

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 27TH DAY OF JUNE, 2002

(Meeting adjourned from the 26th June, 2002)

The States resolved as follows concerning Billet d'Etat No. XI
dated 31st May, 2002

ISLAND DEVELOPMENT COMMITTEE

REVIEW OF THE ISLAND DEVELOPMENT (GUERNSEY) LAWS 1966-90

After consideration of the Report dated the 13th March, 2002, of the Island Development Committee:-

1. To approve the proposals set out in section 3 of that Report concerning the drafting of the Projet de Loi, save that, instead of a single independent adjudicator as proposed in paragraphs 3.6 and 5.4 of that Report and currently set out in Part 6 of the draft Law in Appendix 1 thereto:
 - (i) the States of Deliberation shall appoint a panel of 6 independent persons, each for a six year term, and of whom 2 shall retire (but may be re-appointed) every other year;
 - (ii) 4 of the panel members shall be permanently resident within the Channel Islands, and at least 2 shall have appropriate qualifications or experience in planning matters ("professional panel members");
 - (iii) the States Advisory and Finance Committee shall place nominations for panel membership before the States; the States may propose alternative persons for appointment;
 - (iv) every appeal shall be determined by a chairman who is a professional panel member and by 2 other panel members.

- 1A That any reference to Herm, Jethou or any offshore Crown Rocks or Islets shall be deleted until consultations between the Crown and the States are completed and resolved, and to report back to the States with the results.

2. To approve the proposals set out in section 4 of that Report concerning the legislative provision to be made by Ordinance in relation to:-
 - (i) Plans
 - (ii) Control of Development – General Provisions - save that the proposed Ordinance shall, contrary to the proposals in paragraph 4.3.8 of that Report, make specific provision concerning the posting of site notices concerning planning applications, including a requirement that such notices shall be posted at least 21 days before any decision is made
 - (iii) Control of Development – Exemptions
 - (iv) Control of Development – Use Classes
 - (v) Control of Development – Environmental Impact Assessments
 - (vi) Special Controls.
 - (vii) Enforcement.
 - (viii) Appeals and Reviews
- 2A. To instruct the Island Development Committee to report back to the States, as soon as is practical, with proposals to provide a mechanism, which is Human Rights compliant, to enable the States to exempt strategically essential developments from some or all of the provisions of the proposed Land Planning and Development Law.
3. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

S. M. D. ROSS
HER MAJESTY'S DEPUTY GREFFIER