

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

I would like to respond to the following questions submitted by Deputy Steve Falla pursuant to Rule 14 of the Rules of Procedure.

Question 1

What degree of expert input is sought and what level of public consultation takes place when producing a Local Planning Brief?

Answer

To produce a Local Planning Brief for the Harbour Action Areas, the Authority will seek to procure the services of a consultant with particular expertise in the development of Local Planning Briefs or similar documents particularly for coastal, harbour or waterside settings of comparable size and strategic importance.

The Local Planning Brief process is set out in Legislation, Ordinance and Regulation and includes the requirement for an independent planning inquiry and adoption by the States. The legislation includes requirements for notification, publication, and opportunities for representation. The development of a Local Planning Brief would include engagement with relevant stakeholders, experts and usually engagement with the public would be expected as part of evidence gathering to inform the brief process.

Question 2

How can the Local Planning Briefs for the St Peter Port and St Sampson's Harbour Action Areas be produced without a States' decision on the future of the harbours?

Answer

The Strategic Land Use Plan requires the Island Development Plan (IDP) to provide a strategy for the Harbours beyond their functional requirements which will balance competing demands. The States has brought this forward through its land use policies in the IDP which require Local Planning Briefs to be produced for the two Harbour Action Areas and for development proposals within those areas to then comply with them. Until Local Planning Briefs are in place no development can come forward in these areas unless it is minor or would not adversely impact the development of a Local Planning Brief. As part of the Local Planning Briefs process evidence will be gathered to underpin and inform their development. That evidence will include the functional and operational requirements of the Harbours.

The Authority has submitted an amendment to the Development Agency policy letter with the intention, if the States agree, of deferring preparation of the Local Planning Briefs until

after direction has been provided by the States as to the future development of commercial port infrastructure, encompassing at least the nature of required facilities and their general location, which will have a fundamental effect on the drafting of the Local Planning Briefs.

Question 3

Is the timeline to develop these Local Planning Briefs by December 2022 realistic (as per proposition 5 of the Policy and Resources policy letter "Establishment of a Development Agency)? If not, what would be a more realistic timeline?

Answer

The Local Planning Brief/s for the Harbour Action Areas is an important and complex piece of work the process and requirements for which are set out in legislation. The Authority has submitted an amendment to the Development Agency policy letter with the intention, if the States agree, of deferring preparation of the Local Planning Briefs to within 18 months after direction has been provided by the States as to the future development of commercial port infrastructure, as described in the answer to Question 2 above, which will allow an achievable period for preparation and completing the required statutory process following that direction.

Question 4

Will the Authority require any additional budget to conduct this exercise, for example to purchase expert input? If so, how much?

Answer

The Local Planning Brief for St Peter Port Harbour Action Area is already funded. There is an open programme with a £300,000 budget allocation. The Development Agency policy letter clarifies that the St Sampson Harbour Action Area Local Planning Brief has funding allocated to it in the Government Work Plan and which will be provided to the Development and Planning Authority at their formal request to begin this work.

Date of Receipt of the Questions: 16 February 2022

Date of Reply: 17 March 2022