

**QUESTIONS ASKED OF THE PRESIDENT OF THE DEVELOPMENT & PLANNING  
AUTHORITY  
PURSUANT TO RULE 14 OF THE RULES OF PROCEDURE BY DEPUTY LESTER QUERIPEL**

I would like to respond to the following questions submitted by Deputy Lester Queripel pursuant to Rule 14 of the Rules of Procedure about Island Development Plan Policy GP11.

**Question 1**

*In response to a previous Rule 14 question I submitted to you January 17<sup>th</sup>, 2022, Deputy Oliver, you said that your fellow D+PA committee member Deputy Dyke had been tasked with looking at the process that would need to be undertaken when seeking to amend policies of the Island Development Plan, with specific reference to Policy GP11, which focuses on the 20 unit threshold of 'affordable housing' here in the island. My understanding of the current situation is that a review of the IDP would need to be undertaken by an external body, which could take up to 18 months and cost the taxpayer something in the region of £200,000. So my question is can you clarify that please?*

**Answer**

Sir,

The steps required by legislation to change a policy within the IDP currently are: -

**1. Notification – D&PA**

- Once it has been decided that a policy amendment or change is required (either by the D&PA or by Resolution of the States) the D&PA must give notice by placing a notice in La Gazette and must also notify any States Committee whose area of responsibility may be affected, any public utility provider whose operations may be affected, and the Constables of each Parish affected.

**2. Pre-publication consultation – D&PA**

- During preparation of the amended/changed policy and before publication, the D&PA must consult on the main issues with States Committees, utility providers, Constables of affected Parishes and, where Environmental Impact Assessment (EIA) is required, any expert external bodies including on scope of EIA where needed.

**3. Certificate of Consistency with SLUP – CftE&I**

- Prior to publication the D&PA must obtain a certificate of consistency with the Strategic Land Use Plan (SLUP) by written request to CftE&I. The certificate must be sent to the planning Inspector, when appointed.

**4. Appointment of Inspector - CftE&I**

- The D&PA must request CftE&I in writing to appoint an Inspector to conduct an Inquiry as soon as possible after receiving the certificate of consistency. It can request this earlier as soon as it submits the request for the certificate. CftE&I must appoint the Inspector.

## **5. Publication of draft changes to IDP policies – D&PA**

- As soon as possible after receiving the certificate the D&PA must publish that there are draft policy changes in La Gazette (on 2 consecutive weeks) setting out specific information such as where proposals can be viewed, next steps, etc. and must make changes available for inspection by the public as well as informing *CftE&I*, Parish Constables and anyone previously consulted, and anyone else it thinks appropriate.

## **6. Inquiry – D&PA and *CftE&I***

- The Inspector determines procedure at the Inquiry. The Inspector will hold a preliminary meeting if they expect the hearing to last 8 or more days or think it necessary. Such a meeting will need to be advertised giving at least 2 weeks' notice.

## **7. Initial Representations - D&PA**

- The Inspector must, as soon as possible, put an advertisement in La Gazette setting out the main steps, when the hearing will be and inviting initial representations in writing.
- The D&PA must send to the Inspector a written response on each initial representation (or group of representations) by the date set by the Inspector. A copy of its response is sent to the representor and published.

## **8. Further representations – D&PA**

- Between the end of the Initial Representations round and at least 4 weeks before the Inquiry Hearing the Inspector must invite further representations (in the same way as before) but only on the initial representations.
- The D&PA must send to the Inspector a written response on each further representation (or group of representations) as before and a copy is sent to the representor and published.

## **9. Inquiry Hearing - Independent Planning Inspector**

- Prior to the Hearing the Inspector must publish a statement about the matters they wish to cover and a timetable and order for matters to be considered.
- The Inspector runs the hearing and identifies what are the main matters to be considered.

## **10. Inspector's Report - Independent Planning Inspector**

- After the close of the Inquiry the Inspector must make a Report to the D&PA on their conclusions and recommendations and the reasons for them.
- D&PA considers the Inspector's Report and other matters and refers to *CftE&I* the Inspector's Report and a report of its own conclusions and reasons.
- *CftE&I* can give its comments to D&PA.

### **11. States of Guernsey - D&PA and the States**

- D&PA lays before the States the draft changes to policies, the Inspectors Report, any written comments from CftE&I, D&PAs conclusions and reasons and any further changes it recommends.
- The States may adopt, reject, or amend. Amendments may require to go back to Inquiry if substantially different from that proposed.

### **12. Next steps - D&PA**

- Once adopted by the States, the D&PA must inform the public through La Gazette.

So, we are seeing if there is a way to make this process shorter and more streamlined. It is difficult to state a timescale or cost generally prior to the initiation of any work on the matter as these would depend on what policy or policies were being changed, how complex that was and what impacts it may have on other policies, and how much representation it is likely to generate which would all have implications for the length of an Inquiry and its cost.

### **Question 2**

*Are you able to tell me please: A) When will Deputy Dyke conclude his research into the issue? B) How much of a priority is it considered to be by your committee? C) Will any motion collated and compiled by the D+PA that seeks to amend policies of the IDP, be laid in front of the States Assembly for debate?*

### **Answer**

Sir,

Deputy Dyke will conclude his research shortly. This will then be considered by the Committee as a priority. Pending that consideration, it is premature to speculate on any further steps which the Committee might decide to take. If anything were to change then it would have to come to the States.

Date of Receipt of the Questions: 31 January 2022

Date of Reply: 14 February 2022