

STATES OF JERSEY

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STRATEGIC PLAN 2006 TO 2011 (P.40/2006): TWELFTH AMENDMENT

Lodged au Greffe on 5th June 2006
by Deputy C.J. Scott Warren of St. Saviour

STATES GREFFE

STRATEGIC PLAN 2006 TO 2011 (P.40/2006): TWELFTH AMENDMENT

After the word “Appendix” insert the words –

“, except that,

in Commitment Four, Outcome 4.7, for Action 4.7.2, substitute the following Action –

“4.7.2 Fully implement those parts of the Planning and Building (Jersey) Law 2002 that the States have agreed to bring into force on 1st July 2006, together with associated secondary legislation, in 2006, and bring into force and implement the remaining provisions of the Law concerning third party appeals and the powers to remedy dangerous structures by early 2007 (P&E).” ”.

DEPUTY C.J. SCOTT WARREN OF ST. SAVIOUR

REPORT

It is now 5 years since the original debate on the Draft Planning and Building (Jersey) Law 200 took place (P.87/2001). During that debate the Amendments for a full-scale third party right of appeal were endorsed by States Members. I subsequently visited Dublin and An Bord Pleanala with the Director of Planning and his colleague.

However, I quickly realised that there would never be sufficient resources to implement the full-scale provision in Jersey. During discussions with the Director of Planning, a radius of 50 metres was deemed to be a more workable solution.

Last year I brought successful Amendments to the States Assembly in order to have a limited third party right of appeal, thereby making it a more affordable provision (P.47/2005).

The powers to remedy dangerous structures were obviously considered important provisions that needed to be included in the Law. For this reason I believe it is right that the 'Dangerous buildings' provisions should be brought into force and implemented by early 2007.

It would appear that Action 4.7.2 "Implement Planning and Building (Jersey) Law 2002 and associated secondary legislation in 2006" refers to the Law as in force from 1st July 2006.

If States Members agree to amend the wording in Commitment Four, Outcome 4.7, Action 4.7.2 in order that the Strategic Plan endorses both these provisions coming into force and being implemented by early 2007, the Law will be fully operating for the benefit of the people in Jersey.

Of paramount importance is that decisions taken by the States Assembly are brought into force and implemented.

I have sought information from the Minister of Planning and Environment regarding the exact costs of implementing these two provisions for his Ministry. I have been told by the Assistant Director of Planning that the financial resources to implement the third party appeals provision and the powers to remedy dangerous structures are two amounts of £56,000 per annum, for two additional members of staff, one in the Planning Department and the other in the Building Control Section, with the total resources needed for the Planning and Environment Department being £112,000. However, I have since received an e-mail from the Minister stating that I have been given "some very provisional manpower implication costs but these are very provisional and only form part of the resources required."

The cost to the Treasury and Resources Department is estimated at £128,000. This is in respect of the third party appeals provision.