

JOINT COMMUNITY SCRUTINY COMMITTEE AND PLANNING COMMITTEE

MONDAY, 5 DECEMBER 2016

PRESENT: Councillor A.W. Jones (Chair)

Councillors:

S.M. Allen, D.J.R. Bartlett, J.M. Charles, A.P. Cooper, D.M. Cundy, W.R.A. Davies, S.L. Davies, T. Davies, T. Devichand, W.T. Evans, J.K. Howell, I.J. Jackson, W.J. Lemon, G.B. Thomas, E.G. Thomas, J. Thomas and J.S. Williams

Also in attendance:

Councillor L.D. Evans, Executive Board Member for Housing,
Councillor L.M. Stephens, Executive Board Member for Human Resources, Efficiencies and Collaboration,
Councillor T.J. Jones, Executive Board Member for Environmental & Public Protection.

The following Officers were in attendance:

J. Edwards, Development Management Manager,
K. Byrne, Assistant Solicitor,
J. Owen, Democratic Services Officer.

Chamber, County Hall, Carmarthen - 1.30pm - 1.55 pm

1. TO APPOINT A CHAIR FOR THE MEETING

UNANIMOUSLY RESOLVED that Councillor A.W. Jones be appointed Chair for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor S. Matthews and from Councillor M. Gravell – Executive Board Member for Regeneration and Leisure

3. DECLARATIONS OF PERSONAL INTERESTS

There were no declarations of interest.

4. DECLARATION OF PROHIBITED PARTY WHIPS

There were no declarations of prohibited party whips.

5. PUBLIC QUESTIONS (NONE RECEIVED)

The Chair advised that no public questions on notice had been received.

6. COMMUNITY SCRUTINY COMMITTEE TASK AND FINISH GROUP REVIEW 2013/14 - ACTION PLAN MONITORING

The Committee, in accordance with minute 6.4 of its meeting held on the 24th March, 2016 received for consideration an action plan monitoring report on implementing the recommendations of the Task and Finish Review of Planning Enforcement Policy and Protocols. The Development Management Manager reminded the Committee that the purpose of the report was to provide it with an update on both the actions agreed as part of the Action Plan and the recommendations arising from its meeting in September 2015.

The report provided members with an updated position on a recommendation which was put forward on 14th September 2015, which was to develop a protocol with Dyfed-Powys Police for information sharing and to investigate the possibility of allowing access to the Police secure database. The Development Management Manager informed the Committee that a Corporate Multi-Disciplinary Group had now been established which would seek to progress this issue as part of its work plan. Members were also informed that Officers had been invited to attend a meeting of the Dyfed Powys Police Authority (DPPA) Information Compliance Team which would be accepted and to be arranged.

Furthermore, in accordance with minute 6.3 of its meeting held on the 24th March, 2016 the Assistant Solicitor provided an update on recommendation 21 for consideration by the Committee.

The Assistant Solicitor stated that she had informed the local magistrate's administrative office that the Authority was willing to provide training to local magistrates on enforcement under the Town and Country Planning Act 1990. However, the Senior Clerk advised that he would not be in a position to agree, but did request a copy of the proposed training package in order for this to be put before the Magistrates' Area Committee for consideration.

The Assistant Solicitor explained to the Committee that new training material would need to be drafted which would cost the Authority, with no guarantee that the Magistrates would accept the training. The Assistant Solicitor advised that the Members and the planning department should consider this matter further going forward.

The following issues/questions were raised during consideration of the report.

In response to a question on recommendation 8, the Development Management Manager informed Members that it was anticipated that the new publication of a plain language guide on enforcement protocol for elected members and the public guide would be produced to coincide with the next Performance Management year.

Following a query in relation to the progress of recommendations 6 and 7, the Development Management Manager stated that these had been completed and that the report would be updated to reflect this.

Reference was made to recommendation 12. It was asked, if there was a reason behind the decision not to pursue the option of doubling fees for retrospective planning applications? The Development Management Manager stated that the department incurred additional costs in processing retrospective planning applications, for which it received no recompense. The new Planning (Wales) Act 2015 contained a provision for Local Planning Authorities to charge for certain types of work, however in order for such fee's to be recovered, the Welsh Government required administrative evidence on each case.

In response to a query regarding the recommendation that the Local Planning Authority use temporary Stop Notices, the Development Management Manager clarified that Stop Notices were considered to be the last course which prohibited any or all activities which contained the alleged breach(es) of planning control specified in the related enforcement notice. Temporary Stop Notice's could be issued without an enforcement notice with immediate effect.

It was queried if a date had been arranged in relation to recommendation 14. The Development Management Manager stated that a date had not yet been arranged and that he would inform members of the date in due course.

RESOLVED that the Action Plan Monitoring Report be received.

7. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 24TH MARCH 2016

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Joint Committee held on the 24th March 2016 be received.

CHAIR

DATE