

**WRITTEN QUESTION TO THE MINISTER FOR PLANNING AND ENVIRONMENT  
BY DEPUTY R.G. LE HÉRISSEIER OF ST. SAVIOUR  
ANSWER TO BE TABLED ON TUESDAY 15th FEBRUARY 2011**

**Question**

How does the Minister reconcile the listing of the Odeon Cinema with his statement that he would welcome an imaginative scheme for this property?

Would such a scheme be expected to retain the outward appearance of the building and all its noteworthy internal features?"

**Answer**

As the Odeon Cinema was already a Listed Building, the question that I was recently required to answer was whether or not the special architectural and historic of the building had ceased to exist<sup>1</sup>. It was quite clear, from the evidence presented to me, that the building is still of architectural and historic interest and that it deserves to remain a Listed building.

The decision to retain the status of the Odeon Cinema as a Listed building was based solely on an assessment of its heritage value, as required by law and, therefore, I have no need to reconcile this decision with any subsequent determination of its future use or development.

My decision to retain the Listed status of the Odeon Cinema does not predetermine the outcome of any future planning application. I would, however, have to assess any planning application against the existing planning policy regime for Listed buildings provided by the 2002 Island Plan. This states that there is a presumption in favour of preserving their architectural and historic character and integrity and a clear presumption against their demolition<sup>2</sup>.

The best way of securing the character and integrity of an historic building is to ensure that it is used and I would welcome an imaginative scheme that secured the future use of the Odeon Cinema building. In assessing any such scheme I would adopt a pragmatic, rather than a purist, approach to conservation, to enable its sensitive adaptation. There is much evidence, from the UK, that the re-use and regeneration of cinema buildings can be successfully achieved.

If, however, it can be clearly demonstrated to me that the sensitive adaptation of the building cannot be achieved, then I am able to give favourable consideration to the comprehensive redevelopment of the building, contrary to the policy presumption provided by the Island Plan. I can make a decision that is contrary to the policies set out in the Island Plan where I consider there to be sufficient justification to do so<sup>3</sup>. In this particular case, I would be willing to consider an imaginative scheme for the development of this site which demonstrated the highest architectural quality and which delivered significant public benefit of value to the regeneration of this part of the town.

It is relevant to note that there is no current planning application to redevelop the Odeon Cinema.

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<sup>1</sup> Article 51(5) of the Planning and Building (Jersey) Law 2002 enables the Minister to remove a building or place from the List where he is satisfied that its special interest has ceased to exist.

Article 51(2)(b) of the Planning and Building (Jersey) Law 2002 enables the Minister to include on a List those buildings and places that the Minister is satisfied has public importance by reason of the special archaeological, architectural, artistic, historical, scientific or traditional interest that attached to the building or place.

<sup>2</sup> See policies G11 and G13 of the 2002 Island Plan, approved by the States on 11 July 2002.

<sup>3</sup> Article 19 (3) of the Planning and Building (Jersey) Law 2002.