

The Council has produced a 'Gender Identity Guidance' document which provides employees with a set of organisational principles to help manage and support workplace transitions.

The Council values diversity and is committed to creating a positive environment where everyone is treated with dignity and respect. This includes recognising and supporting all protected characteristics, including women and gender identity.

The availability of separate toilets and changing facilities is dependent upon the building. We are mindful of the recent government announcement (<https://www.gov.uk/government/news/all-public-buildings-to-have-separate-male-and-female-toilets>) which we will comply with.