

STATES OF JERSEY



PLANNING APPLICATIONS PANEL: APPOINTMENT OF MEMBERS

Lodged au Greffe on 11th November 2014
by the Minister for Planning and Environment

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to appoint, in accordance with Article 9A(2) of the Planning and Building (Jersey) Law 2002, the following persons as members of the Planning Applications Panel (PAP) with immediate effect and until such time as the Planning and Building (Amendment No. 6) (Jersey) Law 2014 comes into force –

Connétable of St. Mary (nominated as Chairman)
Connétable of Trinity (nominated as Vice-Chairman)
Deputy Jeremy Martin Maçon of St. Saviour
Deputy Richard John Rondel of St. Helier
Deputy Graham John Truscott of St. Brelade
Deputy Russell Labey of St. Helier.

MINISTER FOR PLANNING AND ENVIRONMENT

REPORT

The Planning and Building (Jersey) Law 2002 provides that there should be a Planning Applications Panel (PAP) comprised of up to 9 States members; and that its members will be appointed by the States on the nomination of the Minister for Planning and Environment.

The Planning Applications Panel is constituted to consider applications for planning permission and similar issues in a public forum where applicants and any other interested parties can make representations directly to the Panel. The Panel then make decisions in light of a recommendation from the Department of the Environment and the representations they have received.

The Planning and Building (Amendment No. 6) (Jersey) Law 2014, which was registered in the Royal Court on 17th October 2014 – effectively replaces the Planning Applications Panel with the Planning Applications Committee (PAC). The Committee will be established in accordance with standing orders under Article 48(1) of the States of Jersey Law 2005 and will operate independently of the Minister for Planning and Environment. This change is to allow separation of the functions of the Committee from the Minister so as to establish the Minister as an independent appellate body to consider appeals against planning decisions and similar issues.

The establishment of a new process for appeals against decisions made under the Planning and Building Law has been the subject of 2 States debates [P.87/2013](#) and [P.94/2014](#).

The Planning and Building (Amendment No. 6) (Jersey) Law 2014, brings into force the new appeals process agreed in those debates but is unlikely to come into force until the end of January 2015 at the earliest. This is because there are consequential amendments to the Law required which I hope will be considered by the Assembly in January 2015. A concurrent Appointed Day Act will bring the amendments into force 7 days after the States Assembly agree the amendments.

After the Planning and Building (Amendment No. 6) (Jersey) Law 2014 comes into force, States members will then need to establish the Committee in accordance with the relevant standing orders which themselves will be debated alongside the consequential amendments. This means that the Committee will not be in a position to carry out their role until sometime after the States sitting in February at the earliest.

In the meantime the valuable role played by States members considering applications for planning permission needs to be accommodated and I would like to ask the States whether they are of the opinion that the following persons should be appointed as members of the Planning Applications Panel in accordance with Article 9A(2) of the Planning and Building (Jersey) Law 2002

I would like to nominate –

the Connétable of St. Mary as the Chairman of the Panel.

This brings the Chairman of the Planning Applications Panel into line with the Scrutiny Chairmen nominations which receive endorsement as the Chairman by the States Assembly.

I would like to nominate the following States members for membership of the Panel –

- (a) Connétable of St. Mary (nominated as Chairman);
- (b) Connétable of Trinity (nominated as Vice-Chairman);
- (c) Deputy J.M. Maçon of St. Saviour;
- (d) Deputy R.J. Rondel of St. Helier;
- (e) Deputy G.J. Truscott of St. Brelade;
- (f) Deputy R. Labey of St Helier.

The membership of the Panel will continue until such time that the Planning and Building (Amendment No. 6) (Jersey) Law 2014 comes into force.

Please note that the Law allows for nominations only to be made by the Minister. If the States rejects these nominations, the Minister can nominate another States member, and so on, until the vacancies are filled.

Financial and manpower implications

There are no financial or manpower implications for the States arising from this proposition as PAP runs within existing mechanisms of the Department of the Environment and the States Greffe.