

**BETTWS NEWYDD OPPOSITION GROUP  
(BNOG)**

Mr Tegryn Jones, Chief Executive,  
Pembrokeshire Coast National Park Authority,  
Llanion Park , Pembroke Dock SA72 6DY

2<sup>nd</sup> February 2012

Dear Mr Jones,

Bettws Newydd Newport

Thank you for your letter of 23rd January which states that *'The Authority has undertaken a thorough process of reviewing and analysing all aspects of the Bettws Newydd planning application, with the aim of learning from the experience'*

BNOG now asks you to consider the following complaints about the Authority's handling of complaints concerning Bettws Newydd.

1. On receipt of the Monitoring Officer's Report, BNOG wrote immediately asking for outstanding matters to be referred to the Standards Committee.

More recently, our letter to you of 16th January 2012 states : *'BNOG hereby asks you for clear and proper explanation of examples of what we see as maladministration by Officers ... for which no Officer has yet been brought to account'* and *'We request that the areas of maladministration that BNOG has highlighted here be taken now before the Standards Committee'*

No satisfactory explanation has been given as to why this is not happening.

BNOG does not consider that the fact that *'the current focus for the Authority is on ensuring it provides an excellent planning service' ... 'rather than continuing to review the situation from 5 years ago'* is explanation enough. For one thing, whilst the saga of Bettws Newydd began in 2005/6, it ended only with the Appeals decision at the very end of 2010. For another, information critical to our continuing concerns was not known to us when BNOG wrote its complaints but came to light only through the Monitoring Officer's Report in 2011.

2. BNOG was told by the Monitoring Officer that the investigation carried out in 2011 was not a Section 5 Report (UNDER THE LOCAL GOVERNMENT AND HOUSING ACT. 1989 as amended by the Local Government and Public Involvement in Health act 2007)

As such,

- ⇒ there was no Report from the Director of Conservation and Planning to inform the investigation
- ⇒ there was no anonymity applied
- ⇒ there was no opportunity for complainants to comment on misunderstandings and errors of fact within the Report in Draft form
- ⇒ there were only 4 days given to BNOG to see the Report in Final form before it was presented to the Authority
- ⇒ at no point was BNOG advised that we could go to the Ombudsman if unsatisfied
- ⇒ the report was limited to investigating process and procedures failures

The first realisation by BNOG that this had either been a Section 5 Report all along, or had been decided in retrospect to be a Section 5 Report, was when a member of our Core Group

read in item 54/11 of the October 2011 meeting of the Authority 'Annual Report of the Monitoring Officer'.

*"(i) I have made the following reports under section 5 of the Local Government and Housing Act 1989: ...Bettws Newydd "*

3. In your letter of 9th December 2010, informing BNOG that you were inviting the Monitoring Officer to undertake '*a comprehensive review*', it is stated that both you and the Chairman believed that this should include not only the BNOG complaints but '*the previous complaint made by one of our members*'. (That previous complaint was first submitted to and accepted by the then Monitoring Officer in February 2008, was the subject of a report to the Monitoring Officer from the then Director of Conservation and Planning, but subsequently not proceeded upon by the Monitoring Officer in its original form on grounds that the complainant had '*no standing*'. BNOG believes that this was wrong)

Subsequent to your letter, BNOG framed its points of complaint, expecting that the previous complaint would be considered as part of the investigation, avoiding repetition of points made as far as possible. In the event, that previous complaint was not part of the Monitoring Officer's '*comprehensive review*' and several points have still not been investigated. We ask that this now happens.

We look for a satisfactory response from you before seeking further advice from the Public Services Ombudsman for Wales.

Yours Sincerely,

Reg Atkinson  
Chairperson, Bettws Newydd Opposition Group  
CC County Councillor Robin Evans