

**WRITTEN QUESTION TO THE MINISTER FOR THE ENVIRONMENT
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 8th SEPTEMBER 2020**

Question

Will the Minister –

- (a) state the number of enforcement actions which have been carried out by his department over the last two years, together with details of what those actions were and the outcome;
- (b) explain what measures are in place to ensure his department acts consistently and impartially in issuing enforcement notices or stop notices; and
- (c) explain whether it is his assessment that the enforcement actions undertaken by his department, and the processes followed, are satisfactory?

Answer

In answering this question it has been assumed that the Deputy is referring to the planning enforcement team, and not another part of the Minister's regulatory department.

- (a) The formal enforcement actions served by the planning team are held in a register on the government website
<https://www.gov.je/PlanningBuilding/AppealsComplaints/Pages/UnauthorisedWorkComplaint.aspx#anchor-0>
- (b) Enforcement notices and Stop Notices are only issued following an investigation by officers of the department. In accordance with the department's published enforcement policy landowners are frequently (but not always) given an opportunity to correct any breaches prior to the service of a Notice. In accordance with article 40 of the Planning and Building (Jersey) Law, a Notice is only served if it is considered "expedient" to do so. This requires the careful exercise of judgement and all cases are brought before a senior officer for checking. In the absence of a dedicated manager for the team, the Director (Development Control) has performed this function since the beginning of 2020.
- (c) The Minister is satisfied that the actions and processes of the department are satisfactory. It has been previously stated that the Minister would prefer additional resource to be applied in this area of work, so that response times can be shortened. Currently, the team is being temporarily supplemented with an additional planning officer. The longer term resourcing action sits with the acting Director-General, who is addressing this as part of the department's target operating model.