

From: [REDACTED]
To: [REDACTED]
Subject: Decisions on current cases
Date: 19 April 2024 12:49:00
Attachments: [ADVICE - Note on propriety issues.obr](#)
[REDACTED]

[REDACTED]

You asked for a note on the Cab. Sec. & FM's involvement in matters that form material considerations in the various applications we have in front of us at the moment.

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Key text from the note on propriety issues (link attached) is restated below:

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The objective is to ensure that every decision is properly taken and to avoid the risk of successful legal challenge.

3. *The Minister will need to consider whether they should:*

- *take a decision on a planning case in which they have, or might be perceived as having, a private or constituency interest.*
- *take planning decisions on planning cases within their constituency or those directly affecting their constituency.*
- *take a decision on a planning case where evidence is to be given by or on behalf of a function of government for which they are responsible or where such function is a significant consideration in the case.*

The Minister should:

- *not discuss a case with any interested party*
- *not comment on any planning application, or matter that might become the subject of a planning application, in case they might be considered to have prejudged the matter if it subsequently came before them. If that were the case the Minister could not take part in the decision.*

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[REDACTED]

- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

Cefn Fforest – Recovered planning appeal for up to 300 dwellings

- [REDACTED] as MCC dismissed the appeal contrary to the Inspector’s recommendation, but that decision was quashed. Counsel advised a different Minister should deal with the redetermination, so it was passed to [REDACTED] as DMCC.
- Cab. Sec. can’t take this decision and, as [REDACTED] is no longer in the Cabinet, it will need to be reallocated.

[REDACTED]

[REDACTED]

Y Gangen Gwaith Achos Cynllunio | Planning Casework Branch
Y Gyfarwyddiaeth Gynllunio | Planning Directorate
Y Grŵp Newid Hinsawdd a Materion Gwledig | Climate Change and Rural Affairs Group
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Rydym yn croesawu gohebiaeth Gymraeg. Cewch ateb Cymraeg i bob gohebiaeth Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.
We welcome correspondence in Welsh. Correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not involve any delay.