

NORTH MONTGOMERYSHIRE LOCAL COUNCIL FORUM

MINUTES

Of a meeting held on **Tuesday 23rd January 2018**
at 7pm in the Town Hall Broad Street Welshpool

1. Record of attendance

Present were	Apologies received from
Cllr F Buckingham Llandysilio CC	Cllr H Evans Welshpool TC
Cllr F Veenstra Welshpool TC	Cllr E Bleivas Welshpool TC
Cllr M Jerman Castle Caereinion CC	Chris Davies Llandrino/Llandysilio CC
Cllr J Kimble Montgomery TC	
Viki Griffith Llanfair Caereinion TC	
Robert Robinson Welshpool TC	

2. Minutes of the last meeting

The meeting approved the minutes of the last meeting.

3. Actions taken since the last meeting

To meeting considered actions taken since the last meeting.

Future of Local Councils

The report following the Welshpool Town Council seminar has been completed and presented to the Panel of Welsh Government. A copy is posted on the Web Site.

Charters with Town and Community Councils

An update was given on Charters. The Welshpool one is progressing but it is unlikely there will be any movement on others.

Powys County Council Local Council Forums

There was disappointment expressed that there still is no movement on this by the County Council.

Annual Report of the Independent Review Panel for Wales

The secretary reported on actions taken regarding the timing of decisions and will report back again in due course.

4. Planning Bill for Wales

To meeting considered the summary of the consultation on the Planning Bill for Wales 2018 and to considered a response to the consultation. (see appendix A for the approved version to be submitted)

5. Cabinet Changes to Asset Transfer and Services Transfer

The meeting considered an update on the following:

a) Change in the asset transfer process.

The change in approach to asset transfers from County to Town/Community Council was noted.

b) Local Bus

It was noted that the bus contracts go out to tender soon with no significant changes proposed.

6. Cambrian Line News

The meeting considered an update on the rail services, franchise and the initial stages of plans for station improvements.

7. Shropdoc and Hospital Services

The meeting considered the latest position on out of hours medical services. Concern was expressed over the changes particularly as Shropdoc works so well.

The meeting was updated the latest position on the consultation with regards to hospital services and the consultation which has again been delayed.

8. Any other business

The dates for 2018 meetings were confirmed as:

27th March	22nd May	17th July
25th September	27th November	

All meeting are at 7pm in the Council Chamber of the Town Hall Welshpool.

NORTH MONTGOMERYSHIRE LOCAL COUNCIL FORUM DRAFT CONSULTATION RESPONSE TO THE

PLANNING BILL FOR WALES

1. Reason for the Bill

There many Planning Acts starting in 1947.

In 1962 the main Act (as we see it today) came into effect.

A further main Planning Act came into effect in 1968.

The Planning Act 1990 did consolidate a lot it did not cover every area.

It is also an issue that Planning in Wales is different in some areas with that in England.

The Forum supports the introduction of a Planning Bill which consolidates all the others.

2. Community Investment Levey and Section 106 Agreements (3.2 and 10.10)

The purpose of both the CIL and Section 106 agreements are to enable infrastructure improvements funded by the development subject to certain rules.

To aid development the Forum feels that any CIL or Section 106 Agreement funding should be calculated (including the Social Housing element) as follows:

<i>Value of site with the planning consent granted</i>	<i>Y</i>
<i>Value of the site without consent but taking into account the existing use</i>	<i>X</i>
<i>Gross difference (uplift)</i>	<i>Y – X</i>
<i>50% of the difference can be applied to the CIL or Planning Agreements.</i>	

The Forum feels that there should be an insentative to develop, anything more onerous than that set out above would not attract developers to implement consents.

3. Fly Tipping and Graffiti (3.6)

Legislation with regard to the enforcement procedure to stop fly tipping, fly posing and graffiti.

The forum feels that any enforcement of such practices should also be the subject of fixed penalty notices by Town and Community Councils who have taken over the Street Scene from Principal Authorities.

The fines and enforcement procedure should be the same for both England and Wale so that border areas are not affected by inconsistancies.

4. Historic Environment Bill (3.8)

Regulations regarding the preservation of buildings and associated structures.

The forum supports the proposal of a separate Bill for the policy with regard to Listed and Historic Buildings and their Environment.

5. Listed Building Applications (5.4)

A building which requires a planning application for works to a listed building requires as separate application for Listed Building Consent.

The Forum feels that there should be a single application which covers both non listed and listed buildings.

6. Ancient Monument Status

This response relates to applications affecting Ancient Monuments.

The Forum would welcome any changes which protect the above.

7. Planning Authority Delegated Powers and Committees (5.9)

This response relates to the issue of Planning Committee and Officer decisions.

There is often some concern over Planning Officers dealing with large applications whilst smaller ones go to Committee. The Forum suggests that all larger applications go to Committee and that all applications that have a different Officers Recommendation to that of the Town or Community Council should also go to Committee and not dealt with by Planning Officers. Clarity on which applications to Committee and which are dealt with by Planning Officers is required.

8. Local Development Plans and Place Plans (6.1)

This response relates to the relationship between these two plans.

From the current information available the Forum sees no point in Place Plans as all they appear to do is reflect what is in the Local Development Plan. The Forum suggests that plans such as the attached Welshpool Town and Community Plan would be more helpful.

9. General Development Orders (7.2)

A GDO relate to those works or change of use which do not require a formal planning consent as the GDO gives a deemed consent.

The Forum holds the view that the GDO (permitted development) should be constant covering all Planning Authorities in Wales.

10. Outline and Detailed Planning Applications (8.1)

The proposal is to remove Outline Applications for development consent.

The Forum supports the proposal to remove 'outline planning applications'.

11. Twin Tracking (8.4)

The process of twin tracking is where an applicant submits two identical applications with the intention of negotiating with the Authority on one and appealing the other after the statutory period for dealing with the application has passed.

The practice of twin tracking of planning applications is only carried to ensure that applications are dealt with efficiently and with a helpful authority. The Forum would like to see this practice removed but would also like to see Planning Officers more helpful in their approach.

12. Conditions and limitations (8.5)

There are differences between conditions and limitations noted when consent is granted.

The Forum supports the proposal to combine conditions and limitations.

13. Enforcement (12.4 and 12.5)

The enforcement procedure where a use is unlawful or works have been carried out without consent.

The current enforcement procedure is not consistent with Local Authorities not following up breaches unless it is in the public interest. The Forum is of the view that if there is an infringement action should be taken without exception.

14. Tree Replacement (15.8)

The proposal is that for all trees lost (for whatever reason) another must be planted.

The Forum supports the proposal with regard to tree planting. There should also be some regulation on hedge retractions.

15. Town and Community Councils

The view of Town and Community Council with regard to their comments at consultation stage.

The common complaint from Town and Community Plans is that their views are not taken into account.

To re-inforce the 'localism approach' the Forum suggests that all larger applications go to Committee and that all applications that have a different Officers

Recommendation to that of the Town or Community Council should also go to Committee and not dealt with by Planning Officers.

16. Achieving Housing Targets

Most Local Authorities are either struggling or not able to meet their housing targets. A suggestion as to how the situation could be helped is set out below.

To aid achieving planning targets the forum suggests that common traffic and Policy plans are prepared by the Local Authority for each area and that such plans are applied to each site without the need for developers to 'reinvent the wheel' on each occasion.

17. Consultation

The Forum is willing to meet to discuss any of the above consultation responses if it were felt it would be helpful.

Robert A Robinson FRICS FSLCC
Town Clerk
Welshpool Town Council
28.12.2017