



Jersey

**PLANNING AND BUILDING (PLANNING
APPLICATIONS COMMITTEE – PROCEEDINGS)
(JERSEY) ORDER 2015**

Arrangement

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PLANNING AND BUILDING (PLANNING APPLICATIONS COMMITTEE – PROCEEDINGS) (JERSEY) ORDER 2015

Made

20th April 2015

Coming into force

21st April 2015

THE MINISTER FOR PLANNING AND ENVIRONMENT, in pursuance of Article 9A(4) of the Planning and Building (Jersey) Law 2002¹, orders as follows –

1 Interpretation

In this Order –

“Committee” means the Planning Applications Committee established under Article 9A of the Law and Standing Order 141A of the States of Jersey², and a reference to a member is to a member of that Committee;

“Law” means the Planning and Building (Jersey) Law 2002³, and a reference to an Article by number and without more is a reference to an Article of the Law.

2 Quorum etc.

- (1) The quorum for consideration of any particular matter at a meeting of the Committee shall be 3 members who are personally present, one of whom may be the chairman of the Committee.
- (2) If the quorum is constituted, then (whether for the whole of the meeting or for consideration of any particular matter at the meeting) –
 - (a) if the chairman is present, he or she shall preside; and
 - (b) in the absence of the chairman, the members present shall elect one of their number to preside.
- (3) If, in relation to consideration of any particular matter at the meeting, a quorum is not constituted, the matter shall be adjourned to the next meeting.
- (4) The chairman shall decide when the Committee is to meet.

3 Determination in case of equality of votes

- (1) Where, on any matter falling to be determined by the Committee under the Law, an equality of votes arises at a meeting, the matter shall be deemed to have been determined in the negative.
- (2) In particular, and not in derogation from the general principle stated in paragraph (1), that paragraph shall apply so that –
 - (a) for the purposes of an appeal under Part 7 of the Law, an application which relates to a decision (including a refusal) under Article 19, 20 or 21 shall be deemed to have been refused;
 - (b) no notice terminating planning permission under Article 26 shall be served;
 - (c) no decision shall be taken or deemed to have been taken to revoke or modify planning permission under Article 27;
 - (d) no enforcement notice shall be served under Article 40, or varied or withdrawn under Article 42;
 - (e) no stop notice shall be served under Article 45;
 - (f) permission shall not be granted for the display of advertisements under the provisions of any Order made in pursuance of Article 76;
 - (g) permission shall not be granted for the erection, stationing, or use of moveable structures under the provisions of any Order made in pursuance of Article 81.
- (3) In paragraph (2)(a), reference to an application includes a request for review by the Committee of an initial decision under Article 22A.

4 Citation and commencement

This Order may be cited as the Planning and Building (Planning Applications Committee – Proceedings) (Jersey) Order 2015, and shall come into force on the day after the day on which it is made.

DEPUTY S.G. LUCE OF ST. MARTIN

Minister for Planning and Environment

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- ¹ *chapter 22.550*
² *chapter 16.800.15*
³ *chapter 22.550*