

ORAL QUESTION FOR TUESDAY 18th JANUARY 2022

Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for the Environment –

“Further to his response to Oral Question 242/2021, will the Minister explain why he is proposing to make changes to the Planning and Building (General Development) (Jersey) Order 2011, especially with regard to the growing of medicinal cannabis?”

The following response was provided in writing in accordance with Standing Order 63(9) as the oral question was not asked before the end of the time allowed for Oral Questions:

I have visited two sites where businesses are seeking to set up cannabis-growing facilities and subsequent to these, it was clear to me that the amount and nature of building work required to form these facilities is different to what most islanders might expect within an agricultural glasshouse.

At present, many of these changes can be carried out without planning permission but in order to bring them within planning control, and as part of our response to Economic and International Affairs Scrutiny Panel’s recent report on medicinal cannabis, I consider that modest changes are required to the Order. I can confirm that I have instructed my officers to prepare drafting instructions which I hope to receive in due course for review and submission to the Legislative Drafting Office (LDO).

Suggested responses to supplementary questions

What about the existing sites, will the changes to subordinate legislation be retrospective?

No, the Order will not be retrospective.

Does the Minister think that enforcement action is needed against any existing developments?

I cannot comment on this as I may be required to decide any appeal against an enforcement notice.

Has the Minister spoken to any residents affected by development(s) related to the growing of medicinal cannabis?

Yes, I have engaged in correspondence with residents via email on the matter of growing medicinal cannabis and listened to any concerns they have with regard to developments.