

INQUIRY INTO ALDERNEY LAND USE PLAN 2017

Note on procedural arrangements

Objections and other representations

- 1 The draft Alderney Land Use Plan 2017 was published on 1 June 2017, and I have been appointed to hold a public inquiry into its provisions. Persons and organisations wishing to object to, or support, any of the provisions of the draft plan, or wishing to make other representations, should do so by writing to me, care of The Planning Office, Island Hall, St Anne, Alderney. Alternatively, objections or representations can be submitted by email to planning@alderney.gov.gg. The closing date for the submission of objections or representations is midday Monday 14th August 2017.
- 2 Objectors seeking changes to the draft plan should explain precisely how they would like it to be modified, specifying any existing wording that they would wish to see deleted; any new material that they would wish to see inserted or added; and showing, on a drawing, any changes that they would like to see made to any map.
- 3 Although the forthcoming inquiry will be into the draft plan as a whole, certain matters contained within the plan were previously considered at the inquiry into Phase I of the Review of the Alderney Land Use Plan 2011, which was held in April 2016. In particular, those matters included the Vision and Guiding Principles for the Land Use Plan; and the definition of Housing Character Areas, together with development principles for each of those areas. The conclusions reached by the Inspector who held the previous inquiry will be a material consideration in my assessment of the present draft plan. In these circumstances, in the absence of fresh evidence, there may be little purpose in making further representations concerning matters on which he reached conclusions.

Evidence

- 4 Objectors (and others making representations) may wish to support their submissions with written evidence. This should also be submitted by 14th August. For ease of reference, paragraphs and pages in the written evidence should be numbered. Where possible, written material should be typed in double spacing. Plans, photographs and other illustrative material should be in an A4 format, or capable of being folded to A4. It should be noted that the policies and proposals in the draft Land Use Plan are at a fairly high level, and it will seldom (if ever) be necessary to submit evidence in such detail as would be appropriate to support a planning application.
- 5 I understand that, other than in exceptional circumstances, representatives of the B&DCC do not propose to submit written responses to objections or other representations in advance of the inquiry, but will respond orally at the inquiry. However, the evidence supporting the draft Land Use Plan 2017 is contained in the following documents:

Strategy for Economic Development
Strategy for Natural Environment
Strategy for Built Environment and Heritage
Call for Sites Assessment

The following Statutory Guidance has also been published by the States of Alderney:

01/17 Environmental Impact Assessment
02/17 Major Projects

Attendance at the inquiry

- 6 All persons making representations by the due date, will be entitled to speak at the inquiry, and to question representatives of the Building and Development Control Committee (B&DCC) who are responsible for the draft plan. However, people who have made representations will be under no obligation to attend, and may be content to rely on their written submissions, which I will take fully into account. Those wishing to participate in the inquiry may attend in person, or may be represented by somebody they instruct to speak on their behalf.

Programme Officer

- 7 The Programme Officer for the Inquiry will be Helen Wilson. She will be responsible for arranging and up-dating the inquiry programme; managing inquiry documents; and creating and maintaining the inquiry website. She will also act as a channel for communication between inquiry participants and me, when the inquiry is not sitting. Her contact details are 25 Ashtree Farm Court, Willaston, Cheshire, CH64 2XL; tel: 0151 352 3863/07879 44305; email: progofficer@aol.com. The address of the inquiry website is <http://www.hwa.uk.com/projects/alderney-land-use-plan-phase-2-inquiry>
Details of representations made will be shown on the inquiry website.

Arrangements for the inquiry

- 8 The forthcoming inquiry will be held in public, in accordance with section 27 of the Building and Development Control (Alderney) Law 2002. It will begin at 9.30 am on Monday 4th September 2017, at the Anne French Room in the Island Hall. Subsequent sessions of the inquiry will be held in the same venue, unless otherwise announced at the inquiry, and shown on the inquiry website.
- 9 The inquiry will sit from Monday to Thursday each week, starting each day at 9.30 am, and is expected to run for up to three weeks. It is not my usual practice to sit after 5 pm, although one or more evening sessions may be held if there is a demand for this. We will have a lunch break at about 12.30 each day, and will have short adjournments midway through each morning and afternoon session. I understand that copying facilities will be available at the inquiry venue.

- 10 The Programme Officer will send a questionnaire to each of those who submit objections or other representations, asking whether they will wish to speak at the inquiry; and if so, whether they will be represented or attend personally, and whether their case is to be supported by the evidence of any witness(es). A programme for the inquiry, will be issued on the basis of the answers received. It is important that recipients of the questionnaire respond as quickly as possible, so that the programme can be arranged without delay. This will help give prospective participants adequate notice of the date and time at which they will be expected to attend, to deal with their particular representations.

Round table hearings

- 11 Subject to the number of people wishing to participate, those parts of the forthcoming inquiry that deal with strategic (rather than site specific) matters will be considered at 'round table' hearings. These will take the form of structured discussions, which I will lead. They have been shown to promote a constructive approach, which is less formal than the adversarial alternative. There should be no more than about 15 participants in a 'round table' hearing (including representatives of the B&DCC) so that the proceedings remain manageable; and so that the participants do not have to wait too long before they can contribute to the discussion. If too great a number of objectors wish to participate, it may be possible for a group of them, with similar views, to appoint a spokesperson to represent them. Ideally, a range of views should be represented. I will issue an agenda in advance of each 'round table' session, and written evidence previously submitted will be taken as read. A representative of the B&DCC will have the final right of reply to the matters raised in each round table discussion.
- 12 No objector will be required to participate in a 'round table' session in order to be heard at the inquiry. If necessary, separate formal sessions will be arranged for those who wish to proceed in that way, or who cannot be accommodated in the 'round table' session. However, no objector who attends (or is represented at) a 'round table' session will be permitted to speak at a separate formal session addressing the same or similar issues.

Formal sessions

- 13 Site-specific objections will be dealt with more formally. At each formal session, the case for the objector will be presented first. Any written evidence that has been submitted will be taken as read, but the objector may wish to summarise or elaborate on the main points. The representatives of B&DCC may ask questions about the objector's evidence, and I may myself have questions. It will then be the turn of the B&DCC representative to respond to the matters raised by the objector. The objectors will have the opportunity to question the B&DCC representative about the Planning Authority's case, and once again I may wish to ask questions myself. After the evidence on either side has been examined, I will hear any closing submissions, first from the objector, and then from the B&DCC representative.

Site inspections

- 14 I will make a tour of the Island prior to the inquiry, and try to visit all of the sites which are the subject of objections or other representations. There may be some sites where I need to enter private land to make an adequate inspection. There may also be some site visits at which inquiry participants would wish to be present to point out some particular feature which I might otherwise miss. In either of those cases, arrangements will be made for a further accompanied site visit during the course of the inquiry.

After the inquiry

- 15 After the inquiry, I will prepare a report. This will summarise the matters considered at the inquiry, and contain my recommendations, including any proposals that I may have for alterations to the draft Land Use Plan. My report should be submitted to the B&DCC by mid-November. It will then be for the B&DCC to lay the report before the States, together with any recommendations that the Committee may have. It will then be for the States to approve the Land Use Plan, subject to such modifications as they consider necessary or expedient.

Procedural queries

- 16 Any queries about the procedure to be followed at the inquiry can be raised with me through the Programme Officer.

Michael Hurley BA DipTP
Independent Inspector
10 July 2017