

MEMORANDUM FOR CABINET BY THE HON. MINISTER OF WORKS  
AND HOUSING

Planning Area Permits Board

The issue of Building Permits is regulated by Chapter 13 of the Code of Police Laws, under which, by delegation of powers by the Minister responsible for Public Works, a Board, called the Planning Area Permits Board is constituted as follows:-

The Director of Public Works, Chairman.  
The Chief Government Medical Officer.  
The Commissioner of Land.  
The Manager, Water Works Department, and  
Two Architects and Civil Engineers appointed by the Governor from among persons nominated by the Chamber of Architects.

Difficulties have recently arisen because the Chamber of Architects hold that the Board should have a say in the preparation and approval of planning schemes. A circular was issued by the Chamber of Architects and Civil Engineers stating that "Pending the clarification of the legal status of the P.A.P.B., the members of the Chamber are directed not to accept nomination to this Board".

Copies of this circular were forwarded to the Hon. Minister of Works and Housing and to the Director of Public Works.

It was never the intention of the legislator to give power to the Board to have a say in the preparation of planning schemes. The P.A.P.B. more or less assumed the function of the Building Control Board, which had been set up under Emergency Regulations but which, years after the war, was being used for a scope other than that for which it was originally intended, viz. the control and use of building material.

In the last stages of its life, during the Colonial Administration the Building Control Board was augmented by the inclusion of two Architects nominated by the Chamber but not representing the Chamber. As the P.A.P.B. was meant to substitute the B.C.B. it is evident that the private Architect members hold the same status as originally.

The legal advice on the present situation is that "if the two Architects nominated by the Chamber abstained and meetings were held, attended only by the 'official members', the meeting would still not be legally constituted ...." Further advice given is that "it would be a relatively simple matter to amend the composition of the Board to get over the present difficulty".

As no meetings can be held until either the Chamber allows its members to accept nomination or until a legal notice is issued reconstituting the membership of the Board, no P.A.P.B. permits can be issued, with the result that the building industry would come at a standstill. This obviously cannot be allowed to happen.

The effectuation of the first alternative does not depend on the Government and as an important principle is involved, it is expected that there will not be an early or easy solution.

It is, therefore, imperative that the second alternative be adopted and Hon. Ministers are, therefore, asked to agree that a legal notice be issued, reconstituting the composition of the Board as follows:-

The Director of Public Works, Chairman.  
The Chief Government Medical Officer.  
The Commissioner of Land.  
The Manager, Water Works Department.  
The Director of Agriculture.

The position will be reviewed after the Chamber have submitted its representations in writing and after these have been fully considered by the Government.

27th January, 1965.