

STATES OF JERSEY



ISLAND PLAN 2022-25: APPROVAL (P.36/2021) – SIXTIETH AMENDMENT (P.36/2021 AMD.(60)) – AMENDMENT

**Lodged au Greffe on 14th February 2022
by the Connétable of St. Brelade**

STATES GREFFE

PAGE 2 –

Replace the words and all paragraphs immediately following the words after “except that,” with the following words and paragraphs –

“within the Chapter headed “Island Plan performance framework”–

- i. the Proposal headed “**Proposal – Strengthening the Island Plan performance framework**” the words “to development” should be substituted with the words “to develop, in consultation with the Statistics User Group (or any replacement Statistical Advisory Council) and the Economic Council (or any replacement independent body performing a similar advisory function),”; and
- ii. the table headed “Thematic Island Plan policy” (in the Chapter headed “Island Plan performance framework”) –
 - (a) and within the potential performance measure relating to Policy GD8, after the word “zone”, there should be inserted the words “and additional storey/built height area”; and there should be included the following additional potential performance measures –

“Number and estimated heights and spread of trees and shrubs exceeding four metres lost (including in the 5 years preceding site development if identifiable); and

“Number and estimated heights and spread of trees and shrubs planted exceeding or expected to exceed four metres in height”;
 - (b) and within the potential performance measure relating to Policy ER4 – Daytime and evening uses, there should be included the following additional potential performance measures –

“Total cubic building area for daytime and economic use gained and lost in St Brelade’s Bay” and extent to which lost to public amenity or residential development;
 - (c) and within the potential performance measure relating to Policy EV1 –Visitor accommodation, there should be included the following additional potential performance measures –

“Total cubic building area for visitor accommodation gained and lost in St Brelade’s Bay and extent to which lost to public amenity or residential development”;

- (d) and within the potential performance measure relating to Policy NE3, there should be included the following additional potential performance measures –

“Number and estimated heights and spread of trees and shrubs lost exceeding 4 metres in height (including 5 years preceding site development if identified);” and

“Number and estimated heights and spread of trees and shrubs planted exceeding or expected to exceed four metres in height”.

CONNÉTABLE OF ST. BRÉLADE

Note: After this amendment, amendment sixty would read as follows –

After the words “the draft Island Plan 2022-25” insert the words “except that within the Chapter headed “Island Plan performance framework”–

i. the Proposal headed “**Proposal – Strengthening the Island Plan performance framework**” the words “to development” should be substituted with the words “to develop, in consultation with the Statistics User Group (or any replacement Statistical Advisory Council) and the Economic Council (or any replacement independent body performing a similar advisory function),”; and

ii. the table headed “Thematic Island Plan policy” (in the Chapter headed “Island Plan performance framework”) –

- (a) and within the potential performance measure relating to Policy GD8, after the word “zone”, there should be inserted the words “and additional storey/built height area”; and there should be included the following additional potential performance measures –

“Number and estimated heights and spread of trees and shrubs exceeding four metres lost (including in the 5 years preceding site development if identifiable);” and

“Number and estimated heights and spread of trees and shrubs planted exceeding or expected to exceed four metres in height”;

- (b) and within the potential performance measure relating to Policy ER4 – Daytime and evening uses, there should be included the following additional potential performance measures –

“Total cubic building area for daytime and economic use gained and lost in St Brelade’s Bay” and extent to which lost to public amenity or residential development;

- (c) and within the potential performance measure relating to Policy EV1 – Visitor accommodation, there should be included the following additional potential performance measures –

“Total cubic building area for visitor accommodation gained and lost in St Brelade’s Bay and extent to which lost to public amenity or residential development”;

- (d) and within the potential performance measure relating to Policy NE3, there should be included the following additional potential performance measures –

“Number and estimated heights and spread of trees and shrubs lost exceeding 4 metres in height (including 5 years preceding site development if identified)”;

“Number and estimated heights and spread of trees and shrubs planted exceeding or expected to exceed four metres in height”.

After the amendment, if amended by this amendment, the main proposition would read as follows –

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

to approve, in accordance with Article 3(1) of the Planning and Building (Jersey) Law 2002, as amended by the Covid-19 (Island Plan) (Jersey) Regulations 2021, the draft Island Plan 2022-25, except that within the Chapter headed “Island Plan performance framework”–

- i. the Proposal headed “**Proposal – Strengthening the Island Plan performance framework**” the words “to development” should be substituted with the words “to develop, in consultation with the Statistics User Group (or any replacement Statistical Advisory Council) and the Economic Council (or any replacement independent body performing a similar advisory function),”; and

- ii. the table headed “Thematic Island Plan policy” (in the Chapter headed “Island Plan performance framework”) –

- (a) and within the potential performance measure relating to Policy GD8, after the word “zone”, there should be inserted the words “and additional storey/built height area”; and there should be included the following additional potential performance measures –

“Number and estimated heights and spread of trees and shrubs exceeding four metres lost (including in the 5 years preceding site development if identifiable)”;

“Number and estimated heights and spread of trees and shrubs planted exceeding or expected to exceed four metres in height”;

(b) and within the potential performance measure relating to Policy ER4 – Daytime and evening uses, there should be included the following additional potential performance measures –

“Total cubic building area for daytime and economic use gained and lost in St Brelade’s Bay” and extent to which lost to public amenity or residential development;

(c) and within the potential performance measure relating to Policy EV1 –Visitor accommodation, there should be included the following additional potential performance measures –

“Total cubic building area for visitor accommodation gained and lost in St Brelade’s Bay and extent to which lost to public amenity or residential development”;

(d) and within the potential performance measure relating to Policy NE3, there should be included the following additional potential performance measures –

“Number and estimated heights and spread of trees and shrubs lost exceeding 4 metres in height (including 5 years preceding site development if identified)”; and

“Number and estimated heights and spread of trees and shrubs planted exceeding or expected to exceed four metres in height”.

REPORT

This Proposition responds to Statement Response SR65 of the [post-consultation report](#)¹ by:

- i. omitting the former paragraph (b) of the proposed amendment relating to Policy GD9;
- ii. refining the wording in relation to Policy GD8;
- iii. refining ER4 to omit references to footprint and storey area and to reduce additional scope to St Brelade's Bay alone;
- iv. adding a further and similar potential performance measure in respect of visitor accommodation in St Brelade's Bay; and
- v. adding a requirement that the 'stronger performance framework' proposed in "Proposal – Strengthening the Island Plan performance framework" be developed in consultation with independent bodies associated with good statistical governance and future economy growth.

It is accepted some of the former proposals regarding potential performance measures could be difficult to calculate because of the width of their scope.

In view of the inclusion of "Proposal – St Brelade's Bay Improvement Plan" and the statement in its preamble that St Brelade's Bay is an important part of Jersey's tourism offer, two of the proposed additional potential performance measures are confined to that area, which should be relatively straightforward to measure and could assist in the development of the improvement plan and in future government testing methodology of performance measurement on a larger scale.

All the potential performance measures are 'potential' and therefore suggestions for measures should not be discounted without proper consideration. Of particular concern is the balance of considerations with respect to the economy and natural environment. In that respect, it is noted the Minister has accepted the feedback of Natural Environment IHE in the public consultation² to include Proposal 36 "Proposal – Strengthening the Island Plan performance framework: in the Bridging Island Plan.

The involvement of the Infrastructure, Housing and Environment departments will assist in the evolution of a balanced Performance Framework to assist in the measurement of performance of the island Plan and the development of its proposals and future policies. However, there remains a weakness in economic representation and there is a concern about government being perceived to "mark its own homework". For this reason, the Proposition proposes consultation regarding the content of the performance framework with two independent government-constituted bodies specialising in advising on statistical integrity and on future economy.

¹ Page 11, part 3, Draft Bridging Island Plan: Post-consultation Report
<https://www.gov.je/SiteCollectionDocuments/Planning%20and%20building/R%20Draft%20Bridging%20Island%20Plan%20-%20Post-consultation%20report%20-%20part%203.pdf>

² Response 1027582402

https://haveyoursay.gov.je/consult/islandplan/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&_q__text=performance+framework&uuld=1027582402

The Statistics Users Group is an independent body constituted by the [Statistics and Census \(Jersey\) Law 2018](#)³ (which currently is the subject of a governmental review) with the primary function of overseeing the quality, relevance and integrity of statistics compiled by or on behalf of a public authority. It is supported by government's Chief Statistician.

The [Economic Council](#) is chaired by the Minister for Economic Development. Its report 'New Perspectives: Critical Considerations for Sustainable Economic Growth' was published in December 2020.

Financial and manpower implications

There are no financial or manpower implications in relation to the proposed amendments.

Child Rights Impact Assessment implications

These amendments have been assessed in relation to the [Bridging Island Plan CRIA](#). Improved well-being of children will arise from improved public enjoyment of a public beach and recreation area.

³ https://www.jerseylaw.je/laws/enacted/Pages/L-08-2018.aspx#_Toc506563572