

BUILDING AND DEVELOPMENT CONTROL COMMITTEE

POLICY MEETING 22 May 2017

Committee Room Top Floor Island Hall commenced 1100 (with Sandwich Lunch) until 1730

Present:

**Mr M Birmingham, Chairman
Mr M Dean
Mr A Snowdon**

**Mr J Young, Planning Officer
Miss S Osborne Planning Assistant**

Kieron Hyams and Chloe Salisbury from ARUP

1. Building and Development Control (Alderney) Amendment Ordinance 2017

The Committee considered the final version of the draft Building and Development Control (Alderney) Amendment Ordinance 2017, previously discussed and agreed at its Policy meeting on 18 April 2017.

The Ordinance is intended to make the technical changes to the Building and Development Control (Alderney) Law, 2002 mainly to ensure the widened scope and format of the Plan is fully compliant with the law.

This Ordinance also includes new powers for the Committee to issue statutory procedural guidance subject to prior consultation and clarifies that the Committee's existing powers under section 5 to Impose requirements on applicants (e.g. for information or to publicise applications) allows it to make different requirements for different kinds of applications.

The changes are technical and procedural. It would ensure the draft Land Use is compliant with Section 23 of the law.

The Committee decided to submit the draft Ordinance to the States for approval on the 14 June 2017 and instructed the Chairman write to the President for inclusion on the Billet.

2. Draft Land Use Plan 2017 and supporting documents.

Having received the draft Land Use Plan 2017 and supporting documents (Economic, Natural and Heritage Strategies and appendices, Supplementary Planning Guidance, Statutory Guidance on Major projects and Environmental Impact assessment, Call for Sites response, on 19 May 2017 by electronic copy, the Committee received printed copies from ARUP which had been brought to the island that morning and received a presentation from ARUP of all the policies in the proposed draft. The Committee discussed these draft policies and identified a number of detail changes which were required.

The Committee approved the draft Land Use Plan subject to the revisions and authorised the Planning Officer and ARUP to publish the draft Land Use Plan 2017 and its supporting documents for public consultation.

The Planning Officer was authorised to publish the plan on the States website and requested to do so by any other reasonable and practical means to ensure the public were made aware of its contents

3. Timetable for Publication of the LUP

The Committee considered a draft chart submitted by the Planning officer and finalised the timetable for publication of the draft Land Use Plan, public consultation and the Planning Inquiry to be held into the draft Land Use Plan.

The draft Plan would be finalised by 9 June and published on Monday 12 June for public consultation, initially by electronic copies with printed copies as soon as they could be printed and delivered locally.

The plan would be open to public representations to 11 August 2017, The Planning Inquiry would commence on 4 September 2017 and last for three weeks. The Inspectors report would not be expected until the end of November 2017 because of the inspectors other commitments, Therefore the earliest date the draft LUP could be considered by the States would need to be decided at a later date.

The Committee approved the timetable for publication of the draft LUP.

4. Section 26 Notice of the Inquiry.

Mr Michael Hurley having been previously appointed by the President and arrangements made for the Inquiry, including the appointment of Helen Wilson Associates as independent program officer. The Committee considered a recommendation from the Planning Officer.

The Committee authorised the issue of the required statutory notices of the Public Inquiry into the Land Use Plan under Section 26.

5. Call for Sites response

The Committee received a volume from ARUP including a draft response to the large number public submissions for 'Call for Sites' which forms part of the evidence base for the LUP. The Committee discussed these responses individually with Arup and the Assistant Planning officer as she was very familiar with the sites. The Planning officer was not present for these discussions of individual sites. The committee noted that the responses did not include details of the persons who had made the submission, although in some cases it was obvious.

The Committee agreed the responses for publication as part of the public Consultation of the draft land Use Plan 2017

6. Law Changes – Designated Area Policy (Building and Development Control (Alderney) Amendment Ordinance (No 2) 2017)

The Committee had resolved on 18 April 2017 to authorise the Planning officer and ARUP to discuss further law changes with the law Officers to give effect to the policies of the draft Land Use Plan relating to development in the Designated Area, including changes to apply the Law to the States and public utilities and to amend section 12 relating to the Designated Area, particularly for the proposed Major projects policy.

The Committee's confirmed its intention to only to progress those changes if the relevant Policies in the draft Land Use Plan are adopted by the States after the Public Inquiry into the LUP. The Committee resolved that it wished to ensure these further law changes are published at the same time as the draft Land Use plan to allow proper public consultation as required by the Law Officers, even though the law changes themselves fall outside the scope of the Planning inquiry under the law.

A verbal report was made by the Planning officer that meetings had taken place to discuss these possible changes and research taken place into the history and evolution of the current designated area provisions, which are inconsistent with the current land use plan

The Committee were advised a preliminary draft Ordinance had been produced (Building and Development Control (Alderney) Amendment Ordinance (No 2) 2017) but all had agreed this needed further consideration and revision.

The Committee resolved to defer consideration of further law changes until after the publication of the draft LUP on 12 June and the June States.

7. Any other Business

None

Meeting closed: 5.30pm

Signed: Matt Birmingham

Dated: 17 August 2017