



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

The Petitions Committee

Completion Report

**Summary of the Petitions Committee's consideration of P-03-127
Against the Castle Care Home in Seven Sisters**

October 2008

Petition Received

18 April 2008

Ruled Admissible

19 May 2008 (after collection of e-petition signatures)

Initial Consideration**11 June 2008**

The Committee gave initial consideration to the petition and agreed to:

- Write to the Minister for Social Justice and Local Government to seek the Welsh Assembly Government's policy position on the siting of care homes
- Write to Neath Port Talbot County Borough Council to find out the status of the planning application

(See Annex 1 for the relevant extract from the transcript of the meeting on 11 June 2008, Annex 2 for the letter sent to the Minister for Social Justice and Local Government and Annex 3 for the letter sent to Neath Port Talbot County Borough Council)

Further Consideration**2 October 2008**

The Committee considered responses from the Minister for Environment, Sustainability and Housing and Neath Port Talbot County Borough Council and agreed to close the petition as it cannot get involved in a local authority planning decision, and so felt unable to progress the petition further.

(See Annex 1 for the relevant extract from the meeting on 2 October 2008, Annex 2 for the response received from the Minister for Environment, Sustainability and Housing, and Annex 3 for the response received from Neath Port Talbot County Borough Council)

Petitions Clerk

October 2008

Annex 1

Extracts from Petitions Committee meetings

11 June 2008

Val Lloyd: The final new petition is regarding a care home in Seven Sisters in the Neath valley. It is an e-petition—which received 1,700 signatures—and a traditional paper petition from Mr Gary James in Seven Sisters. He calls upon the National Assembly for Wales:

'to examine the circumstances surrounding the proposed siting of a Castle Care home at...Dulais Road, Seven Sisters, Neath'.

Kirsty Williams: The petition has been put together very well, but the petition states as fact things that I believe you could only surmise. So, it would be interesting to hear from the people who have gathered this petition together to test some of the assertions that they make in the petition. It might also be useful to hear from the Minister for Social Justice and Local Government to see what the Government's views are on the provision of this type of service. My understanding is that this would be a decision for a local authority planning committee, so we must be careful that we do not subvert the natural progress of a planning application. However, it would be useful to hear from the Minister about the policy context in which a planning application may be submitted, so I would ask to see the petitioners to give them an opportunity to air some of their concerns and to test some of the assertions that they have made in their petition, and to hear from the Minister, if that is acceptable.

Val Lloyd: I agree in principle, but would it be wise to get a ministerial view first and then have the petitioners in?

Kirsty Williams: Yes, and we would also have to be careful with the status of this application, because if we take a view on it, that bit might be prejudicial to any planning process, and I do not think that it is the Petitions Committee's job to intervene in a local government planning process. It would not be appropriate.

Val Lloyd: Perhaps we should contact Neath Port Talbot planning authority. Perhaps we should make a call or send an e-mail to check the status of this before we consider it and, at the same time, get a view from the Minister.

Andrew R.T. Davies: I concur. We have taken a very firm line on planning applications. In our early days, we had to consider whether one or two petitions that came through were in the planning ball game or outside it. We need to ascertain whether this is a live application and get the ministerial view too. We should tread very carefully if it is a live planning application; we should adhere to our principle of not getting involved with it.

Val Lloyd: We are all agreed on that, then. So, we will get a view from the Minister and, at the same time, we will establish exactly where the planning issue lies at the moment.

2 October 2008

Val Lloyd: The next petition relates to Castle care home. We first discussed it in June and we have now had a reply from Jane Davidson, the Minister for Environment, Sustainability and Housing. Basically, we are told that we should advise the petitioners to address their concerns to the local planning authority once

the planning application is on the table. Are there any views on this? I do not think that we can do anything more than advise the petitioners that they will have an avenue to influence the planning department and that they should be alert to the advertisement appearing in the press, or they should forewarn the Neath Port Talbot planning department that they would like to know if a planning application came in.

Mr Davidson: I am sorry to interject again, but I have very recently received correspondence from the petitioner. I understand that the planning application has been approved by Neath Port Talbot County Borough Council. However, as this is a local authority decision-making process, the committee would not get involved, and the petitioner is pursuing this via the local authority's complaints procedure.

Andrew R.T. Davies: We have always erred on the side of caution when it comes to planning applications and planning issues, because, in the first instance, they are within the remit of local authorities. I thank the clerk for his update, but I do not think that we can do much more on the petition, so we should close it.

Val Lloyd: I do not think that there is more that we can do, so we will close it. The petitioners are obviously aware of the information that we were going to give them.

Annex 2

Y Pwyllgor Deisebau

Petitions Committee

Brian Gibbons AM
Minister for Social Justice and Local
Government
Welsh Assembly Government
Cardiff Bay
CF99 1NA

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: PET-03-127

17 June 2008

PETITION – AGAINST NEW CARE HOMES IN SEVEN SISTERS

The Committee considered this petition for the first time on 11th June. It was submitted as an e-petition and supplemented by paper signatures, the total number being around 1700. The full text of the petition is enclosed with this letter.

The Committee recognised that an element of this issue is a local planning matter, but considered it appropriate to seek the Welsh Assembly Government's policy position on the siting of care homes, and any guidance that is provided to local authorities on the matter.

I am also writing to Neath Port Talbot CBC to alert them to this petition and ask them to inform the Committee of the planning application's current status.

I look forward to your response.

Yours sincerely,

Val Lloyd,
Chair, Petitions Committee

Enc. Petition wording and supplementary statement

Jane Davidson AC/AM
Y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai
Minister for Environment, Sustainability and Housing

Eich cyf/Your ref PET-03-127
Ein cyf/Our ref JD/00782/08

Val Lloyd AM
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

2 July 2008

Dear Val,

Thank you for your letter and enclosures of 17 June 2008 addressed to Brian Gibbons AM, which has been passed to me for a response in my capacity as Minister for Environment, Sustainability and Housing.

I am advised by both Brian Gibbons AM and Edwina Hart AM that their Departments do not provide any specific guidance for local authorities on the siting of care homes.

However, Planning Policy Wales (March 2002) sets out national planning policies that must be taken into account when determining planning applications. Care homes are not specifically referred to, as issues of sustainability and amenity are adequately dealt with in national policy on a generic basis.

Chapter 4 in particular sets out policy on making planning decisions. It explains that the planning system does not exist to protect the private interests of one person against the activities of another and that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. It is for the local planning authority to come to a view on this application as they can best judge current provision and any further demand for services.

Welsh Ministers are unable to comment on specific planning applications, as to do so may prejudice any formal role they may have should the development subsequently come before them under their various planning responsibilities. Any comments made in this letter are therefore in respect of general Welsh Assembly Government policies or specific non-planning issues, and are without prejudice to the Welsh Ministers' consideration of the planning application, if the Welsh Ministers are to subsequently decide it.

It is for the residents to make their concerns known to the local planning authority, to inform their decision.

Yours,

Jane Davidson AM
Y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai
Minister for Environment, Sustainability and Housing

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0845 010 3300
Llinell Ymholiadau Cymraeg 0845 010 4400
Ffacs * Fax 029 2089 8129
PS.minister.for.ESH@wales.gsi.gov.uk

Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

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Annex 3

Y Pwyllgor Deisebau

Petitions Committee

Ken Sawyers
Chief Executive
Neath Port Talbot County Borough
Council
Port Talbot Civic Centre
Port Talbot
SA13 1PJ

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: PET-03-127

June 17 2008

Dear Mr. Sawyers

PETITION – AGAINST NEW CARE HOMES IN SEVEN SISTERS

The National Assembly for Wales Petitions Committee considered this petition for the first time on 11th June. It was submitted as an e-petition and supplemented by paper signatures, the total number being around 1700. The full text of the petition is enclosed with this letter.

The Committee recognised that an element of this issue is a local planning matter, and thought it necessary to alert you to the petition, and ask if you could let the Committee know whether planning permission for this care home is still being considered, or whether it has been granted.

I am also writing to the Minister for Social Justice and Local Government to ask for the Welsh Assembly Government's policy position on the siting of care homes, and any guidance that is provided to local authorities on the matter.

If you require any further information, please contact the Committee's Clerk, Stefan Sanchez on 02920 898505 or stefan.sanchez@wales.gsi.gov.uk.

I look forward to your response.

Yours sincerely,

Val Lloyd,
Chair, Petitions Committee

Enc. Petition wording and supplementary statement



Neath Port Talbot
Castell-nedd Port Talbot
County Borough Council Cyngor Bwrdeistref Sirol

Making a difference Gwahaniaeth er gwell

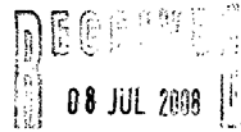
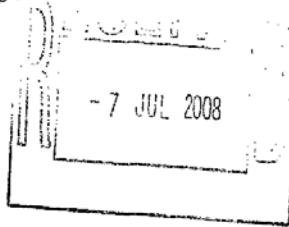
127

3 July 2008 Date Dyddiad
01639 763279 Direct Line Rhif Ffôn
c.preece@npt.gov.uk email ebost

Contact Cyswilt
Your Ref Eich Cyf
Our Ref Ein Cyf

DSSH/CP/EB

Val Lloyd,
Chair, Petitions Committee,
National Assembly for Wales,
Cardiff Bay,
CARDIFF
CF99 1NA



APSD

Dear Ms. Lloyd,

PETITION – AGAINST NEW CARE HOMES IN SEVEN SISTERS

Your letter to the Chief Executive, Mr. Ken Sawyers, has been passed to me for reply. At this time, the Council has not determined a planning application from Castle Care Homes, although Planning Officers have given advice that planning consent will be necessary if an educational facility is to be provided on the premises. No further action will be taken by the Council pending an application from this organisation.

The registration of a children's home is, of course, not a matter for determination by this Council and will fall to the Assembly Government's Care and Social Services Inspectorate Wales (CSSIW).

Yours sincerely

COLIN PREECE
Director of Social Services Health & Housing

Social Services, Health & Housing
Gwasanaethau Cymdeithasol,
Iechyd a Thai

www.npt.gov.uk

Colin Preece, M.A., C.Q.S.W.
Director of Social Services, Health & Housing
Civic Centre, Port Talbot SA13 1PJ
Tel: 01639 763333 Fax: 01639 763286

The Council welcomes
correspondence in English or Welsh

Colin Preece, M.A., C.Q.S.W.
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Y Ganolfan Ddinesig, Port Talbot SA13 1PJ
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Mae'r Cyngor yn croesawu gohebiaeth
yn y Gymraeg neu'r Saesneg



