



# BILLET D'ÉTAT

WEDNESDAY, 25th SEPTEMBER 2013

XVIII  
2013

## Volume 2

### *APPENDICES*

1. Guernsey Overseas Aid Commission 2012 Annual Report, p. 1534
2. Planning Appeals 2012 Annual Report, p. 1590
3. Policy Council- Guernsey Quarterly Inflation Bulletin, p. 1635



**POLICY COUNCIL****GUERNSEY OVERSEAS AID COMMISSION - ANNUAL REPORT 2012**

The Policy Council has received the Guernsey Overseas Aid Commission's 2012 Annual Report which is attached for publication as an appendix to the Billet d'Etat.

P.A. Harwood  
Chief Minister

1<sup>st</sup> July 2013

J. P Le Tocq  
Deputy Chief Minister

G. A St Pier	K. A. Stewart	M. G. O'Hara	R. W. Sillars	R. Domaille
M. H. Dorey	D. B Jones	P. A. Luxon	A. H. Langlois	



# Guernsey Overseas Aid Commission

## 2012 Annual Report



***“Helping the world’s least developed countries through a hand up rather than a handout”***

Index to photographs on front cover	
<b><i>New Way</i></b> – Sasame rock catchment dam extension, Turkana, Norther Kenya	<b><i>Mission Aviation Fellowship</i></b> – Expansion of airbase in Juba, South Sudan
	<b><i>Leprosy Mission</i></b> – Restoring vision in Purulia (West Bengal) and Naini (Uttar Pradesh), India through nd YAG ophthalmic laser machines
<b><i>CAFOD</i></b> - Improving water, sanitation and hygiene in Binga, Zimbabwe	<b><i>HelpAge International</i></b> - Health access for older people and their dependants in Bahi and Dodoma, Tanzania

## INDEX

Section	Contents	Page
	Chairman's Introduction	5
1	Commission Membership	6
	The Commissioners	6
2	Staff Changes	7
3	Commission Budget	8
4	2012 Grant Aid Awards	8
5	Project Outcomes from 2012 Grant Aid Awards to Channel Island-based charities	14
	Ellen Jane Rihoy Charitable Trust	15
	Good News Trust!	17
	Hope for a Child	18
	Inter Christians' Fellowship Evangelical Mission	20
	Tumaini Fund	22
	WASOT UK International	23
6	2012 Disaster Emergency Relief Awards	25
	ActionAid	25
	RED International	27
7	Review of the Commission's Policies and Procedures	27
8	Looking Forward	28

## APPENDICES

1	Projects supported under the Commission's Grant Aid Scheme in 2013	31
2	Projects rejected under the Commission's Grant Aid Scheme in 2013	37
3	Grant Aid Policy (with effect from 1 <sup>st</sup> May 2013)	43
4	Disaster Emergency Relief Policy (with effect from 1 <sup>st</sup> May 2013)	54

## Chairman's Introduction

I am delighted to present my first Annual Report as Chairman of the Guernsey Overseas Aid Commission.

I am indebted to my former colleagues, Carol Steere and Geoff Mahy, who served as the Commission's Chairman during 2012 and to the Commissioners, José Day, Michael Dene, Ian MacRae, Glyn Allen, Tim Peet and Steve Mauger as this report covers the work they undertook, on behalf of the States and people of Guernsey in 2012.

The underlying purpose of the contributions made by the Commission has always been,

*"To support projects which will help to provide the basic needs of the world's least developed countries or to help the indigenous population to provide those needs."*

The Commission has always sought to direct its contributions to projects which will generate a lasting and sustainable improvement in the living conditions for the communities receiving the aid. This ethos underpins how all applications for Grant Aid are assessed and is reflected in the assessment process and criteria and can be summarised as offering a "hand up" to some of the world's least developed areas rather than simply giving them a "hand out".

The format of the 2012 Annual report has been revised and I hope that it helps the reader to gain a full understanding of the scope of the Commission's work and most importantly the difference funding from Guernsey is making to the lives of some of the world's poorest and most vulnerable communities.

When preparing the Annual Report, the Commissioners decided that the 2012 Annual report should also provide an overview of the outcomes of Grant Aid funded projects. In 2012 some eighty different projects received funding and, as it is not possible to report back on all of them, this Report highlights those projects undertaken by Channel Island-based charities.

In future years, the Commission will report on projects undertaken by the many other charities which receive funding for such development projects.

Deputy Mike O'Hara  
Chairman  
Guernsey Overseas Aid Commission

## 1. Commission Membership

In May 2012, following an internal review of governance of the Guernsey Overseas Aid Commission, the Policy Council resolved to limit membership of the Commission to two terms of four years. The result of this policy change meant that four of the Commissioners would be ineligible from standing again. Prior to the policy change, Mrs. José Day, Mr. Ian MacRae and Mr. Glyn Allen had indicated that they were happy to serve a further term. A fourth Commissioner, Mr. Michael Dene, M.B.E., had advised the Commission's Chairman and the Policy Council that he would not be seeking re-appointment.

The Commission wishes to record its deep appreciation to Mrs. Day, Mr. Dene, Mr. MacRae and Mr. Allen for over fifty years of combined service to the Commission and the former Overseas Aid Committee. Mrs. Day and Mr. Dene had served for nearly twenty years each and Mr. MacRae and Mr. Allen had each served for eight years.

The Commission, the States of Deliberation, the people of Guernsey and all those who have benefited from projects funded through the Commission's Grant Aid and Disaster Emergency Aid awards, are indebted to the many, many hours each of the former Commissioners devoted to reading, scrutinising and assessing each application for aid. Each Commissioner brought his or her own understanding, knowledge and experience of either the country or region where a project was to be undertaken and the purpose and objective of each one to the Commission's decision making process and learnt from each other. This is a legacy they have passed onto the two Commissioners, Mr. Tim Peet M.B.E. and Mr. Steve Mauger, who were appointed in 2004, and who, in turn are passing onto the four Commissioners appointed in July 2012.

In March 2012, the Policy Council advertised for anybody interested in being appointed to the Commission to write to the Policy Council outlining their reasons for wishing to serve as a Commissioner. The advertisement stated that whilst there are no formal qualifications for appointment, a proven commitment, interest and experience of overseas aid-related matters was highly desirable.

The Policy Council received fourteen letters expressing an interest and following a selection and interview process In July 2012, the States of Deliberation supported the Policy Council's recommendation that Mr. Philip Bodman, Miss Judy Moore, Dr. Nick Paluch and Ms. Teresa de Nobrega be appointed as Commissioners to serve until 30<sup>th</sup> June 2016.

### *The Commissioners*

**Mr. Tim Peet** was a surgeon practising in Guernsey prior to his retirement in 1999. Since retiring, he has been closely involved with the teaching of surgical skills in East Africa, including tutoring and operating with Ugandan doctors. In 2011, Mr. Peet's work in East Africa was recognised by Her Majesty and he was awarded an M.B.E. in the Queen's Birthday Honours. Mr. Peet is the Commission's Vice-Chairman.



**Mr. Steve Mauger** is employed as a Membership Advisor at Beau Sejour and also delivery driver for the Island's main Fairtrade shop. He has been an active supporter of Christian Aid for over 30 years, acted as its Bailiwick of Guernsey Organiser, supported Traidcraft and has been involved with Fairtrade since 2005.

**Mr. Philip Bodman** is an accountant and graduate in agricultural economics, with ten years experience in overseas development work in Peru, Honduras and Papua New Guinea. Mr Bodman work with the UK's Overseas Development Administration (the predecessor to the UK Department for International Development). Mr. Bodman is also Missions Treasurer at Holy Trinity Church and the Church's Mission Fund provides support to overseas projects.

**Miss Judy Moore** is one of the Programme Leaders with the Institute of Health and Social Care. She has taught disaster preparedness activities in Sri Lanka, and been directly involved in supporting small projects undertaken in Sri Lanka. Miss Moore has been a volunteer with St John Ambulance for over 30 years and has used that experience to support her voluntary work overseas.

**Dr. Nick Paluch** is a semi-retired Medical Practitioner and in 2007 was called to the English Bar as a non-practising Barrister of Lincoln's Inn. He has undertaken volunteer work in less developed countries whilst also maintaining an independent involvement in fundraising and overseas aid support activities, including visiting several projects that have benefitted from financial support provided by Guernsey.

**Ms Teresa de Nobrega** was called to the Guernsey Bar in 2011. She has experience of both visiting less developed countries and initiating various charitable fundraising activities. She is an active local supporter of a number of NGOs including UNICEF, the International Red Cross and Amnesty International.

## 2. Staff Changes

In September 2012, Mr. Donald Eddie resigned as Secretary to the Commission. Mr. Eddie had served as Secretary since January 2010.

Mr. Eddie had a great personal interest in overseas aid and this was reflected in the commitment and understanding he brought to his role. Also, his ability to keep abreast of the various name changes for many of the countries in which the projects are located was second to none and will undoubtedly be missed.

The Commission wishes to formally record its sincere appreciation to Mr. Eddie for his hard work, commitment, support and advice to the Commissioners.

Mr. Eddie was replaced by Ms. Elizabeth Dene. Ms. Dene is an experienced civil servant and her appointment is on a half-time basis. Ms. Dene is based at Sir Charles Frossard House and, whilst appointed to the Commission on a part-time basis, is available daily during office hours to deal with any enquiries that arise.

### 3. Commission Budget

In January 2012, the States of Deliberation resolved,

*"1. That the States of Guernsey maintain its current level of contribution (+RPIX) per annum.*

*2. That the States of Guernsey monitor the level of Overseas Aid expenditure with a view to reconsidering it once there is a higher degree of certainty over corporate taxation and when the fiscal position improves, or within 5 years, whichever is sooner."*

The Commission's Grant Aid Budget for 2012 was £2,600,000 and its Disaster Emergency Relief budget was £200,000.

The Commission is grateful to the States of Deliberation that, despite a challenging economic climate and budget cuts across States Departments, this remains an important area of Guernsey's international profile. The Commission believes that through its Grant Aid programmes positive and lasting changes are made to the lives of some of the world's poorest people.

### 4. 2012 Grant Aid Awards

In 2012 the Commission received 185 applications from 109 different charities and humanitarian agencies.

The applications came from large well-known charities as well as many small charities, including several charities registered in Guernsey and Jersey or with strong Channel Island links, e.g. charities which have been set up by former Guernsey residents.

The applications for Grant Aid amounted to £6,433,076 and ranged from applications for £4,400 towards the costs of shipping a container from Guernsey to Tanzania to a number of applications for £40,000 (the Commission's general maximum level for Grant Aid awards).

The Commission approved funding for 80 individual projects for a range of projects (see Appendix 1 for the details of the projects the Commission supported in 2012 and Appendix 2 for the details of the unsuccessful applications). Many of the projects which did not receive funding were excellent applications but the Commission's budget did not allow it to support every project it assessed as meriting a Grant Aid award.

Table 1 provides an overview of the Grant Aid awards by project category and region. Nearly 70% of all awards were for projects in Africa. These figures compare to 66.7% of all applications for Grant Aid received in 2012 being for projects in Africa, 11.8% being located in the Indian Sub-Continent, 2.3% in Latin or South America, 1.6% in the Caribbean Islands and 17.6% for projects in Asia and the Pacific.

<b>Table 1</b>	<b>Africa</b>	<b>Indian Sub-Continent</b>	<b>Latin America</b>	<b>Caribbean Islands</b>	<b>Asia and Pacific Regions</b>
Agricultural, horticultural and fishery projects	6	1	3		1
Education and training	12	--	--		1
Health care, vaccination and disease prevention programmes and public health	17	1	--		7
Integrated development, including water and sanitation projects	21	2	--	1	7
<b>TOTAL PROJECTS</b>	<b>56</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>16</b>

**Figure 1 - Distribution of 2012 Grant Aid by Region**

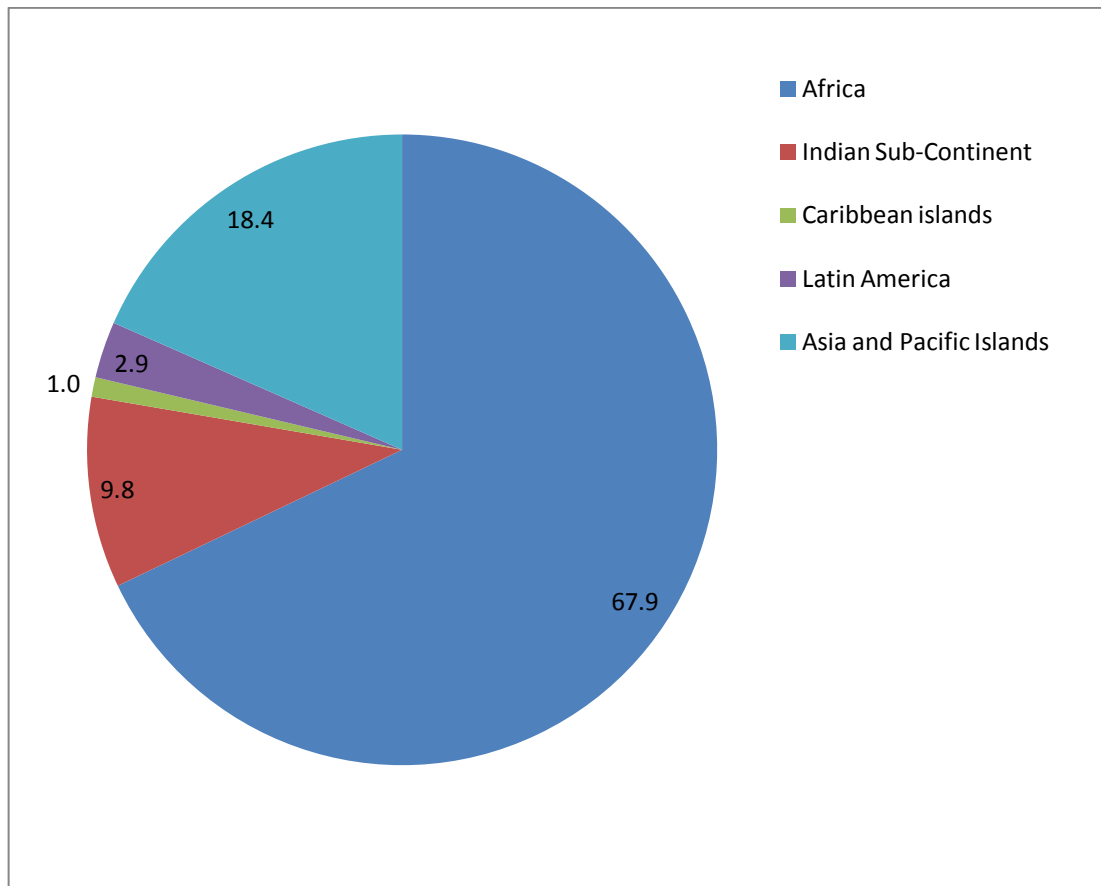
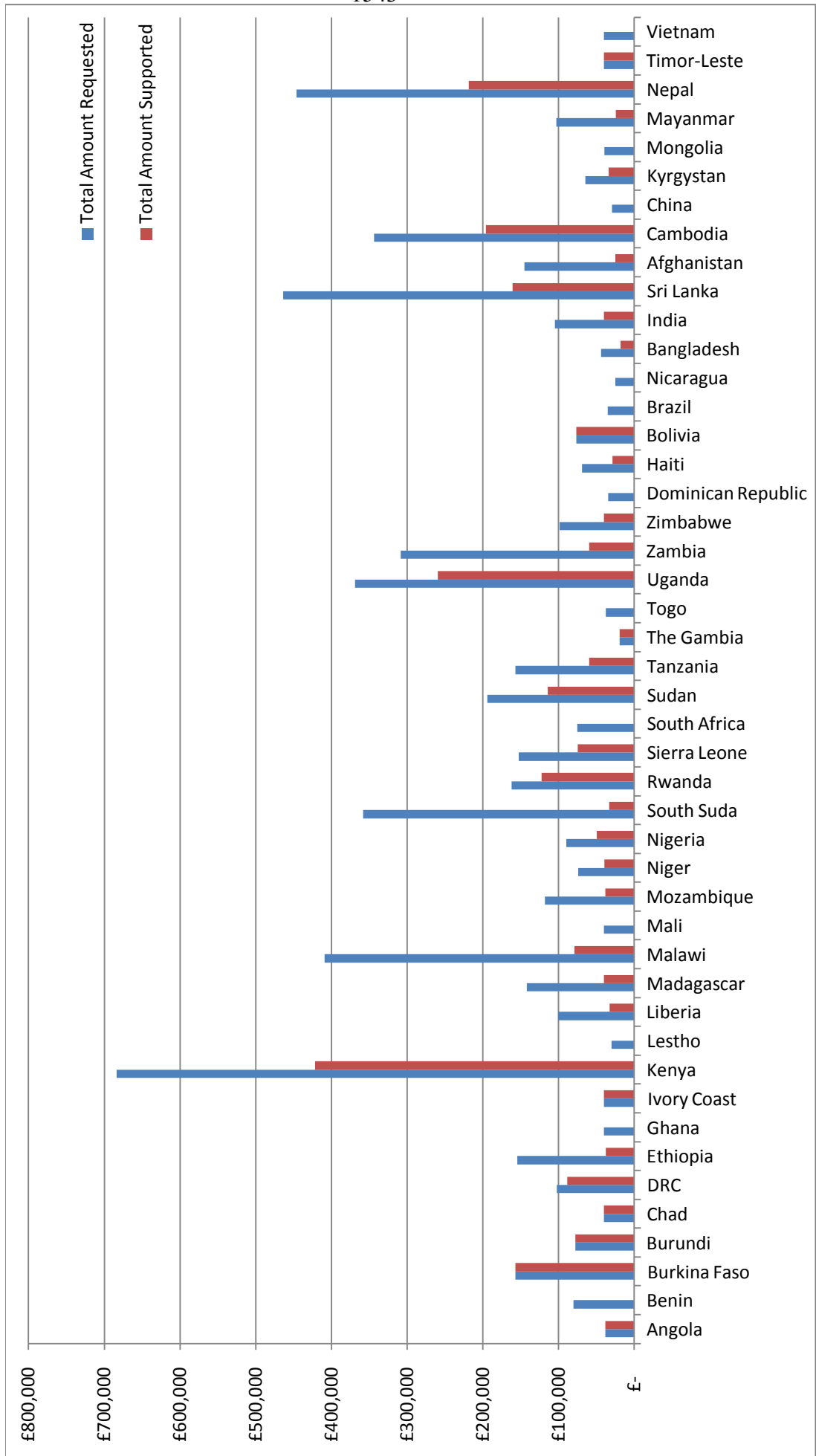


Figure 2 provides an overview of the distribution of the total amounts of Grant Aid requested and the value of awards made by the Commission by country.

Figure 2 - Distribution of 2012 Grant Aid requests and awards by country



The Commission supported projects which will deliver humanitarian aid to improve a community's basic living needs and conditions.

The Commission has four broad categories for the projects it considers for funding and examples of the types of projects which may qualify for funding are set out below.

**(i) *Agricultural, horticultural or fishing projects***

These projects may include:

- Protecting the land from e.g. desertification, leaching, deforestation, etc
- Providing conservation and environmental rehabilitation programmes and training in improved agricultural techniques to counter problems caused by droughts, flooding and deforestation leading to soil erosion and desertification, etc
- Providing a sustainable source of employment and income for the community
- Enabling the community to reduce any dependency on food aid, etc.

**(ii) *Health care, vaccination, disease prevention programmes and public health***

These projects may include:

- Providing local access to basic health services, in particular where this is related to services targeting reducing the spread of preventable diseases, the spread or management of HIV and AIDS infection, maternity and obstetric care, etc
- Enabling medical staff already working in the area to deliver basic health care services to more people or across the wider geographic area
- Reducing the incidence of infant mortality and childhood deaths
- Eradicating preventable diseases such as malaria and eye conditions such as trachoma, glaucoma and diabetic retinopathy
- Establishing new or extending existing health service facilities, including clinics and hospitals.

**(iii) *Education and training projects***

These projects may include:

- Establishing or extending existing schools or other educational facilities
- Enabling teachers already working in the area to deliver basic educational services to more people or across the wider geographic area
- Providing long-term training opportunities to enable the local community to reduce its dependence on other forms of short-term aid and so increase the community's self-sufficiency and long-term sustainability.

**(iv) *Integrated development projects including***

**(a) *Sustainable supply of clean water***

These projects may include:

- Providing wells, water pumps and other sources of clean water close to established communities and settlements

- Supporting other long-term humanitarian aid projects, e.g. by providing a source of water for irrigation for agricultural and horticultural projects, etc
- Improving the quality and/or sustainability of any existing sources of water
- Reducing the requirement for communities to travel long distances to obtain water
- Reducing the likelihood of water-borne diseases or illness.

**(b) Basic sanitation facilities**

These projects may include:

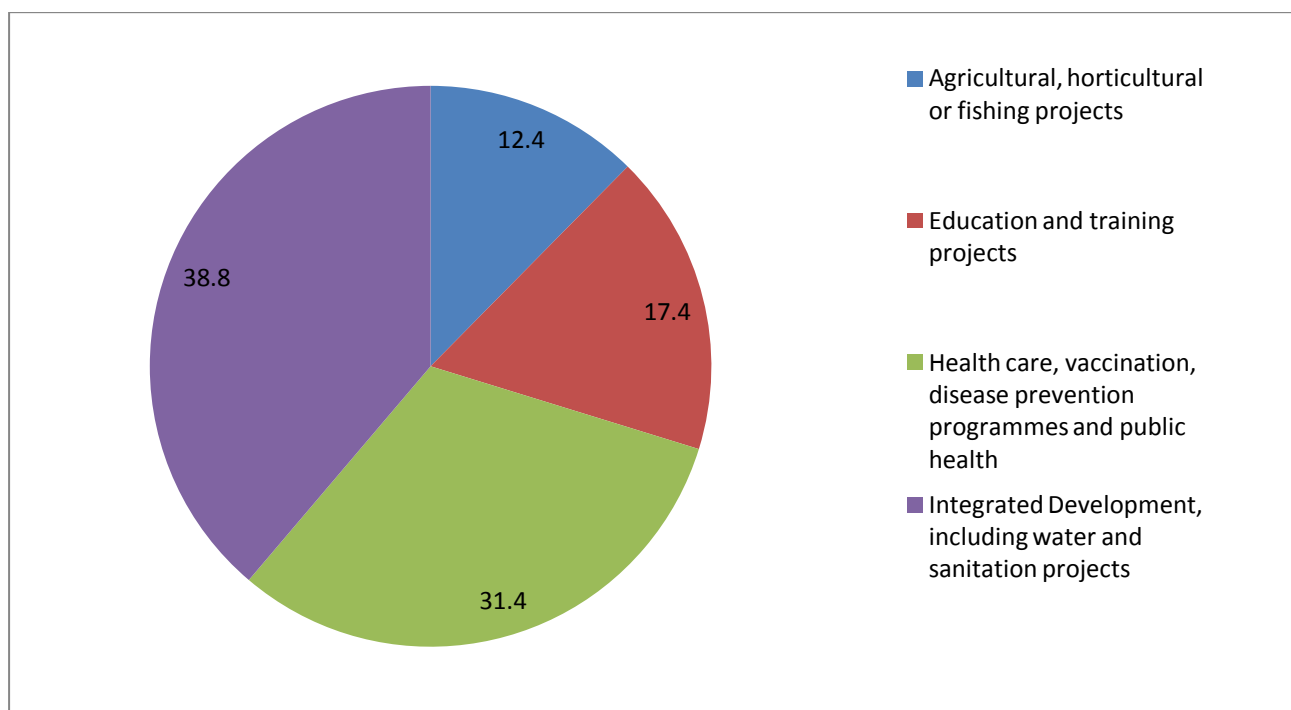
- Clean water projects
- Reducing illness and disease as a result of the unmanaged disposal of sewages, etc
- Other long-term or sustainable aid projects, particularly where linked to health and medical care and educational projects.

**(c) Other types of projects**

These projects may include:

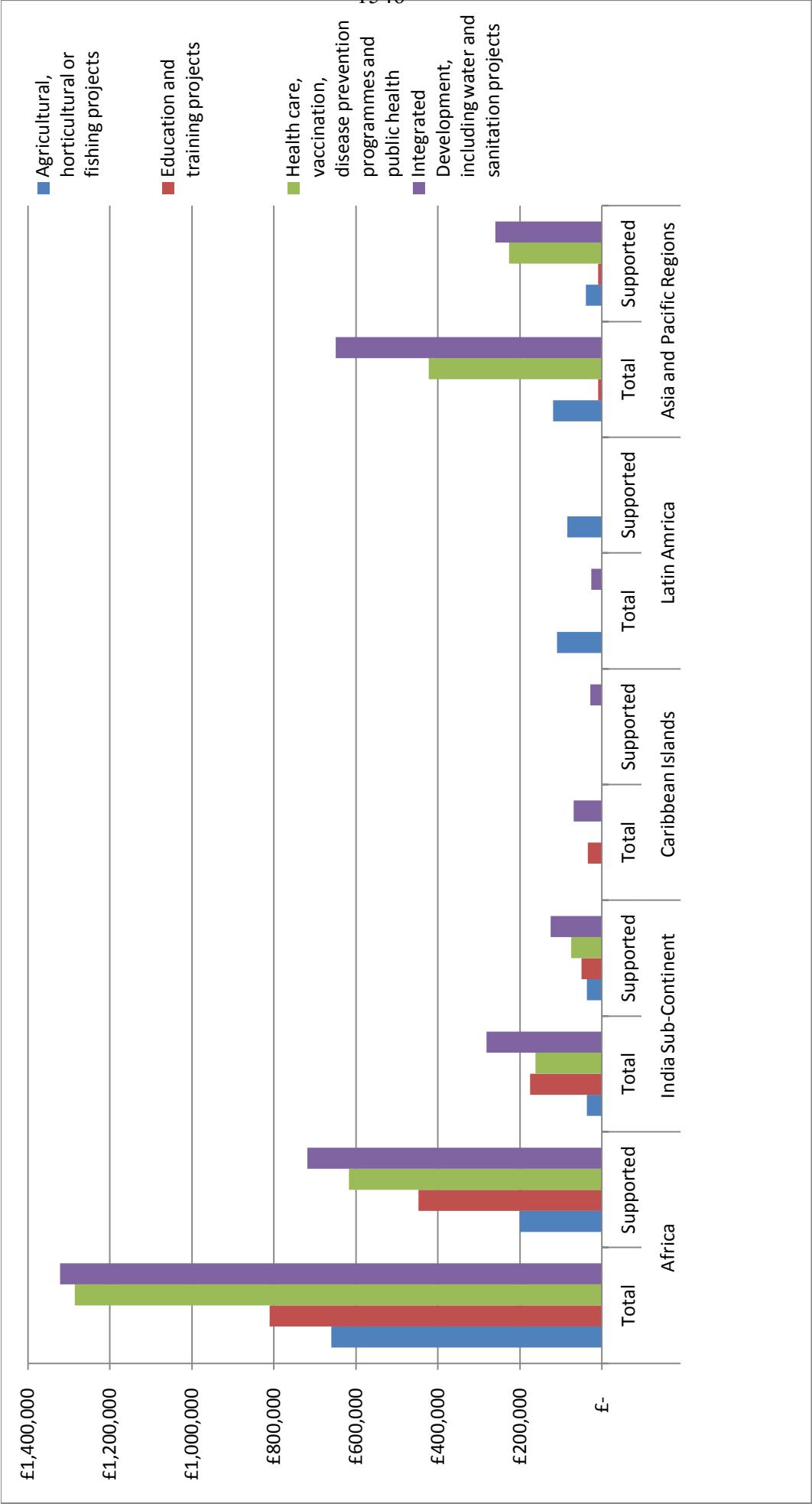
- Improving disaster preparedness, particularly in areas which are at a high risk of natural disasters, including floods, earthquakes and hurricanes
- Rehabilitation projects following a period of war, conflict or in areas rebuilding their basic infrastructure following a period under oppressive political rule, etc
- Rotating loan funds, micro-credit unions, village savings scheme.

Figures 3 and 4 show how the Commission's 2012 Grant Aid budget was distributed across the four project categories. Figure 3 shows what percentage of the Commission's Grant Aid budget was spent on each category of project. Figure 4 provides an overview of the requests for Grant Aid by project type against the projects which received funding from the Commission.



**Figure 3 - Percentage Distribution of 2012 Grant Aid by Project Category**

Figure 4 - Distribution of 2012 Grant Aid by Project Category



## 5. Feedback from 2012 Grant Aid Awards

An integral aspect of all Grant Aid awards is a requirement for the charities to provide two reports. This is an obligatory requirement for every Grant Aid award and non-compliance with the reporting requirements will result in the Commission not accepting any further applications for funding from the charity until all outstanding reports have been submitted.

The first report must be submitted part way through the project. As most projects are delivered over a 12 month period, this report is generally submitted approximately six months after the commencement of the project.

The interim reports provide an overview of the progress of the project. The charity is required to indicate how work on delivering the project is progressing against the objectives set out in its application for funding and must include details of how and how much of the Grant Aid award has been spent. Where feasible, the Commission encourages a charity to include photographs of the project and also to address how the delivery of the project is benefiting the community. The Commission recognises that for construction projects such benefits may not be apparent during the construction stage.

The second report must be submitted on completion of the project or within fourteen months of the date of the award (whichever is the earliest date).

The final report must include an overview of the full delivery of the project and how the overall objectives of the project have been achieved. The Commission also requires the charity to provide a budget showing the final costs against the approved budget.

The report must also address how the project has and will continue to benefit the community. This should include reference to both direct and indirect beneficiaries and these numbers should be referenced against the anticipated numbers of direct and indirect beneficiaries set out in the approved application. If the number of beneficiaries is different from the approved application, the report should explain why the differences have arisen.

Copies of the final reports for each of the projects funded in 2012 can be found on the Commission's website – [www.gov.gg/overseasaid](http://www.gov.gg/overseasaid).

In 2012, the Commission funded seven projects submitted by charities wither registered in the Channel Island or with strong connections to the Islands (four from Guernsey and three from Jersey).

The seven awards amounted to £192,762 (7.4% of the Commission's Grant Aid budget). Table 2 below provide a synopsis of the seven projects.



Charity	Project Category	Project	Grant Aid award
Ellen Jane Rihoy Charitable Trust	Education	Segera schools infrastructure development project, Uaso Nyiro Primary School, Laikipia East, Kenya	£30,209
Good News! Trust	Education	God Agulu Primary School, Oyugis, Kenya	£39,593
Hope for a Child	Integrated Development	Helping families and communities rise from poverty, rural Uganda	£36,095
Inter Christians' Fellowship Evangelical Mission	Health	Developing rural health services in Bungoma, North Kimilili, Western Kenya	£39,693
Tumaini Fund	Education	Assistance with costs of shipping container of educational for schools in the Kagaren District, Tanzania	£4,400
WASOT- UK international	Integrated Development	Community women and children support groups empowerment project, Nyando and Muhoroni, Kenya	£19,224
WASOT- UK international	Health	Water, sanitation and hygiene integrated project, Kisumu and Siaya Counties, Kenya	£23,548

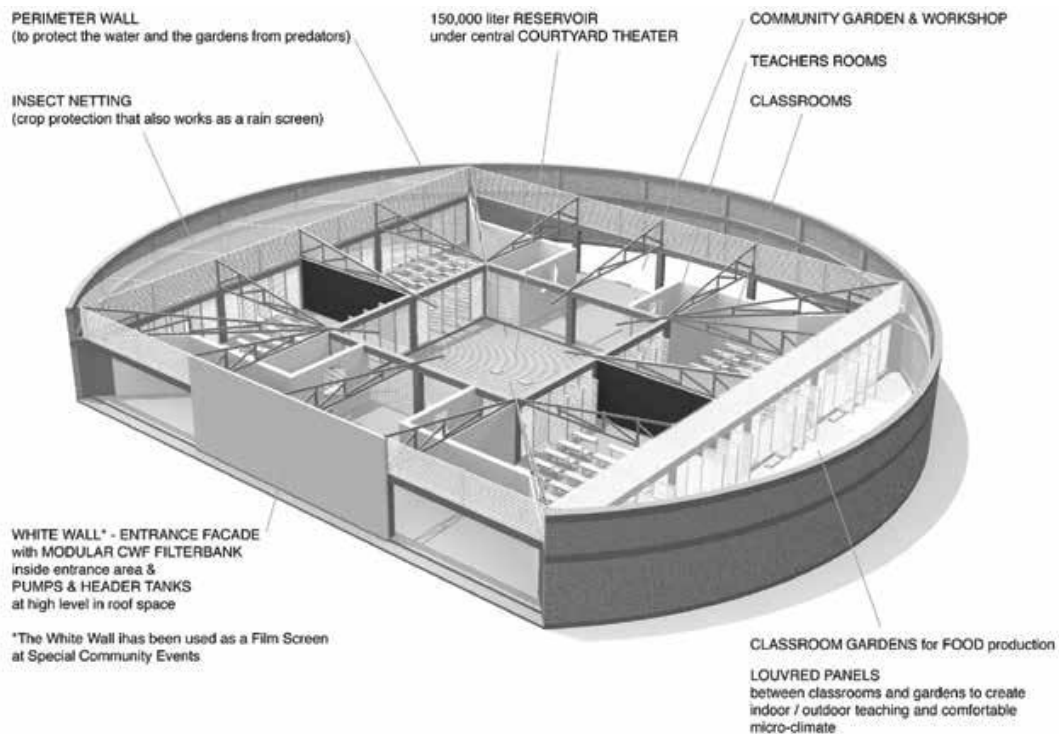
The Commission has received update and final reports from each of the charities, setting out how work on delivering the project is progressing and how the benefits of the Commission's funding is already improving the lives and basic needs of the communities where the projects are located. A brief synopsis of each of the projects is set out below.

***Ellen Jane Rihoy Charitable Trust - Segera schools infrastructure development project, Uaso Nyiro Primary School, Laikipia East***

The Ellen Jane Rihoy Charitable Trust is a Guernsey registered charity established by Rihoy and Son Building Contractors which supports projects in the Laikipia district in eastern Kenya. Since 2000, the charity has been providing financial support to improve the livelihoods and opportunities by supporting institutions that have demonstrated that, with a small amount of initial seed funding and external support, they have the energy, commitment and dedication to address the problems facing their own communities.

Uaso Nyiro Primary School in the Laikipia East district of Kenya, was jointly funded by the Commission and the Zeitz Foundation, with Guernsey-based charity, the Ellen Jane Rihoy Trust, facilitating the project and acting as financial administrator. The school has facilities to educate 700 children and this includes four classrooms, teachers' rooms, vegetable gardens, a courtyard theatre, workshop and community space, which will be used for health projects and other local initiatives that strengthen the school and local community.

The school, which is an area with just 600mm of rainfall a year, has also been designed to ease water shortages by using an innovative system to collect, store and filter rainwater. The unique “Waterbank” design will see the school’s 600m<sup>2</sup> roof catchment area collecting more than 350,000 litres of water each year.



**Picture 1 – WATERBANK school design**

Each of the students receives five litres of water a day with the aim of reducing illness and malnutrition and in turn lead to fewer school absences, improve study results and reduce youth unemployment. The construction of the school will also improve gender equality as the girls who typically spend hours collecting water will be able to attend school instead.



**Picture 2 – The Uaso Nyiro Primary School**

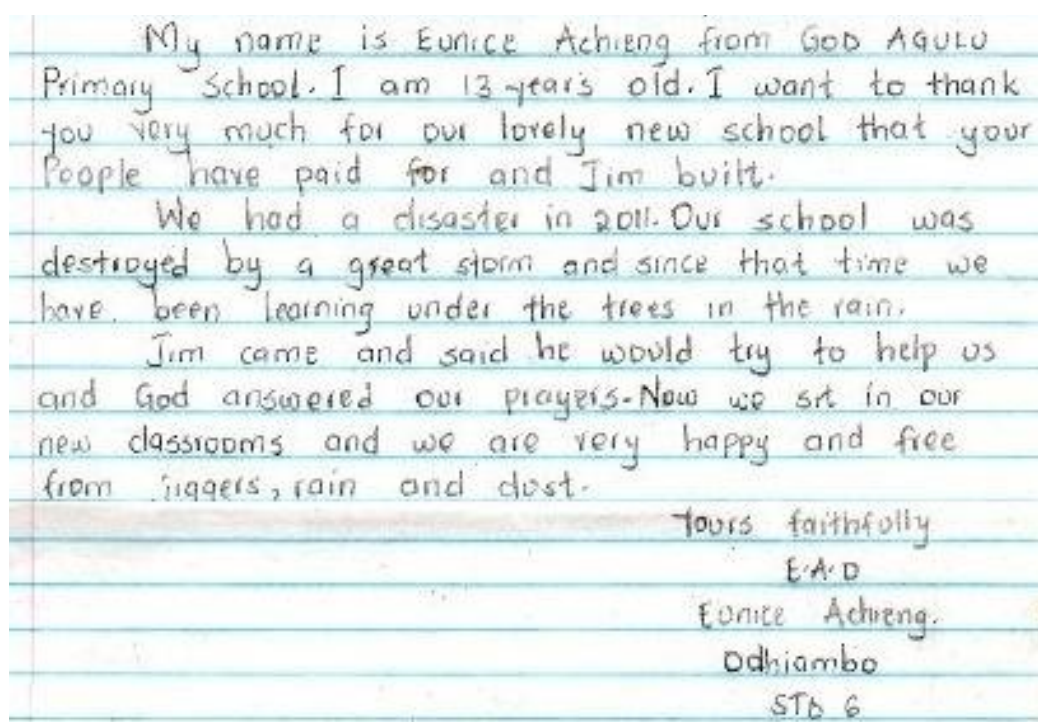
In May 2013, the Uaso Nyiro Waterbank School building was shortlisted, alongside another development for the US Green Building Council's "Earth's Greenest School" Award. This is significant accolade for a small project of this nature. The 2012 winner of this award was a multi-million dollar school development in Bali. Being shortlisted recognises the low cost of the school development (Uaso Nyiro school cost under US\$100 per square metre), that the design and technology are replicable globally and stand to make a real and sustainable contribution to school design in water scarce environments.

### **Good News Trust! - God Agulu Primary School**

The Good News Trust is a Jersey registered charity working principally in Kenya and Mozambique to relieve poverty and assist the poor in achieving their potential. In Kenya, it supports community development projects in Oyugis, a small town in Western Kenya near Lake Victoria. This included building schools, protecting springs for clean water and building latrines to improve sanitation. In Mozambique it works in partnership with the local church to run a day care centre for orphans and street children.

The Commission's award was to enable the charity to rebuild the original school which was destroyed by a freak storm. This meant that the children had had no option but to take their classes in the open air, being sent home when it rained. This school is the main feeder school to God Agulu Secondary School which the Commission funded in 2011. The charity's interim report, which was received in October 2012, stated,

*"The school is 10km from Oyugis and thankfully the road had recently been repaired which made access much easier. Firstly the position of the new school was changed after consultation, as this made the compound bigger. The community volunteers cleared the site and dug the foundations and the latrines."*



**Picture 3 – A letter of thanks to the Commission from Eunice aged 13 years**

### ***Hope for a Child - Helping families and communities rise from poverty, rural Uganda***

Hope for a Child is a Guernsey registered charity which aims to help the poorest people in Uganda and Malawi to rise out of poverty, by providing access to basic financial services. It provides local trainers, who help groups of mainly women to save their money, lend to each other and start businesses. The charity's philosophy is to provide help-up not a hand out.

The aim of this project is to support communities, households and individuals that suffer from the effects of poverty by providing a safe, simple and profitable community based financial service in the form of Village Savings and Loans (VSL).

Provision of these schemes enables individuals to help themselves, promoting empowerment rather than dependence. Households learn how to save and effectively manage their cash-flow. Providing poor rural households with access to financial services through the development of VSL methodology is intended to enhance child welfare. As households rise out of poverty they can afford to send children to school, buy mosquito nets, shoes and provide at least one good meal a day.

The charity is working in partnership with two local agencies:

- Rural Effort for Action in Development (READ) – based in the Nakasongola and Kiryangogo districts of Luwero county, and focusing on enabling the areas poorest people to improve their quality of life through VSLA schemes.
- National Union of Disabled People in Uganda (NUDIPU) – based in Bugiri county and specialising in assisting people with disabilities who are living in chronic poverty.

Through its partnership with READ nearly 70 VSL groups have been established supporting over 1,100 people. As a result of this initial work READ was already assisting the people to establish some 446 businesses and over 10,000 children had benefited indirectly from the Commission's funding because their families had improved financial stability to meet their day-to-day needs.



**Picture 4 – Bright Future Children Group, Tiiti Kigumba**



The charity's report also listed the following feedback from a number of individual beneficiaries of a Village Scheme Loan,

- One lady said she had been able to buy chicken feed meaning she had eggs to feed her children and was able to sell the surplus to further support her family
- Another lady had been able to buy mattresses and school uniforms for her ten children who are now able to attend school
- One man had purchased a saw and established his own timber business
- Another lady had purchased a sewing machine and established her own clothes making and repair business
- Another lady, looking after her orphaned grandchildren, had purchased a cow and was now able to support herself and her grandchildren by selling milk.

The partnership with NUDIPU had led to the appointment of five community-based trainers. These trainers had already overseen the creation of eight VSL groups which were assisting some 75 smaller groups, each comprising eighteen disabled people. The work was already promoting a saving culture and members were starting to set up small business ventures, including selling vegetables, repairing and making clothes and shoes and charcoal burning. The incomes from these businesses were already enabling some of the communities poorest people to become financial secure and in addition to meeting their day-to-day needs they were able to pay for schools fees and so hopefully secure a better future for their children.



**Picture 5 – Akih Ni Mali Watoto Saving Group, Group Tiiti Kigumba**

***Inter Christians' Fellowship Evangelical Mission - Developing rural health services in Bungoma, North Kimilili, Western Kenya***

The Inter Christians' Fellowship Evangelical Mission is an indigenous Kenyan organisation based in Kimilili, Western Kenya which has a strong Guernsey connection through St. Martin's Parish Church. The charity's aim is to transform rural communities through development and innovative provision of medical care, agricultural development, education, youth and family work, relief and welfare, education, savings and enterprise.

The interim report, which was received in October 2012, stated,

*“As soon as news of the grant reached the team the planning began and we visited government, private and mission hospitals in order to gain a good understanding of the best design of the buildings and lay out of the site. Rough plans were drawn up, with the aim to ensure that we provided a hygienic and compact surgical theatre for a wide range of operations.*

*On 11<sup>th</sup> September 2012 all the plans had been approved, signed, stamped and paid and the following day the foundations of the staff accommodation, both wards and theatre all started to be dug by the builders. Next the casting of the foundation slabs took place. Materials for this have had to be transported from all around the country. The stones arrived by the tractor load up the muddy road, with the builders sitting on top of them in the trailer. The cement travelled over 400 Km from Nairobi over pot holed roads. The lorry finally arrived and it was then down to a very dedicated team to unload 800 bags of cement. At 1.30am in the morning, and having stayed awake by drinking a lot of sugary tea, the task was finally accomplished!”*



**Picture 6 – Construction work on the foundations for the new hospital wards**

The final report stated,

*“Once completed the project will be providing care to disadvantaged rural communities. It is located within a region of high unemployment and poverty levels, so is providing local and accessible services to these patients.*

*The project has built on the working relationship with both the government and the local communities. Partnership working with the Government hospitals has advanced significantly over the project period. The local communities have been involved throughout this project. The combination of using local building materials and tradesmen has meant economic benefits leading to further improvements in quality of life for their families, enabling them to support themselves.”*



**Picture 7 – The completed new hospital wing**

***Tumaini Fund – Assistance with costs of shipping container of educational for schools in the Kagera District***

The Tumaini Fund is a Guernsey registered charity aiming to alleviate the suffering of the Aids widows and orphans in Kagera, the north-west province of Tanzania. The charity is run by local GPs, Drs. Douglas and Susan Wilson and it currently supports over 20,000 orphans.

The Commission's contribution to the Tumaini Fund was one of the smallest Grant Aid awards made in 2012. In her application, Dr. Wilson, the charity's founder, stated,

*"The Tumaini Fund's aim is to alleviate the terrible suffering of the Aids widows and orphans in the region. Average life expectancy is just 43, around a third of the population are HIV positive and a subsistence farmer earning around £55 each year and supporting up to eight family members.*

*Education was the only way for the youngsters to escape what was a hand-to-mouth existence. Primary schooling is free in Tanzania, but children cannot enrol unless they have school uniforms, books and pencils, which often makes it impossible. Just seven percent will go onto secondary education. We are currently supporting over 8,000 secondary school pupils at a cost of £250,000 a year."*

The £4,400 from the Commission allowed the charity to finalise arrangements for shipping a container of supplies donated by businesses and residents in Guernsey, including 200 computers donated by HSBC, medical supplies donated by the Princess Elizabeth Hospital and doctors surgeries, educational supplies given by schools, chemistry equipment donated by Blanchelande College and sports equipment from Fletchers Sports.

The container was donated by Rihoy and Son Building Contractors and Alderney Shipping have underwritten the shipping costs from Guernsey to Flexistowe. The Commission's grant will cover the shipping costs to Tanzania and transport from Dar es Salaam to Kagera.





**Picture 8 – Some of the Commissioners, with Mr. Jeremy Rihoy, Rihoy and Son, and Mr. Bruno Kay-Mouat, Alderney Shipping, help to pack the container**

The container arrived in Kagera on 14<sup>th</sup> May 2013 and was received with much excitement and great appreciation for the kindness of the people of Guernsey for their donations and support with the shipping and transport costs.



**Picture 9 – The container arriving and being unpacked in Kagera**

### ***WASOT- UK International - Community women and children support groups empowerment project, Nyando and Muhoroni***

WASOT- UK International is a UK registered charity with strong Jersey connections in that the charity was established in 2000 to support Dr. Hezron Mc'Obewa, a Keynan national who studied at Jersey's Victoria College in the late 1990s. The charity's aim is to provide support for a range of educational and healthcare projects in Ombeyi, near Kisumu, Kenya where Dr. Mc'Obewa now works as a doctor.



The project saw the construction of greenhouses for six post test groups targeting women and children living positive to address nutritional challenges they face while taking their anti retro viral drugs. The project also proposed to train the groups on how to manage greenhouse farming and on nutrition. The proceeding from the sale of the crops will be used to purchase food for the members of these groups. The project will benefit up to 120 women representing a total of 720-1000 persons directly, 250 Orphans and 30 men living with HIV. Twelve women were to be trained on management of greenhouse farming for future management and sustainability of the project.

The interim report, received in November 2012, identified the following achievements:

- Six green houses have been set up - three in both the Nyando and Muhoroni districts. Of these six, four have fully populated their greenhouses and expecting their first harvest. Two have been affected by flooding and have to restart the process through the help of agricultural extension officer who is working with the groups.
- Twenty four women leaders representing each of the six support groups of people living with HIV/AIDS have received training and continue to work on management, marketing and modern farming methods.
- Each greenhouse is providing full-time employment for three women
- The project employs up to eight women during peak harvesting times when tomatoes, English beans, peas, and kales are being harvested.



**Picture 10 – One of the three greenhouses built in Nyando**

In addition the report noted the following outcomes the charity had identified in delivering the project:

- This project is supporting some 120 households in villages where HIV/AIDS prevalence is high.
- With a new international airport in Kisumu the market for greenhouses and horticultural products is assured.

**WASOT- UK International - Water, sanitation and hygiene integrated project, Kisumu and Siaya Counties**

The project involved the construction of Ventilation Improved Pit Latrines (VIP) and hand washing stations within schools, churches and villages. The project seeks to improve the health status of people through education, training and encouragement of sanitation and hygiene practices, elimination of open defecation and expansion of the supply of safe water for drinking and washing amongst communities living in Greater Siaya and Kisumu.

The interim report, which was received in November 2012, identified the following initial achievements:

- Recruitment and training of field officers, public health officers, community health workers (and community leaders to deliver health and hygiene education leading to a reduction in number of cases of cholera, diarrheal illnesses etc.
- Organising and running hygiene education targeting women in households using participatory hygiene and sanitation transformation (water disinfection and storage, household waste management, and personal hygiene).
- Training of village and slum water and sanitation committees in management, system repairs, cost recovery, monitoring, and record-keeping to enable existing water points to be kept clean and free of contamination has been completed and executed.
- Installation of water storage tanks for rainwater harvesting in ten schools is complete and operational and additional sanitation facilities in local churches, schools and households to reduce spread of water borne disease and improve hygiene.



**Picture 12 – One of the toilet blocks built in Kisumu**

The interim report concluded that there remained tens of schools and village markets without proper sanitation and ablution blocks. The need for more investment in providing integrated water, sanitation and waste facilities remained a prime objective of the charity.

## 6. 2012 Disaster Emergency Relief Awards

The Commission's general policy for making Emergency Disaster Relief donations is to support the national public appeals launched by the UK Disaster Emergency Committee (the DEC) following a natural disaster or humanitarian crisis. It generally limits individual donations to £50,000 per DEC appeal.

The DEC did not launch any public appeals during 2012 in response to natural disasters or emergencies or a humanitarian crisis. However, in November 2012 the Commission received two requests for donations from its £200,000 Disaster Emergency Relief budget.

The Commission may make donations in response to natural disasters and humanitarian crises to individual charities outside of a DEC-led appeal. In such cases the Commission will liaise closely with the DEC to establish whether it is likely to be launching an appeal in the near future and, if not, its reasons for not doing so. The Commission will only consider such applications from charities with an established base in the region prior to the disaster or emergency, i.e. it requires the charity to be in a position commence the disaster emergency relief work immediately.

In addition, as a general rule the Commission will not make awards to individual agencies in the following circumstances:

- Where the Commission has already made a Disaster Emergency Relief award to the DEC for the same disaster or emergency.
- The disaster or emergency has not been widely publicised through the local or national media.
- Where, having reviewed how the charity proposes to spend the award, the Commission believes that an application for Grant Aid funding would be more appropriate.

### **ActionAid – To provide hygiene kits to families in Haiti following Hurricane Sandy**

The first request was from ActionAid UK from assistance following the passage of Hurricane Sandy through the Caribbean on late October 2012.

ActionAid has been working in Haiti for many years and following the 2010 earthquake it has been providing assistance to communities to help them to rebuild lives through the provision of new homes, schools, sanitation and water supplies and other basic infrastructure requirements.

In November 2012, ActionAid UK requested a contribution from the Commission towards its emergency response appeal to provide emergency food, shelter and sanitation kits for the poorest and most vulnerable people in Haiti. The application stated:

*“Between 24 and 26 October, Hurricane Sandy brought torrential rains and high winds to Haiti, causing widespread flooding and washing away people’s homes and farms. As well as the immediate damage caused by the hurricane, the destruction of crops and farms threatens to bring a grave food crisis. People have not only lost their current crops, but have lost seeds and equipment essential for next season’s harvest.”*

In considering the request, the Commissioners were mindful that Haiti is still struggling to recover from the devastating impact of the earthquake which struck the island in 2010. It also noted that ActionAid UK was already actively working in Haiti and so was able to divert its resources to respond to the immediate post-Hurricane Sandy needs without losing sight of the wide rehabilitation work needed.

The Commissioners were also very conscious that, as Hurricane Sandy had also hit the eastern seaboard of the United States of America, media attention had largely focused on New York and the surrounding area. This had meant that the devastation which Haiti and other Caribbean Islands had suffered had largely gone unreported. The Commission was concerned that as the damage in Haiti, an already extremely poor and vulnerable country, had not hit the media headlines this may mean that the fund raising efforts of ActionAid UK and other charities working in Haiti would not be as effective as may otherwise have been the case.



***“The hygiene kit I have received from ActionAid has the basics I need for my new baby who is due very soon. With the mosquito net my children will be safe from malaria and the chlorine and soap will keep our clothes clean.”***

**Picture 7 – Decillia with her hygiene kit**

In agreeing to make a donation of £25,000 to ActionAid UK’s Haiti appeal, the Commissioners were very conscious that the impact of Hurricane Sandy on Haiti had been felt all the more because the country was already very vulnerable and struggling to rebuild its infrastructure and housing following the massive earthquake in 2010.



In its report to the Commission, ActionAid included the following case study to demonstrate how the disaster emergency relief funding from Guernsey had been used to rebuild a family's lives following the hurricane. Since her husband moved to the Dominican Republic to find work Isenara has supported her five children from the crops she grows on their small farm,

*"Before the hurricane, farmers in the area made a good living from their farms. Produce from our lands was enough to allow us to feed our families all year round. When my husband left for the Dominican Republic, I took charge of our farmland where we grow plantain and sweet potatoes. With the income from the farm, I was easily able to support my family. But the hurricane storm just destroyed everything. And it is the same situation for almost all other farmers in the area. As we can no longer produce or sell crops, we also do not have money to buy any food"*

Following the hurricane, ActionAid Haiti provided Isenara with emergency food rations and seeds and tools to enable her to replace the crops lost during the hurricane,

*"In addition to the food I received, ActionAid also supported me with seeds and tools that I was in great need of. I now have a new machete and a new pick. I will be able to start over with my plantation and be able to provide for my family. Thank you so much for your support."*

### **RED International – To provide food and winter supplies to refugees fleeing from the civil conflict in Syria to Lebanon**

The second request was from RED International for assistance with work the charity was undertaking in the Lebanon and Jordan to support families fleeing the conflict in Syria. The applications stated.

*"Our partners in Lebanon and Jordan are now preparing for the next phase of the emergency relief project where they will provide both food and winter supplies to refugees who continue to arrive from Syria. We would like to ask the Guernsey Overseas Aid Commission to consider awarding a grant for Emergency Relief of £40,000 towards the relief project serving Syrian Refugees in Lebanon. This would support 420 families or around 2,900 individuals. Full details are in the enclosed proposal. We would of course, be grateful for any amount the Trustees would consider awarding to this project."*



**Picture 8 –  
Syrian  
refugees  
arriving in  
Lebanon**

**Picture 9 –  
RED  
International  
emergency  
food supplies**



The Commissioners concluded that the request did not satisfy the requirements of its policy for making such awards but agreed to make a contribution of £25,000 from its 2012 Grant Aid budget to assist with the work RED International was undertaking.

## 7. Review of the Commission's Policies and Procedures

In 2012, the Commission undertook a full review of its Grant Aid and Disaster Emergency Relief policies and its wider administration and governance, including:

- Objectives, policies, processes and administration;
- Compliance with regulations and policy;
- Reliability and integrity of data and management information;
- Monitoring, review and value for money; and
- Fraud risk management

### ***Postscript:***

*The Commission completed its review in early 2013 and presented its proposals for revisions to its various policies to the Policy Council. The approved revised policies are set out in Appendices 3 to 5.*

## 8. Looking Forward

During 2013, the Commission will be building on the review of its policies and procedures commenced in late 2012. The review has already resulted in a number of changes in how it discharges its mandate. However, the Commission is endeavouring to ensure that the charities applying for funding are kept informed of changes.

The Commission is also developing its website to ensure that its policies and decision making procedures are fully transparent. It is mindful that a great web-based presence may result in more charities applying for funding but it believes that this should be seen as a positive outcome in promoting Guernsey's long-standing commitment to overseas development.

In 2013, the Commission will also be focusing on how to develop programmes relating to the collection and distribution of funds involving the private and voluntary sectors in accordance with the second strand of its mandate. The Commission recognises that this aspect of its role will become increasingly important if the number of applications it receives increases as a result of its greater web presence.

The Commission is also very mindful that Islanders provide significant charitable support, including to several locally based charities that work to provide aid overseas. It acknowledges that Guernsey raises significant amounts of money each year for charities working in the world's least developed countries (ActionAid (Guernsey), Bridge2Haiti, Bridge2Sri Lanka, Christian Aid, Oxfam, the Red Cross, the Tumaini Fund, etc) and through public events such as the annual World Aid Walk.

Similarly, the Commission is aware of a number of existing programmes where Guernsey businesses actively support such charities. For example, a number of employers undertake pro bono work, e.g. auditing accounts, drafting trust documents, giving legal advice etc for charities and other support staff using their annual leave entitlement to work on overseas aid programmes, either by allowing them a period of paid leave of absence or assisting them with the financial costs of their trip, etc.

Finally, the Commission was very mindful that Guernsey is currently experiencing challenging economic circumstances and this may lead to comments that any funds and resources should be directed to local needs. However, despite such challenges and wealth distribution disparities across the community, Guernsey is a relatively wealthy community with a range of statutory and non-statutory agencies and organisations providing additional support. The Commission is very mindful that in the countries and regions receiving Grant Aid support there is no such safety net.

## APPENDICES

<b>1</b>	Projects supported under the Commission's Grant Aid Scheme in 2013	31
<b>2</b>	Projects rejected under the Commission's Grant Aid Scheme in 2013	37
<b>3</b>	Grant Aid Policy (with effect from 1 <sup>st</sup> May 2013)	43
<b>4</b>	Disaster Emergency Relief Policy (with effect from 1 <sup>st</sup> May 2013)	54



### Appendix 1 - Projects supported under the Commission's Grant Aid Scheme in 2012

Country	Region	Project Type	Agency	Project	Amount Granted
Angola	Africa	Integrated Development	Mines Advisory Group	Humanitarian mine action support in Moxico, Angola	£38,480
Burkina Faso	Africa	Education	PLAN International UK	Water, hygiene and sanitation in schools, Namentenga and Sanmatenga	£39,356
Burkina Faso	Africa	Health	WaterAid	Improving access to water and sanitation for people living in poor rural communities in Dori	£40,000
Burkina Faso	Africa	Integrated Development	Christian Aid	Livelihood support for communities affected by flooding, Namentenga and Sanmatenga Province	£38,047
Burkina Faso	Africa	Agriculture / Fisheries	Self Help Africa	Sustainable agriculture for improved food security, Kongoussi District, Bam Province	£39,600
Burundi	Africa	Agriculture / Fisheries	Christian Aid	Income generation through beekeeping, Karusi, Ruyigi and Gitega Provinces	£38,286
Burundi	Africa	Health	CORD	Increase access to clean and safe drinking water, Bujumbura Rural Province	£39,460
Chad	Africa	Integrated Development	CORD	Income generation activities for self reliance, Quaddai	£40,000
Democratic Republic of Congo	Africa	Education	Feed the Minds	Vocational and literacy skills for disadvantaged women, Fizi District	£9,668
Democratic Republic of Congo	Africa	Health	Save the Children Fund (UK)	Musaada Kwa Waamama (Help for our Mothers) - improving maternal and newborn health, North Kivu Province	£40,000
Democratic Republic of Congo	Africa	Health	Christian Aid	Bringing safe water to two communities in Maniema Province	£38,922
Ethiopia	Africa	Health	ORBIS Charitable Trust	Elimination of blinding trachoma project – Gamo Gofa Zone, Konso and Derashe	£37,339
Kenya	Africa	Education	Ellen Jane Rihoy Charitable Trust	Segera schools infrastructure development project, Uaso Nyiro Primary School, Laikipia East	£30,209
Kenya	Africa	Education	Excellent	School water tanks, Kibwezi, Mukaa and Makindu	£38,403
Kenya	Africa	Education	Good News! Trust	God Agulu Primary School, Oyugis	£39,593

**Copies of the final reports for each of the projects funded in 2012 can be found on the Commission's website – [www.gov.gg/overseasaid](http://www.gov.gg/overseasaid)**

Country	Region	Project Type	Agency	Project	Amount Granted
Kenya	Africa	Education	PLAN International UK	Safe sanitation in schools, Masinga and Matungulu	£39,839
Kenya	Africa	Health	Funzi and Bodo Trust	Improving mother and child health, Funzi Island and Bodo, Coast Region	£16,300
Kenya	Africa	Health	Inter Christians' Fellowship Evangelical Mission	Developing rural health services in Western Kenya, Bungoma North Kimilili	£35,653
Kenya	Africa	Health	WASOT- UK International	Water, sanitation and hygiene integrated project, Kisumu and Siaya Counties	£23,548
Kenya	Africa	Integrated Development	ACORD	Enhancing water access and food security for poverty reduction and peaceful co-existence in Loitokitok District	£40,000
Kenya	Africa	Integrated Development	Akamba Aid Fund	Twikoli and Wikimuu Water, Health and Education Project, Kyuso District	£28,000
Kenya	Africa	Integrated Development	NEW WAYS	Construction of extension to rock catchment dam to provide increased capacity to permanent water source, Turkana	£39,727
Kenya	Africa	Integrated Development	Out of Afrika	Food security for improved access to education, Thika, Kibwezi and Masongeleni	£27,065
Kenya	Africa	Integrated Development	WASOT- UK International	Community women and children support groups empowerment project, Nyando and Muhoroni	£19,224
Kenya	Africa	Integrated Development	World Vision UK	Sangailu water project, Ijara	£37,686
Liberia	Africa	Integrated Development	British Red Cross Society	Improving access to safe water, Grand Bassa, Margibi, Montserrado	£32,653
Madagascar	Africa	Integrated Development	WaterAid	Increasing the Quality of Life for Poor People living in Rural and Remote Villages in Antanifotsy	£39,925
Malawi	Africa	Health	Interact Worldwide	Preventing mother-to-child transmission of HIV in Malawi, Salima District	£39,893
Malawi	Africa	Integrated Development	World Vision UK	Namachete water and sanitation project, Zomba	£39,479
Mozambique	Africa	Health	UNICEF	Distribution of mosquito nets to prevent malaria - Manica, Gaza, Tete, Sofala, Niassa and Zambezia	£38,291
Niger	Africa	Education	Oxfam	Improving access to and quality of education in agro-pastoral community schools, Tillabery Region	£39,425

Country	Region	Project Type	Agency	Project	Amount Granted
Nigeria	Africa	Education	Stepping Stones Nigeria	Providing access to post-primary education for rural and disadvantaged children, Uquo, Akwa Ibom State, Niger Delta	£13,192
Nigeria	Africa	Integrated Development	Leprosy Mission	Kabawa education and sanitation, Kogi State	£36,583
Rwanda	Africa	Health	Health Poverty Action	Promoting water, sanitation and hygiene, Nyaruguru District	£40,000
Sierra Leone	Africa	Agriculture / Fisheries	British Red Cross Society	Building food security for vulnerable rural groups in twelve districts of Sierra Leone	£39,482
Sierra Leone	Africa	Education	Waterloo Schools Charity	Science, technology and vocational training department phase two, Peninsula Secondary School, Waterloo District	£40,643
Sierra Leone	Africa	Integrated Development	British Red Cross Society	Water and sanitation improvement programme in eleven locations in Sierra Leone	£39,760
South Sudan	Africa	Health	UNICEF	Motorcycle ambulances for pregnant women in Southern Sudan	£34,806
South Sudan	Africa	Integrated Development	Mission Aviation Fellowship UK	Mission Aviation Fellowship - Juba Base expansion	£20,000
Sudan	Africa	Agriculture / Fisheries	SOS SAHEL International (UK)	Improving rural food security in Red Sea State	£33,060
Tanzania	Africa	Education	Sense International	Education access for deafblind children in Tanzania - Bukoba, Dar-es-Salaam, Iringa, Kilimanjaro, Mbulu, Moshi, Mtwara, Njombe and Tanga	£14,849
Tanzania	Africa	Health	Hampshire County Scouts	Itete Medical Centre (Dispensary), Ulanga, Tanzania	£20,000
Tanzania	Africa	Health	Voluntary Service Overseas	Using mobile health clinics and mobile 'phone technology to promote safe motherhood in Tanzania, Wete and Micheweni, Pemba Island	£19,334
Tanzania	Africa	Integrated Development	HelpAge International	Health access and economic empowerment for older people and their dependents, Bahi and Dodoma Districts	£39,996
Tanzania	Africa	Integrated Development	Tumaini Fund	Assistance with shipping costs of container of goods donated by the people of Guernsey	£4,400

Country	Region	Project Type	Agency	Project	Amount Granted
The Gambia	Africa	Agriculture / Fisheries	Concern Universal	Upper river region livelihood improvement through institutional strengthening, food security and environmental management project, Wuli and Sandu Districts	£19,929
The Gambia	Africa	Education	ActionAid	Improving access to, and quality of education for rural children in Sitanunku	£39,865
Uganda	Africa	Agriculture / Fisheries	Trust for Africa's Orphans	Improved livelihood for poor smallholder women heads-of-families farmers affected by conflict, Pader District	£30,000
Uganda	Africa	Education	Build Africa	Development of Kayera School, Buliisa	£30,896
Uganda	Africa	Health	Christ Our Hope Orphanage Centre	Community health promotion through provision of safe clean water and classroom construction at Christ Our Hope Orphanage Centre, Wakiso	£39,510
Uganda	Africa	Health	Just a Drop	Kituntu community water, hygiene and sanitation project, Mpigi	£19,894
Uganda	Africa	Integrated Development	Advantage Africa	Income generation and improved health for single parent families, Kampala and Wakiso Districts	£23,248
Uganda	Africa	Integrated Development	Hope for a Child	Helping families and communities rise from poverty, rural Uganda	£36,095
Uganda	Africa	Integrated Development	One World Foundation Africa	Reducing the local communities' vulnerability to severe droughts and increasing accessibility and the quality of primary education in rural Kiboga District	£39,960
Uganda	Africa	Integrated Development	WaterAid	Integrated water, sanitation and hygiene project, Amuria and Katakwi	£40,000
Zambia	Africa	Education	Cecily's Fund	Founding Futures, Lusaka	£29,385
Zambia	Africa	Health	Village Water	Sanitation First, Kalabo District	£30,000
Zimbabwe	Africa	Health	CAFOD	Improving water, sanitation and hygiene in Binga	£40,000
Bangladesh	Indian Sub-Continent	Integrated Development	CARE International UK	Food security for the ultra poor, Netrokona District, Hoar Region	£40,000
India	Indian Sub-Continent	Health	Leprosy Mission	Restoring vision - Nd YAG laser machines, Purulia and Naini	£37,481

Country	Region	Project Type	Agency	Project	Amount Granted
India	Indian Sub-Continent	Integrated Development	ActionAid	Improving the health and education of disadvantaged women and children in SPS Nellore, Andra Pradesh	£39,715
India	Indian Sub-Continent	Integrated Development	Interlock	Proposal to implement sustainable income generating activities for a group of villages in Nuzvid Andhra Pradesh	£26,098
India	Indian Sub-Continent	Integrated Development	Karuna Trust	Allowing 10,000 children of Bidi-Rolling Dalit communities in rural Maharashtra to escape poverty by accessing education and healthcare	£19,851
Sri Lanka	Indian Sub-Continent	Agriculture / Fisheries	War on Want	Reducing the vulnerability of poor rural communities to climate change in Puttalam District	£36,920
Bolivia	South and Latin America	Agriculture / Fisheries	CARE International UK	Building indigenous communities' resilience to drought through agro forestry, soil and water conservation	£40,000
Bolivia	South and Latin America	Agriculture / Fisheries	Tearfund	Food security for Bolivian families, Chuquisaca	£36,800
Nicaragua	South and Latin America	Agriculture / Fisheries	Peace and Hope Trust	Moringa plantation and training facility for Nicaraguan farmers, Matagalpa	£18,359
Haiti	Caribbean Islands	Integrated Development	Motivation Charitable Trust	Saving lives and improving the quality of life of disabled children and adults in Haiti	£28,925
Afghanistan	Other Asia and Pacific	Health	HealthProm	Reducing maternal and newborn deaths in Chaharkint, Balkh Province	£17,000
Cambodia	Other Asia and Pacific	Health	IMPACT Foundation	Establishing a floating clinic to take primary healthcare to otherwise inaccessible villages, Tonle Sap Lake	£38,661
Cambodia	Other Asia and Pacific	Health	PLAN International UK	Maternity ward construction, Ponhea Kraek	£37,322
Cambodia	Other Asia and Pacific	Integrated Development	CORD	Integrated community development project, Mesang District, Prey Veng Province	£39,905
Cambodia	Other Asia and Pacific	Integrated Development	Habitat for Humanity Great Britain	Water, sanitation and livelihood project, Pouk District	£40,000
Cambodia	Other Asia and Pacific	Integrated Development	HelpAge International	Older People's Associations: working together to improve access to safe drinking water, healthcare and income security for vulnerable older people and the wider community, Battambang	£39,963

Country	Region	Project Type	Agency	Project	Amount Granted
Kyrgyzstan	Other Asia and Pacific	Integrated Development	British Red Cross Society	Building sustainable livelihoods for vulnerable women, Osh, Jalabat, Bishkek, Tokmak, Naryn and Karakol	£33,983
Myanmar	Other Asia and Pacific	Health	Humanitarian Aid Relief Trust	Health training centre, Chin State	£24,305
Nepal	Other Asia and Pacific	Education	Feed the Minds	Championing the Chepang Community, Makwanpur District	£9,455
Nepal	Other Asia and Pacific	Health	Appropriate Technology Asia	Public health for mountain populations, Humla District	£24,002
Nepal	Other Asia and Pacific	Health	Merlin	Enhancing the capacity and readiness of emergency health and rehabilitation responses in hospitals in the event of a high intensity earthquake in the Kathmandu Valley	£38,104
Nepal	Other Asia and Pacific	Health	WaterAid	Improving community health through access to safe water, sanitation and hygiene services in two remote locations in Bhimgithe Baglung District, Western Nepal	£40,000
Nepal	Other Asia and Pacific	Integrated Development	Appropriate Technology Asia	Sustainable food security for mountain populations, Surkhet and Humla Districts	£26,943
Nepal	Other Asia and Pacific	Integrated Development	Oxfam	Providing water and sanitation for schools and improving family income, Darchula District	£39,949
Nepal	Indian Sub-Continent	Integrated Development	Tearfund	Safe drinking water, sanitation and food security for deprived communities in Rukum	£40,000
Timor-Leste	Other Asia and Pacific	Agriculture / Fisheries	CARE International UK	Improving farming and food security in the Ermera District	£39,847
					<b>£2,748,146<sup>1</sup></b>

**Copies of the final reports for each of the projects funded in 2012 can be found on the Commission's website – [www.gov.gg/overseasaid](http://www.gov.gg/overseasaid)**

<sup>1</sup> The total amount of funding allocated exceeds the Commission's budget. The additional money reflects a redistribution of unspent balances from earlier projects which were returned to the Commission during 2012. The total also includes two projects which were approved but for various reasons were unable to proceed and therefore the Commissioners allocated this money to alternative projects it had been unable to initially support.

## Appendix 2 - Projects the Commission was unable to support under its Grant Aid Scheme in 2012

Country	Region	Project Type	Agency	Project	Amount Requested
Benin	Africa	Health	Angellite	Improving maternal health and child mortality, Atokora	£40,000
Benin	Africa	Integrated Development	Christian Blind Mission	Self-sufficiency in Zou and Oueme	£40,421
Benin	Africa	Integrated Development	Christian Blind Mission	Self-sufficiency in rural Benin, Zou and Oueme	£40,421
Democratic Republic of Congo	Africa	Integrated Development	SCIAF	Supporting survivors of sexual violence to secure justice, South Kivu	£13,570
Ethiopia	Africa	Agriculture / Fisheries	Self Help Africa	On farm early generation seed production	£39,951
Ethiopia	Africa	Education	Save the Children Fund	Supporting pastoralist children to access basic education in Somali	£40,000
Ethiopia	Africa	Integrated Development	RETRAK	Providing street children with a permanent and sustainable alternative to life on the street, Addis Ababa	£37,350
Ghana	Africa	Health	AfriKids	The AfriKids Healthcare Programme for women and children, Upper East Region, Ghana	£40,000
Kenya	Africa	Agriculture / Fisheries	Asecondchance	Small holder women food security project, Bungoma	£39,810
Kenya	Africa	Agriculture / Fisheries	FARM-Africa	Youth empowerment through sustainable agriculture, Trans-Nzoia East District, North-Rift Region	£30,490
Kenya	Africa	Education	United Nations Children's Fund	Providing education to nomadic children in Kenya	£37,481
Kenya	Africa	Integrated Development	Asecondchance	Muviringo Women's Revolving Fund Project, Shinyala	£38,770
Kenya	Africa	Integrated Development	BPD Water and Sanitation	Building local capacity to improve water, sanitation and hygiene and address poverty among internally displaced people, Rift Valley and Nyanza	£38,000
Kenya	Africa	Integrated Development	International Childcare Trust	Opportunities for children in Western Kenya, Kakamega, Mumias and Navakholo Districts	£39,299
Kenya	Africa	Health	Mildmay International	Children's HIV healthcare at home, Nyanza, Tabora and Kilimanjaro Provinces	£38,070
Lesotho	Africa	Agriculture / Fisheries	Send a Cow	Building kitchen gardens for orphan families, Maseru and Quthing	£30,347

Country	Region	Project Type	Agency	Project	Amount Requested
Liberia	Africa	Agriculture / Fisheries	Reform Corporation	Ex-child soldier and ex-combatants agricultural project, Monrovia District	£23,700
Liberia	Africa	Health	Merlin	Implementing the basic package of health services in Sinoe County	£43,878
Madagascar	Africa	Health	Azafady	Project Manova: eliminating open defecation and facilitating sustained hygiene behaviour change through community-led total sanitation, Mahatalaky, Anosy Region, south east Madagascar	£29,008
Madagascar	Africa	Integrated Development	Durrell Wildlife Conservation Trust	Sustainable livelihoods and health in the Nosivolo, Marolambo	£36,300
Madagascar	Africa	Integrated Development	Y Care International	Socio-economic empowerment of vulnerable young people, Analamanga and Alaotra Regions	£36,621
Malawi	Africa	Agriculture / Fisheries	Self Help Africa	Community seed improvement and value addition project - phase II, Lilongwe/Balaka Districts	£39,589
Malawi	Africa	Agriculture / Fisheries	Voluntary Service Overseas	Improving livelihood opportunities through establishment of smallholder coffee production and marketing in Malawi, Tsangano, Ntcheu District	£38,949
Malawi	Africa	Education	Mothers' Union	Literacy and financial education programme, Blantyre, Zomba, Lilongwe and Mzuzu	£39,116
Malawi	Africa	Health	Interact Worldwide	Community-based HIV initiative in Malawi, Mwanza District	£40,500
Malawi	Africa	Health	Sue Ryder Care	Healthcare provision in rural areas to people with asthma, epilepsy and physical disabilities, Balaka and Ntcheu	£33,090
Malawi	Africa	Health	TB Alert	Increasing the number of people diagnosed with TB by integrating TB awareness into an ongoing HIV / AIDS awareness programme in rural Blantyre and Thyolo District	£39,606
Malawi	Africa	Health	Women and Children First	Health training for local communities, Ntcheu District	£28,691
Malawi	Africa	Integrated Development	MicroLoan Foundation	Additional loan and training in Mzimba District, Northern Malawi	£29,975
Malawi	Africa	Integrated Development	Self Help Africa	Integrated food and income security enhancement, Chitipa and Karonga Districts	£39,999
Mali	Africa	Agriculture / Fisheries	Better Cotton Initiative UK	Better cotton in Mali, Koutalia District	£40,000



Country	Region	Project Type	Agency	Project	Amount Requested
Mozambique	Africa	Agriculture / Fisheries	ACORD	Fair trade for small farmers in Moamba	£39,901
Mozambique	Africa	Health	Samaritan's Purse	Zambezia WASH project, Morumbala and Mopeia	£39,987
Niger	Africa	Integrated Development	Leprosy Mission	Housing and sanitation project, Zango and Kwara Tegui in Niamey	£34,425
Nigeria	Africa	Health	CAFOD	Pack for mums and babies : saving lives of rural women and children in Yakoko, Zing Local Government, Catholic Diocese of Jalingo	£40,000
Rwanda	Africa	Education	Rwanda Restored	Rwanda restored dedicated computer classrooms for new option of study at Gihogwe Secondary School, Kigali	£40,000
Sierra Leone	Africa	Education	Leonard Cheshire Disability	Creating livelihood opportunities for disabled youths, Kono and Kabala	£39,880
Sierra Leone	Africa	Integrated Development	Hope and Homes for Children	Vehicles for change: reaching impoverished children, families and communities in Sierra Leone, Kamakwie, Mattru, Kissy and Bo	£19,981
Sierra Leone	Africa	Integrated Development	Womankind Worldwide	Increasing access to justice for rural women in Sierra Leone	£17,781
South Africa	Africa	Health	Red Cross Children's Hospital Trust	Construction of a paediatric infectious diseases clinic at the Red Cross War Memorial Children's Hospital, Cape Town	£40,000
South Africa	Africa	Integrated Development	Goal50	Purchase of property for orphanage by Goal50, Cape Flats (Heideveld), Cape Town	£35,000
South Sudan	Africa	Agriculture / Fisheries	FARM-Africa	Indigenous vegetable production and marketing, Juba County, Central Equatoria State	£32,500
Sudan	Africa	Integrated Development	Mines Advisory Group	Humanitarian mine action in support of opening up access for developmental and humanitarian assistance in Kassala State	£40,024
Sudan	Africa	Integrated Development	Mines Advisory Group	Humanitarian mine action support in South Sudan	£39,598
Tanzania	Africa	Agriculture / Fisheries	Huruma Rehabilitation Programme	Increased food production, Mbwera Islands	£28,000
Tanzania	Africa	Education	Huruma Rehabilitation Programme	Single mother vocation training centre, Mtwara Region	£15,400
Tanzania	Africa	Health	Basic Needs	Tackling mental health related poverty, Mtwara	£34,132

Country	Region	Project Type	Agency	Project	Amount Requested
Tanzania	Africa	Integrated Development	Renewable World	Renewable energy to power rural Maarifa Centre, Karagwe District	£19,695
Togo	Africa	Health	Mercy Ships	Hope Reborn - tackling the fistula (severe childbirth injury) epidemic in West Africa	£37,440
Uganda	Africa	Education	Book Aid International	FDNC Community Library and Resource Centre, Mbale, Masaaba Sub-Region	£39,912
Uganda	Africa	Health	Target Tuberculosis	'Touch Namuwongo' - a community-based TB outreach and preventative health service reaching slum dwellers living in poverty in Uganda	£39,521
Uganda	Africa	Integrated Development	WOMANKIND Worldwide	Advancing the rights of women in post conflict setting, Pader, Kitgum and Katakwi	£30,000
Zambia	Africa	Agriculture / Fisheries	Oxfam	Improving food and income security for poor farmers in the Copper Belt Province, Kitwe	£39,909
Zambia	Africa	Education	Build IT International	Livelihoods and community schools programme, Twapia School, Ndola	£42,468
Zambia	Africa	Education	PLAN International UK	Early childhood care and development, Mansa	£39,995
Zambia	Africa	Education	Tools for Self Reliance	Livelihood and life skills training project for marginalised rural youths, Kabwe, Mtendere, Chongwe and Ndola	£28,038
Zambia	Africa	Health	Nyangombe Christian Training Centre	Medical vehicle project, Mwinilunga District, N W Province	£42,353
Zambia	Africa	Health	Village Water	Community-led total sanitation, Kaoma and Mongu	£40,000
Zambia	Africa	Health	Village Water	Sanitation First, Kalabo	£30,000
Zambia	Africa	Integrated Development	Street Child Africa	Supporting street children in Ndola, Copperbelt Province	£16,418
Zimbabwe	Africa	Agriculture / Fisheries	British Red Cross Society	Zimbabwe food security and livelihoods, Lower Gweru, Shurungwi, Hurungwe, Zvimba	£36,605
Zimbabwe	Africa	Health	Riders for Health	Getting healthcare back on the road in Hwange, rural Zimbabwe	£21,868
Bangladesh	Indian Sub-Continent	Integrated Development	IMPACT Foundation	Restoring mobility and opportunity to impoverished people in rural areas, Chuadanga	£27,500
Bangladesh	Indian Sub-Continent	Integrated Development	Oxfam	Providing clean water through solar power, Satkhira and Khulna Districts	£37,304
India	Indian Sub-Continent	Education	CARE International UK	Girls' education programme - Udaan	£36,371

Country	Region	Project Type	Agency	Project	Amount Requested
India	Indian Sub-Continent	Education	Goodwill Children's Homes	Extending practical skills training in Dindigul District	£36,683
India	Indian Sub-Continent	Education	Hope Foundation	Holistic education programme, West Bengal	£36,351
India	Indian Sub-Continent	Education	Vazon Elim Pentecostal Church	Completion of the building of a primary school at Kaveri Nagar, Pudukkottai	£16,275
India	Indian Sub-Continent	Health	Disability and Development Partners	Corrective surgery and rehabilitation for children affected by polio, Uttar Pradesh	£11,530
India	Indian Sub-Continent	Health	Interact Worldwide	Health strengthening in India, Ganjam, Koraput, Khurda and Gajapati	£38,413
India	Indian Sub-Continent	Health	Interlock	Interlock telemedicine initiative, India	£37,105
India	Indian Sub-Continent	Integrated Development	Appropriate Technology Asia	Health and fuel security project using low cost and low impact environmental technologies – phase 2, Bageshwar and Kargil	£25,791
India	Indian Sub-Continent	Integrated Development	Disability and Development Partners	Opportunities for disadvantaged young people in Tamil Nadu	£25,930
India	Indian Sub-Continent	Integrated Development	International Childcare Trust	Protection, assistance and empowerment of street and working children, Union Territory of Puducherry	£38,951
Nepal	Indian Sub-Continent	Agriculture / Fisheries	ActionAid	Promotion of food security through seed bank initiatives, Udayapur	£40,000
Afghanistan	Indian Sub-Continent	Agriculture / Fisheries	ActionAid	Strengthening the livelihoods of vulnerable households in Northern Afghanistan	£40,000
Brazil	South and Latin America	Agriculture / Fisheries	CAFOD	Pastoral Land Commission Joao Pessoa, Paraiba	£25,000
Dominican Republic	Caribbean Islands	Education	Community Partners Association	Community Partners (COPA) special school for profoundly deaf / mute children, Province of Barahona	£34,660
Haiti	Caribbean Islands	Integrated Development	Concern Worldwide	Strengthening community water management capacity, La Gonave	£40,000
Afghanistan	Other Asia and Pacific	Health	Tearfund	Shighnan / Roshan District water, sanitation and public health programme 2012, Badakhshan Province	£40,000
Afghanistan	Other Asia and Pacific	Integrated Development	CAFOD	Women's savings and internal lending communities for sustainable livelihoods in Lal Wa Sarjangal	£40,000

Country	Region	Project Type	Agency	Project	Amount Requested
Cambodia	Other Asia and Pacific	Education	Cambodia Trust	Community-based rehabilitation to reduce poverty amongst disadvantaged, disabled people through access to education, skills training and employment	£14,000
Cambodia	Other Asia and Pacific	Integrated Development	Cambodia Trust	Reducing poverty amongst disabled people through physical rehabilitation, Kompong Chhnang and Sihanoukville	£16,000
Cambodia	Other Asia and Pacific	Integrated Development	Concern Worldwide	Sanitation and water for improved rural livelihoods 2012, Phnom Kravanh, Pursat Province	£39,366
Cambodia	Other Asia and Pacific	Integrated Development	CRY UK (Care & Relief for the Young)	"My Home" Residential Children's Home, Sre Po Village, Rural Stung Treng Province	£38,500
Cambodia	Other Asia and Pacific	Integrated Development	Mines Advisory Group	Humanitarian mine action support, Cambodia	£40,000
China	Other Asia and Pacific	Integrated Development	Appropriate Technology Asia	Improved livelihoods and health for mountain farmers, Zhaba and Machang Townships, Qinghai Province	£29,276
Kyrgyzstan	Other Asia and Pacific	Integrated Development	Tearfund	Shelter for children in crisis in the Kyrgyz Republic, Balykchy Town, Issyk-Kul Oblast	£30,543
Mayamar	Other Asia and Pacific	Integrated Development	Christian Aid	Providing support to people living with HIV in Waingmaw Township, Myitkyina, Kachin State	£38,471
Mongolia	Other Asia and Pacific	Health	Voluntary Service Overseas	Improving health through community volunteering in Ulaanbaatar City	£39,633
Myanmar	Other Asia and Pacific	Health	Health Poverty Action	Better health for uprooted people in Kokang	£40,000
Nepal	Other Asia and Pacific	Education	Voluntary Service Overseas	Promoting quality and inclusive education for out-of-reach children in Kaski, Rupandehi and Kailali	£36,157
Nepal	Other Asia and Pacific	Health	Green Tara Trust	Health promotion for safer motherhood, Pharping, Kalikot, Nawalparasi	£35,850
Nepal	Other Asia and Pacific	Health	Pragya	Women's initiatives for nutrition and safe water, Dolpa and Mustang	£39,595
Nepal	Other Asia and Pacific	Integrated Development	International Childcare Trust	Brighter futures for child labourers, Myagdi and Parbat Districts, West Nepal	£39,674
Nepal	Other Asia and Pacific	Integrated Development	Renewable World	Solar powered multi-use water system for 6 remote hill communities in Nepal	£36,379
Vietnam	Other Asia and Pacific	Integrated Development	Habitat for Humanity	Disaster resilient water and sanitation in Vietnam, An Bien	£40,000
					<b>£3,347,141</b>

## Appendix 3 – Grant Aid Policy (with effect from 1<sup>st</sup> May 2013)

### 1. Introduction

The Guernsey Overseas Aid Commission (the Commission) is a non-statutory, non-governmental body and was established in 2004 following the Review of the Machinery of Government.

The Commission's mandate is:

*"To distribute monies voted by the States for overseas aid making contributions by way of grants and emergency and disaster relief;*

*To develop programmes relating to the collection and distribution of funds involving the private and voluntary sectors;*

*in accordance with policies set by the Policy Council, having regard to recommendations from the Commission."*

The objectives of the Commission are to manage and administer the budget approved by the States of Guernsey for overseas aid.

The Commissioners are appointed by the States of Guernsey to make decisions about the distribution of the money voted by the States for overseas aid contributions on behalf of the people of Guernsey.

### 2. Background

Guernsey has been contributing to overseas development projects through the award of Grant Aid to approved charities and agencies since 1980.

The underlying purpose of the contributions made by the Commission, on behalf of the States of Guernsey, has remained unchanged.

*"To support projects which will help to provide the basic needs of the world's least developed countries or to help the indigenous population to provide those needs."*

Basic needs includes medical and health facilities, educational programmes and facilities, housing, water and sanitation provision and the means of sustaining a living, e.g. through agriculture, horticulture or through training in sustainable employment skills.

The Commission has always sought to direct its contributions to projects which will generate a lasting and sustainable improvement in the living conditions for the communities receiving the aid. This ethos underpins how all applications for Grant Aid will be assessed and is reflected in the assessment process and criteria and can be summarised as offering a "hand up" to some of the world's least developed areas rather than simply giving them a "hand out".

### 3. The Applicant

The Commission's general policy is to only consider applications from:

- Charities registered with one of the Charity Commissions in the British Isles
- Approved humanitarian agencies (e.g. UNICEF, UNHCR, etc)

If an agency is not a British Isles registered charity or an approved humanitarian agency, it is advised to contact the Commission's Secretary prior to making an application for Grant Aid.

### 4. The Location of the Project

As indicated above, the Commission was established to,

*"To support projects which will help to provide the basic needs of the world's least developed countries or to help the indigenous population to provide those needs."*

As a general rule, the Commission will give priority for funding to countries on the OECD Development Co-operation Directorate List of Least Developed Countries (the DAC list) or at the lower end of the UN Human Development Index.

Where the country concerned is not on the DAC List or at the lower end of the UN Human Development Index, the Commission will require the charity to set out why there are exceptional reasons to support this project over one in a less developed country.

Similarly, any applications for projects in the Federal Republic of Brazil, the Russian Federation, the Republic of India and People's Republic of China (sometimes referred to as BRIC countries) and projects in CIVETS countries (Colombia, Vietnam, Egypt, Turkey and South Africa) and Mexico and Thailand and other countries with emerging economies will be afforded a lower priority than less developed countries.

As a general rule, the Commission will expect projects in these countries to be supported in some way by the domestic government, e.g. either through a shared funding agreement or an undertaking to guarantee funding for salaries or the ongoing support of the project.

The Commission is mindful that in many countries there are significant disparities in the distribution of wealth. For this reason, the Commission does not have a list of countries from which it will or will not consider applications. However, as a general rule, the Commission does not accept applications for Grant Aid for projects in European Countries. Whether the Commission makes an award for a European-based project will depend entirely on the individual circumstances of each case.

The Commission is apolitical in nature and will only consider a country's political situation insofar as there may be a concern that the project would not be able to proceed due to an oppressive political regime or government corruption. In all cases, the Commission will require the charity to explain how it would overcome any pressures which may compromise the successful delivery of the project.

## 5. The Project

The Commission's Grant Aid policy has always focused on projects which will deliver basic humanitarian aid to improve a community's basic living needs and conditions.

In defining "basic needs", the Commission will focus on projects focused on the provision of:

### ***Sustainable supply of clean water***

These projects may include:

- Providing wells, water pumps and other sources of clean water close to established communities and settlements
- Supporting other long-term humanitarian aid projects, e.g. by providing a source of water for irrigation for agricultural and horticultural projects, etc
- Improving the quality and/or sustainability of any existing sources of water
- Reducing the requirement for communities to travel long distances to obtain water
- Reducing the likelihood of water-borne diseases or illness.

### ***Basic sanitation facilities***

These projects may include:

- Clean water projects
- Reducing illness and disease as a result of the unmanaged disposal of sewages, etc
- Other long-term or sustainable aid projects, particularly where linked to health and medical care and educational projects.

### ***Agricultural, horticultural or fishing projects***

These projects may include:

- Protecting the land from e.g. desertification, leaching, deforestation, etc
- Providing conservation and environmental rehabilitation programmes and training in improved agricultural techniques to counter problems caused by droughts, flooding and deforestation leading to soil erosion and desertification, etc
- Providing a sustainable source of employment and income for the community
- Enabling the community to reduce any dependency on food aid, etc.

### ***Medical and health care facilities***

These projects may include:

- Providing local access to basic health services, in particular where this is related to services targeting reducing the spread of preventable diseases, the spread or management of HIV and AIDS infection, maternity and obstetric care, etc
- Enabling medical staff already working in the area to deliver basic health care services to more people or across the wider geographic area
- Reducing the incidence of infant mortality and childhood deaths
- Eradicating preventable diseases such as malaria and eye conditions such as trachoma, glaucoma and diabetic retinopathy
- Establishing new or extend existing health service facilities.

**Educational projects**

These projects may include:

- Establishing or extending existing schools or other educational facilities
- Enabling teachers already working in the area to deliver basic educational services across the wider geographic area
- Providing long-term training opportunities to enable the local community to reduce its dependence on other forms of short-term aid and so increase the community's self-sufficiency and long-term sustainability.

**Other types of projects**

These projects may include:

- Improving disaster preparedness, particularly in high risk areas
- Rehabilitation projects following a period conflict to rebuild basic infrastructure
- Rotating loan funds, micro-credit unions, village savings scheme

The above examples are not an exhaustive list of the types of projects the Commission will generally consider for Grant Aid. Where an application appears that it may fall outside the Commission's general policy, the charity is encouraged to contact the Commission's Secretary, before submitting the application, to discuss whether or not the project is likely to fall within the scope of projects for which Grant Aid may be awarded.

The Commission does not provide Grant Aid as a core funding of the charity's administration or operational costs, nor salaries of staff employed by the charity including any staff who may be working on the project in the local area or within the charity's UK base, staff training or towards the costs of running or attending seminars or conferences.

As a general rule, the Commission will not fund short-term projects as one of the primary purposes of its Grant Aid awards is to fund projects that make a sustainable improvement to the basic needs of very poor communities over a longer period without the reliance on year-on-year overseas aid funding. They type of shorter term projects which the Commission will generally not consider for a Grant Aid award include immediate post-disaster (natural or as a result of conflict, etc) rehabilitation projects, projects supporting refugees and other displaced persons (e.g. services and facilities within refugee camps). These types of projects may however be eligible for funding though the Commission's Disaster Emergency Relief Fund (see General Policy for Disaster Emergency Relief Funding).

The Commission may also reject an application where it believes that the project may result in conflict between e.g. neighbouring communities, etc or would otherwise disadvantage other nearby or neighbouring communities.

**6. The Grant Aid Award****(a) Level of Awards**

As a general rule, the Commission will not make an annual Grant Aid award above £40,000 for an individual project or a multi-year award for more than £100,000 over three years (i.e. multi-year awards are based on a series of annual awards). There is no lower threshold for Grant Aid awards.



The Commission will consider projects where part of the funding is being provided from other sources. It recognises that in many cases, the charity making the application may have raised money from other sources including donations to the charity itself.

In achieving this aim, the Commission is mindful that, given its general Grant Aid threshold, some applications may be dependent on co-funding. Similarly, the Commission recognises that in some cases funding from sources such as itself may “unlock” other funding, e.g. funding through the European Development Fund is often dependent on such shared third party funding.

**(b) *Number of applications per annum***

As a general rule the Commission limits the number of applications a single charity may make in a particular funding year to four applications.

The number of multi-year applications will generally be limited to one per year and will be counted as one of the four applications a charity may submit.

**(c) *Period of an award***

The Commission’s general policy is to fund annual projects, i.e. the project should be commenced and completed within the twelve months following the making of the award.

The Commission recognises that in a number of cases applications are submitted year on year by a charity which results in on-going funding for the development of a wider project on an incremental basis. In order to provide greater certainty in respect of the overall delivery of such projects, the Commission will consider applications for funding over a longer period, up to a maximum of three years. Such applications must fully explain how the project will be managed and monitored over the funding period and include a detailed cash flow.

In all cases, grants will be released as a series of stage payments and the charity will be required to provide a progress report before these payments are released. The Commission may also attached additional conditions and reporting requirements as it believes necessary and reasonable to ensure that delivery of the project as set out in the application.

**(d) *Payment of Awards***

- (i) *Annual awards* - the general policy is to pay annual awards in two instalments. The first instalment will be released three to four weeks before the project is due to commence subject to receipt of the completed agreement form which will be sent to the charity when the Commission confirms that an award has been approved.

The first payment will generally be for 50 percent of the Grant Aid award. The second instalment will be made on receipt of the interim report, subject to the Commission being satisfied that the project is being delivered in accordance with the approved application proposal.

- (ii) *Multi-year awards* - the general policy is to pay multi-year awards as a series of stage payments. The amount and timing for each instalment will be agreed between the Commission and the charity following approval of the project and will reflect the type of project, the overall funding period and the size of the total award.

Each instalment will be made following receipt of a satisfactory interim report. The Commission will review these reports to ensure that the project is being delivered in accordance with the approved application proposal.

## **7. Evaluation of Applications**

The Commission receives a large number of applications for Grant Aid funding (in recent years the number of applications has been between 180 and 200 per year) and the amount of funding sought is significantly more than the Commission's budget (here again, in recent years the Commission has received Grant Aid applications for between £6 and £7 million per year). On average the Commission is unable to support about two-thirds of applications.

Each project is considered on its own merits and balanced against the various criteria. No weighting is applied to any of the individual criteria and there is no scoring system. In many cases, the Commission has no option other than to reject an application because it simply does not have the budget to support all the projects it might wish.

The Commission's procedure for evaluating applications for Grant Aid is in four parts:

- (i) *Charity or agency checks* – including compliance with Charity Commission regulations, the charity's fund raising history, the proportion of the charity's income spent on income generation and governance; where previous Grant Aid awards have been made, the compliance with the Commission's monitoring and reporting requirements; in addition, the Commission may contact the Jersey or Isle of Man Overseas Aid Committees as a further probity check.
- (ii) *Project location checks* – including position on OECD Development Co-operation Directorate List of Least Developed Countries and UN Human Development Index, the political situation in the country, particularly where the government is unstable or repressive, whether the country is subject of any UN or other international sanctions, the country's human rights record, etc.
- (iii) *Project objectives checks* – including looking at the projects objectives, how it will benefit the community, how many people will benefit, directly or indirectly, from the funding, the sustainability of the project without reliance on further overseas aid funding, the reasonableness of the time frame for delivering the project, whether the needs of the beneficiaries have been fully identified, whether all logistical issues have been considered and planned for, whether the project has been well thought out etc.
- (iv) *Project budget checks* – including assessing the reasonableness of the proposed spending on the project, the cash flow projection, the level of detail, the cost-effectiveness, whether the proposed spending appears to support the objectives of the project, the level of any administrative costs, including travel expenses and

monitoring and evaluation costs, etc. Where a project is co-funded it should be clearly explained, including the timescales for such agreements.

In addition, the Commission may take into consideration any issues which may have wider public concern to Guernsey.

The Commission reviews all the applications and, where the application has satisfied the general application procedure, the projects are assessed against the above general criteria.

## **8. Notification of Decisions**

Due to the large number of applications received, the Commission is unable to consider all applications at the same time.

As a general rule, the Commission considers applications for Grant Aid between December of the preceding year and March of the year in which the award is made. The Commission generally holds three or four funding meetings between December and early March.

The Commission will advise the charities of its decision as soon as it is able following determination. In some cases, the Commission may defer an application to request additional information or clarification of some aspect of the application.

### **(a) *Successful applications***

Where an application is approved the charity will be asked to confirm that the project is still able to proceed as set out in the application and the anticipated start date. The charity is also required to sign a simple agreement which sets out the amount of the award, the purpose for which the award is made and the reporting requirements.

The Commission will not release the Grant Aid award until the signed agreement has been received and the payments of the award will be made as set out in Section 6(d) above.

### **(b) *Unsuccessful applications***

Where an application is rejected the Commission will use its best endeavours to provide feedback to the unsuccessful applicants. In many cases, the reason for refusing an application is simply because the Commission's budget is not able to support all applications that satisfies the general criteria and may merit funding.

The Commission will, in general terms, advise the charity as to any aspects of the unsuccessful application which were unclear, lacking in detail or not within the general funding criteria.

## **9. Monitoring and Evaluation of Grant Aid Awards**

The monitoring and evaluation of Grant Aid awards is a fundamental aspect of the Commission's work. The Commission will set out the reporting time frame when confirming a Grant Aid award and this will be adjusted as necessary depending on the nature of the project receiving funding.

**(a) Annual Awards**

The Commission requires two reports to be submitted.

The first obligatory report is the Interim Report. As a general rule this report should be submitted between six and eight months following the release of the Grant Aid award by the Commission. This report will serve to trigger the release of the second instalment of the Grant Aid award, subject to the Commission being satisfied that the project is progressing in accordance with the approved application.

The second obligatory report is the Final Report. As a general rule this should be submitted within two months of completion of the project or no later than fourteen months after the payment of the first Grant Aid instalment, whichever is the sooner.

The Commission recognises that local circumstances may have an impact on the feasibility of reporting within the above general timescales. It is therefore happy to accept reports outside the general timescales, subject to the charity contacting the Commission's Secretary prior to the date on which the report is due and setting out the reasons for the delay.

**(b) Multi-Year Awards**

The obligatory reports will be confirmed with the charity and will vary according to the type of the project and the period over which the award is being made. The interim reporting requirements will be directly linked to when each instalment is to be paid. The Commission will require an interim report before agreeing to release further instalments.

As with annual Grant Aid awards a final report will be required should be submitted within two months of completion of the project or no later than eight months after the payment of the final Grant Aid instalment, whichever is the sooner.

**(c) Interim Report/s**

The interim report/s should provide a concise overview of the progress of the project and include reference to the overall objectives of the project and the spending against the approved budget.

Where feasible, the interim report/s should also address how the delivery of the project is benefiting the community. The Commission recognises that where a project involves the construction of a new facility such direct or indirect benefits may not be apparent during the construction stage.

The Commission requires the report to be comprehensive and informative rather than necessarily being especially glossy. The inclusion of photographs are always helpful to the Commission in understand how the project is progressing.

**(d) *Final Report***

The final report should provide a concise overview of the full delivery of the project and this should reflect to the overall objectives of the project and the final costs against the approved budget. It must also address how the project has and will continue to benefit the community.

This report should include reference to both direct and indirect beneficiaries and these numbers should be referenced against the anticipated numbers of direct and indirect beneficiaries set out in the approved application. If the number of beneficiaries is different from the approved application, the report should explain why the differences have arisen.

The Commission requires the report to be comprehensive and informative rather than necessarily being especially glossy. The inclusion of photographs are always helpful to the Commission in understand how the project is benefiting the community.

**(e) *Other reporting requirements***

In addition to the obligatory reporting requirements set out above, the Commission requires funded charities to notify it of any material changes in circumstances, without delay, which may impact on how the project is delivered. Such reports should clearly outline,

- What has changed
- What steps the charity has taken to mitigate the change in circumstances
- How the charity proposes to overcome the change in circumstances
- What impact the change of circumstances will have on the costs of the project
- The length of any delay to the overall project timetable.

Where the change in circumstances will have an impact on the approved project budget a revised budget must be included with the report.

Further, the charity must ensure that no further money is spent on the project until it has received confirmation from the Commission that the revised project has been approved. The Commission reserves the right to require a charity to return all or part of the Grant Aid award where it is satisfied that it would be appropriate and reasonable to do so.

**(e) *Non-compliance with the reporting requirements***

As stated above, the reporting is a fundamental requirement for all Grant Aid awards. Therefore, non-compliance is viewed very seriously by the Commission.

The Commission has a range of sanctions available to it, including:

- Agreeing a revised reporting deadline with the charity where it is satisfied that non-compliance was due to factors outside the reasonable control of the charity
- Issuing a warning notice to a charity, advising that a breach has occurred and may be taken into consideration when considering future applications over a specified period
- Requiring the charity to return some or all of the Grant Aid award

- Automatically rejecting future applications from the charity for a specified period.

In all cases where the Commission believes some action should be taken, the charity will be provided with reasons for the Commission's decision and given an opportunity to ask for the decision to be reviewed, varied or quashed.

**(f) *Return of unspent balances***

If the project is achieved under budget the Commission requires all unspent balances to be returned to the Commission without delay and in any case no later than the date for submission of the final report, i.e. generally no later than twelve months after the original award was made.

As a general rule, the Commission will not consider applications to divert unspent balances into alternative projects. Any such applications will be considered in the same way as other stand alone applications. The reason for this rule is because the Commission is very mindful that it receives significantly more applications for Grant Aid than it can fund and currently rejects 70 to 75 percent of all applications.

**(g) *Non-delivery of approved projects***

If for any reason a charity is unable to proceed with a project for which funding has been granted, the charity must notify the Commission's Secretary without delay. The charity must also ensure that no further monies from the approved award are spent and submit a report explaining:

- Why the project cannot proceed as approved
- How far the project had progressed
- How much of the Grant Aid award has been spent and on what.

The report should also address whether the problems are such that the project is unlikely to be able to proceed at all or the anticipated length of any delay in completing the project. The report must include a comparative budget, showing how much money and on what has already been spent against the approved budget.

As a general rule, the Commission will require a charity to return any unspent balances without delay. The Commission will re-release any returned money, if, during the funding year, the charity is able to confirm with the Commission that the situation has further changed and the project can now proceed as originally approved.

**(h) *Non-compliance with funding agreements***

In addition to the above internal sanctions which the Commission may impose for non-compliance with its audit, financial management and reporting requirements, the Commission may also notify the Charity Commission with which the charity is registered of the breach and its actions to rectify the position. In these circumstances the Commission will have pre-warned the charity of its intention to do so and will copy the report to the charity.

## 10. UN or other international sanctions

The Commission is very mindful that UN and other international sanctions are not applied lightly and are only applied after careful scrutiny and debate within the UN, etc. Such sanctions will have also been widely publicised through the international media and have been the subject of wide public and political debate.

The Commission is also very conscious that there may be what could be best described as “unintended consequences” following the imposition of sanctions. Such unintended consequences can include a significant impact on the daily lives of country’s population, particularly the poorest and most vulnerable members of the population. As a result there may be a heightened need for humanitarian aid.

The Commission is also mindful that such sanctions may be varied or removed and indeed imposed between the date on which the Commission may consider a Grant Aid application and the commencement of the project.

For this reason it will not automatically refuse applications where UN or international sanctions may be in force and requires the charity to explain how such sanctions may impact on the need for and the delivery of the project when submitting their application. The application should show a clear understanding of the scope and impact of any sanctions and on the community which will benefit from the proposed project.

The Commission will always take advice from the States of Guernsey’s External Relations Group. The final decision whether or not to accept an application will always rest with the Commission, however the advice from the External Relations Group will be central to informing the Commission’s decision.

**This policy document should be read in conjunction with the Commission’s Guidance Notes for Charities applying for Grant Aid Funding**

*Guernsey Overseas Aid Commission  
May 2013*

#### **Appendix 4 – Disaster Emergency Relief Policy (with effect from 1<sup>st</sup> May 2013)**

The Commission's general policy in respect of Emergency Disaster Relief awards is to supporting appeals launched by the DEC following a natural disaster or humanitarian crisis.

Disaster emergency aid funding will normally be provided for one of more of the following activities:

- Provision of water, sanitation, health services and emergency feeding programmes to disaster affected areas
- Provision of emergency shelter and clothing
- Distribution of emergency supplies
- Refugee protection and support activities
- Projects which address the rehabilitation of physical and institutional infrastructure following major emergencies.

In most cases, these awards will be to a maximum of £50,000 per disaster or emergency.

The Commission will exceptionally consider applications for individual charities for such awards. In assessing all such applications, the Commission will contact the DEC for advice and guidance as to the nature and extent of the disaster or emergency, the most pressing needs for humanitarian aid and details of other sources of aid being directed to the affected region. Similarly, the Commission will seek advice and guidance from the Policy Council External Relation Group on issues relating to international sanctions and other international relationship considerations which may arise.

In addition, when considering such applications the Commission will have regard to whether:

- The Commission has already given emergency aid to the DEC in respect of a particular emergency.
- Any public appeal launched by the applicant charity in response to the disaster or emergency has been well publicised.
- The applicant charity is either one of the DEC member agencies or a major UK-registered charity
- The applicant charity is already working in the region affected by the disaster or emergency and so is able to mobilize key staff and resources immediately.
- The applicant charity has relevant experience in responding to the particular disaster or emergency and the resources to respond effectively to the particular event.
- Any issues which may have wider public concern to Guernsey

As a general rule, the Commission is unlikely to make an award to an individual charity if the DEC advises that a national public appeal is likely to be launched within the near future.



(24)

03/10/2012

THE AAF

UK

Dear friends

RE: LETTER OF APPRECIATION

I On my behalf and on behalf of entire community of Twikoli and the whole Kyuso District do hereby take this opportunity to express my sincere thanks to you all.

- (1) Mainly because of donating funds which enabled the construction of one big beautiful classroom and fully equipped W.E. desks.
- (2) Construction of a Largest and smartest dam ever in that Locality.
- (3) Providing a free eye clinic where many people got treatment and glasses.

This is great May our sincere and heart felt thanks reaches you all through your good and reliable representatives

- ① Denis Canon ② Colin Martin and Adrian. May God keep you and give more strength for coming more and more times to assist the needy Kambaga

D.T.

**Akamba Aid Trust**

Letter of thanks from the community benefiting from the Twikoli and Wikimuu water, health and education project in the Kyuso District, Kenya





***WaterAid***

Improving community health through access to safe and adequate water, sanitation and hygiene services in Baglung District, Western Nepal



***British Red Cross***

Water and sanitation project in the Khulna District, Bangladesh



***Build Africa***

Provision of a new block for the Kayera Primary School, Masindi, Uganda (new block shown to the left)



***PLAN UK***

Improving maternal care and facilities - new maternity ward built in Ponhea Kraek, Cambodia



***UNICEF***

Motorcycle ambulances for pregnant women in South Sudan

**POLICY COUNCIL****GUERNSEY PLANNING PANEL - ANNUAL REPORT 2012**

The Policy Council has received the Guernsey Planning Panel's 2012 Annual Report which is attached for publication as an appendix to the Billet d'Etat.

P.A. Harwood  
Chief Minister

29<sup>th</sup> July 2013

J. P Le Tocq  
Deputy Chief Minister

G. A St Pier	K. A. Stewart	M. G. O'Hara	R. W. Sillars	R. Domaille
M. H. Dorey	D. B Jones	P. A. Luxon	A. H. Langlois	

# **Annual Report**

# **2012**

---

**Third Annual Report of the Guernsey Planning Panel**

## INDEX

	Chairman's Introduction	5
1	Background	6
2	Planning Panel Membership	6
3	Panel Staff	7
4	Operating Costs	7
5	Appeal Fees	8
6	Casework	8
7	Case Appraisal	10
8	Case Administration	11
9	Update on Issues raised in the Panel's previous Annual Reports	
	(a) Third Party Representations	13
	(b) Appeal Periods	13
	(c) Statements of Significance for Conservation Areas and Protected Buildings	14
	(d) Compliance Notices	15
10	Developments for 2013	
	(a) States Strategic Land Use Plan and Development Plans	16
	(b) Access to Appeal Papers	16
11	Conclusion	17
Appendix 1	Planning Panel membership	19
Appendix 2	Synopsis of appeal cases for 2011 and 2012	20
Appendix 3	Analysis of planning policies engaged in appeal cases	40
Appendix 4	Planning Panel's General Policies and Procedures	
	(a) Determination on an appeal by a Single Professional Member	45
	(b) Determination on an appeal by written representation by either a Single Professional Member or by a full Tribunal	45
	(c) Determining Compliance Notices and Confirmation of Tree Protection Order	46
	(d) Site visits	46
	(e) Handling post-hearing correspondence	47
	(f) Determining linked appeals against the refusal of planning permission and against a Compliance Notice	48

## **Chairman's Introduction**

It is my pleasure to present the Planning Panel's third Annual Report.

The Planning Panel has been in place for some three and a half years and is now very much part of the planning process.

Whilst numerically our caseload has now settled and remains similar to 2011 there is no doubt that the complexity of issues before the Panel have further increased, with the proportion of commercial type appeals being for the first time greater than those of a more domestic nature. The Panel has also noted an increase in professional representation.

The Panel has continued to develop working relationships with all parties involved in the Tribunal process wherever possible but is ever mindful of the absolute necessity of it maintaining its independence and professional integrity.

In terms of procedures at Tribunal hearings a significant change has been the introduction for a trial period of an agenda-led format which has been a success and widely welcomed by those attending. This procedure is referred to in more detail later in this Report. It has resulted in a less adversarial feel to hearings and has focussed attention on key areas for consideration both of which should benefit in particular unrepresented appellants.

During 2012, the Panel welcomed two additional professional members, Mrs. Linda Wride and Mr. Jonathan King, both experienced UK planning inspectors. Their contribution has further strengthened the Panel's work and they have both brought significant experience to the planning appeal process. We have also welcomed Mr. David Harry as an ordinary member in place of Mr. Nigel Burnard, who resigned following his appointment to a full-time post. The Panel is now in my view both professionally and numerically well placed to deal with any matters that may come before it.

In presenting this 2012 Annual Report, I have highlighted a number of issues which have arisen during 2012 and which I believe need to be monitored, in particular the increase in the Panel's operating costs. Being publically funded, it is our duty to ensure we are providing not only a professional, transparent and fair appeal system but one that represents excellent value for money for the people of Guernsey. The Report also provides a detailed overview of the appeal cases determined by the Panel during 2012 which I hope will be informative and of interest to all.

I am again indebted to my fellow colleagues on the Panel for their support, enthusiasm and hard work. Their efforts far exceed any remuneration they receive and as I have recorded before their skill, dedication and professionalism have resulted in a Panel which is now very much established as an independent body within the Island's planning process. I also have the pleasure to record the Panel's indebtedness to our Secretary, Miss Elizabeth Dene, who provides us with administrative support of the highest professional standard.

Patrick Russell  
Chairman  
June 2013

## 1. **Background**

The Planning Panel was established in April 2009, under the Land Planning and Development (Guernsey) Law, 2005 to determine appeals against planning decisions made by the Environment Department<sup>1</sup>.

The Panel is an independent appeal body, with its own secretariat and administration. The Panel members are appointed by the States of Guernsey. To ensure the independence of the Panel, the following groups of people cannot serve on the Panel:

- (a) A Member of the States of Deliberation
- (b) An employee, member or anybody carrying out work or providing services for the Environment Department
- (c) A member of the Strategic Land Planning Group
- (d) Anybody holding judicial office in Guernsey
- (e) Anybody who has held any of the above posts within the preceding two years.<sup>2</sup>

## 2. **Planning Panel Membership**

In January 2012, the States of Deliberation unanimously approved the appointment of Mrs. Linda Wride and Mr. Jonathan King as professional members of the Panel.

Mrs Wride is an experienced town planner and has been a member of the Royal Town Planning Institute since 1976. She has a Diploma in Town Planning from Oxford Brookes University. In March 2011, Mrs. Wride took early retirement from the UK Planning Inspectorate, having worked as a Senior Planning Inspector for 9 years. Prior to joining the Planning Inspectorate, Mrs. Wride was employed by Oxford City Council, including 12 years as Head of Planning Control and Conservation.

Mr. King is an experienced town planner and has been a member of the Royal Town Planning Institute since 1980. He gained a degree in Geography from Manchester University and a Diploma in Town Planning from the City of Birmingham Polytechnic. He joined the UK Planning Inspectorate in September 1996 and retired from full-time employment with the UK Planning Inspectorate in early 2012. Prior to joining the Inspectorate, Mr. King worked for both the Nottingham and Staffordshire County Councils' planning departments.

Mrs. Wride's and Mr. King's considerable experience is reinforcing the Panel's ability to determine planning appeals systematically.

In July 2012, Mr. Nigel Burnard resigned from the Panel following his appointment to a full time post which had thereby resulted in him being unable to sit on Tribunal hearings. Mr. Burnard was a great asset to the Panel particularly in respect of his planning and local knowledge. His contribution to all aspects of the Panel's work was greatly appreciated by his colleagues.

---

<sup>1</sup> See section 86 of the Land Planning and Development (Guernsey) Law, 2005

<sup>2</sup> See section 4 of the Land Planning and Development (Appeals) Ordinance, 2007



Following Mr. Burnard's resignation, the States, at its September 2012 meeting, unanimously appointed Mr. David Harry as an ordinary member in his place. Mr. Harry is a qualified English Solicitor and has specialised in land and property law. Mr. Harry is a member of the Society of Trust and Estate Practitioners and the Guernsey International Legal Association.

Mr. Harry was a reserve member of the Panel as indeed was Miss Julia White who was appointed in 2011. The Panel's policy of involving its reserve members in all aspects of its work and training has proved invaluable since both have been able to take up their roles with ease.

The full membership of the Panel at the end of 2012 is set out at Appendix 1.

### **3. Panel Staff**

During 2012 there were no staff changes and Miss Dene continues to act as the Panel's Secretary on a half-time basis.

### **4. Operating Costs**

The Panel's expenditure in 2012 is set out in Table 1. Although the number of appeals did not increase significantly on previous years, the Panel noted a marked change in the type of appeals it dealt with. Two differences had a particular impact on the Panel's costs, especially in respect of the payments to Panel Members. Firstly, unlike in previous years the number of appeals linked to commercial developments increased significantly. In 2011, only 8 cases related to commercial premises. This number rose to 13 in 2012 (see Table 2 for further details). Secondly, the number of appellants opting to be professionally represented also saw a sharp increase. In 2011, only 4 appellants were represented by an advocate but this rose to 15 in 2012 (see Table 6 for further details).

As a result of these changes and in particular the multiple and complex planning issues arising in several cases, Tribunal members and in particular the professional members, needed to spend significantly more time preparing cases prior to the hearing. The time taken to draft Decision Notices also increased.

The Panel has observed that most appellants continue to request a public hearing before a Tribunal. The Panel is mindful that this is administratively the most costly mode of appeal to the Guernsey tax payer. It continues to remind appellants of the availability of appeal by the use of written representations and determination by a single professional member whenever possible. Its Guidance Notes also promote greater use of these options underlining that the weight of the decisions is no less than following a public hearing and that the rigour of the members' examination of the appeal papers is the same. However, the Panel is also very mindful that, in accordance with legislation, the mode of hearing chosen must in general ultimately rest with an appellant.

The Panel continues to arrange public hearings in blocks of three or four appeals over a two or three day period. In this way it makes best use of the professional members' time in Guernsey whilst minimising travel costs.



**Table 1****Panel's Expenditure and Income**

	2009	2010	2011	2012
Recruitment and training	£26,410	£0	£8,352	£8,000
General administration and stationery	£960	£1,410	£1,038	£685
Payments to Panel Members ( <i>for preparation, attendance, drafting and review fees and monthly retainers</i> )	£16,700	£48,070	£50,867	£79,076
Travel and accommodation costs	£210	£1,870	£1,618	£4,749 <sup>3</sup>
Operational costs	£870	£4,050	£3,503	£4,259
Staff salaries	£12,550	£31,150	£32,232	£33,355
<b>Total Expenditure</b>	<b>£57,700</b>	<b>£86,550</b>	<b>£97,610</b>	<b>£132,124</b>
<b>Income from Fees</b>	--	--	<b>£965<sup>4</sup></b>	<b>£7,969</b>

**5. Appeal Fees**

2012 was the first full year where fees were payable for certain categories of appeals. The Panel noted that only one appellant withdrew their appeal on being advised of the appeal fee. The fees payable ranged from £42 to £950.

The Panel is mindful that section 4E of the Land Planning and Development (Fees and Miscellaneous Amendments) Ordinance, 2011 provides,

*"The Policy Council may by regulations amend this Ordinance so as to substitute the fee payable under this Part, in relation to an appeal to which this Part applies, for such other amount as the Policy Council thinks fit including, without limitation, substituting the percentage of any discount applied under this Part."*

Should the Policy Council decide at some point to increase the fees associated with planning appeals consideration could also be given to increasing the percentage discount for written representations and determination by a single professional member (currently a 25% discount on the appeal fee is applied). However, issues such as fee levels are very much for others to determine and are not within the remit of the Panel.

**6. Casework**

In 2012 (2011), the Panel received 44 (43) appeals. Tables 2 and 3 provide a breakdown of the categories of appeals made and their disposal.

At the end of 2012, 7 appeals remained unheard. Of these appeals, 3 related to a single application (a refusal of planning permission and two associated compliance notices). As noted above, 2012 saw a sharp increase in the number of appeals which related to commercial developments.

<sup>3</sup> The increase in costs reflects the additional travel and hotel accommodation following the appointment of two UK-based Professional Members

<sup>4</sup> Appeals fees became payable with effect from 1 September 2011 (see Section 5 for further detail)



**Table 3**

	Number of Appeals					
	2012		2011		2010	
	Private Premises	Commercial Premises	Private Premises	Commercial Premises	Private Premises	Commercial Premises
<b>Refusal of planning permission</b>	19	13	23	8	25	10
<b>Refusal of outline planning permission</b>	--	--	--		2	--
<b>Planning conditions</b>	--	3	3	--	1	--
<b>Non-determination</b>	--	1	--	--	--	--
<b>Compliance Notices</b>	1	7	6	2	1	2
<b>Confirmation of a Tree Protection Orders</b>	--	--	--	1		
<b>TOTAL</b>	20	24	32	11	29	12

## 7. Case Appraisal

During 2012, the Panel continued to publish quarterly synopses of planning appeal decisions (see Appendix 1). This document sets out brief details of the case, the issues identified at appeal, the planning policies involved and the Tribunal's decision. These are available on the Panel's website ([www.gov.gg/planningpanel](http://www.gov.gg/planningpanel)).

**Table 4****Subject matter of Appeals<sup>5</sup>**

		2012	2011	2010
Change of Use	Horticultural to industrial	--	2	1
	Horticultural to residential	1	1	1
	Horticultural to recreational	1	1	4
	Industrial to retail	2	1	--
	Retail to residential	1	--	--
	Office to residential	2	--	--
	Tourist accommodation to residential	2	--	--
Creation of dormer windows		--	1	2
Creation of parking	Private/domestic	5	4	8
	Commercial	2	1	--
Domestication of agricultural land		--	2	--
Small-scale domestic cultivation on agricultural land		--	3	--
Dower units		--	1	1
Extension of curtilage		1	--	1
Fencing and gates	Type	3	3	3
	Height	3	--	--
New housing developments		2	2	2
Removal or lowering of roadside walls		8	6	13
Construction or removal of earthbanks		2	--	3
Re-use of redundant buildings for other purposes		1	6	5
Sheds on agricultural or horticultural land		1	5	1
Signage		2	--	3

<sup>5</sup> A single appeal case may have involved more than one of the subject areas listed.

In 2012 (2011), 24(21) of the appeals against the refusal of planning permission which proceeded to an adjudication by a Tribunal related to development within the Rural Area and 19 (19) cases related to developments in the Urban Area. A full breakdown of the planning policies is set out in Appendix 2.

Table 4 provides an overview of the principal subject matter of planning decisions which have been appealed. In many appeal cases more than one issue was raised and therefore the totals do not automatically equate to the number of the appeals shown in Tables 2 and 3.

## 8. Case Administration

During 2012, the Panel reviewed its policies and procedures in the following areas:

- The determination of whether appeals should be heard in public before a Planning Tribunal rather than by means of Written Representations or before a Single Professional Member.
- The determination of appeals against Compliance Notices and the Confirmation of Tree Protection Order.
- The procedure for site visits.
- The handling of post-hearing correspondence.
- The determination of linked appeals against the refusal of planning permission and against a Compliance Notice.

For ease of reference these policies and procedures have been reproduced at Appendix 3.

**Table 5**  
**Mode of Appeal**

	Disposal as requested by Appellant		Actual disposal following review by Panel Chairman	
	Planning Decisions	Compliance Notices or Tree Protection Orders	Planning Decisions	Compliance Notices or Tree Protection Orders
	2012 (2011)	2012 (2011)	2012 (2011)	2012 (2011)
<b>Public Hearing before a Planning Tribunal</b>	25 (26)	8 (5)	30 (31)	6 (9)
<b>Public Hearing before a Single Professional Member</b>	-- (1)	-- (--)	-- (--)	-- (--)
<b>Written Representations determined by a Planning Tribunal</b>	7 (5)	-- (2)	3 (1)	-- (--)
<b>Written Representations determined by a Single Professional Member</b>	2 (--)	-- (2)	-- (--)	-- (--)

As noted above, there remains a strong preference for appellants to request an appeal be heard before a Planning Tribunal.

Table 5 provides a breakdown of the mode of appeal, including cases where the Panel's Chairman has, having reviewed an appeal application, decided that the case should be determined by a different mode of appeal from that indicated by the appellant, such as a request for determination by Written Representations or by a Single Professional Member, the latter also requiring the consent of the Policy Council.

In 2012, the Panel noted a sharp increase in the number of appellants choosing to be represented by a professional person. Table 6 below provides a breakdown.

<b>Table 6</b> <b>Breakdown of Representation<sup>6</sup></b>		<b>2012</b>	<b>2011</b>	<b>2010</b>
Unrepresented		15	16	17
Unrepresented but assisted by a friend or family member		3	3	3
Represented	Architect	17	8	10
	Advocate	15	4	4
	Planning consultant	3	3	--
	Surveyor	--	2	--

The Panel is very conscious that when the States of Deliberation agreed to introduce a tribunal-based appeal process for challenging planning decisions it was keen to enable unsuccessful applicants to present their own appeals without having to incur the expense of employing professional assistance. It recognises that whether an appellant is professionally represented or not is entirely the appellant's choice. However, the Panel would be concerned if potential appellants were discouraged from appealing a planning decision because they felt they must be professionally represented but were unable to afford such representation.

With this in mind, to assist all who appear before a Planning Tribunal, but in particular unrepresented appellants, the Panel in 2012 introduced an agenda – led approach for use at most hearings. There were a number of reasons for this change, but the main reason was to ensure the hearing process was as accessible as possible to the self-represented appellant. The Panel also believe that an agenda ensures that hearings are conducted in a systematic, thorough and timely manner and avoids unnecessary repetition of evidence. Whilst introduced for a trial period this change in procedure has been a success and has reduced any adversarial feel to proceedings which the Panel hope will be of particular benefit to unrepresented appellants.

An agenda is prepared by the Tribunal and sets out the issues which it has identified from its review of the appeal papers as being central to the determination of the appeal. The agenda does not of course prevent an appellant or the Department from raising any other matters which they believe should be considered by the Tribunal. The agenda is circulated to the parties approximately one week prior to the hearing.

<sup>6</sup> Numbers relate to appeals determined at a public hearing; in two cases the appellant was represented by an Advocate together with the architect

Further, the agendas are made available to any members of the public or media who may attend the hearing. The Panel has noted that the availability of the agenda has been welcomed by people who submitted a written representation to the Department when the planning application was determined. The Panel is fully aware that the provisions of section 69(1) of the 2005 Law limit a Tribunal to considering the appeal solely on the basis of the materials, evidence and facts which were before the Department and so it is unable to take any new evidence from those who have made third party representations. It believes that this change in procedure means that third parties can now follow the appeal hearing more fully and so contributes to the openness and transparency of the appeals process.

## **9. Update on Issues raised in the Panel's previous Annual Reports**

### ***(a) Third party representations***

During 2012, the Panel noted a rise in the number of third party representations linked to appeal cases. It is unclear as to why this should be. It may reflect that appeal cases are often those which are most finely balanced or those applications which have attracted considerable opposition from neighbours. In previous annual reports, the Panel has commented on the restrictions placed on third parties and indicated that it would support some relaxation of the current restrictions placed on taking evidence from third parties.

Whilst this remains the Panel's general view, it fully recognises that any such change would need to be carefully managed to ensure that the principle of a merits review of a decision on the material, evidence and facts before the Department was maintained. It is also conscious that if an application attracts a large number of third party representations this could lengthen any hearing if all were able to give evidence.

The Panel has noted the approach adopted by the Environment Department in respect of third parties who wish to address an Open Planning Meeting. It notes that setting strict time limits, limiting submissions to relevant planning considerations and inviting objectors to nominate a spokesperson have received approval by all parties without limiting the openness and transparency of the planning process.

The Panel's view is that if the current limitation was amended the Tribunal should adopt a similar approach, subject to ensuring that the process remained fair and showed no bias towards any party.

The Panel's general policy is to require a public hearing where the application has attracted a number of representations from third parties such as neighbours (see Appendix 4(a) for full details of this policy).

### ***(b) Appeal periods***

The Panel remains concerned that in some cases where an individual is appealing a refusal of planning permission on a retrospective application and an associated Compliance Notice the difference between the two appeal periods (six months from the date of the refusal of planning permission and 28 days from the Date of Issue of a Compliance Notice) may be used as a means to delay enforcement action.

This concern was raised in its 2011 Annual Report and, following discussions with the Policy Council, it agreed to monitor the situation, including the impact that appeal fees<sup>7</sup> may have, and to report back in its future reports should these concerns continue to arise.

In 2012, this issue arose in three appeal cases. In two of these cases, the appeals against the refusal of planning permission were submitted just before the expiry of the six month appeal period. Further, the Panel also noted that in 2011, the UK Government amended the provisions under the Town and Country Planning Act, 1990 in respect of the appeal period for a refusal of planning permission where the application was made after the commencement of enforcement action. As a result, the appeal period for the refusal of a retrospective planning application and an associated Enforcement Notice are the same, i.e. 28 days from the date of issue, rather than six months for the refusal of planning permission, and 28 days for the Enforcement Notice.

The Panel believes that a similar approach could be introduced locally. It believes that if such an amendment to the 2005 Law was made, it would reduce the likelihood of the two different appeal periods being used to frustrate the enforcement process and so ensure that all appeals are determined in a timely manner to maintain public confidence in the appeals process without limiting an appellant's access to a fair and impartial tribunal.

Further, in a number of such cases the Panel has determined, the Tribunal hearing the appeals has noted that during the extended period within which an appeal can be lodged, and brought to a hearing, the physical circumstances on a site have changed, thus making it more difficult to establish the circumstances that prevailed at the time the alleged breach of control occurred. Shorter appeal periods could also significantly reduce these difficulties.

The Panel believes that there may be merit in considering a similar approach locally and does not believe that such a change would unfairly impact on an individual as he/she would have been aware that the development in question was unlawful and required planning permission through the commencement of enforcement action, e.g. by way of a Challenge Notice issued by the Environment Department.

### ***(c) Use of Statements of Significance for Conservation Areas and Protected Buildings***

During 2012, the Panel noted that a large number of appeals involved developments that were either in a Conservation Area or on the Protected Building List. The Panel felt on occasions there was a "gap" in the information before it to enable it to fully understand the Department's reasoning and this "gap" could only properly be addressed through the Tribunal asking questions during the hearing to understand the characteristics of the area or building, including:

---

<sup>7</sup> The fee payable for retrospective applications is double the usual rate and the same fee is applied to any appeal against the refusal of planning permission and against conditions attached to the grant of planning permission.

- **Evidential Value** – i.e. explaining the characteristics of the area and how an area's characteristics reflect its development and use, including aspects of architectural design through both time and the work of a particular architect or builder
- **Historical Value** – i.e. explaining how the area's current characteristics can be connected to past people, events and aspects of life
- **Communal Value** – i.e. explaining how the area relates to the local community and the Island as a whole
- **Aesthetic Value** – i.e. why an area is considered to merit special protection, including how the area can be distinguished from adjacent areas outside the Conservation Area.

The Panel acknowledges that the Environment Department is undertaking a review of all the Island's Protected Buildings and Monuments and that this is a significant task. However, it remains a difficulty for Tribunals that the Department does not have any published criteria for assessing whether or not a building merits special protection. Further, the Department does not routinely include a general statement for the Conservation Areas set out in the Rural and Urban Plans when submitting its written response to an appeal.

However, the Panel believes that, in the interim, the Statements of Significance addressing the above matters would assist a Tribunal and, more importantly, enable the appellant to better understand the Department's reasons for its decision.

#### **(d) Compliance Notices**

In a number of the appeals against Compliance Notices lodged in 2012, the Panel noted that the description of the alleged breach of development control was unclear. The Notices required the reader to refer to section of the Notice setting out the measures to be taken and steps or activities to be stopped to be taken to understand what the alleged breach was and how it should be rectified.

In most cases the Compliance Notice simply states that,

*"The actions by the owners and / or tenant is development as defined by section 13 (1)(b) of the 2005 Law.*

*In breach of section 14 of the 2005 Law development of Land has taken place without planning permission and the said breach continues."*

The Panel is concerned that in some cases it has become apparent that appellants, particularly those who are unrepresented, have not fully understood the extent or nature of the alleged breach. This has led to a lack of clarity in how they have drafted their grounds of appeal and presented their appeal. The Panel is concerned that where an appellant fails to properly understand what the alleged breach consists of, he/she may not be able to fully argue their case at appeal because they have not set out their grounds of appeal in full.



Unlike appeals on the refusal of planning permission, appeals against Compliance Notices must be made against specific grounds of appeal which are set out in s. 70(1) of the 2005 Law.

The Panel believes that if the details of the breach were more clearly explained by the Department this should also ensure that all parties fully understand the nature of the alleged breach and the grounds of appeal that may be engaged.

## **10. Developments for 2013**

### ***(a) Strategic Land Use Plan and review of Development Plan***

The Panel notes that the Environment Department is actively progressing the Development Plan Review following the approval of the States Strategic Land Use Plan (SLUP) in September 2012.

The Panel acknowledges that the direction and focus of the Strategic Land Use Plan is fundamentally different from its predecessor in that it promotes more effective working practices and establishes policies that can facilitate improved corporate working to enable the States, in partnership with others, to better meet social, economic and environmental expectations.

The Panel awaits, with interest, the publication by the Department of the key issues and options in Spring 2013 and thereafter the draft Plans.

In its 2011 Annual Report, the Panel highlighted difficulties Tribunals had encountered when determining appeals relating to small-scale domestic cultivation on agricultural land and suggested that consideration could be given to an amendment to the definition of agriculture under the Rural and Urban Area Plans. At that time, the Department felt that such piecemeal amendments to the Development Plans should not be progressed but assured the Panel that its comments would be taken into consideration when drafting the new Development Plan under the principles set out in SLUP.

The Panel notes that the Policy Council/Environment Department anticipates that the draft Detailed Development Plan, which has to be drafted in conformity with the Strategic Land Use Plan, will be reviewed at a Planning Inquiry in Autumn 2014 and the Plan will then be submitted to the States of Deliberation for approval during 2015.

### ***(b) Access to appeal papers***

As noted above, during 2012 the Panel noted that the number of third party representations linked to an appeal case had increased markedly. It also noted that, in a number of appeal cases, the third parties have found it difficult to follow the proceedings because they had not seen the appeal papers and so have left the hearing frustrated and potentially feeling that the appeal process was not as open and transparent as they would have hoped.

The Panel has decided to make appeal papers available to third parties on a similar basis to the access provided to the original planning application papers. With effect from the 1<sup>st</sup> January 2013, the Panel will allow third parties to view the appeal papers.

The Panel hopes that this approach will mitigate any concerns about the openness and transparency of the appeals process.

## **11. Conclusion**

The Panel has been determining planning appeals for nearly four years. During this time it has sought to develop and strengthen its experience and understanding of the planning process.

The Panel continues to use its best endeavours to ensure that the members are kept up-to-date with relevant planning matters and to review its own policies and practices. This is undertaken through regular in-house training and regular reviews of its operational policies and procedures whilst monitoring any developments in local planning policy or other States policy which may have an impact on the cases it is asked to determine.

# Appendices

**APPENDIX 1 – PLANNING PANEL MEMBERSHIP**

<b>Name</b>	<b>Position on Panel</b>	<b>Date Appointed</b>	<b>Term of Office</b>
Mr. Patrick Russell	Chairman	March 2009	Until March 2015
Mr. Stuart Fell	Vice Chairman and Professional Member	March 2009	Until March 2015
Mr. Jonathan King	Professional Member	January 2012	Until January 2018
Mrs. Linda Wride	Professional Member	January 2012	Until January 2018
Mrs. Sheelagh Evans	Lay Member	January 2013 <sup>8</sup>	Until January 2019
Mr. David Harry	Lay Member	September 2012 <sup>9</sup>	Until January 2017
Mr. John Weir	Lay Member	January 2011 <sup>10</sup>	Until January 2017
Ms. Julia White	Lay Member	January 2012 <sup>11</sup>	Until January 2019

---

<sup>8</sup> Mrs. Evans was first appointed as a lay member in March 2009 to serve for 4 years

<sup>9</sup> Mr. Harry was appointed to serve the unexpired term of Mr. Burnard's appointment

<sup>10</sup> Mr. Weir was first appointed as a lay member in March 2009 to serve for 2 years

<sup>11</sup> Ms. White was first appointed in September 2011 to serve the unexpired term of Mr. Bowen's (who resigned from the Panel in May 2011) appointment

# APPENDIX 2 - SYNOPSIS OF APPEAL CASES DETERMINED DURING 2011 AND 2012

Appeals on the refusal of planning decision or a grant of planning permission subject to conditions – 2011				
Reference	Appeal Details	Principal Issues	Relevant Policies	Decision
<b>001/2011</b>	Extend and alter dwelling to side (south elevation) and install roof lights at The Farmhouse, La Mazotte, Vale			Withdrawn by Appellants
<b>002/2011</b>	Erect post and rail fencing, construct a shed and install timber steps at Pulco, Rue de la Saline, Cobo, Castel (Retrospective)			Withdrawn by Appellants
<b>003/2011</b>	Reduce height of section of roadside wall at entrance (west) to Oakleigh Vinery, La Douit Lane, Vale	<ul style="list-style-type: none"> <li>Whether improved visibility overrides harm caused by the removal of part of the stone granite wall, to the character of the area</li> </ul>	<b>Rural Area Plan</b> RGEN4 – Built heritage RGEN7 – Safe and convenient access RCE13 – Demolition of buildings and features	Appeal Dismissed
<b>004/2011</b>	Change of use of part of building to gift shop at Griffin's Grotto, La Hougue Bachelet, St. Saviour	<ul style="list-style-type: none"> <li>Whether the retail use harms vitality and viability of the existing Rural Centres</li> <li>Whether the retail use would fail to safeguard stock of existing industrial units in the rural area</li> </ul>	<b>Rural Area Plan</b> RE4 – Retail development RE8 – Protecting industrial accommodation	Appeal Dismissed
<b>006, 007 and 008/2011</b>	Excavate steps and relocate gate pillar to create parking area at Somerset House, Collings Road, St. Peter Port	<ul style="list-style-type: none"> <li>Whether the proposed parking space would have an unacceptably harmful effect on highway safety and the free flow of traffic on a Traffic Priority Route</li> <li>Whether widening opening in front wall would cause unacceptable harm to the character of the surrounding area</li> </ul>	<b>Urban Area Plan</b> GEN6 – Character and amenity DBE1 - Design DBE9 – Demolition of buildings and features Traffic Engineering Guidelines for Guernsey	Appeal Dismissed
<b>009/2011</b>	Demolish roadside wall to create vehicular access at 13 Les Camps Terrace, Les Camps, St Martin's	<ul style="list-style-type: none"> <li>Whether the development conserves and enhances the special character and appearance of the area</li> <li>Whether the removal of an additional 1.7m of wall would prejudice the character of the area</li> </ul>	<b>Rural Area Plan</b> RGEN5 – Character and amenity RCE10 – Conservation areas	Appeal Allowed

Reference	Appeal Details	Principal Issues	Relevant Policies	Decision
<b>010/2011</b>	Erect an agricultural store at field at Vue de l'Eglise, Forest	<ul style="list-style-type: none"> <li>Whether the erection of the store represents an unacceptable form of development that is contrary to the relevant objectives and policy provisions of the adopted Rural Area Plan</li> </ul>	<b>Rural Area Plan</b> RCE1 – Protecting open land and avoid unnecessary development RCE3 – Areas of High Landscape Quality RE1 – Agricultural development RE2 – Horticultural development	Appeal Allowed
<b>011/2011</b>	Install recessed dormer window on fifth level at 22 Cornet Street, St Peter Port	<ul style="list-style-type: none"> <li>Whether the proposed dormer would preserve or enhance the character of the surrounding Conservation Area</li> <li>Whether the dormer would appear intrusive or discordant in the wider street scene</li> </ul>	<b>Urban Area Plan</b> GEN6 – Character and amenity DBE1 - Design DBE7 – New development in conservation area	Appeal Dismissed
<b>013/2011</b>	Erect shed at Haute Landes Vinery, Les Abreuveurs, Vale	<ul style="list-style-type: none"> <li>Whether the appeal building and the use for which it was intended conflict with the policy provisions identified by the Department in its refusal of the application</li> <li>Whether the development runs contrary to other relevant policies of the Plan</li> </ul>	<b>Rural Area Plan</b> RCE1 – Protecting open land and avoid unnecessary development RCE3 – Areas of High Landscape Quality RE1 – Agricultural development RE2 – Horticultural development	Appeal Allowed
<b>014/2011</b>	Alter car parking and vehicle access and lower roadside wall at Wavertree, Grand Bouet, St Peter Port			Withdrawn by Appellants
<b>015/2011</b>	Remove section of roadside wall to create new vehicle access and parking area at Les Martins, Les Martins, St Sampson	<ul style="list-style-type: none"> <li>Whether the proposed vehicular access would have an unacceptably detrimental effect on highway safety</li> <li>Whether the formation of new openings in the roadside boundary wall would cause harm to the character and amenity of the local environment</li> </ul>	<b>Rural Area Plan</b> RGEN5 – Character and amenity RGEN7 – Safe and convenient access RCE13 – Demolition of buildings and features Traffic Engineering Guidelines for Guernsey	Appeal Dismissed

Reference	Appeal Details	Principal Issues	Relevant Policies	Decision
<b>016/2011</b>	Install garage doors and windows at Les Martins, Les Martins, St Sampson	<ul style="list-style-type: none"> <li>Whether installing garage doors and new window opening to the existing façade would cause harm to the character of the property</li> </ul>	<b>Rural Area Plan</b> RGEN5 – Character and amenity RCE13 – Demolition of buildings and features	Appeal Allowed
<b>017/2011</b>	Extend and convert existing garage to dower until with first floor accommodation with link to main house at Highview, Rue de Haut, Vale	<ul style="list-style-type: none"> <li>Whether the proposed extension can reasonably be regarded as accommodation that is subservient to the existing dwelling, i.e. a dower unit</li> <li>Whether the proposed dower would be appropriate, given its proximity to the neighbouring property</li> </ul>	<b>Rural Area Plan</b> RH1 – New housing RH5 – Dower units RH6 – Extensions and alterations to dwellings RCE3 – Areas of high landscape quality RCE14 – Conservation and re-use of buildings RGEN11 - Effect on adjoining properties	Appeal Dismissed
<b>018/2011</b>	Erect a sign on an existing signpost and another on a wall			Dismissed Out of Time
<b>019/2011</b>	Erect 3 detached houses on a field at Greenways, Belgrave Lane, St. Sampson	<ul style="list-style-type: none"> <li>Whether the access route is capable of providing safe and convenient access to the appeal site</li> </ul>	<b>Urban Area Plan</b> HO8 – Housing Target Areas GEN7 – Roads and infrastructure GEN8 – Safe and convenient design Outline Planning Brief for Belgrave Vinery Traffic Engineering Guidelines for Guernsey	Appeal Allowed
<b>025/2011</b>	Alter and convert a packing shed to pigeon loft, erect pigeon loft, traps and aviary on agricultural land at Epinelle Road, St Sampson	<ul style="list-style-type: none"> <li>Whether the development causes unacceptable harm to the rural surroundings</li> </ul>	<b>Rural Area Plan</b> RGEN11 - Effect on adjoining properties RCE1 – Protecting open land and avoiding unnecessary development RCE3 – Areas of high landscape quality RCE14 – Conservation and re-use of buildings	Appeal Dismissed

Reference	Appeal Details	Principal Issues	Relevant Policies	Decision
<b>026/2011</b>	Outline planning permission to demolition existing garage and erect house and garage at Les Godaines, Godaines Avenue, St. Peter Port	<ul style="list-style-type: none"> <li>- Whether a policy gateway exists allowing development on the appeal site</li> <li>- Whether the site can be regarded as an open space making a beneficial contribution to its surroundings</li> <li>- Whether the development would cause unacceptable detriment to its open quality</li> <li>- Whether by virtue of scale, mass and design the dwelling would have an adverse impact on the character of the surroundings</li> </ul>	<b>Urban Area Plan</b> HO2 – New housing in Settlement Areas and on previously developed land GEN5 - Design GEN6 – Character and amenity DBE1 – Design – general CO1 – New development outside Settlement Areas	Appeal Dismissed
<b>027/2011</b>	Resurface existing hardcore drive with tarmac at Bon Enfant Vinery, La Rochelle Road, Vale			Conceded by Environment Department
<b>028/2011</b>	Extend storage shed at Les Huriaux Farm, Les Huriaux, St. Martin	<ul style="list-style-type: none"> <li>- Whether the development is unacceptable within an Area of High Landscape Quality, bearing in mind the relevant policy provisions of the Adopted Rural Area Plan and the planning history of the site</li> </ul>	<b>Rural Area Plan</b> RE7 – Industrial development RCE1 – Protecting open land and avoiding unnecessary development RCE3 – Areas of high landscape quality RCE6 – Creation or extension of curtilages	Appeal Allowed
<b>029/2011</b>	Vary the height of a previously approved decking area outside L'Atlantique Hotel, Route de la Perelle, St. Saviour	<ul style="list-style-type: none"> <li>- Whether the retention of the decking in its present form would cause unacceptable harm to the character and amenity of the surroundings</li> <li>- Whether its retention would result in unacceptable harm to the amenity of the adjacent residential property to the west</li> </ul>	<b>Rural Area Plan</b> RGEN1 – Sustainable development RGEN5 – Character and amenity RE11 – Visitor accommodation development	Appeal Dismissed



Reference	Appeal Details	Principal Issues	Relevant Policies	Decision
<b>031/2011</b>	Remove a section of roadside wall and dividing wall to create vehicle access and parking areas at St. Michael's Cottages, Nocq Road, St. Sampson	<ul style="list-style-type: none"> <li>Whether the proposed removal of the granite wall would, by virtue of the loss of distinctive features, cause harm to the character or appearance of the area</li> <li>Whether the benefits to road safety outweigh any harm to the character or appearance of the locality</li> </ul>	<b>Urban Area Plan</b> GEN6 – Character and amenity GEN8 – Safe and convenient access GEN9 – Open space and parking GEN12 – Effect on adjoining properties DBE1 – Design - general DBE9 – Demolition of buildings and features Traffic Engineering Guidelines for Guernsey	Appeal Dismissed
<b>032/2011</b>	To remove condition 4 of planning permission which required the existing fence (a new fence which was a direct replacement for a pre-existing one) along the southern boundary at Trelawney, Upper St. Jacques, St. Peter Port to be reduced in height from 1m to 0.5m	<ul style="list-style-type: none"> <li>Whether the erection of this new replacement fence amounts to “development” within the meaning of s. 13 of the 2005 Law</li> <li>Whether the replacement fence is in conflict with the intentions of Policies</li> </ul>	<b>Urban Area Plan</b> GEN5 - Design GEN6 – Character and amenity DBE1 – Design – general	Appeal Allowed
<b>033/2011</b>	Replace a fence at Icart House, Icart, St. Martin	<ul style="list-style-type: none"> <li>Whether the replacement of the existing fence would cause unacceptable harm to the surroundings</li> </ul>	<b>Rural Area Plan</b> RCE2 – Landscape character RH6 – Extensions and alterations to dwellings	Appeal Allowed
<b>034/2011</b>	Remove a section of roadside wall and dividing hedge to create vehicle access and parking area at 5 Daytona Cottages, Rue de Galaad, Castel			Withdrawn by Appellants
<b>035/2011</b>	Vary previously approved works to demolish an existing dwelling and erect a new dwelling, namely the rescinding of condition requiring closure of an existing south-western access to the main dwelling, Nirvana, at Ship's Bell Cottage, Portinifer Road, Vale	<ul style="list-style-type: none"> <li>Whether any benefit in retaining the access sufficient to override the presumption to resist a further access onto a Traffic Priority Route</li> <li>Whether the condition is reasonable and justified on road safety and traffic management grounds</li> </ul>	<b>Rural Area Plan</b> RGEN7 – Safe and convenient access Traffic Engineering Guidelines for Guernsey	Appeal Allowed

Reference	Appeal Details	Principal Issues	Relevant Policies	Decision
<b>036/2011</b>	Change of use of horticultural building to carpenter's workshop and store at Ridgeway Vinery, Rue des Pointes, St. Andrew	<ul style="list-style-type: none"> <li>Whether the intended use of the building is, given the policies in the adopted Rural Area Plan to regulate the creation of new industrial establishments and protect key horticultural sites</li> </ul>	<b>Rural Area Plan</b> RCE14 – Conversion and re-use of buildings RE7 – Industrial development Strategic Horticultural Sites	Appeal Allowed
<b>037/2011</b>	Install 2m high closed boarded timber gates at 65 and 66 La Corniche, Fort George, St. Peter Port	<ul style="list-style-type: none"> <li>Whether the proposed development would have a significant adverse effect on the visual quality or landscape character of the area</li> <li>Whether the quality of design and the materials to be used in the development it is contrary to Policy RGEN 6.</li> <li>Whether a precedent has been set by the Department in allowing gates similar to those proposed to be installed at a nearby property, such that it should be followed in the instant case</li> <li>Whether the Department has acted with inconsistency.</li> </ul>	<b>Rural Area Plan</b> RGEN5 – Character and amenity RGEN6 – Design RCE3 – Areas of high landscape quality	Appeal Dismissed
<b>038/2011</b>	Raise the ground level of a field at La Vallette, Rue des Longs Camps, St. Saviour to improve drainage	<ul style="list-style-type: none"> <li>Whether the raising of the level of the field by the amount specified would harm the visual quality and landscape character of the countryside surroundings</li> <li>Whether this work would harm the quality of the land in agricultural terms</li> </ul>	<b>Rural Area Plan</b> RGEN1 – Sustainable development RCE2 – Landscape character RCE3 – Areas of high landscape quality	Appeal Dismissed
<b>041/2011</b>	Demolish existing buildings and convert an existing packing shed to a dwelling at Kintyre Vinery, Hougues Magues Lane, St. Sampson	<ul style="list-style-type: none"> <li>Whether the development would have an unacceptably harmful effect on the rural environment, the conservation and enhancement of which is the primary objective of the Rural Area Plan</li> </ul>	<b>Rural Area Plan</b> RH1 – New housing RCE14 – Conversion and re-use of buildings	Appeal Dismissed

Reference	Appeal Details	Principal Issues	Relevant Policies	Decision
042/2011	Vary conditions relating to setting of a pond at Soucique, Route de la Charruée, Castel	<ul style="list-style-type: none"> <li>Whether the appeal site is agricultural land</li> <li>Whether the development results in the unacceptable loss of open and undeveloped land and detracts from the openness of the countryside or would result in unacceptable irreversible loss of agricultural land</li> <li>Whether the development results in the creation or extension of the domestic curtilage of the property</li> </ul>	<b>Rural Area Plan</b> RCE1 – Protecting open land and avoiding unnecessary development RCE6 – Creation or extension of curtilages	Appeal allowed only to the extent that Condition 4 was varied

Appeals on the refusal of planning decision or a grant of planning permission subject to conditions – 2012				
Reference	Appeal Details	Principle Issues	Relevant Policies	Decision
001/2012	Create a parking area to the rear of Reasons Cottage, Carriere Lane, Vale	<ul style="list-style-type: none"> <li>Whether the provision of a domestic parking area on the field would harm highway safety given the anticipated increase in traffic movements at the existing field access which has sub-standard visibility in both directions</li> </ul>	<b>Urban Area Plan</b> GEN8 – Safe and convenient access	Appeal Allowed
002/2012	Demolish an existing and erect a replacement garage and store for ancillary domestic use at Old Mill Lane, St. Martin	<ul style="list-style-type: none"> <li>Whether the proposed building, by virtue of its design, form, and massing, would have an unacceptably harmful effect on the character or visual amenity of the surroundings</li> </ul>	<b>Rural Area Plan</b> RGEN5 – Character and amenity RGEN6 – Design RCE12 – Design and local distinctiveness	Appeal Dismissed
002/2012	Demolish an existing and erect a replacement garage and store for ancillary domestic use at Old Mill Lane, St. Martin	<ul style="list-style-type: none"> <li>Whether the proposed building, by virtue of its design, form, and massing, would have an unacceptably harmful effect on the character or visual amenity of the surroundings</li> </ul>	<b>Rural Area Plan</b> RGEN5 – Character and amenity RGEN6 – Design RCE12 – Design and local distinctiveness	Appeal Dismissed

Reference	Appeal Details	Principle Issues	Relevant Policies	Decision
<b>004/2012</b>	Erect illuminated signs at La Luna Bar, Le Pollet and Fusion Nightclub, Le Truchot, St. Peter Port	<ul style="list-style-type: none"> <li>Whether the illuminated signs that have been erected can be said to conserve or enhance the character and appearance of the Conservation Area</li> </ul>	<b>Urban Area Plan</b> DBE7 – New development in conservation areas CEN12 - Signs	Appeal Allowed for La Luna Bar Appeal Dismissed for Fusion Nightclub
<b>005/2012</b>	Change of use of part of a public car park at the Mallard Hotel, Rue de la Villiaze, Forest to create parking for commercial vehicles for hire cars	<ul style="list-style-type: none"> <li>Whether the development is necessary to support the efficient running of the airport, having regard to the nature and scale of the airport-related use and the site's location relative to the airport and Areas of High Landscape Value</li> <li>Whether this is sufficient to override the presumption against such development in the rural area</li> </ul>	<b>Rural Area Plan</b> RE7 – Industrial development RE14 – Development requiring an airport location Definition of “close proximity to the airport”	Appeal Allowed
<b>006/2012</b>	Change of use for Flat 2, Isis, Upper St. Jacques, St. Peter Port from a self-catering holiday chalet (Use Class 12) to residential accommodation (Use Class 1)	<ul style="list-style-type: none"> <li>Whether Flat 2 can be regarded as providing satisfactory living accommodation and a living environment of a standard suitable for permanent occupation, given the size and layout of the apartment and its closeness to the adjoining dwelling</li> </ul>	<b>Urban Area Plan</b> HO4 – Conversion and subdivision of existing buildings – general EMP15 – Rationalisation of visitor accommodation	Appeal Allowed
<b>008/2012</b>	Replace windows and doors to existing builder's store, widen existing vehicle access and extend hard-standing at Hougues Magues Lane, St. Sampson	<ul style="list-style-type: none"> <li>Whether the resurfacing of the access drive and the areas of hardstanding can be regarded as incidental and essential to the authorised use of the site</li> <li>Whether the development resolves any amenity issues arising in relation to dwellings in Hougues Magues Clos</li> <li>Whether the development would cause unacceptable harm to the character of the surrounding area</li> </ul>	<b>Rural Area Plan</b> RGEN11 – Effect on adjoining properties RE7 – Industrial development RCE1 – Protecting open land and avoiding unnecessary development RCE3 – Areas of high landscape quality	Appeal Allowed with the exception of the surfacing on the east side of the building

Reference	Appeal Details	Principle Issues	Relevant Policies	Decision
<b>009/2012</b>	Vary previously approved plans at Beckford's Funeral Services, Rue des Crabbes, St. Saviour, namely to retain the existing cider press, omit the earthbank and enlarge site area		<b>Rural Area Plan</b> RGEN11 – Effect on adjoining properties RCE1 – Protecting open land and avoiding unnecessary development RE9 - Commerce-related development	Appeal withdrawn as permission for a revised application granted on 28 September 2012
<b>011/2012</b>	Extend The Island Bowl, Victoria Venue, St. Sampson to create a crèche	<ul style="list-style-type: none"> <li>– Whether the appeal site is suitable having regard to its location outside the defined Settlement Area and Belgrave Vinery Housing Target Area; and</li> <li>– The effect of vehicular traffic generated by the proposed development on highway safety and convenience</li> </ul>	<b>Urban Area Plan</b> CO1 – New development outside Settlement Area SCR2 – Educational facilities Belgrave Vinery Housing Target Area Traffic Engineering Guidelines for Guernsey	Appeal Dismissed
<b>012/2012</b>	Vary the terms of an earlier permission, namely to alter the terms of Condition 4 of application FULL/2010/3561 so as to extend the hours of operation to between 06.00 hours and 21.00 hours daily, on land at La Planque Lane, Forest.	<ul style="list-style-type: none"> <li>– Whether the extended hours of operation that are now proposed would result in unacceptable harm to the reasonable amenity of neighbouring houses</li> </ul>	<b>Rural Area Plan</b> RGEN11 – Effect on adjoining properties	Appeal Dismissed
<b>013/2012</b>	Change of use of office (Use Class 21) to create an additional residential unit (Use Class 2) at The Wing, St. Julian's Cottage, Les Canichers, St. Peter Port	<ul style="list-style-type: none"> <li>– Whether the proposed residential unit would provide a satisfactory living environment and standard of accommodation, having regard to daylight and sunlight, outlook, privacy, noise and disturbance</li> </ul>	<b>Urban Area Plan</b> HO4 – Conversion and subdivision of existing buildings - General HO6 – Obsolete office accommodation EM4 – Conversion of office sites for alternative uses	Appeal Dismissed

Reference	Appeal Details	Principle Issues	Relevant Policies	Decision
<b>014/2012</b>	Appeal against planning decision refusing planning permission for illuminated signs at 24 High Street, St. Peter Port		<b>Urban Area Plan</b> GEN4 – Built heritage GEN5 – Design DBE1 – Design - general DBE8 – Buildings of special interest CEN11 – Shopfronts CEN12 – Signs	Appeal withdrawn as planning permission for a revised application granted on 11 October 2012
<b>015/2012</b>	Appeal against the non-determination of an application for change of use from retail to residential use and for permission of alter the upper floors of a protected building at 30 Fountain Street, St. Peter Port		<b>Urban Area Plan</b> GEN4 – Built heritage GEN5 – Design DBE1 – Design - general DBE8 – Buildings of special interest DBE9 – Demolition of buildings and features CEN11 – Shopfronts	Appeal withdrawn as planning permission granted on 10 May 2012 and thereby extinguishing the grounds for appeal
<b>017/2012</b>	Negate Planning Condition 4 stating that, <i>“The premises to which this permission relates shall be used for purposes relating to the cricket use of the main building and for no other purpose including any other public amenity use under Public Amenity Use Class 29 of the Land Planning and Development (Use Classes) Ordinance”</i> for an extension to the Guernsey Indoor Cricket Club, Hougue du Pommier, Vale	<ul style="list-style-type: none"> <li>Whether condition 4 of the planning permission is necessary and reasonable, having regard to the intended use of the development and the objectives of Policy RS3</li> </ul>	<b>Rural Area Plan</b> RS3 – Indoor recreational facilities Land Planning and Development (Use Class) Ordinance, 2007 UK Circular 11/95 – The Use of Conditions in Planning Permissions	Appeal Allowed
<b>018/2012</b>	Remove the existing gate and pillars to the front of Les Rosiers, The Rohais, St. Peter Port to widen the vehicular access	<ul style="list-style-type: none"> <li>Whether demolishing the gate pillars has an adverse effect on the character and appearance of the street scene in the Rohais, St. Peter Port</li> </ul>	<b>Urban Area Plan</b> GEN6 – Character and amenity DBE1 – Design	Appeal Dismissed

Reference	Appeal Details	Principle Issues	Relevant Policies	Decision
<b>019/2012</b>	Construct earthbank and decking in the rear garden of Coast View, Les Dunes, Vazon, Castel	<ul style="list-style-type: none"> <li>Whether the development required planning permission</li> <li>Whether the development had an adverse effect on the amenity of the neighbouring properties</li> </ul>	<b>Rural Area Plan</b> RGEN11 – Effect on adjoining properties RH6 – Extensions and alterations to dwellings	Appeal Dismissed
<b>020/2012</b>	Alter level, by infilling in two areas of field at Les Vauxbelets, Le Bouillon, St. Andrew	<ul style="list-style-type: none"> <li>Whether the proposed infilling of the landscape features in question would cause serious harm to the character of the surrounding landscape</li> <li>Whether the benefits arising from the work in agricultural terms, by virtue of improvement in the management of the land and the safety of livestock and those working the land, outweigh that harm</li> </ul>	<b>Rural Area Plan</b> RCE1 – Protecting open land and avoiding unnecessary development RCE2 – Landscape character RCE3 – Areas of high landscape quality	Appeal Dismissed
<b>021/2012</b>	Rebuild an existing glasshouse and change of use to use as a workshop and store at La Fontenalle, Rue de la Fontenalle, Vale	<ul style="list-style-type: none"> <li>Whether development (building works and / or change of use) requiring permission has taken place</li> <li>Whether the use is consistent with the Rural Area Plan with respect to development on agricultural land</li> <li>Whether the development has led to the loss of open or agricultural land</li> <li>The impact of the development on the visual quality and landscape character of the Area of High Landscape Value</li> </ul>	<b>Rural Area Plan</b> RE1 - Agricultural development RE2 - Horticultural development RCE1 - Protecting open land and avoiding unnecessary development RCE3 - Areas of High Landscape Quality	Appeal Allowed



Reference	Appeal Details	Principle Issues	Relevant Policies	Decision
<b>022/2012</b>	Construct a garage to the rear of 1 York House, South Esplanade, St. Peter Port	<ul style="list-style-type: none"> <li>Whether the proposed garage would have an adverse effect on the character and appearance of 1 York House</li> <li>The impact of the development on the wider area, including a Conservation Area and nearby Protected Buildings</li> </ul>	<b>Urban Area Plan</b> GEN5 – Character and amenity GEN6 – Design DBE1 – Design - general DBE6 – Skyline and public views DBE7 – New development in conservation areas DBE8 – Buildings of special interest	Appeal Dismissed
<b>024/2012</b>	Create an area of hard standing at to on land to the rear of Bonamy House, St. James Street and for the area to be used for parking cars on a commercial basis	<ul style="list-style-type: none"> <li>Whether development requiring permission has occurred Whether the absence of any intervention by the Department in respect of that use could be taken as an implied consent for its continuation or as an indication that the use had become established</li> <li>Whether the continued use conflicts with the objectives of Policy CEN7</li> </ul>	<b>Urban Area Plan</b> GEN6 – Character and amenity GEN8 – Safe and convenient access GEN9 – Open space and parking GEN12 – Effect on adjoining properties CEN6 – Public and commercial car parks CEN7 – Temporary car parks	Appeal Dismissed
<b>025/2012</b>	Convert an existing building to provide a dwelling at Dell Nursery, Le Foulon, St Peter Port	<ul style="list-style-type: none"> <li>Whether it is appropriate to convert this building into a dwelling in the manner proposed</li> </ul>	<b>Rural Area Plan</b> RCE14 – Conversion and re-use of buildings	Appeal Dismissed
<b>026/2012</b>	Create a pedestrian access on the east elevation at 1 and 2 Les Petites Fontaines, St. Peter Port	<ul style="list-style-type: none"> <li>Whether the retention of the doorway opening in question would cause unacceptable harm to the character and appearance of the surroundings</li> </ul>	<b>Urban Area Plan</b> GEN6 – Design DBE1 – Design - general DBE7 – New development in conservation areas	Appeal Dismissed
<b>027/2012</b>	Remove a section of existing roadside granite wall in Mount Row, St. Peter Port to create vehicular access and a parking area for Laburnum, 1 The Queens Road , St. Peter Port	<ul style="list-style-type: none"> <li>Whether the proposed development would conserve or enhance the character and appearance of the St. Peter Port Conservation Area and preserve the setting of protected building on the site</li> </ul>	<b>Urban Area Plan</b> GEN6 – Design GEN8 – Safe and convenient access DBE1 – Design - general DBE7 – New development in conservation areas DBE8 – Buildings of special interest	Appeal Dismissed



Reference	Appeal Details	Principle Issues	Relevant Policies	Decision
<b>028/2012</b>	Rescind condition 8 (closure of existing access) of FULL/2011/0835 to remove section of roadside wall to create vehicular access and driveway, erect retaining wall and install pillars and steps to front of 5 Mount Row St. Peter Port	<ul style="list-style-type: none"> <li>Whether allowing the approved development without complying with condition 8 would unacceptably harm highway safety and convenience</li> <li>Whether condition 8 is reasonable having regard to the hitherto unrestricted access to the garage and its driveway</li> <li>Whether the retention of the original access would conserve or enhance the character of the protected building</li> </ul>	<b>Urban Area Plan</b> GEN6 – Design GEN8 – Safe and convenient access DBE1 – Design - general DBE7 – New development in conservation areas DBE8 – Buildings of special interest Traffic Engineering Guidelines for Guernsey UK Circular 11/95 – The Use of Conditions in Planning Permissions	Appeal Allowed
<b>030/2012</b>	Create a new vehicular access and access road through existing field and erect earth banks at the Guernsey Tennis Centre, Route de Longcamps, St. Sampson	<ul style="list-style-type: none"> <li>The effect of the development on the character of the area</li> <li>Whether the loss of the trees may be mitigated by replacement landscaping</li> <li>Whether the benefits, including road safety, the running of the tennis club; and to the wider community, outweigh any harm to the character of the area</li> <li>Whether it is expedient in the interests of amenity for the trees in question to be subject to a Tree Preservation Order</li> </ul>	<b>Rural Area Plan</b> RGEN3 - Landscape, ecology and wildlife RGEN5 - Character and Amenity RCE1 - Protecting open land and avoiding unnecessary development RS3 - Indoor recreational facilities Traffic Engineering Guidelines for Guernsey UK Circular 11/95 – The Use of Conditions in Planning Permissions	Both Appeals Allowed
<b>040/2011</b>	Confirmation of Tree Protection Order in respect of a group of trees adjacent to the Guernsey Tennis Club, Route des Longcamps, St. Sampson			
<b>031/2012</b>	Change of use of part of the ground floor of the Newlands Building. Lowlands Industrial Estate, Route du Brave, Vale to Retail Use Class I4 and ancillary storage, install signs, replacement doors, ramps and railings	<ul style="list-style-type: none"> <li>Whether the proposal would result in the unacceptable loss of industrial floor-space</li> <li>Whether the proposed retail use would be detrimental to the viability and vitality of the retail centre at The Bridge</li> </ul>	<b>Urban Area Plan</b> CEN1 – New shopping facilities in the Central Areas CEN2 – New retain development outside the Central Area CEN3 – Mixed use development EMP9 – Protecting industrial sites	Appeal Allowed

Reference	Appeal Details	Principle Issues	Relevant Policies	Decision
<b>032/2012</b>	Erect 1.8m high close boarded timber gates at Le Corvalet, Chemin des Sommeilleuses, Forest	<ul style="list-style-type: none"> <li>Whether the proposed gates would unacceptably harm the unspoiled character of the rural surroundings</li> </ul>	<b>Rural Area Plan</b> RGEN3 – Landscape, ecology and wildlife RGEN5 – Character and amenity RGEN6 - Design RCE3 – Areas of high landscape quality	Appeal Dismissed
<b>033/2012</b>	Create vehicular access and erect gates at La Grande Rue Farm, La Grande Rue, St. Saviour	<ul style="list-style-type: none"> <li>The effect of the proposed development on the character and appearance of the conservation area</li> <li>Whether any benefits arising from the development would be sufficient to outweigh any harm found in relation to the first issue</li> </ul>	<b>Rural Area Plan</b> RH6 – Extension and alterations to dwellings RCE13 Demolition of buildings and features Traffic Engineering Guidelines for Guernsey	Appeal Allowed
<b>034/2012</b>	Demolish a section of roadside wall at 69 Mount Durand, St. Peter Port to create vehicular access and to erect new pillars at the entrance, roadside wall and along the driveway and install steps to the pathway	<ul style="list-style-type: none"> <li>The effect of the proposed development on the character and appearance of the conservation area.</li> <li>The effect of the proposed development on road safety</li> </ul>	<b>Urban Area Plan</b> GEN6 – Design GEN8 – Safe and convenient access DBE1 – Design - general DBE8 – Buildings of special interest Traffic Engineering Guidelines for Guernsey	Appeal Dismissed
<b>035/2012</b>	Appeal against the conditions attached to the grant of planning permission for a “Spiegel Tent” at Oatlands Village, Les Gigands, St. Sampson, namely to vary conditions 2, 4 and 5 of FULL/2012/2832		<b>Rural Area Plan</b> RGEN5 - Character and amenity RGEN10 - Public Enjoyment RGEN11 - Effect on adjoining properties RE13 - Visitor facilities and attraction	Appeal rejected under s.69(4) of the 2005 Law as temporary planning permission expired on 30 <sup>th</sup> September 2012; therefore no “live” planning decision

Reference	Appeal Details	Principle Issues	Relevant Policies	Decision
<b>036/2012</b>	Change of use for Flat 1, Isis, Upper St. Jacques, St. Peter Port from a self-catering holiday chalet (Visitor Economy Use Class 12) to residential accommodation (Residential Use Class 1)	<ul style="list-style-type: none"> <li>Whether the residential unit would provide acceptable living conditions with particular respect to: <ul style="list-style-type: none"> <li>Potential for overlooking and loss of privacy</li> <li>Absence of dedicated vehicle parking</li> <li>Size and amenity value of open space</li> </ul> </li> </ul>	<b>Urban Area Plan</b> HO4 - Conversion and subdivision of existing buildings – general EMP15 - Rationalisation of visitor accommodation Guernsey Technical Standards G7 - Habitable Rooms	Appeal Allowed
<b>037/2012</b>	Demolish existing dwelling and replace with new dwelling at La Grande Flaguée, Vieille Rue, St. Saviour		<b>Rural Area Plan</b> RGEN5 - Character and amenity RGEN6 - Design RH6 - Extension and alterations to dwellings RCE11 - Building of special interest RCE12 - Design and local distinctiveness	Appeal Dismissed
<b>038/2012</b>	Vary previously approved alterations to 1 Newington Place, Church Road, St. Sampson; namely to increase the size of the first floor extension and omit two chimneys		<b>Urban Area Plan</b> DBE1 - Design - general DBE7 - New development in conservation areas	Appeal withdrawn by the Appellants
<b>039/2012</b>	Erect a "Spiegel Tent" at Oatlands Village, Les Gigands, St. Sampson until 31 January 2013	<ul style="list-style-type: none"> <li>Whether the continued stationing of the Spiegel Tent for a further period of four months beyond that envisaged in the original grant of permission would give rise to unacceptable harm to the rural surroundings</li> </ul>	<b>Rural Area Plan</b> RGEN5 - Character and amenity RGEN10 - Public Enjoyment RGEN11 - Effect on adjoining properties RE13 - Visitor facilities and attraction	Appeal Dismissed
<b>041/2012</b>	Remove render and re-point the front of Les Profonds Camps, La Rue du Profond Camp, St. Martin and the side wing of the property (Protected Building)		<b>Rural Area Plan</b> RH6 - Extension and alterations to dwellings RGEN4 - Built heritage RCE11 - Building of special interest	Appeal conceded by the Environment Department under s.68(7) of the 2005 Law

Reference	Appeal Details	Principle Issues	Relevant Policies	Decision
044/2012	Demolish section of wall and resurface driveway to create vehicular access at Fleur de Lys, La Grande Rue, St. Saviour	<ul style="list-style-type: none"> <li>Whether the development would give rise to an intensification of use of a substandard vehicular access so as to have a harmful effect on highway safety</li> </ul>	<b>Rural Area Plan</b> RH6 - Extension and alterations to dwellings RCE13 - Demolition of buildings and features Traffic Engineering Guidelines for Guernsey	Appeal Allowed

2011 Compliance Notice Appeals				
021/2011	Requiring the removal of top soil deposited at Northfield, St Sampson	<ul style="list-style-type: none"> <li>Whether the issuing of a Compliance Notice was premature in light of submission of planning application which, if approved, would use soil</li> </ul>	Compliance Notice withdrawn by the Environment Department following action to rectify the planning breach	
022/2011	Requiring the removal of concrete base of former shed, water butts and other items from a field at Rue Carey, St Pierre du Bois	<ul style="list-style-type: none"> <li>Whether a breach of planning control has occurred in this case</li> <li>Whether the measures specified in the Compliance Notice can be regarded as reasonable</li> </ul>	<b>Relevant Policies</b> <b>Rural Area Plan</b> RCE1 – Protection of open land RCE3 – Protection of Areas of High Landscape Quality	<b>Reasons for allowing Appeal</b> - Lack of compelling evidence of a change in use of the land - Requirement to permanently remove specified items would stop appellants from undertaking further growing and so be unreasonable
023/2011	Compliance Notice relating to breach of planning control in relation to the use of part of the premises known as L'Atlantique Hotel as an independent beauty salon	Compliance Notice withdrawn by Environment Department	Compliance Notice quashed	Appeal Allowed

2011 Compliance Notice Appeals					
<b>024/2011</b>	Compliance Notice relating to breach of planning control in relation to the use of part of the premises known as L'Atlantique Hotel as an independent beauty salon	Compliance Notice withdrawn by Environment Department			
<b>030/2011</b>	Compliance Notice relating to breach of planning control in relation to unauthorised development at Oatlands Centre, Les Gigands, St. Sampson	Appeal submitted outside the appeal period			
<b>042/2011</b>	Relating to the conversion of a packing shed to pigeon loft on agricultural land at Epinelle Road, St Sampson	<ul style="list-style-type: none"> <li>Whether there has been any material changes since the appeal decision of 25<sup>th</sup> August 2011</li> <li>Whether the use of the packing shed as a pigeon loft amounts to a breach of planning control</li> <li>Whether the Notice exceed what is reasonably necessary</li> <li>Whether any period of time is unreasonably short</li> <li>Whether the Notice was otherwise unreasonable or ultra vires</li> </ul>	<b>Relevant Policies</b> <b>Rural Area Plan</b> RGEN11 - Effect on adjoining properties RCE1 – Protecting open land RCE3 – Areas of high landscape quality RCE14 – Conservation and re-use of buildings	<b>Reasons for Dismissing Appeal</b> <ul style="list-style-type: none"> <li>The extent of the rebuilding work to the shed amounted to development under s.13 of the 2005 Law</li> <li>There was no fault in the construction, wording or processing of the Compliance Notice</li> </ul>	Appeal Dismissed  Compliance Notice Upheld but Effective Date amended to 13 February 2012

<b>2011 Compliance Notice Appeals</b>					
<b>043/2011</b>	Relating to the extensive rebuilding of the roof and superstructure of a packing shed at Le Panel, La Rue du Panel, Torteval	<ul style="list-style-type: none"> <li>Whether the rebuilding of a pre-existing shed was development under s.13(1)(a) of the 2005 Law</li> <li>Whether the Notice was otherwise unreasonable or ultra vires</li> </ul>	<b>Relevant Policies</b> <b>Rural Area Plan</b> RCE1 – Protecting open land and avoid unnecessary development RE1 – Agricultural development RE2 – Horticultural development	<b>Reasons for Dismissing Appeal</b> – The extent of the rebuilding work to the shed amounted to development under s.13 of the 2005 Law – There was no fault in the construction, wording or processing of the Compliance Notice	Appeal Dismissed
<b>044/2011</b>	Relating to the construction of a fence at Highlands, Lowlands Road, St. Sampson	<ul style="list-style-type: none"> <li>Whether the replacement of a pre-existing fence was development under s.13(1)(a) of the 2005 Law</li> <li>Whether the Notice was otherwise unreasonable or ultra vires</li> </ul>	<b>Relevant Policies</b> <b>Urban Area Plan</b> GEN5 - Design GEN6 – Character and amenity DBE1 – Design – general	<b>Reasons for Dismissing Appeal</b> – The extent of the rebuilding work to the fence amounted to development under s.13 of the 2005 Law – There was no fault in the construction, wording or processing of the Compliance Notice	Appeal Dismissed
<b>003/2012</b>	Appeal against a Compliance Notice in respect of construction of an earthbank at Beckford's Funeral Services, Rue des Crabbes, St. Saviour to show boundary between agricultural land and the commercial premises, the planting of four trees on the southern side of the earthbank		Planning permission for a revised application granted on 28 September 2012; therefore no grounds for issuing Compliance Notice and so withdrawn by the Environment Department; appeal formally conceded		
<b>007/2012</b>	Appeal against a Compliance Notice in respect of extensive repairs to an existing glasshouse and change of use to use as a workshop and store at La Fontenalle, Rue de la Fontenalle, Vale		Appeal against refusal of planning permission (PAP/021/2012 and FULL/2011/2691 refer) allowed; therefore no grounds for issuing Compliance Notice and so withdrawn by the Environment Department; appeal formally conceded		

2012 Compliance Notice Appeals				
<b>023/2012</b>	Appeal against a Compliance Notice issued by the Environment Department in respect of a change of use from Use Class 22 (Administrative, Financial and Professional Services) to Use Class 14 (retail Use) of La Remise, Le Petit Marais, Vale	Section 13(1)(b) of 2005 Law – material change of use  <b>Rural Area Plan</b> RE4 – Retail development	<b>Issues considered</b> <ul style="list-style-type: none"> <li>– Whether a material change of use from offices to retail has occurred</li> <li>– Whether the existing use for the display and sale of kitchen units and the design of fitted kitchens constitutes a breach of planning control</li> <li>– Whether the issue of the Notice is reasonable, given the written advice from the Department that planning permission is not required for the use of part of the premises as a kitchen display area</li> </ul>	Appeal Dismissed
<b>029/2012</b>	Appeal against Compliance Notice in respect of condition 8 (closure of existing access) of FULL/2011/0835 at 5 Mount Row St. Peter Port	Appeal against refusal of planning permission (PAP/028/2012 and FULL/2011/0835 and FULL/2012/0061 refer) allowed; therefore no grounds for issuing Compliance Notice and so withdrawn by the Environment Department; appeal formally conceded	Compliance Notice withdrawn by Environment Department	
<b>040/2012</b>	Appeal against Compliance Notice requiring a pedestrian access in the boundary wall at 1 and 2 Les Petites Fontaines, St. Peter Port to be closed and the granite wall rebuilt			
<b>042/2012</b> <b>043/2012</b>	Appeal against Compliance Notice requiring the removal of the “Spiegel Tent” from its site at Oatlands Village, Les Gigands, St. Sampson	<b>Rural Area Plan</b> RGEN5 – Character and amenity RGEN10 - Public Enjoyment RGEN11 - Effect on adjoining properties RE13 - Visitor facilities and attractions	<b>Issues considered</b> <ul style="list-style-type: none"> <li>– Whether the Notice was ultra vires or unreasonable</li> </ul>	Appeal Dismissed



## APPENDIX 3 - ANALYSIS OF PLANNING POLICIES

### Rural Area Plan Policies

	2012	2011	2010
<b>General</b>			
RGEN1 Sustainable development	--	2	2
RGEN2 Comprehensive development	--	--	--
RGEN3 Landscape, ecology and wildlife	2	--	2
RGEN4 Built heritage	1	2	2
RGEN5 Character and amenity	3	5	13
RGEN6 Design	2	1	2
RGEN7 Safe and convenient access	--	4	4
RGEN8 Parking and open space	--	--	4
RGEN9 Hazardous development, nuisance and pollution	--	--	--
RGEN10 Public enjoyment	--	--	2
RGEN11 Effect on adjoining properties	4	2	5
RGEN12 Flood risk	1	--	--
RGEN13 Airport safety	--	1	--
<b>Conservation and Enhancement</b>			
RCE1 Protecting open land and avoiding unnecessary development	5	7	6
RCE2 Landscape character	1	2	2
RCE3 Areas of High Landscape Quality	4	6	9
RCE4 Sites of Nature Conservation Importance	--	--	--
RCE5 Derelict land in the countryside	--	--	1
RCE6 Creation or extension of curtilages	--	2	3
RCE7 Public views	--	--	--
RCE8 Landscape design	--	--	--
RCE9 Archaeological remains	--	--	--
RCE10 Conservation Areas	1	1	3
RCE11 Buildings of special interest	--	--	--
RCE12 Design and local distinctiveness	1	--	5
RCE13 Demolition of buildings and features	1	2	5
RCE14 Conversion and re-use of buildings	1	4	3
<b>Housing</b>			
RH1 New housing	--	2	3
RH2 Social housing	--	--	--
RH3 Sub-division and conversion to provide housing	--	--	--
RH4 Protecting housing stock	--	--	--
RH5 Dower units	--	1	1
RH6 Extensions and alterations to dwellings	4	2	4

2012	2011	2010
------	------	------



<b>Rural Economy</b>			
RE1 Agricultural development	1	2	1
RE2 Horticultural development	1	2	--
RE3 Protecting key horticultural sites	--	1	--
RE4 Retail development	--	1	--
RE5 Garden centres	--	--	--
RE6 Coastal kiosks	--	--	--
RE7 Industrial development	2	3	1
RE8 Protecting industrial accommodation	--	1	--
RE9 Commerce related development	--	--	2
RE10 Home based employment	--	--	--
RE11 Visitor accommodation development	--	--	1
RE12 Rationalisation of visitor accommodation	--	--	--
RE13 Visitor facilities and attractions	--	--	2
RE14 Development requiring an airport location	1	--	--
RE15 Minerals	--	--	--
<b>Social, Community and Recreational</b>			
RS1 Community services	--	--	--
RS2 Protecting community facilities	--	--	--
RS3 Indoor recreational facilities	2	--	--
RS4 Outdoor recreational facilities	--	2	2
RS5 Golf course development	--	--	--
<b>Essential Development and Infrastructure</b>			
RD1 Essential development	--	--	--
RD2 Small-scale infrastructure	--	--	--
<b>Other Policies</b>			
Traffic priority routes	6	3	1
BS 5837:2005 Trees in Relation to Construction	--	1	1
BS 3998:1989 Tree Work	--	1	1

## Urban Area Plan Policies

	2012	2011	2010
<b>General</b>			
GEN1 Sustainable development	--	--	--
GEN2 Comprehensive development	--	--	--
GEN3 Landscape, ecology and wildlife	--	--	--
GEN4 Built heritage	--	--	--
GEN5 Design	1	4	1
GEN6 Character and amenity	7	7	1
GEN7 Safe and convenient access	--	1	--
GEN8 Roads and infrastructure	5	1	2
GEN9 Safe and convenient access	2	1	--
GEN10 Open space and parking	--	--	--
GEN11 Public enjoyment	--	--	--
GEN12 Effect on adjoining properties	1	1	--
<b>Design and the Built Environment</b>			
DBE1 Design - General	7	7	6
DBE2 Developments with significant townscape impact	--	--	--
DBE3 High buildings	--	--	--
DBE4 Landscape design	--	--	--
DBE5 Open space	--	--	--
DBE6 Skyline and public views	1	--	--
DBE7 New development in Conservation Areas	6	1	5
DBE8 Buildings of special interest	4	1	2
DBE9 Demolition of buildings and features	--	1	--
DBE10 Archaeological remains	--	--	--
<b>Housing</b>			
HO1 Housing provision in the Urban Area Plan	--	1	--
HO2 New housing in Settlement Areas and on previously developed land	--	1	1
HO3 Mixed use development	--	--	--
HO4 Conversion and subdivision of existing buildings - General	2	--	--
HO5 Vacant and underused upper floors	--	--	--
HO6 Obsolete office space	1	--	--
HO7 Flats, houses in multiple occupation, and staff hostels	--	--	--
HO8 Housing Target Areas	--	1	1
HO9 Retention of the existing housing stock	--	--	--
HO10 Residential density and amenity	--	--	--
HO11 Housing for smaller households	--	--	--
HO12 Housing for people with mobility impairment	--	--	--
HO13 Accommodation for the elderly	--	--	--
HO14 Dower units	--	--	--

	2012	2011	2010
<b>Employment</b>			
<b>Office Accommodation</b>			
EMP1 New office developments	--	--	--
EMP2 Small-scale professional and support services	--	--	--
EMP3 Upgrading the office stock	--	--	--
EMP4 Conversion of office sites for alternative uses	1	--	--
<b>Industrial Development</b>			
EMP5 Key Industrial Areas	--	1	--
EMP6 Industrial development outside Key Industrial Areas	--	--	--
EMP7 Small workshops and yards	--	--	--
EMP8 Development of the land reclamation site	--	--	--
EMP9 Protecting industrial sites	1	1	--
EMP10 Unneighbourly uses	--	--	--
EMP11 Home based employment	--	--	--
EMP12 Horticultural development	--	--	--
<b>Tourism</b>			
EMP13 New tourist accommodation	--	--	--
EMP14 Alteration, extension and redevelopment of existing tourist accommodation	--	--	--
EMP15 Rationalisation of visitor accommodation	1	--	--
EMP16 Visitor facilities and attractions	--	--	--
<b>Centres</b>			
CEN1 New shopping facilities in the Central Areas	1	--	--
CEN2 New retail development outside the Central Areas	1	--	--
CEN3 Mixed use development	--	--	--
CEN4 Complementing the retail function	--	--	--
CEN5 Maintaining the variety of shop units	--	--	--
CEN6 Public and commercial car parks	1	--	--
CEN7 Temporary car parks	1	--	--
CEN8 Pedestrians in the Central Areas	--	--	--
CEN9 Town centre management and environmental improvement	--	--	--
CEN10 Paving, street furniture and public art	--	--	--
CEN11 Shopfronts	1	--	--
CEN12 Signs	3	--	--
<b>Social, Community and Recreational</b>			
SCR1 Community services	--	--	1
SCR2 Education facilities	1	--	--
<b>Recreation</b>			
SCR3 Development of existing facilities	--	--	--
SCR4 Increased dual use of facilities	--	--	--
SCR5 The establishment of sports performance centres	--	--	--
SCR6 Indoor leisure facilities	--	--	--
SCR7 Equestrian related development	--	--	--

	2012	2011	2010
<b>Countryside</b>			
CO1 New development outside the Settlement Areas	1	1	--
CO2 Re-use of buildings outside the Settlement Areas	--	1	--
CO3 Landscape character	--	--	--
CO4 Areas of Landscape Value	--	--	--
CO5 Wildlife and nature conservation	--	--	--
CO6 Derelict land in the countryside	--	--	--
<b>Other Policies</b>			
Traffic priority routes	7	2	--
Belgrave Lane Housing Target Area	1	1	--
Leale's Yard Detailed Development Plan	1	--	--

## **APPENDIX 4 - THE PLANNING PANEL'S GENERAL POLICIES AND PROCEDURES**

### **(a) Determination of an Appeal by a Single Professional Member**

When deciding if an application should be made to the Policy Council to seek its approval that an appeal should be determined by a Single Professional Member the Panel Chairman will consider the following factors:

- Are the appeal papers complete and self-contained? In other words, can the Tribunal easily understand how the planning decision was reached, the appellants' reasons for appealing the decision and why the Environment Department is resisting the appeal?
- Are the relevant planning policies and issues clear? In other words, can the Tribunal clearly understand the issues by reading the appeal papers and visiting the site?
- Is there an over-riding public interest? Examples of appeals which may have an over-riding public interest will include large scale developments, developments in areas of particular environmental or historic sensitivity or where the policy issues are unclear. In other words, is there likely to be significant public interest in the development or have the policy issues linked to the appeal ones which are the subject of wider debate so that it is appropriate for a hearing to be held.
- Were any third party representations objecting to the development received by the Environment Department?
- Are there significant disputes as to the facts?
- Are there any novel legal issues?

### **(b) Determination on an Appeal by Written Representation by either a Single Professional Member or by a Full Tribunal**

When deciding if an Appeal should be determined by Written Representations by a Single Professional Member the Panel Chairman will consider the factors referred to above in addition to those below relating to determination by a full Tribunal:

- Does the appeal involve a planning application of Island-wide significance or concern development where an environmental statement has or may be required, as specified under s.6(2)(a) and (b) of the Land Planning and Development (Appeals) Ordinance, 2007?
- Is the matter appealed fairly minor and uncomplicated?

- Is the evidence self explanatory and complete?
- Were there any third party representations received by the Environment Department; how many and from whom?

**(c) General Procedure for Determining Compliance Notices and Confirmation of Tree Protection Order**

When deciding whether an appeal against the issue of a Compliance Notice or the Confirmation of a Tree Protection Order should be determined by a Hearing or by Written Representations by either a Single Professional Member or by a full Tribunal, the Panel Chairman's general presumption is that the appeal should be heard by way of public hearing.

This general presumption is because these types of appeal are likely to be of wider public interest and, in some cases, the issues are likely to be more complex, and so require the Tribunal to hear evidence from a number of parties, other than the person making the appeal and the Environment Department.

**(d) General Procedure for Site Visits**

When determining an appeal the Tribunal or Single Professional Member will always visit the appeal site.

As a general rule, where an appeal is determined at a public hearing the site visit will take place at the end of the hearing. However, the Tribunal or Single Professional Member may direct that the site visit should take place at the start of a hearing or part way through a hearing. Such decisions will be determined on a case-by-case basis and the Tribunal or Single Professional Member will explain its decision.

These site visits will require the attendance of the appellants and/or his representative and the Environment Department's representative/s. All parties must be present throughout the site visit and should remain in close proximity to the Tribunal Members to ensure that they can hear any questions that Members may ask and the answers given.

Where an appeal is determined by Written Representations the site visit will generally be made privately, i.e. the attendance of the appellants and/or his representative and the Environment Department's representative/s will not be required. However, where the Tribunal Members need to gain access to a building or cannot view the appeal site without entering privately owned land the site visit will be conducted in the presence of the appellants and/or his representative and the Environment Department's representative/s.

For all accompanied site visits the appellant should ensure he brings any keys which may be needed to afford Tribunal Members access to any locked buildings, sheds, etc on the appeal site.

**(e) General Procedure for Handling Post-Hearing Correspondence with the Parties**

As a general rule, the Tribunal or Single Professional Member will not enter into any post-hearing correspondence with the parties. However, from time to time this may be necessary, e.g. to clarify a point made in evidence by either party or to seek both parties' comments on the wording of a non-standard planning condition.

Where it is necessary for a Tribunal or Single Professional Member to open such correspondence copies of any letters or email communications will be sent to all parties, together with the replies received from each party.

**(f) General Procedure for Determining Linked Appeals against the Refusal of Planning Permission and against a Compliance Notice**

As a general rule the Panel will endeavour to prioritise appeals against Compliance Notices.

This general rule will be modified where retrospective planning permission has been refused and the Environment Department has commenced enforcement measures before the appeal period for the refusal of planning permission has expired.

The Panel's general policy for dealing with appeals against both the refusal of planning permission and a Compliance Notice seeks to ensure that the party's rights under s.68 of the 2005 Law to appeal a decision refusing planning permission are not interfered with and that the Environment Department's endeavours to deal with any breaches of the Island's development controls are not frustrated.

# Guernsey Quarterly Inflation Bulletin

30th June 2013 - Issue date 19th July 2013



**POLICY COUNCIL**  
THE STATES OF GUERNSEY

## 1.1 Introduction

The Guernsey RPIX and RPI are measures of inflation. They measure the change in the prices of goods and services bought for the purpose of consumption or use by households in Guernsey. The indices are published quarterly by the States of Guernsey Policy and Research Unit. The calculations of the RPIX and RPI are based on the price change of items within a 'shopping basket'. Whilst some prices rise over time, others will fall or fluctuate and the indices represent the average change in these prices. More detailed information on the calculation of these indices can be found at the end of this handout.

## 1.2 Headlines

- Guernsey's annual inflation as measured by the RPIX ('core' inflation excluding mortgage interest payments) was 2.1% in June 2013, 0.2 percentage points lower than in March 2013 and 1.0 percentage points lower than in June 2012.
- In the UK the equivalent RPIX figure for June 2013 was 3.3% (see [Figure 1.2.1](#)) and in Jersey it was 1.6%.
- Food and Fuel, light and power made the largest contributions to the increase in the RPIX in June 2013, each contributing 0.4 percentage points.
- The 'all items' RPI annual inflation was 2.7% in June 2013, which is 0.1 percentage points higher than the previous quarter and 0.5 percentage points lower than the previous year.
- Housing contributed 1.0 percentage points to the increase in RPI.
- The annual change in the UK RPI in June 2013 was 3.3%. RPI in Jersey for the same period was 1.5%.

**Figure 1.2.1: Annual percentage change in RPIX**

