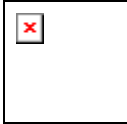


**COMMITTEES OF THE STATES: DELEGATION OF FUNCTIONS TO SUB-COMMITTEES (P.122/99) -
COMMENTS**

**Presented to the States on 26th October 1999
by the Planning and Environment Committee**



STATES OF JERSEY

STATES GREFFE

Comments

1. The Planning and Environment Committee supports part (a) of the proposition. In its delegation agreement approved by the Committee on 11th November 1996 and reported to the States in November 1996, the delegation agreement gives an automatic right of written appeal to the full Committee against decisions of the Applications Sub-Committee and indeed the Director of Planning. To that extent therefore, part (a) of the Deputy's proposition reflects the Planning and Environment Committee's existing practice.
2. As far as part (b) is concerned, the Committee has serious misgivings about allowing an **automatic** right to appear in person, with representation, before the Committee. The Planning and Environment Committee **does** allow representations in person where it considers there are factors which require amplification. However, the Committee considers that to confer automatic rights may result in those rights being asserted in most cases, thus negating the whole purpose of delegating powers to Sub-Committees or officers. It also may lead to requests to be accompanied by legal representatives resulting in a need for legal advice. The Committee at present prefers to judge such requests on their merits, taking into account the circumstances.

The Committee cannot support this part of the proposition, or part (c), which confers the automatic rights in Law.