

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

COMMITTEE *FOR THE ENVIRONMENT & INFRASTRUCTURE*

PLANNING PANEL – APPOINTMENT OF MEMBERS

The States are asked to decide:

Whether, after consideration of the Policy Letter entitled "Planning Panel – Appointment of Members" dated 19 June 2024, they are of the opinion:

To appoint and designate:

Mr Christian Leigh as a Professional Member of the Planning Panel for a term of six years from 1 June 2024; and

Mr Anthony Farman as a Professional Member of the Planning Panel for a term of six years from 1 June 2024.

To re-appoint:

Mr George Jennings as a Member of the Planning Panel for a further term of six years from 1 June 2024.

The above Propositions have been submitted to His Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

COMMITTEE *for the* ENVIRONMENT & INFRASTRUCTURE

PLANNING PANEL – APPOINTMENT OF MEMBERS

The Presiding Officer
States of Guernsey
Royal Court House
St Peter Port
Guernsey

19 June 2024

Dear Sir

1. Executive Summary

1.1 The purpose of this Policy Letter is to ask the States to appoint and designate:

- a) Mr Christian Leigh; and
- b) Mr Anthony Farman,

as Professional Members of the Planning Panel (“the Panel”) in accordance with section 86 (and in particular subsection (3)(b)) of the Land Planning and Development (Guernsey) Law, 2005 (“the 2005 Law”), the relevant sections of which are included below,

and:

to re-appoint Mr George Jennings as a Member of the Panel in accordance with section 86 of the 2005 Law.

1.2 For ease of understanding, the terms "Professional Member" and "Member" of the Planning Panel will be used in this Policy Letter to distinguish between the different roles set out in section 86 of the 2005 Law.

2. Background

2.1 The 2005 Law came into force on 6th April 2009. Section 86 of the 2005 Law explains the requirements for establishing the Planning Panel:

“Establishment of Planning Panel.

86. (1) The States shall, on the recommendation of the Committee *for the Environment & Infrastructure*, draw up and maintain a panel to be called the Planning Panel which shall consist of nine independent persons and from which the members of the Planning Tribunal shall, from time to time, be appointed.
- (2) A recommendation of the Committee *for the Environment & Infrastructure* under subsection (1) may be amended by resolution of the States to the intent that persons other than those recommended by the Committee *for the Environment & Infrastructure* may be elected to the Planning Panel.
- (3) Of the members of the Planning Panel –
- (a) not less than four shall be permanently resident within the Channel Islands,
 - (b) not less than two, who shall be designated by States’ resolution as the “professional members,” shall be persons with such qualifications and experience in planning matters as in the opinion of the States is necessary for the hearing and determination of appeals to the Planning Tribunal,
 - (c) one shall be designated by States’ resolution as the Chairman of the Planning Panel, and
 - (d) one shall be designated by States’ resolution as the Deputy Chairman thereof.
- (4) The members of the Planning Panel shall, subject to the provisions of subsection (5), hold office for a term of six years, and a person may be elected for more than one term of office...”

Such appointments must be made by the States upon the recommendation of the Committee *for the Environment & Infrastructure* (the “Committee”).

- 2.2 Mr Jonathan King, who was first appointed to the Planning Panel in March 2017, advised the Committee of his intention to retire as a professional member on 28 February 2024. Mrs Linda Wride had retired from the Panel in December 2022. The Committee wishes to record its thanks to Mr King and Mrs Wride for their service on the Panel and notes that their professional experience was invaluable to the other members.

2.3 The Committee advertised for new Professional Members in November 2023. The advertisement attracted four candidates and three met the key criteria for this role. The three candidates were interviewed in February 2024. The interview included an assessed scenario exercise.

3. Appointment and designation of professional members of the Planning Panel

3.1 Following the interviews, the Committee agreed to recommend the States of Deliberation to appoint and designate:

- Mr Christian Leigh; and
- Mr Antony Farman,

as Professional Members of the Panel with effect from 1 June 2024 for a six-year period.

3.2 Mr Leigh has over 25 years' experience as a planning consultant and, parallel to that, over 20 years' experience as an Inspector for the Planning Inspectorate (PINS). Since January 2022, he has also been a Reporter with the Planning and Environmental Appeals Division of the Scottish Government (DPEA). Since 2017 he has been teaching a module on Planning Law and Practice at the Henley Business School, University of Reading (UoR). He is a Professional Member of the Royal Town Planning Institute (RTIP).

3.3 Mr Farman has 24 years of professional experience in the planning and heritage spheres of development in both the public and private sectors. He is experienced in all sectors of development including utility, agriculture, tourism, residential, commercial and office, retail, public realm, contemporary and historic design. He is a Professional Member of the Royal Town Planning Institute (RTIP).

4. Re-appointment of member of the Planning Panel

4.1 Following an indication of his willingness to serve a further term, the Committee agreed to recommend the re-appointment of Mr George Jennings for a further six-year term. Mr Jennings has been a valuable member of the Panel for 6 years and his re-appointment will ensure his experience and knowledge continue to contribute to the effectiveness of the Panel.

5. Compliance with Rule 4

5.1 Rule 4 of the Rules of Procedure of the States of Deliberation and their Committees sets out the information which must be included in, or appended to, motions laid before the States.

5.2 The Propositions are in accordance with Rule 4(1).

- (a) The Propositions contribute to the States' objectives and policy plans in that the appointment of new members to the Panel will ensure that it has sufficient members to properly discharge its duties in determining planning appeals impartially, fairly and in a timely manner;
- (b) The statutory duty for appointing members to the Panel rests with the Committee. However, it has consulted with the Panel's Chairman and Vice Chairman during the recruitment process;
- (c) The Propositions have been submitted to His Majesty's Procureur for advice on any legal or constitutional implications; and
- (d) There are no financial implications to the States associated with the proposed appointments as the Committee's budget already includes provision for the payments to members of the Planning Panel.

5.3 In accordance with Rule 4(2), the Propositions relate to the duties of the Committee in respect of land use and planning, and its duties under the 2005 Law and have the unanimous support of the Committee.

Yours faithfully

H L de Sausmarez
President

A Gabriel
Vice President

A Cameron
S Fairclough
A Mathews

Non-Voting Member
M Palfrey



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26 April 2024

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

COMMITTEE *FOR THE* ENVIRONMENT & INFRASTRUCTURE

PLANNING PANEL APPOINTMENT OF MEMBERS

Dear Sir,

Preferred date for consideration by the States of Deliberation

In accordance with Rule 4(3) of the Rules of Procedure of the States of Deliberation and their Committees, the Committee *for the* Environment & Infrastructure requests that the Planning Panel Appointment of Members be considered at the States' meeting to be held on 19 June 2024.

Yours faithfully,

H L de Sausmarez
President
Committee *for the* Environment & Infrastructure

c.c. propositions@gov.gg