



STATES OF ALDERNEY

PRESS RELEASE – 1 November 2017

PUBLIC CONSULTATION on Green Paper on proposed BDCC Law Change Draft Building and Development Control (Alderney) (Amendment) (No.2) Ordinance, 2017

Members of the Public are reminded that representations in respect of the green paper need to be submitted by **Friday 1st December 2017** in writing to:

The Chairman, the Building and Development Control Committee, C/o Mr J Young , States Planning Office, PO Box 1001, Alderney, GY9 3AA. Representations may also be sent via email to planning@alderney.gov.gg and copied to john.young@gov.gg

Copies of the Green Paper and draft Ordinance may be downloaded from the States of Alderney Website by accessing the following link. Printed copies are available from the Planning office.

<http://www.alderney.gov.gg/article/161200/Law-Pages---Green-Paper>

The draft Ordinance proposes the following changes to the Planning (BDCC) law:

- Removes the current exemptions applicable to the States and Public Utilities and require them to submit Planning applications for their developments and other work, other than for maintenance and repair of existing infrastructure and equipment, which would be exempted.
- Makes consequential amendments to Section 12 which currently prevents the BDCC from considering planning applications in the Designated Area, to enable the BDCC to consider applications from the States and Public Utilities (limited to those which provide utility services to the public of Alderney) for development and other work within the Designated Area.
- Corrects minor inconsistencies and brings Section 12 of the law into line with Land Use Plan policies and long standing practice for allowing applications for minor development in the Designated Area to be considered e.g., field shelters ,benches etc.
- Amends Section 12 (*paragraph 13 of Schedule 1 of the draft Ordinance*) to implement Policy S7 (B) in the draft Land Use Plan to enable BDCC to consider, on an exceptional basis, an application for development or other work in the Designated Area which the States of Alderney have decided by resolution (brought by P & F Committee) complies with the conditions specified in the Ordinance (Sch.1 Section 13(2) (a-c)) and is of strategic importance to Alderney.

Applications submitted under this LUP policy S7 (B) (*where paragraph 13 of Schedule 1 of the draft Ordinance applies*) would be assessed against the policies and strict criteria of the draft land use plan (which has legal force). They would also be assessed for compliance with the draft Statutory Guidance (SG) which will impose a requirement for the applicant to submit an assessment of environmental and other effects and will enable BDCC to require an independent evaluation of the assessment and report. They would also have to comply with the extensive procedural requirements in the SG for major projects. Additionally the Committee have invited public comment on whether BDCC should also include in this law change, provision for an independent Planning inquiry to be held into a major project application considered under draft LUP Policy S7 (*where paragraph 13 of Schedule 1 of the draft Ordinance applies*).