

# STATES OF JERSEY



## ISLAND PLAN 2011: APPROVAL (P.48/2011): FIFTY-THIRD AMENDMENT

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Lodged au Greffe on 20th June 2011  
by the Minister for Planning and Environment

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STATES GREFFE

**1 PAGE 2 –**

After the words “the revised draft Island Plan 2011” insert the words –

“except that in the section Enabling development, in paragraph 5.148 (page 210) after the words ‘the business case for the proposals.’ insert the following words –

‘The Minister is also concerned to ensure that applications for enabling development are advertised in a way that ensures that the nature of the proposal is brought to the attention of the public of the Island and will review the Planning and Building (Application Publication) (Jersey) Order 2006 to give effect to this.’”.

**2 PAGE 2 –**

After the words “the revised draft Island Plan 2011” insert the words –

“except that after Policy ERE3 (page 211) insert the following proposal –

**‘Proposal 17: Advertising enabling development proposals**

The Minister for Planning and Environment will review the Planning and Building (Application Publication) (Jersey) Order 2006 to ensure that applications for enabling development are advertised in a way that ensures that the nature of the proposal is brought to the attention of the public of the Island.’,

and renumber subsequent proposals accordingly.”.

MINISTER FOR PLANNING AND ENVIRONMENT

NOTE:

This amendment has been lodged by the Minister for Planning and Environment for less than 8 weeks before the start of the debate in accordance with the provisions of Article 4A of the Planning and Building (Jersey) Law 2002. Paragraphs 4A(2), (3) and (4) are in the following terms –

**4A Procedure for and following lodging of draft Island Plan**

- “(2) An amendment to a draft Island Plan cannot be debated by the States unless it has been lodged for a minimum period of 8 weeks.
- (3) An amendment to an amendment to a draft Island Plan cannot be debated by the States unless it has been lodged for a minimum period of 6 weeks.

- (4) Paragraph (2) or (3) does not apply to an amendment lodged by the Minister if the States agree that the amendment may be debated forthwith or on a day or at a time approved by the States.”

In accordance with the provisions of paragraph (4) the Minister for Planning and Environment will seek the agreement of the States to debate this amendment during the debate on the ‘Island Plan 2011: approval’ (P.48/2011).

## **REPORT**

The Minister for Planning and Environment is sympathetic to the intent behind the second part of the Deputy of St. Mary's amendment (P.48/2011 Amd.(20)), relating to the appropriate advertising of applications for enabling development, but cannot accept the proposed amendment in its current form. On this basis, the Minister is minded to propose his own amendment to address the matter and better reflect the Deputy's intent in the Plan.

The Minister is concerned to ensure that all planning applications are appropriately advertised and that applications of particular significance are brought to the attention of people in the most efficient and effective way possible.

This is not, however, a matter for the Island Plan, but is something that is appropriately addressed through the Planning and Building (Application Publication) (Jersey) Order 2006. This was last reviewed in 2006.

On the basis of the above, the Minister proposes to clearly set out his intent to review the relevant legislation concerning the advertising of applications, and particularly those proposals which amount to enabling development, to address the concerns raised by the Deputy of St. Mary through the addition of a specific proposal in the Plan.

This Minister's approach, and the wording of his own suggested amendment, is supported by the independent planning inspectors as opposed to that offered by the original amendment proposed by the Deputy of St. Mary.

### **Financial and manpower implications**

There are no additional financial or manpower implications arising from this amendment.