

STATES OF JERSEY



STANDING ORDERS OF THE STATES OF JERSEY: RESCINDMENT OF STANDING ORDER 141A(2)(c)

Lodged au Greffe on 23rd August 2018
by Deputy R. Labey of St. Helier

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to rescind Standing Order 141A(2)(c) to allow a member of the scrutiny panel assigned to the topic of the environment, housing and infrastructure to also be the chairman or a member of the Planning Committee.

DEPUTY R. LABEY OF ST. HELIER

REPORT

Members will recall the recent Sitting of the States Assembly where 2 Deputies put themselves forward for election to both the Environment, Housing and Infrastructure Scrutiny Panel and the Planning Committee, and were denied the opportunity to do so by Standing Order 141A(2)(c).

This proposition asks Members to consider whether such a Standing Order is appropriate or justifiable.

Does a link even exist between the Environment, Housing and Infrastructure Scrutiny Panel and the unique jurisdiction of the Planning Committee?

Does the Environment, Housing and Infrastructure Scrutiny Panel's remit actually cover planning applications at all, when there already exist 2 formal routes of appeal available to interested parties – should they take exception to a determination – namely the third party planning appeal apparatus before an independently appointed UK Planning Inspector and the Royal Court? Both of these mechanisms provide scrutiny of the Panel's work.

In the life of the last parliamentary session, with regard to the Environment, Housing and Infrastructure Scrutiny Panel and the Planning Committee, it was certainly a case of “never the twain shall meet”.

So if in both theory and practice these 2 bodies operate separately and independently of one another, it is germane to question the necessity for this Standing Order. Additionally, in the event of a crossover somehow materialising, the opportunity is available to a potentially conflicted Panel or Committee member of recusing themselves from any initiative or investigation which may lead to him or her being subject to compromise.

In practice, finding recruits for the Planning Committee can be difficult. It is not unnatural for those of an environmental leaning to gravitate towards both the Environment, Housing and Infrastructure Scrutiny Panel and the Planning Committee, which is exactly what was witnessed recently.

If an unnecessary impediment exists to prevent those with a specialised interest participating fully in functions suited to their expertise to the ultimate benefit of the Island, it is prudent to have it removed.

Financial and manpower implications

There are no financial or manpower implications for the States arising from the adoption of this proposition.