

CABINET MEMBER DECISIONS MEETING FOR PUBLIC PROTECTION

17 SEPTEMBER 2021

PRESENT: Councillor: P.M. Hughes (Cabinet Member).

The following officers were in attendance:

N. Daniel, Interim Head of Planning;
S.E. Watts, Environmental Protection Manager;
J. Owen, Democratic Services Officer.

Virtual Meeting: 9:00am - 9:30am

1. DECLARATIONS OF INTEREST

There were no declarations of personal interest.

2. DECISIONS RECORD - 2ND SEPTEMBER 2021

RESOLVED that the decision record of the meeting held on 2nd September, 2021 be signed as a correct record.

3. PLANNING ENFORCEMENT - CASE CLOSURE PROTOCOL

The Cabinet Member considered a report which sought the approval of a protocol which would support the closure of historic planning enforcement cases.

The Cabinet Member noted that a recent Wales Audit Office review of the Council's Planning Services had highlighted the significant backlog of unresolved complaints within Carmarthenshire's Planning Enforcement service.

It was reported that research into understanding the nature of this backlog had identified that there was potential to close a significant number of cases as they were considered no longer appropriate/and or feasible to further investigate the complaint. To determine which cases could be closed, the report included a proposed Case Closure Protocol for approval.

In response to a query, it was clarified that the time limits cited within section 2(b) of the proposed protocol was in accordance with section 171B of the Town and Country Planning Act 1990 which enables an Authority to take enforcement actions:-

- four years where the breach comprises either operational development or the change of use of a building to use as a single dwelling house; and
- ten years for all other breaches of planning control.

For clarity, the Cabinet Member requested to amend section 2(b) to read:-

'In accordance with section 171B of the Town and Country Planning Act 1990, cases resulting in immunity from enforcement action due to expiry of 4/10 year time periods where no notice has previously been served.'

Resolved that the protocol to support the closure of historic planning enforcement cases, as set out within the report, be approved, subject to the amendment of section 2(b) to read:

'2(b) - In accordance with section 171B of the Town and Country Planning Act 1990, cases resulting in immunity from enforcement action due to expiry of 4/10 year time periods where no notice has previously been served.'

CABINET MEMBER

DATE