

**P-04-472 Make the MTAN law, Correspondence from the Petitioner to the Chair, 27.02.14**

William Powell AM  
Chair, Petitions Committee,  
National Assembly.

27 February 2014

Dear William,

**Make the MTAN law ! petition**

I listened with concern to the “evidence” session with the Minister at your last meeting and I have spoken at length with Steven since. I write now to confirm that I fear the Minister’s negative attitude calls into question whether there is any value in anyone presenting a petition on this topic in future.

I deduce, from the Minister’s written submission and the proceedings, that he and his Advisors did not read the evidence presented last May or, if they had done so, they decided to not acknowledge that they had done so. Their official excuse for their non-response to our submissions is that they claim they may not refer to “specifics” – even the specifics of planning applications that are now dead and buried history.

The first point to be said about this is that, supposing for the sake of argument that this excuse is 100% valid, this means that the Minister could have answered the same questions in July – instead of postponing this non-event, pending his decision on the Varteg Hill planning appeal. This was a gross discourtesy to the committee and has prevented consideration of the petition for over six months.

A more plausible scenario is that his excuses from July to the February had validity and it is only this latest excuse that is false, dreamt up specifically to avoid answering anything arising from the now dead Varteg Hill appeal. I suggest that your committee ask the Minister to produce the legal advice he received that justifies his refusal to refer to the lessons from this or any other past planning application.

In any event, the Minister made no reference whatsoever to the submissions made by Lynne Neagle AM and myself in May. In our submissions we had made it clear that we were not asking for planning

law to be changed – what we did ask, and repeated several times in several ways, was that all persons involved in the planning process should “sing from the same hymn sheet”.

Given all these references (paragraphs §194, 195, 199, 200, 208, 211, 212, 214, 220, 225, 226), it is disingenuous of the Minister to suggest that we were asking for a change in the law rather than, as the transcript demonstrates, implementation of the existing law. I prefer to believe that he was misinformed by his Advisors on this.

I reiterated all these points in the written supplementary I made after reading the Minister’s written submission to your committee – but clearly this also was not seen by the Minister. The point we have made throughout is that the MTAN policy guidelines – whether treated as policy or guidelines or both – should be given equal weight by all organisations and people, including the Planning Inspectors.

I suggest that the next step for the committee should be to invite the Planning Inspectorate to appear before the committee to answer the questions not answered by the Minister. Would that be feasible?

Sincerely,

A handwritten signature in black ink, appearing to read "John Cox", with a stylized flourish underneath.

John Cox (Dr.)  
Lead Petitioner