

2011 ISLAND PLAN INTERIM REVIEW EXAMINATION IN PUBLIC

PRE EXAMINATION MEETING WITH STATES MEMBERS

**WEDNESDAY 20 NOVEMBER 2013, 1.00 PM
ARTHUR MOURANT ROOM, SOCIÉTÉ JERSIAISE**

A meeting was arranged at lunchtime on 20 November for those States Members who were unable to attend the Pre-Examination meeting on 21st due to a clash with a meeting of the States Assembly. The presentation regarding the EiP process was similar to that at the general meeting the following morning.

INTRODUCTION

- 1.1 The Meeting was purely procedural, to explain the processes involved in examining the Proposed Revisions to the Jersey Island Plan. There was no discussion for or against any aspect of the Plan; as that is for the examination itself.
- 1.2 Mr Chris Shepley introduced himself as the lead Inspector appointed to hold the Examination in Public (EiP). He has his own planning practice and was previously head of the Planning Inspectorate for England and Wales.
- 1.3 Mr Alan Langton has been appointed as the Assistant Inspector to the Examination. He was previously a Director with the Planning Inspectorate responsible for all work in Wales and Major/Specialist casework in England. He had previously worked in the public and private sectors.
- 1.4 Mrs Helen Wilson is the Programme Officer for the Inquiry. She has been a Programme Officer for nineteen years and was involved in the Esplanade Quarter, Plémont and Field 622 Inquiries.

DESCRIPTIONS OF ROLES

- 2.1 The Inspectors will divide the matters between them taking account of their respective areas of expertise.
- 2.2 The Programme Officer is the organiser, administrator and link person. All communication should be through her, as there will be no direct contact with the Inspectors outside the Examination. Any queries and questions about procedure should be directed to the Programme Officer.

THE PRINCIPLES

- 3.1 During the public consultation period, the States received approximately 770 representations for or against aspects of the Proposed Revisions from some 225 individuals or organisations. The Inspectors will have regard to all of these and to the Minister's responses which were published on Tuesday 12 November in preparing for the Examination.

- 3.2 The principles that the Inspectors have adopted are: in the first week to have detailed debates on key policy issues with selected groups of participants each limited to around 10-12 people representing a cross section of views so that they can be fully informed and hear the arguments at some length; and there will also be detailed considerations of the 7 additional sites being suggested for housing in the Revised Plan, to which the Inspectors are inviting individuals and organisations most directly concerned in each case.
- 3.3 On the Friday of first week the Inspectors have included an open session for States Members, followed by one open to all respondents, to ensure that everyone has the opportunity to appear and be heard.
- 3.4 During the second week the Inspectors will focus on individual sites, being promoted for inclusion in the Revised Plan as potential housing site, to which they are again inviting those most directly concerned, both for and against.
- 3.5 On the last day the Inspectors will conclude by asking the Minister's representative to make a final summary of his responses, to what has been considered during the course of the whole process.
- 3.6 It is stressed that all sessions will be conducted in public and anyone is most welcome to come and observe, even if they are not invited to take part in that particular session.

SITE VISITS

- 4.1 Prior to their consideration at the EiP the Inspectors will have visited, or in many cases revisited, all sites being suggested for housing. The purpose of those visits is to see the sites on the ground to gain a better appreciation of issues likely to be debated at the EiP. Under no circumstances will the Inspectors engage in conversations during site visits, regarding the merits of that site or indeed anything else. All debate must take place in public at the Examination.

ROUND TABLE SESSIONS

- 5.1 The purpose of these sessions is to have a debate in reasonable depth on the key issues which have been raised in the representations, or which the Inspectors have concerns about on the basis of what they have read.
- 5.2 A list of topics and participants was published in draft on 13th November; which includes a draft timetable, together with a list of the topics which the Inspectors feel, on the basis of the representations made, are the ones which require discussion. It also shows which organisations and individuals they think would be most appropriate at the round table sessions. Those respondents not invited to participate will be able to appear at the open session. Consultation on this list closed on the day of the Meeting, but the Inspectors were prepared to hear from those Members who might have comments on the list.
- 5.3 The Inspectors' aim is to get a mixture of different views at each session. Representatives of the Minister will participate at each session and will be able to respond to comments made and join in the debate; other individuals or organisations are

invited to a session or sessions only on the topics most relevant to their interests and expertise. There are practical limits on the numbers of participants, but anyone may attend any session to observe.

- 5.4 The Inspectors' intention is that only those who have made representations will be invited to participate. They have set these rules for both fairness reasons (the States are entitled to know, and be prepared for, whatever evidence may be presented and the Inspectors also wish to prepare properly and not to be confronted with "surprises" at the Examination); and also for practical reasons so that the Inspectors can fix the timetable. The exception to this is that, as Inspectors they have the right to invite organisations or individuals who have not made representations but who they feel have an important contribution to make to the Examination.
- 5.5 The "final" list of topics and participants will be published on 27 November. There will however be an opportunity for further representations, between 27 November and 13 December. The primary reason for this is that there may be people who want to comment upon or take issue with representations made to date; but other issues may arise and it is possible that following this that the List of Topics and Participants may change. The very final list will be published on 20 December. The previous experience of the Inspectors is that the list is unlikely to change substantially, but of course the outcome of the further representations cannot be predicted.
- 5.6 All those who are invited to take part in the round table policy topic sessions will be invited to prepare statements, and the word limits are set out in the List of Topics and Participants. All those who are invited to take part in a session considering a specific proposed housing site, or who wish to attend an open session will be invited to prepare statements of not more than 500 words. Statements are not compulsory, original representation can be relied upon (the Programme Officer should be informed if that is what you wish to do). But written statements are very helpful in summarising the key points, not just for the Inspectors but for all the parties. Statements are required by 2pm on 13 December for the policy topic statements and housing site statements. The word limits will be strictly enforced. They should be sent to the Programme Officer and she will circulate them to all parties by 20 December. The closing date for statements to an open session is also 13 December. Further details are given in the Guidance Notes for Participants and Observers and these should be carefully followed.
- 5.7 The Inspectors particularly request that Members are as precise as possible and state exactly the changes they seek, and that they follow carefully the guidance in the notes that the Inspectors have published.

THE SESSIONS

- 6.1 The format of the round table policy topic sessions will be that the parties will sit around a U-shaped table with the Inspectors at a table in the open end of the "U". The Inspector will introduce the topic and invite one of the parties (who will have been given notice shortly before the session) to open the debate. Parties will have nameplates and should stand them on end when they wish to speak; they may also be invited by the Inspector. The Inspector will also ask questions. The Inspectors will keep the sessions as informal as possible within this structure. They want a lively debate and not just a repetition of what is in the evidence. Statements will not be read out, as the assumption is that all concerned will have read them in advance.

THE HOUSING SITES

- 7.1 There are seven sites which have been proposed for development in Policies H1 and H5 and which have been the subject of a substantial number of representations. There will be debates about each of these sites. The process for these is that the Inspectors will invite a small number of participants to open the debate, this will normally be those with a close interest in the proposal, or elected representatives from the relevant area. But everyone who has made representations will be invited to attend and to address the Inspectors and make their points. Those who wish to take advantage of this opportunity should inform the Programme Officer not later than Tuesday 26 November so that the Inspectors can assess how much time they need to allocate for the discussion.
- 7.2 For all the other sites which have been put forward in representations the Inspectors will, if requested, hold a short debate during the Examination (though they will have visited and assessed the sites and in many cases may be able to deal with them on the basis of the written material). They will consider each site in turn in accordance with a timetable that the Programme Officer will provide to participants. These will not be round table sessions, but limited to debates for and against each site by those most involved.
- 7.3 The purpose of the Examination is to advise the Minister whether or not in principle any particular parcel of land should be identified for development, not to carry out a full inquiry into each and in effect determine a planning application.

THE OPEN SESSIONS

- 8.4 There will be two open sessions and as mentioned in paragraph 3.3 one of these will be for States Members. The Inspectors are keen to hear from Members, whether they have made representations or not, and a letter has been sent out inviting them to this session, which will be held on Friday 17 January. Members wishing to speak were asked to inform the Programme Officer by Tuesday 26 November.
- 8.5 The other session is for those others who have made representations but not been invited to the round table sessions. Our intention is that everybody who has commented on the Proposed Revisions should have the opportunity to address the Inspectors.

REPORTING

- 9.1 The Inspectors aim to report to the Minister by about the middle of February 2014.

NOTES FOR PARTICIPANTS AND OBSERVERS

- 10.1 The notes, which are now available and are on the website will assist in expanding on all these matters and Members are urged to read them carefully and to follow the advice.

QUESTIONS

- 11.1 In response to a question the Inspectors confirmed that if a Member had participated at a session, they could not also attend the Open Session to speak on the same topic or site.
- 11.2 In response to a question from Connetable Norman the Inspectors explained, that in relation to the H1/H5 sites, it was the principle of development that they were concerned with. However, whilst it was not their role to go into the level of detail appropriate for a planning application, they would consider issues such as traffic and the impact of development on the surrounding area.
- 11.3 Kevin Pilley, Department for the Environment, stated that the Minister wanted the Inspectors to test the supply of houses against the assessed need and was looking to them to express a view on the need for development in the Parishes. He asked that the Parishes address this point in their statements to the Inspectors.
- 11.4 In response to a question from Deputy Green, Mr Shepley confirmed that they would look afresh at matters, the subject of the Proposed Revisions, that they had previously examined in 2010. The Inspectors were happy to be told that they had got something wrong last time, especially if the circumstances had changed.
- 11.5 In response to a question from Deputy Young, Mr Shepley confirmed that they would consider the potential Island wide impacts which might arise from the policies which were the subject of the Proposed Revisions.
- 11.6 In response to a further question from Deputy Young, Mr Langton confirmed that they would be considering the possible need for a secondary school in the west of the Island under Q5 on the Green Zone.
- 11.7 Kevin Pilley was not aware that a specific site or sites had been identified for a new school, but if this information were available it would be passed on to the Inspectors.
- 11.8 Mr Shepley thought that there could be a difficulty if a specific site were identified, because local people who might be affected may not have had the chance to express their views and that they were there to deal with the general point of provision in the Plan.
- 11.9 In response to a question from Deputy Labey, Mr Shepley explained that all the information before the Inspectors, including that on housing need, was listed on the Core Documents list and he looked to the Parishes and others to debate the issue of need at the EiP. If the information appeared unreliable or there was apparent duplication in housing waiting lists, the Inspectors would query this. Kevin Pilley said that the Minister would be willing to work closely with the Parishes to avoid any duplication.
- 11.10 Deputy Green stated that what was not in dispute was that there were 700 people on the waiting list for housing. The Housing Gateway was helping with providing more reliable information.

- 11.11 In response to a question Mr Shepley confirmed that they would take into account the views of numbers of parishioners, represented by the Parish, who supported the allocation of Field 622, in addition to those opposing it.
- 11.12 In response to a question from Deputy Young, Kevin Pilley expressed the view that if there were to be a change of Minister, this should not affect the holding of the Examination in Public. There was a political desire to address the housing issue, the Minister had issued his responses to the representations and any new Minister could in due course, consider the Inspectors' report and recommendations.
- 11.13 In response to a question Mr Shepley confirmed that it was perfectly acceptable to promote a particular use, such as housing for the elderly, and for a site to be considered at the Examination.
- 11.14 Mr Shepley thanked everyone for attending the Meeting and looked forward to seeing some of the Members at the EiP. The Meeting closed at 1.55 pm.

THOSE RECORDED AS ATTENDING

Deputy Sean Power
Deputy Andrew Green
Deputy John Le Bailly
Deputy John Young
Deputy Judy Martin
Deputy Mike Higgins
Deputy James Reed
Deputy Jeremy Maçon
Deputy Tracey Vallois
Deputy Carolyn Labey
Connétable Michel Le Troquer
Connétable Deidre Mezbourian
Connétable Michael Paddock
Connétable Steve Pallett
Connétable Len Norman