

JOINT COMMUNITY SCRUTINY AND PLANNING COMMITTEE

(NOTE: THESE MINUTES ARE SUBJECT TO CONFIRMATION BY THE COMMITTEES AT THEIR NEXT MEETING)

Monday, 14th September 2015

PRESENT:

Councillors:

J.M. Charles, D.M. Cundy, D.B. Davies, J.A. Davies, S.L. Davies, T. Davies, W.R.A. Davies, D.C. Evans, W.T. Evans, J.K. Howell, I.J. Jackson, J.D. James (In place of A.P. Cooper), A.W. Jones, H.I. Jones, A. Lenny, D.J.R. Llewellyn (In place of J.S. Williams), K. Madge, S. Matthews, J. Owen, H.B. Shepardson, T. Theophilus, J. Thomas, and E.G. Thomas .

The following Officers were in attendance:

J. Edwards, Development Management Manager
B. Dolan, Senior Consultant

Chamber, County Hall, Carmarthen – 2:00pm - 2:55 pm

1. TO APPOINT A CHAIR FOR THE MEETING

It was unanimously resolved to appoint Councillor A.W. Jones as chair.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A.P. Cooper, I.W Davies, T. Devichand and J.S Williams.

3. DECLARATIONS OF PERSONAL INTERESTS.

There were no declarations of personal interest.

4. DECLARATION OF PROHIBITED PARTY WHIPS.

There were no declarations of prohibited party whips.

5. COMMUNITY SCRUTINY COMMITTEE TASK & FINISH GROUP REVIEW 2013/14 - ACTION PLAN MONITORING

The Committees considered a progress report regarding the recommendations of the Community Scrutiny Committee's task and finish review of Planning Enforcement which were endorsed by the Community Scrutiny and Planning Committee at a joint meeting on the 23rd of June 2014. The report was duly endorsed by the Executive Board at its meeting on the 28th July 2014 which requested that the monitoring of the implementation of the recommendations be undertaken by the Community Scrutiny Committee, in conjunction with the Planning Committee.

The following issues were raised during consideration of the report:

In response to a question about the arrangements for a training seminar for Members in relation to expediency, the Senior Consultant advised that this was in the process of being arranged by the Legal team and it was anticipated that it would be delivered this autumn.

Additional information was requested in relation to temporary stop notices. The Interim Head of Planning stated that these had recently been enacted in Wales. He had attended meetings with other authorities to discuss how they were being adopted. Whilst none had yet been served in the county, they were an important part of the planning toolbox.

A question was asked about pre-application charges. The Interim Head of Planning advised that Welsh Government had recently consulted on introducing a nationally set scheme of charging, although the time scale around the implementation of this was uncertain. The Council was seeking to introduce a charging scheme of its own, and it was anticipated that an initial report would be presented to the Committees during the autumn.

Concerns and disappointment were expressed that a protocol for information sharing with Dyfed-Powys Police and the possibility of enforcement officers accessing the Police secure database had not been progressed. The Interim Head of Planning stated that, whilst a formal protocol had not been developed, relationships with both the Police and Natural Resources Wales were positive and partners involved if an individual case assessment indicated a high risk. The Committees agreed to make representations to the Executive Board regarding the issue.

The issue of problematic taxi parking was raised and disappointment expressed about the apparent lack of enforcement powers. The Interim Head of Planning stated planning complaints were generally related to taxi operators with multiple cars, advertising signs on premises and potential change of use from dwellings. The consideration of these depended very much on the fact and degree of any case.

Additional information was requested in relation to the cross departmental working group regarding empty dilapidated properties. The Interim Head of Planning advised that a group, seeking to coordinate enforcement across service areas, had met to discuss membership and its terms of reference. Comments and concerns were expressed at derelict chapels and churches and reference made to a recent incident where a derelict church in Llanelli was set on fire. The Interim Head of Planning noted that a notice had been served in relation to the church in question but that the fire had occurred prior to the expiry of the compliance period. The Authority had undertaken an initial visit and survey following the fire which showed there was no imminent danger although the owner was required to establish this through engaging the services of a structural engineer. He noted that dilapidated properties could include residential and other uses. The intention of the group was to take a proactive approach to dealing with dilapidated and derelict empty properties. It was suggested by Members that such properties could be visited annually with a photographic record of their condition.

Planning enforcement in relation to listed buildings or those in conservation areas was referred to. The Chair noted that the task and finish review had looked at court action, costs claimed and awarded. It had found that the costs awarded were far less than costs claimed, particularly where cases were complex and prolonged. The Interim Head of Planning advised that where there were health and safety implications action would be taken primarily under the relevant legislation within the Building Act. This could potentially include charges on the land although there were examples where they had not been able to recoup the monies.

UNANIMOUSLY RESOLVED:

- 5.1 To endorse the report.**
- 5.2 The Committees are disappointed that the recommendation to develop a protocol with Dyfed-Powys Police for information sharing and to investigate the possibility of allowing access to the Police secure database has not been progressed in a timely manner. Whilst they recognise that Dyfed-Powys Police are proactive in relation to individual enforcement case deemed a high risk, they feel that a more formal arrangement is required to enhance the Planning Enforcement risk assessment process and staff safety. The Committee therefore respectfully request that the Executive Board make strong representations to the Police and Crime Commissioner to ensure that formal arrangements are progressed through dialogue between the appropriate Police representative and the Director of Environment and Head of Planning.**
- 5.3 To respectfully suggest to the Executive Board and relevant Departments that the cross departmental group targeting empty dilapidated properties consider developing a process for visiting such properties on annual basis to record any deterioration in condition.**
- 5.4 To arrange a joint meeting of the Committees in March 2016 to monitor progress in implementing the recommendations of the task and finish review.**

CHAIR

DATE