



## PRESS RELEASE

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### Government published new Town Planning legislation

The Government has today published a Command Paper for a new Town Planning Act. The purpose of the legislation is to revise, modernise and strengthen the law on Town Planning.

This is something that the Government had committed to do. The draft legislation gives effect to a number of manifesto commitments and enshrines these in law. Therefore there is provision to subject the Government itself to the planning process, for the delivery of e-planning and for meetings of the Development and Planning Commission (DPC) to take place in public. The law enshrines that the Chairman of the DPC will be the Town Planner and includes the ESG as a full voting member, as promised in 2011, and as has happened since.

The definition of “development” has been amended to allow an expedited procedure for internal works in private dwellings in respect of which the most important aspect will be adherence to building controls.

An important change is that the period of public participation on a planning application is changed from 21 days to 21 working days. This closes the loophole which allowed developers to file an application just before Christmas or public holidays in order to shorten effectively shorten the consultation period.

There is also provision in the draft legislation for the Commission to insist that an applicant notifies an application for the attention of specified individuals in the vicinity of the land to which the application relates. This deals with the problem which has been experienced over the years where only the head-lessor of a development was notified and the individual resident apartment owners were not made aware of a proposed planning application relating to the building that they lived in.

The enforcement mechanism has been modified and strengthened.

In addition to this, and as announced at the time of the Budget, the decision has been taken to commence the process of holistic planning for Gibraltar as reflected in the revision of the 2009 Gibraltar Development Plan. It is important to note that, the delivery of e-planning is already at a very advanced stage and that a considerable part of the planning process is already available on-

line. This includes full information including plans and applications for Government projects, the agenda, the minutes and decisions of DPC meetings. There is more to follow. The draft legislation makes provision for e-planning.

The Command Paper will be circulated to all members of the Development and Planning Commission for their views, and it will also be available for wider public consultation as part of the usual process until 30 September. This allows much more than the standard two weeks for comment given the summer break.

Commenting on the publication of the Command Paper for a new Town Planning Act, the Deputy Chief Minister Dr Joseph Garcia said:

“This is an exercise in greater democracy, transparency and public participation.

There have been seven drafts of the legislation in the time that I have been in office. I understand that work on this goes back to 2002, so I am pleased that this has been completed in such a comparatively short period of time.

The Government has delivered and continues to deliver its commitments in the field of Town Planning. It is now widely acknowledged that the level of transparency and consultation are on a much better footing than in the past. The fact that meetings of the Commission take place in public has been responsible for this revolution which means that people can listen to the deliberations, to the applicant, to the objector and to the decision on the spot. This is a far cry from the closed and secretive planning system that we inherited. No system is perfect, but we are certainly light years ahead from the position in 2011.

The publication today of the Command Paper for a new Town Planning Act is another step in the right direction. I am very grateful to the EUID and to the Town Planners for their assistance and support in taking this project forward.”