



**MINISTRY OF PLANNING AND DEVELOPMENT
OFFICE OF THE PERMANENT SECRETARY**

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February 7th, 2022

Ms. Jacqui Sampson-Meiguel
Clerk of the House
Office of the Parliament
Parliamentary Complex
Cabildo Building
St. Vincent Street
Port of Spain

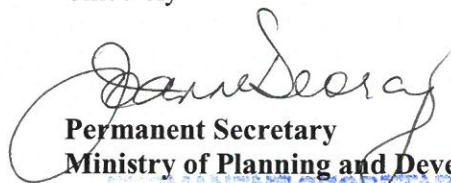

Dear Ms. Sampson-Meiguel

Second Report of the Joint Select Committee on Finance and Legal Affairs on an inquiry into the Status of Un-proclaimed Legislation (Part 1): The Planning and Facilitation of Development Act, 2014 and the Data Protection Act, Chapter 22:04, First Session (2020/2021), Twelfth Parliament

Reference is made to your letter PARL: 14/3/69 Vol. IV dated January 05, 2022 on the captioned subject.

In this regard, please find attached the Ministry of Planning and Development's responses to the list of questions posed by the Joint Select Committee relating to the "Second Report of the JSC on an inquiry into the Status of Un-proclaimed Legislation (Part 1): The Planning and Facilitation of Development Act, 2014 and the Data Protection Act, Chapter 22:04". An electronic copy of the responses will be e-mailed to the Parliament via coth@tparliament.org.

Sincerely


**Permanent Secretary
Ministry of Planning and Development**


Enc.

Ministerial Response to Questions of the Joint Select Committee on Finance and Legal Affairs – Second An Inquiry into the State’s strategy for implementing un-proclaimed legislation passed by Parliament during the last 20 years

2.26 Based on the foregoing, the Committee submits the following recommendations:

i. The response of the MPD must provide to the Parliament a status update on the following:

a. **A timeline of proposed dates to meet with key stakeholders in the determination of staffing arrangements and the decision taken at those meeting, if applicable**

Response:

Meetings have commenced with Ministry of Rural Development and Local Government (MoRDLG) with regard to staffing under the new arrangement. Staff capacity analysis for the Town and Country Planning Division (TCPD), Ministry of Planning and Development (MPD) was completed and the MoRDLG has initiated its capacity analysis starting with the Penal Regional Corporation.

b. **The executive recruitment of the National Planning Authority**

Response:

By **Minute No. 1752 of October 20 2021**, Cabinet agreed, to the appointment of members of the Board of Directors of the National Planning Authority (NPA) for a period of three (3) years with effect from the date of their Instruments of Appointment. In this regard, the MPD is awaiting the Instruments of Appointment for issuance to members. Subsequently, the Board would oversee the executive recruitment for the National Planning Authority.

c. **The drafts of the following pieces of subsidiary legislation: Use Class and Development Orders and the National and Sub-division Codes**

Response:

Land Subdivision Regulations 2002

Draft Land Subdivision Regulations were prepared in 2002. These regulations are still relevant but need to be updated. Proposals for the review and updating of the regulations may be prepared by a suitable consultant under the guidance of the Board of the NPA which will soon be established. The updated regulations would be made consistent with the provisions of the Planning and Facilitation of Development (PAFD) Act, 2014, relating to Simple and Complex subdivision applications. Relevant stakeholders such as the Trinidad

and Tobago Society of Planners and the Board of Engineering and the Institute of Surveyors would be consulted, as key stakeholders, on the updating of the regulations.

Class and Development Orders

The General Development Order and Use Classes Order were prepared in 2015 via Legal Notices No. 171 and No. 172, respectively.

National Building Code

By **Minute 2070 of October 9, 2019**, Cabinet agreed to the Development of a National Building Code for Trinidad and Tobago and to engage the services of the University of Trinidad and Tobago (UTT) to develop the said code. In this regard, the UTT was commissioned to prepare the relevant proposals and submitted a document entitled "*Technical proposal for the development of the National Building Code for Trinidad and Tobago & the Revision of TTS 599:2006 (August 2020)*" to the MPD and the Trinidad and Tobago Bureau of Standards (TTBS) for review. In January 2022, discussions were held between the TCPD and TTBS on the document. In moving this project forward, the TTBS subsequently submitted a list of issues for the consideration of the MPD.

- ii. **In anticipation of the assignment of additional responsibilities to Municipal Corporations upon the full proclamation of the PAFD Act, 2014, the MoRDLG should collaborate with the 14 Municipal Corporations with the aim of conducting a Training Needs Assessment for staff of each Municipal Corporation in order to identify the gaps in skill level/capacity development of personnel who are expected to execute responsibilities related to the regulation of development activities. Perhaps lessons can be drawn from the ongoing efforts to implement the new Public Procurement regime which also required the institutional development of several state bodies including Municipal Corporations.**

Response:

The MoRDLG would address this recommendation of the Committee.

- iii. **The MPD priorities the implementation of Monitoring and Evaluation (M&E) strategies in conjunction with the full proclamation of the PAFD Act, 2014. These initiatives should aim to integrate the lessons learnt from the experiences of stakeholder agencies through routine reporting exercises that are shared and reflected upon by all actors in the development planning process**

Response:

The MPD concurs with this recommendation of the Committee.

- iv. **The MPD in conjunction with the MoRDLG consider the preparation of a handbook to streamline and strategise the enforcement measures to be undertaken by officers within the Spatial Planning Units of the Municipal Corporations.**

Response:

The MPD concurs with this recommendation of the Committee. The MPD through the Enforcement Unit of the TCPD has developed a handbook and accompanying templates, which contain steps and procedures to guide TCPD's Officers in the Enforcement Unit (EU). The handbook is being revised and the updated version would assist both the MPD and MoRDLG in streamlining and strategizing the enforcement measures to be undertaken by Officers, within the context of the PAFD Act and the proposed Spatial Planning Units. The full conceptualization of these Spatial Planning Units as part of the organization structure of the new Municipal Planning Authorities, would be finalized by the Board of the NPA. This will assist in facilitating the streamlining and strategizing the enforcement measures to be undertaken by Officers within these Spatial Planning Units.

- v. **The Committee sees merit in the creation of a suitable arrangement which will facilitate robust inter-agency communication. This arrangement may include quarterly meetings of the NPA, representatives of the fourteen (14) MCs and the Tobago House of Assembly to enhance inter-agency dialogue.**

Response:

The MPD concurs with this recommendation of the Committee. Arrangements for such inter-agency communication would be facilitated by the Board of the NPA which is soon to be established. In the interim, a Committee with representation from the MPD, MoRDLG and the Tobago House of Assembly (THA) was convened in April 2021. Two (2) plenary meetings were held. In addition, the Human Resource Subcommittee held two (2) meetings and a meeting with the THA Chief Administrator and staff was convened in May, 2021.

