

## **DRAFT ISLAND PLAN EXAMINATION IN PUBLIC**

### **PRE-EXAMINATION MEETING**

**Held on Thursday 27 May 2010  
Société Jersiaise**

#### **Note**

**What follows is a record of the meeting which took place on 27 May. Since that date the opening of the EiP has been postponed until 21 September, and consequentially the various dates for comments and submissions have been revised. Details are set out in the revised Guidance Notes and a second Pre-Examination Meeting will be held on 22 June, where the revised process will be explained.**

#### **INTRODUCTION**

- 1.1 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.
- 1.2 Mr Alan Langton has been appointed as the Assistant Inspector to the Examination. He is currently a part time Inspector with the Planning Inspectorate, having previously been a Director with them. He has worked in both local government and the private sector.
- 1.3 Mrs Helen Wilson is the Programme Officer for the Inquiry. She has been a Programme Officer for sixteen years and has been involved with over forty Inquiries.

#### **DESCRIPTION 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 must be no direct contact by any party with the Inspectors outside the Examination. Any queries and questions about procedure or any other matters should be raised with Mrs Wilson.

## **INTERESTS**

- 3.1 The Inspectors are entirely independent and have had no personal involvement with the Plan, the States, or any other party or individual concerned with this Examination.
- 3.2 Mr Shepley has done work in Jersey before and in the interest of transparency he explained that he worked on a review of the Planning Function in Jersey in 2004. He was also commissioned in 2006 to report on the results of consultations regarding proposals for the Waterfront, subsequently to assist with the production of Supplementary Planning Guidance for the Waterfront and in the autumn of 2008 he conducted a public inquiry/examination into the Waterfront planning application. He also carried out an investigation into the handling of a planning application at Les Ormes earlier in 2008.
- 3.3 Alan Langton's previous work on Jersey was to assist Mr Shepley with the consideration of the Waterfront planning application.
- 3.4 Since the appointment of the Programme Officer, neither Inspector has had, or will have, any direct contact with the States or indeed any other party other than at the public meetings on 27 May.

## **THE PRINCIPLES**

- 4.1 During the public consultation period which ended on 31 March, the States received some 1100 representations for or against aspects of the Draft Plan from 196 individuals or organisations. The Inspectors will have regard to all of these and to the Minister's responses which are due to be published shortly, in preparing for the Examination.
- 4.2 The principles that the Inspectors have adopted are: 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 the Inspectors can be fully informed and hear the arguments at some length; to consider representations regarding individual sites; and finally in one or more open sessions to enable all other parties, including States' Members, to have a right to be heard.
- 4.3 The Inspectors are very anxious to hear from people and to consider their comments. It is always impossible to cater for everyone's wishes in an Examination such as this. But on the other hand there would be little point in the Inspectors spending time on the EiP if they did not hear people's views, and unless they know what the concerns are, they cannot take them into account. The Inspectors are therefore grateful to those who have sent in representations and look forward to hearing from the parties 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 draft list of Topics and Participants has been published and was circulated on 24 May; this is 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 the Inspectors think would be most appropriate at the Round Table Sessions – others will appear at the Open Sessions.
- 5.3 Everyone has until 7 June to comment on the draft list and the Inspectors may well make amendments on the basis of the views expressed. Once all the comments have been considered, it is possible that a third week may be needed. Therefore the dates in the draft list are not to be taken as confirmed at this stage.
- 5.4 The Inspectors' aim is to get a mixture of different views at each session. The States will participate at each session 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.
- 5.5 People may wish to suggest that topics should be added or subtracted; they may wish to be added to, or indeed subtracted from, the draft list of participants (it is important to know if people do not wish to take part, as that may free up space for another participant); they may also have comments on the timetable. Please give brief but clear reasons why the Inspectors should make any changes.
- 5.6 These rules are set 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 timetable can be fixed. The exception to this is that the Inspectors 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.
- 5.7 The final list of topics and participants will be published on or around 10 June.

- 5.8 All those who are invited to take part in the round table policy topic sessions will be invited to prepare statements of not more than 1500 words. All those who are invited to take part in a session considering a specific 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, participants can rely on their original representation (and you should inform the Programme Officer 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 enable people to comment briefly on other evidence which they have now seen, and assist in any pre-Examination discussion. The Inspectors particularly request that people are as precise as possible and state exactly the changes that they seek to the Plan.
- 5.9 Statements are required by 12.00 noon on 21 June for the policy topic statements and housing site statements.
- 5.10 The closing date for statements to an open session is 28 June. Further details are given in the Notes for Participants and Observers and these should be carefully followed.

## **PRE-INQUIRY DISCUSSIONS**

- 6.1 The Inspectors strongly encourage parties to engage in discussion before the Examination, if it seems possible that a matter can be resolved. The States in particular may wish to approach those who have made representations to see whether their wishes can be accommodated. Any changes proposed as a result of such discussion should be communicated to the Programme Officer, who will ensure that the Inspectors and all other parties are aware of such changes.

## **EXAMINATION NOTES**

- 7.1 The Inspectors may ask for some briefing notes or other information, and parties may volunteer them, especially if changes are proposed as a result of pre-Examination discussion. This again should be via the Programme Officer.

## **COMMUNICATIONS**

- 8.1 It is hoped to make maximum use of electronic communication for the submission and distribution of material. An Examination website has been established, the website is under the control of the Programme Officer and she is responsible for its content. The address is <http://www.gov.je/Government/PublicInquiries/IPR/Pages/index.aspx>
- 8.2 Parties are encouraged to submit their statements by email, in addition to the hard copies (see paragraph 4.8 of the Notes for

Participants). This will make it easier for the Programme Officer to circulate the statements to all participants. If participants are willing to receive copies of statements by email only, please inform the Programme Officer.

## **THE SESSIONS**

- 9.1 The different formats that the sessions will take at the Examination were discussed. These are set out in detail in the Guidance Notes at paragraphs 6 and 7. Whilst the Guidance Notes give parties until 21 June to decide whether they wish to appear at an Open Session, you are asked to inform the Programme Officer by 7 June, so that a decision can be made on the timescale for each session and whether the EiP will need to go into a third week, so that the programme for the Examination can be confirmed.

## **REPORTING**

- 10.1 The Inspectors current aim to report to the States by the second half of August, however if the Examination were to run into a third week, it is likely that the report would not be completed until the end of August.

## **NOTES FOR PARTICIPANTS**

- 11.1 The notes, which have been sent to you and have been placed on the website, will assist in expanding on all these matters and you are urged to read them carefully and to follow the advice. It is necessary in these cases to have clear rules and guidelines in order to ensure fairness to all parties. Fairness, openness and transparency are the key principles which the Inspectors will try to follow in organising the Examination.

## **ANY OTHER BUSINESS**

- 12.1 The Inspectors confirmed that it would be helpful to have statements (500 word limit) for the site specific sessions.
- 12.2 In response to Mr Dubras the States explained that the Minister's response to representations would shortly be available as a PDF on the States' website. In due course it would also be on the Limehouse system, where the Minister's response would be set out alongside the representations made to each policy. It was agreed to make a hard copy available in the States' bookshop and at the reception of the Planning department at South Hill.
- 12.3 In a further response to Mr Dubras the States explained that their sustainable transport policy was still emerging. The Sustainable

- Transport Plan Green Paper was the latest document and was available on the States' website. It is hoped that the Green Paper will be finalised into a White Paper shortly.
- 12.4 The Inspectors confirmed that any organisation which is listed as a participant can nominate who, within that organisation, they wished to attend the EiP.
- 12.5 In response to a question from Mr Dodge the Inspectors explained that there were many background documents that were relevant to their consideration of the draft Plan. However the contents of such documents would not always be the subject of debate at the Examination.
- 12.6 It was confirmed by the States that the MacDonald report on affordable housing was available on their website, and they undertook to add the Town Capacity Study.
- 12.7 In response to a question from Mr Waddington the Inspectors explained, that whilst they had the right to invite organisations or individuals who have not made representations, in practice this was rarely used. When it was used it was usually in specialised areas, for example marine conservation.
- 12.8 Mr Stein raised a point about the Minister, who has promised Connetables that he will delete housing sites if they have raised objections to them. In response the Inspectors stated that they would take into account the responses made by the Minister, when considering the issue of supply and demand.
- 12.9 The Inspectors confirmed that the site visits that they were carrying out on 27/28 May were to see the sites that were currently programmed. There were over 100 sites put forward in responses to the Plan, and if more site visits were needed then this might contribute to the need for a third week.
- 12.10 There being no further business Mr Shepley thanked everyone for attending and closed the Meeting.

June 2010