

Our Ref : TJ/mm

12 March 2012

Mr Reg Atkinson,
Bettws Newydd Opposition Group,
c/o The Old Mill,
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*Croesawn ohebiaeth
yn Gymraeg a Saesneg*

*We welcome correspondence
in English and Welsh*

Dear Mr Atkinson

Thank you for your letter of the 2nd February, 2012.

1. You have asked for the matter to be referred to the Standards Committee. This is not possible. The Standards Committee's terms of reference are:

STANDARDS COMMITTEE

- (a) to keep under review the Authority's Code of Conduct and to make recommendations to the Authority as to any changes it considers desirable;
- (b) to monitor the operation of the Authority's Code of Conduct;
- (c) to provide advice and training for Members of the Authority on matters relating to its Code of Conduct;
- (d) to consider any reports relating to Members of the Authority issued by the Monitoring Officer under Section 70 (4) or by the Local Commissioner for Wales under Section 71 (22) (b) of the Local Government Act 2000 and any recommendations of the Adjudications Panel for Wales and to take such action thereon as it considered appropriate;
- (e) to receive and take action on any reports issued to it by a Case Tribunal under Section 79 of the Act;



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- (f) to consider and make recommendations to the Authority as to the actions which should be taken on any report from a Case Tribunal under Section 80 of the Act;
- (g) to consider requests from Members of the Authority for dispensations under the Standards Committee's (Grant of Dispensations) (Wales) Regulations 2001,
- (h) the monitoring of the Authority's complaints procedure in relation to allegations of maladministration and the making of recommendations thereto (*NPA 17/01/07*) and
- (h) to make recommendations to the Authority from time to time with regard to any proposed additions to or revisions of these Terms of Reference.

It is not part of its function to deal with issues arising from any contract of employment between the Authority and any one of its employees. Thus your request it be put before the Standards Committee is in my view, misconceived.

The Standards Committee did consider Bettws Newydd complaints when reviewing (h) of the Terms of Reference on 5th Feb 2010. It was because of that part of its functions that it was referred to again by the Standards Committee on 20th June 2010.

The report was then put to the whole National Park Authority on 11th May 2011 and approved by it at that meeting.

2. Status of report

It was not a Section 5 Report, but in effect a quasi Section 5 Report, as it was considered by the Monitoring Officer that the need for a clear understanding of what had happened, including any failures, should be put in the public domain as clearly as possible and as quickly as practicable after the legal processes had expired. The issue of anonymity would have created a potential for the persons involved not being clearly identified and the need for transparency prejudiced.

The investigation, as you say, was into the whole planning process and its procedural failures. The reference to a Section 5 report in another report is in error as this was never intended to be a Section 5 but to serve a similar purpose to a formal Section 5 Report. I apologise for that but the requirement to make this

a publicly available document and as widely available as possible and as understandable as possible was the overriding objective.

3. Further investigations

The report does review the Bettws Newydd case and although there are still issues about which you, no doubt, feel strongly, the Authority has accepted the Monitoring Officer's report, conclusions and recommendations and has acted upon them.

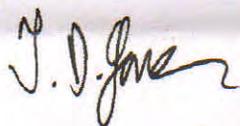
The independent Inspector has made the decision that the building can remain subject to conditions. The Authority is continuing to monitor compliance with all conditions attached to the planning permission.

In a wider context, there will be no further investigation by the Monitoring Officer into the complaints into Bettws Newydd, unless new issues arise from the implementation of the conditions on the planning permission.

In my opinion, the Authority has by its actions acknowledged publicly its failures. I have apologised to the Newport Town Council at an open meeting to which the public had access and the Authority has put in place robust new procedures to be followed in the future. It has now undertaken and published a review of its planning enforcement policy, after a period of public consultation.

Any further course of complaint you may wish to make to the Public Service Ombudsman of Wales is a matter for your organization.

Yours sincerely



Tegryn Jones
Chief Executive