

**P/2022/1698 – ‘Tiree, Longfield Avenue, La Route des Genets, St Brelade’
Planning Application – Designation of the Minister to determine the appeal**

Background

The Minister for the Environment and the Assistant Minister for the Environment are conflicted in relation to planning application P/2022/1698 and are unable and unavailable to determine the associated appeal.

It is the Planning Committee’s decision that is being appealed. Given that the Minister for the Environment was a member of the Committee when the decision was taken for the application, it is considered that he is conflicted in relation to determining the appeal. As the planning application is in the Parish of St. Brelade, the Assistant Minister for the Environment, the Connétable of St. Brelade, is similarly conflicted as it would be inappropriate for the Assistant Minister to determine appeals in the parish of which they are also Connétable.

Both the Minister for the Environment and the Assistant Minister have recused themselves from determining these appeals for the aforesaid reasons.

Designation of Minister

Article 27(2) of the States of Jersey Law 2005 (“the Law”) states –

(2) The Chief Minister may, during the temporary absence or incapacity of a Minister or a vacancy in the office of Minister –

- (a) personally discharge the functions of that Minister; or
- (b) designate another Minister to discharge the functions of that Minister.

Article 27(2) is taken to apply in these circumstances, given that both the Minister for the Environment and the Assistant Minister are unable and unavailable to take a decision in respect of determining the appeal.

In accordance with Article 27(2)(b) of the Law, the Chief Minister has decided to designate another Minister, this being the Minister for Infrastructure, to make a decision on the appeal in respect of planning application P/2022/1698.

ENDS.