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P-03-244 Register for local authority road safety schemes

Supporting information provided by the petitioner

I have this morning emailed the photos that I feel would back up the urgency of the predicament that residents find themselves in when they have a road safety issue that the Council seem to ignore. I hope from these photos the Committee will see the need to implement this request whereby residents can pin some hope to a date and future time when their safety issue will be seen to in some respect - please can you inform the Committee that this plea for either a pavement- double yellow lines - road calming signage - safety railings HAS BEEN IGNORED BY MTCBC FOR OVER 30 YEARS and as you can see the roadway is dangerous to mothers with young children- old age pensioners and disabled who cannot move quickly enough out of the path of on coming traffic - which does perpetually SPEED through this one way system (the one way system is also abused so wh have traffic coming through the wrong way also which has caused accidents) - we don't mind waiting for funding SO LONG AS THE SCHEME IS PUT ON A WAITING LIST - - but as the law stands the Council prefer to brush these matters under the carpet and it is making people's lives a misery of stress when they try just to go about their everyday business of shopping etc - This roadway for example is heavily used by pedestrians (including schoolchildren yet the Council refuse to give it Safe Walkway to Schools Status) and is a main route into the Town Centre believe it or not

Supporting information provided by the petitioner

Planning in the Vale of Glamorgan

Public representation at the Vale of Glamorgan County Council Planning Committee

Report Commissioned by Cllr. Nic Hodges in the Vale of Glamorgan.

Introduction

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The Vale of Glamorgan County Council within its' constitution sets out a framework for procedures, rules, code of conduct and allocation of power and responsibility within the authority. The responsibilities of citizens are clearly set out within Article three of the constitution such as the right to vote, the right to obtain information and attend meetings. Only the process of Scrutiny has allowed citizens the right to contribute to investigations beyond letter writing and petitioning. The Vale of Glamorgan Scrutiny Committee Report 2006-07 describes how the public can become involved as "witnesses" though only if called to do so by the Scrutiny Committee.

Although the public including Town and Community Councillors can attend the Planning Committee at the Vale of Glamorgan Council they **do not** have the right to speak on any application. Across Wales, only if the Local Planning Authority has made allowances for third party involvement at the committee stage are members of the public allowed to participate.

Town and Community Councils

Any individual or body can comment in writing on any planning application made to the County Council. Town and Community Councils have the right to be notified of every planning application in their area. **Schedule 1, Paragraph 8(1) of the Town and Country Planning Act 1990** requires the Vale of Glamorgan Council like other Local Planning Authorities to inform the Town or Community Council of a planning application in its administrative boundaries. We must not forget that some communities within the Vale do not have a Community Council e.g. Rhws. Planning matters for these communities will be dealt with directly by the Vale of Glamorgan County Council.

Councillors Introduction

There is perceived to be by many of our citizens a **shortcoming in our planning procedures here in the Vale of Glamorgan. Most of these thoughts arise from large and/or controversial applications and decisions made in their neighbourhood. They either feel that their views are not fully represented or are ignored or downplayed. By allowing an alternative voice to the elected County Councillors such as elected Town/Community Councillors and/or a selected citizen(s) these criticisms will largely evaporate. Also by being allowed to hear views directly from the applicant it can add valuable information to the meeting and its decision-makers.**

This paper aims to explore the common practice across Wales of Third Party involvement within the Planning Committee to help facilitate the debate on whether the Vale of Glamorgan Council should revisit its constitution to allow citizen involvement at the Planning Committee meeting.

Planning in the Vale of Glamorgan

Body of Evidence

Wales has 22 Local Authorities. The way each of these Councils run the Planning Committee varies. 21 Councils across Wales excluding the Vale of Glamorgan were contacted to ask what (if any) representations are allowed at Planning Committee meetings from outside bodies or individuals, succinctly "Who was allowed to speak at Planning Committee meetings?"

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An attempt was made to contact every Chair of Planning within the 21 Councils across Wales. If a reply was not forthcoming then the Planning Department of that Authority was contacted direct and that Councils online constitution examined to determine if a policy or protocol on Third Party involvement at Planning Committees exists.

Responses from 21 Councils across Wales

- **Blaenau Gwent County Borough Council**

Nil response.

- **Bridgend County Borough Council**

Does this Council allow Third Party involvement at the Planning Committee? YES

"The size of the committee at the moment is full council, 54 members, so each councillor is allowed to speak on any planning application."

"One objector is allowed to speak to the committee and, if that right is taken up, the applicant or the applicant's agent is also allowed to speak in reply. Similarly a town council if they resolve to object or support the application are also entitled to address the Planning and Development Committee. Each speaker is allowed up to 3 minutes maximum this limit is strictly observed."

Chair of Planning Bridgend

Bridgend Protocol attached

- **Caerphilly County Borough Council**

Does this Council allow Third Party involvement at the Planning Committee? YES

"Within Caerffili County Council (not Town Council) planning committee we allow as a rule one person for the applicant and one for the objectors. Both of which have to make their intentions to speak no later than 48 hours before the planning meeting takes place. Any councillors in the ward may also speak, which can be upto 3. A 5 minute allowance is granted to all speakers which is quite generous compared with other committees. Should the application be a cross boundary or of such size/significance we can allow for additional speakers who offer a different point of view, and would allow neighbouring councillors to speak in addition to the ward within which the application stands.

"Planning committee members will speak at the meeting by virtue of being part of the committee."

"Our planning guidance is under review and should be published on the web site in the autumn."

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"If your request is regarding Town Council we do not decide planning at Town Council, but are part of the consultation process. Discussion will take place between elected councillors' to decide if the application merits further investigation and or agree or refuse permission, with final decision being with Planning Committee or Officers of the Borough Council if the matter is delegated."

Chair of Planning Caerphilly

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- Cardiff Council

Does this Council allow Third Party involvement at the Planning Committee? **YES with restrictions**

"There is no provision for anyone, other than Committee Members, Council Officers, and relevant 'Ward Councillors', to speak at Planning Committee meetings in Cardiff County Council, except in the case of planning applications, which are the subject of petitions."

"If a petition is submitted in relation to an application, and it contains 50 or more signatures of local people affected by the proposal, then one person from amongst those who signed the petition may address the Committee. If that person speaks, the applicant then has the right to make a 'response' to the Committee."

"If you want to check the County Council's Constitution for further details, it might be helpful for you to go to the County Council's website (www.cardiff.gov.uk) then click on 'Your Council' on the left hand side, then 'Constitution' on the left hand side, then click on, and open, the icon in the top right hand corner. Then scroll down to page 102, and refer to Committee Meeting Procedure Rule 14.2, which is self-explanatory."

Clerk to the Council.

- Carmarthenshire County Council

Does this Council allow Third Party involvement at the Planning Committee? **YES**

Carmarthenshire Protocol attached

- Ceredigion County Council

Does this Council allow Third Party involvement at the Planning Committee? **YES, but only Community Councillors**

"In Ceredigion we allow Councillors who are not on the Planning Committee to speak on an application in their ward. We also allow a representative from the town or community Councils to speak on an application in their ward. Neither body has a vote, and their request is put to the committee before they are allowed to speak. (To date nobody has been turned down!)"

Chair of Planning Ceredigion County Council

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- Conway County Borough Council

Does this Council allow Third Party involvement at the Planning Committee? YES

Conway Protocol attached

- Denbighshire County Council

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Does this Council allow Third Party involvement at the Planning Committee? YES

"Denbighshire County Council has allowed public speaking at planning committee since 2004. It has proved to be a popular move as it gives people the chance to put their views, and makes them feel they are part of the process. Here is the Protocol for Public Speaking, we allow one speaker in favour, one against each application (or occasionally, if it is a particularly big or controversial development - like a wind farm – we allow two each way) Each speaker gets 3 minutes to put their point across."

Team Leader Planning and Public Protection

Denbighshire Protocol attached

- Flintshire County Council

Does this Council allow Third Party involvement at the Planning Committee? NO

See Planning services on-line at www.flintshire.gov.uk

"You the public, the applicants, ward and parish councillors and the press may also be present at the meeting but are not allowed to participate in discussions."

- Gwynedd County Council

Does this Council allow Third Party involvement at the Planning Committee? YES, pilot scheme

"Gwynedd Council's Planning Service operates from three area offices, Arfon, Dwyfor and Meirionnydd. A scheme for speaking at Planning Committees was approved by the Dwyfor Area Planning Committee and it agreed to operate a pilot scheme from November 2007 for a trial period of three months. At the end of the trial period, the Area Committee agreed that the scheme had been successful and it should be continued until the Council make a decision on it during 2008."

Admin Officer

Gwynedd Protocol attached

- Isle of Anglesey County Council

Nil response.

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- Merthyr Tydfil County Borough Council

Response pending.

- Monmouthshire County Council

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Does this Council allow Third Party involvement at the Planning Committee? **YES, but only
Community
Councillors**

See planning services online at <http://www.monmouthshire.gov.uk>

“You can attend Planning Committee but will not be able to speak. Representatives of town and community councils may address committee.”

- Neath Port Talbot County Borough Council

Does this Council allow Third Party involvement at the Planning Committee? **No**

See planning services on-line at <http://www.neath-porttalbot.gov.uk>

“This is a public meeting and members of the public are entitled to attend but may not speak.”

- Newport City Council

Does this Council allow Third Party involvement at the Planning Committee? **YES**

Newport Protocol attached

- Pembrokeshire County Council

Nil response.

- Powys County Council

Does this Council allow Third Party involvement at the Planning Committee? **YES**

“In answer to your question, an outside body, or a person may apply to speak on any application providing they write or Email the planning department within 3 full working days before the Planning meeting takes place, on this being done they will be aloud 5 minutes to speak and this is done on a timing clock. Councillors have to work under the same ruling, and could be cut short if you have not finished what you have to say.”

Chair of Planning Powys County Council

- Rhondda Cynon Taff County Borough Council

Does this Council allow Third Party involvement at the Planning Committee? **YES**

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"Currently we have no limit on the amount of speakers, for or against an application. We merely limit their time to five minutes each. The speakers are merely required to notify the Planning Dept. three days prior to the meeting that they wish to address committee.

I will add however, we are reviewing this procedure as we have found on occasions where we have contentious applications, the whole thing can get out of hand. I recently had a meeting with thirty-five people wishing to speak. I'm sure you can do the maths yourself and see that had I allowed them all to speak, the meeting would have gone on well into the night. I managed to persuade enough of them to stand down but still had some twenty speakers."

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Chair of Planning Rhondda Cynon Taff

- Swansea City and Borough Council

Nil response

- Torfaen County Borough Council

Does this Council allow Third Party involvement at the Planning Committee? YES

Torfaen Protocol attached

- Wrexham County Borough Council

Does this Council allow Third Party involvement at the Planning Committee? YES

"We have allowed public speaking at Planning Committee for some time now in Wrexham and it seems to work quite well.

An applicant (or their agent) can speak in support of their application - or indeed a third party and similarly we allow an objector to speak be it a representative from a Community Council or general public. We only allow one speaker from each "side" and if there is more than one request our planning admin manager liaises between the parties or puts them in touch with one another until they decide who will attend. Our meetings are held on a Monday evening and interested parties have until 4.30 on the previous Friday to let us know if they intend to speak. If they ask after that time it is down to the Chairs discretion. I usually allow it only if there is already a speaker listed for or against in the interest of balance. We give each speaker 3 minutes maximum after which an audible bleep is sounded and I ask them to wind up. We have not had any problems with this although some will try and over run. I do interject if they try to use their time to criticise the planning process or officers rather than concentrate on their reason for objection or support. Typically we will have four or five applications with speakers at any one meeting but it does vary. We rearrange the agenda so those applications are dealt with first and when they are dealt with we revert back to the printed agenda. Details of the changes are given on a published addendum sheet circulated at the meeting. For major applications we do have a facility to allow more than one speaker - e.g. a large shopping development may raise objections from other retailers and local residents thus having to different types of objectors although this has not been used as yet.

We do not hold site visits in advance of Planning Committee - they stem from the meeting and are

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held some two weeks later. our planning committee consists of 20 members and they are all invited to the site visits. A decision is made on the day of the site visit as it is a properly constituted meeting of the committee. No speaking is allowed on the site visit by third parties as the reason for going on site should be established at the first meeting - this prevents anything "new" from being raised. Generally if speakers attend, it will result in a site visit unless there are clear policy reasons either way.

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I think you may need to look at it in the context of the scheme of delegation for determining applications. In our case ANY application with one or more objections is automatically referred to committee (I know some Authorities have a trigger of say five or more objections) Officers can grant permission without reference to committee if there are no objections and it accords with their recommendation. They cannot refuse an application without first referring to the Local Member who then has the option of agreeing with a delegated refusal or requesting that it gets referred to committee."

Chair of Planning Wrexham Borough Council

Conclusion

Of the 21 County Borough Councils contacted we have current information from 14 of those Councils either directly from the Chair of Planning the Planning Officers or from the published protocol available to the public. Many thanks to those Councillors and Officers who supplied a response.

Of the 22 Councils in Wales including the Vale of Glamorgan, at least 14 allow some degree of involvement from Third Parties at the Planning Committee. Like the Vale of Glamorgan, Flintshire County Council and Neath Port Talbot County Borough Council do not allow participation and in absence of any clear protocol available to the public by the remaining 5 Councils. One can fairly safely assume, though not conclusively, that they do not allow anyone other than County Councillors and Officers to speak at planning meetings.

It is clear no one size fits all however the majority who responded allow participation by both applicant and any objectors within a strict time limit at the planning meeting between 3 to 5 minutes. Interestingly the three month pilot scheme to allow Third Party involvement run by Gwynedd County Council in 2007 was allowed to carry on following its success.

Original Petition Wording

“We call upon the National Assembly for Wales to urge the Welsh Assembly Government to provide funding for five additional trains per day to Fishguard.”

The extra trains are called for by the South West Wales Integrated Transport Consortium in Priority 1, Rail Priorities, in *Progress in Partnership – the Regional Transport Plan for South West Wales, 2010 – 2015*.

The additional train services could be put in place immediately, as they have been designed to link with the current Milford Haven mainline service, and do not depend on proposals to redouble the line west of Swansea.

A Benefit:Cost Ratio (BCR) of 2.36 for the proposed services was reported by Jacobs Consultancy (*Fishguard Rail Study, 2008*), thus demonstrating good value for money for any WAG investment in the scheme (*SWWITCH/ Faber Maunsell Report - West of Swansea Rail Network*).

Strong, widespread support for the proposed services was shown in a recently conducted survey that attracted 1317 signatures.

Local, rural communities in North Pembrokeshire are currently very poorly served by rail and public transport in general.

Teenagers and the younger generation as well as adults and pensioners would make great use of this service, teenagers wouldn't have to use parents and relatives as a taxi service.

The benefits for tourism are exceptional as North Pembrokeshire is an area that relies heavily on the tourism industry to keep it's economy balanced.

The proposed service will also benefit passengers travelling on the Stena Fast Cat ferry from Rosslare as there is currently no rail service to cater for these customers.

Everyone, in the near future will have to consider more seriously the use of public transport due to global warming and the need to reduce carbon footprints.

There is no reason why this service cannot be instigated with ease as no additional infrastructure is required.

We do hope the Welsh Assembly Government will give this proposal serious consideration and make a real difference to the lives of the residents of North Pembrokeshire.