

7.3 Deputy S. Power of St. Brelade of the Minister for Planning and Environment regarding the introduction of third party planning appeals:

On 13th September this year, during the debate on the Annual Business Plan 2007 an amendment relating to third party planning appeals was withdrawn by me following assurances given by Ministers that funding to introduce third party appeals would be available from 1st January 2007. Would the Minister inform Members whether it is still his intention to introduce third party appeals from that date and if not, why not?

Senator F.E. Cohen (The Minister for Planning and Environment):

At the Council of Ministers meeting last Thursday, the Council reaffirmed its commitment towards funding the provisions for third party appeals. The implementation of these provisions requires additional staff at the Planning and Environment Department as it is anticipated that the introduction of third party appeals will lead to a significant increase in appeals which simply cannot be handled within the department's existing resources. Recruiting of these additional staff is now in hand. We are advertising for new officers; we need to appoint suitable candidates and allow them to work out notice in their current employment. I can assure the House that we are implementing third party appeals as soon as is practicable. I am therefore immediately lodging the Appointed Day Act proposition with an implementation date of 31st March 2007.

7.3.1 Deputy F.J. Hill of St. Martin:

Could the Minister tell us why he thinks there will be an influx of third party appeals?

Senator F.E. Cohen:

I think it is natural process that when those who have grievances about the way applications have been determined have a new avenue open to them that they are naturally going to explore them, but please understand that we do not have any indication yet of the likely numbers of appeals that we are going to have to deal with and I think probably by the middle of next year we will know more.

7.3.2 Deputy C.J. Scott Warren of St. Saviour:

While obviously I very much welcome this coming into effect at the end of March, does the Minister accept that there are at least one or more large applications pending that will mean that the third party will not be able, as would have been the case if it had been 1st January, to have an effective appeal because of the delay?

Senator F.E. Cohen:

I can assure the House that the department has gone to every effort to implement third party appeals as quickly as possible. It simply is not practical to implement third party appeals with effect from any date earlier than 31st March and unfortunately there may be consequences of that in relation to applications that are in the pipeline but there is really little that we are able to do about that.