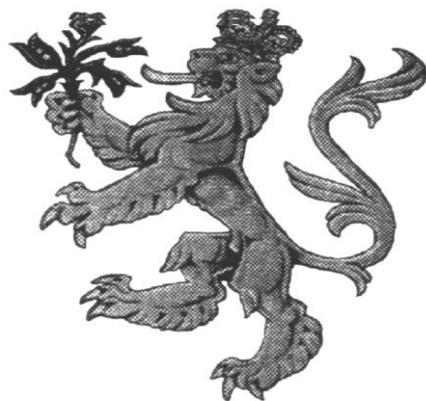


States of Alderney



DELIBERATIONS

WEDNESDAY 26TH JULY 2017

STATES OF ALDERNEY
DELIBERATIONS FOR THE MEETING
ON WEDNESDAY 26TH JULY 2017 AT 17:30

Present: Mr Stuart Trought, President
Mr Ian Tugby
Mr Matt Birmingham
Mr Louis Jean
Mr Steve Roberts
Mrs Norma Paris
Mr Graham McKinley
Mr James Dent
Mr Alex Snowdon
Mr Mike Dean
Mr Tony Barnes

Item I **The Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016**

The States of Alderney resolved to approve “The Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016”

*Proposed by Mr Dent and seconded by Mr Barnes
Approved unanimously*

Item II **Questions and Reports**

Mr Birmingham, Chairman of the Building and Development Control Committee, introduced the following report and in his introduction he clarified some issues which had been raised at the Peoples’ Meeting:-

“I have three matters to report to Members, for information:

1. *Draft Building and Development Control (Alderney) (Amendment) (No.2) Ordinance 2017*

Last month I advised States members that some of the policies proposed in the draft Land Use Plan will require law changes to implement them, if the plan is approved by the States following the Planning Inquiry in September.

On 4 July the Committee considered a first draft of the law change required which, if approved, would:

- i) Remove the States blanket exemption from the need to make planning application for any development or work with the intention of replacing it with exemptions for routine maintenance work.*
- ii) Remove the Public Utilities blanket exemptions from the Land Use Plan, with the same intention.*
- iii) Provide specific exemptions from Section 12 for new infrastructure development or work which may presently be carried out by the States and by public utilities in the designated area under the current blanket exemptions.*
- iv) Exempt minor development or work in the designated area which have historically been permitted despite Section 12 e.g field shelters.*
- v) Make a new exception to Section 12 which would permit BDCC to approve a development or work in the designated area which the States, on the proposition of P & F Committee, have approved as being of strategic importance and of long term benefit. This would give effect to proposed policy S7 for Major Projects (page 3-17 of the draft Land Use Plan) and the draft statutory guidance for Major Projects (already issued for consultation).*

In view of the significance and importance of item (v) the Committee resolved to publish the law change for public consultation concurrently with the draft Land Use Plan. This will be published after the July States meeting but before the closing date for representations to the Land Use Plan (14 August). The Policy and Finance and General Services Committees are being consulted on the draft in order that their views may also be taken into account.

It is also intended to add to the draft amendment, the legal authority for BDCC to make a charge for pre application planning advice provided in respect of major (non-householder) applications.

2. Land Use Plan Videos

Throughout the Land Use Plan, the Committee has ensured it was produced in collaboration with the Alderney Community. Continuing this approach the Committee held an open drop in / exhibition session on Friday 7 and Saturday 8 July which were attended by the ARUP team, Planning Officers and members of the Committee. It has also published four short videos on 5 July to help explain the Draft Land Use Plan, videos which were produced with the very considerable help and expertise of Mr David Earl at short notice, for which the Committee thank him.

3. Open Planning Meetings

The Committee has reviewed the trial of three Open Planning Meetings which were held on 28 Feb, 20 April and 1 June. All meetings were successful. They generated interest from the community. Several interested persons who had complied with its published procedural protocol for these meetings took up the option of speaking to the Committee about planning applications under consideration.

A number of lessons were learned. The Committee has agreed to continue with Open Planning Meetings with some important revisions to its published protocol. These changes enable the Committee to defer their decision on an application. In which case it may announce its decision with a statement of reasons if the decision is made before the next open meeting.

This change will be exercised at the Chairman's discretion and where circumstances require it. For example, where a decision is likely to differ from the Planning Officer's recommendation; or to reflect on the comments made where they are particularly

weighty or large in number; or to obtain further information from the applicant or third parties; or to make a site visit; or to request consultation from another body.

The revised protocol also recognises that written representations which are submitted or circulated by an individual objector to an application which follow up and repeat written objections they have previously submitted to the Committee in writing and/or orally, will be considered as lobbying and will not be taken into consideration.”

Meeting Closed: 1822hrs

Issued: 28th July 2017