

STATES OF JERSEY



ISLAND PLAN 2011: APPROVAL (P.48/2011) – THIRTY-NINTH AMENDMENT

Lodged au Greffe on 16th June 2011
by the Minister for Planning and Environment

STATES GREFFE

PAGE 2 –

After the words “the revised draft Island Plan 2011” insert the words –

“, except that after the heading ‘Relationship with other plans and documents’ (page 24) insert the following paragraph –

‘Law

1.3 The Island Plan is prepared under the auspices of the Planning and Building (Jersey) Law. It is the intention of this law to ensure that ‘when land is developed, the development is in accordance with a development plan that provides for the orderly, comprehensive and sustainable development of land in a manner that best serves the interests of the community’. In developing the Island Plan, specific regard has been made to all of the relevant purposes of the law⁽¹⁾.

⁽¹⁾Purposes of Law

- (1) The purpose of this Law is to conserve, protect and improve Jersey’s natural beauty, natural resources and general amenities, its character, and its physical and natural environments.
- (2) Accordingly it is the intention of this Law –
 - (a) to ensure that when land is developed the development is in accordance with a development plan that provides for the orderly, comprehensive and sustainable development of land in a manner that best serves the interests of the community;
 - (b) to protect sites, buildings, structures, trees and places that have a special importance or value to Jersey;
 - (c) to provide for the orderly management of transport and travel, both on, and from and to Jersey;
 - (d) to ensure that the coast of Jersey is kept in its natural state;
 - (e) to control advertisements in Jersey; and
 - (f) to impose other necessary controls on the development and use of land in Jersey.
- (3) In paragraph (1) the reference to –
 - (a) the natural resources of Jersey includes its biodiversity; and
 - (b) the natural environment of Jersey includes the natural environment around Jersey.

- (4) It is also the purpose of this Law to secure the health, safety and welfare of people in or about buildings by establishing functional requirements in respect of buildings and ensuring that buildings comply with those requirements.?’’.

and re-number all subsequent paragraphs and footnotes accordingly.

MINISTER FOR PLANNING AND ENVIRONMENT

NOTE:

This amendment has been lodged by the Minister for Planning and Environment for less than 8 weeks before the start of the debate in accordance with the provisions of Article 4A of the Planning and Building (Jersey) Law 2002. Paragraphs 4A(2), (3) and (4) are in the following terms –

4A Procedure for and following lodging of draft Island Plan

- “(2) An amendment to a draft Island Plan cannot be debated by the States unless it has been lodged for a minimum period of 8 weeks.
- (3) An amendment to an amendment to a draft Island Plan cannot be debated by the States unless it has been lodged for a minimum period of 6 weeks.
- (4) Paragraph (2) or (3) does not apply to an amendment lodged by the Minister if the States agree that the amendment may be debated forthwith or on a day or at a time approved by the States.”

In accordance with the provisions of paragraph (4) the Minister for Planning and Environment will seek the agreement of the States to debate this amendment during the debate on the ‘Island Plan 2011: approval’ (P.48/2011).

REPORT

The Island Plan is required to be prepared under the auspices of the Planning and Building (Jersey) Law 2002. The law sets out a specific intention relative to a development plan for the Island (the Island Plan) and it is considered appropriate to make specific reference to this in the Plan.

The law also sets out a number of different purposes which are of relevance to the preparation of a planning policy framework for the future development of the Island (the Island Plan) and the application of that policy framework in the determination of planning applications and in the undertaking of specific proposals. Whilst set out in the Law, for the sake of comprehensiveness, they are included in the Plan also.

Financial and manpower implications

There are no financial and manpower implications arising from this amendment.