

**Department of the Environment**  
**Planning and Building Services**

South Hill, St Helier, Jersey, JE2 4US

Tel: +44 (0)1534 445508

Fax: +44 (0)1534 445528

## **2011 Island Plan: interim review**

# Inspector's terms of reference

---

### **Introduction**

The Minister for Planning and Environment wishes to revise parts of the 2011 Island Plan.

He has publicized his proposals and invited members of the public and any other interested parties to submit comments on the proposed revisions.

He has also announced his intent to appoint an independent inspector to conduct an examination in public at which any representations that have been made might be heard in public.

These announcements, and the supporting documentation for them, are set out in the 2011 Island Plan: interim review (#1) – consultation paper (July 2013) at appendix 1.

### **Appointment of inspector and supporting officers**

The Minister is required to appoint an inspector, and any supporting officers, before the closing date for the submission of initial representations in relation to his proposals to amend revise parts of the 2011 Island Plan at 25 September 2013.

### **Terms of reference**

The Minister is also required to set terms of reference for the inspector.

These terms of reference set out the parameters of the inspector's role and, for the purposes of the proposed revision to parts of the 2011 Island Plan (July 2013), are as follows:

1. To consider, by way of an Examination-in-Public, whether the initial draft Island Plan, in the form of the proposals announced by the Minister for Planning and Environment on 30 July 2013, furthers the purpose of the Planning and Building (Jersey) Law 2002 by way of, in particular, providing for the orderly, comprehensive and sustainable development of land in a manner that best serves the interests of the community and is sound, such that it:
  - a. is based on an objective assessment and proportionate evidence of development needs; and,
  - b. adopts the most appropriate strategy, having regard to reasonable alternatives, to deliver the objectives of the Plan; and,
  - c. is capable of delivery over its Plan period; and,
  - d. is consistent with the strategic policy framework of the 2011 Island Plan.
2. To conduct an initial EiP in accord with the requirements of the Planning and Building (Jersey) Law 2002 and, in particular, to:
  - a. collate and consider representations made in relation to the Minister's proposal to revise the 2011 Island Plan;
    - i. the Minister wishes to ensure that the EiP is undertaken efficiently and without undue and unnecessary revision of issues already considered as part of the development of the 2011 Island Plan.

In the consideration of any representations received, the Inspector will not be required to review those which propose the rezoning of land for the provision of homes, relative to the proposed revision of Policies H1 and H5 of the 2011 Island Plan, where the use of this land for the provision of residential development has already been considered by inspectors as part of the review of the Draft Island Plan (September 2009) and Revised Draft Island Plan (March 2011), as set out in the associated reports<sup>1</sup>, unless it can be demonstrated that there is a material change in the circumstances that would affect any assessment of the suitability of these sites.

These sites have already been recently considered within the context of the strategic policy framework of the 2011 Island Plan which has not changed.

The Minister is required, after the closing date for initial representations and his analysis of them, to recommend to the inspector particular matters to be examined by the inspector and the Minister will seek to justify those sites, the subject of representations, which he feels should be considered afresh.

- b. facilitate the EiP and the subsequent provision of a report to the Minister in an efficient and timely fashion, having regard to the need for thoroughness, comprehensiveness, transparency and accessibility within the requirements of the Order and these terms.
3. To conduct a subsequent EiP, in relation to any amendment or amendment to an amendment, lodged by a Member of the States, in relation to the draft revision of the Island Plan lodged by the Minister for Planning and Environment, as necessary, and in accord with the principles adopted and applied to the initial EiP.
4. Following the completion of the EiP process, to contribute to a review of the efficiency and effectiveness of it.

20/09/13  
kjp

---

<sup>1</sup> Report to the Minister for Planning and Environment (Nov 2010) Draft Island Plan (2009): Main Report (Vol 1);  
Report to the Minister for Planning and Environment (Nov 2010) Draft Island Plan (2009): (Vol 2);  
Report to the Minister for Planning and Environment (May 2011) Revised Draft Island Plan (2011):  
Further EiP.