

STATES OF JERSEY



Jersey

DRAFT PLANNING AND BUILDING (AMENDMENT No. 8) (JERSEY) LAW 202- (P.76/2021): AMENDMENT

**Lodged au Greffe on 3rd November 2021
by Deputy J.M. Maçon of St. Saviour
Earliest date for debate: 23rd November 2021**

STATES GREFFE

DRAFT PLANNING AND BUILDING (AMENDMENT No. 8) (JERSEY) LAW
202- (P.76/2021): AMENDMENT

PAGE 17, ARTICLE 6 –

For the draft Article 12(2A) (public inquiries) to be substituted in the Planning and Building (Jersey) Law 2002, substitute –

“(2A) The determining panel must consist of the Minister and at least 2 other Members of the States Assembly, chosen by the Minister.”.

DEPUTY J.M. MAÇON OF ST. SAVIOUR

REPORT

Article 6 of the [Draft Planning and Building \(Amendment No. 8\) \(Jersey\) Law 202-](#) amends Article 12 (public inquiries) of the [Planning and Building \(Jersey\) Law 2002](#) to allow the Minister to choose to determine applications of significance for the public of Jersey by way of a “determining panel” (the “Panel”) rather than alone.

Following a debate on 5th October 2021 when the principles were adopted, the matter was called in by Scrutiny, providing an opportunity to lodge this amendment and for discussions to take place.

The composition of the Panel, as proposed in the draft Law, is very restricted in that it **must** consist of the Minister, any Assistant Minister having responsibility for the Environment and the Chair of the Planning Committee. By stipulating the Panel members in this way there is a concern that limited consideration has been given to any potential conflict of interest that might arise.

The proposed amendment maintains at least three Panel members but allows for greater flexibility and creates a larger pool of members upon which the Minister can draw.

It is possible that the Minister may wish to restrict the membership of the panel, for example specifying that the Panel should include an Assistant Minister having responsibility for the environment, or either the Chair of the Planning Committee or the Vice Chair of that Committee, however such allocations could be applied within a policy framework, made possible by the greater flexibility of approach that this amendment provides.

Financial and manpower implications

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