



## DEVELOPMENT AND PLANNING COMMISSION

Secretary, Development & Planning Commission, Suite 631 Europort, Gibraltar

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### **Guidance notes and standard forms for use when submitting an Environmental Statement in respect of an application for planning permission that has previously been submitted.**

#### **Overview of the process**

1. Applicant submits the Environmental Statement (ES) and any related documentation to the Development and Planning Commission (DPC).
2. The applicant must serve copies of the ES on the consultation bodies specified by the DPC and advise them that they may make representations to the DPC.
3. All EIA applications (i.e. applications for planning permission for a type of development that is subject to the EIA procedure) are subject to public participation.

#### ***Attached to these notes are the following:***

1. *A checklist to help the applicant ensure that he has submitted the necessary documentation when submitting an ES (DOC A)*
2. *A template for advertising the submission of the ES in the press. (Doc B)*
3. *A template for advertising the submission of the ES on site. (Doc C)*
4. *Regulation 11(5) Certificate to be used to confirm that that the required site notice (referred to in (3) above) has been placed on the site. (Doc D)*
5. *A template for serving notice on any person likely to be affected by, or having an interest in, the application (Doc E).*

**NB:** An applicant for an EIA development must ensure full compliance with the Town Planning (Environmental Impact Assessment) Regulations, 2019, in all respects. The Regulations can be viewed at the following web site: <http://www.gibraltarlaws.gov.gi/>

**TOWN PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS, 2019**

**SUBMISSION OF ENVIRONMENTAL STATEMENT AFTER THE PLANNING APPLICATION**

**CHECKLIST**

This checklist is to be used when submitting an Environmental Statement in respect of a planning application that has previously been submitted. The checklist should accompany the submission. Each of the items listed are required to be submitted and you should tick the appropriate box to indicate that the required information has been included with the submission.

The documentation must be submitted to :  
**Secretary of the Development and Planning Commission, Suite 631, Europort , Gibraltar.**

**Summary of application details:**

Application Ref:

Site address:

Proposed development:

Applicant:

- |    |  |                          |
|----|--|--------------------------|
| 1. | Evidence is required to show that all the consultation bodies have been served with a copy of the Environmental Statement (ES). A copy of the application and the plans must also be served on the consultation bodies unless they have previously been served with these documents. The applicant must also notify the Commission of the date the documents were served. The following is required: | <b>Included</b>          |
| a. | Copies of the covering letters sent with the ES and other documentation to each consultation body including the date the documentation was served. The covering letter must state that the body may make representations to the Commission.  | <input type="checkbox"/> |
| b. | A summary list of the consultation bodies served   | <input type="checkbox"/> |
| 2. | At least 3 copies of the ES (including the Non Technical summary) must be submitted  | <input type="checkbox"/> |
| 3. | A copy of the Regulation 11(3) Notice (DOC C) placed on site must be submitted   | <input type="checkbox"/> |
| 4. | A completed certificate under Regulation 11(5b) must be submitted (DOC D)  | <input type="checkbox"/> |
| 5. | A letter listing the names and addresses of all parties served notice of the application under Regulation 11 (1d) (DOC E) and the date of service of each.   | <input type="checkbox"/> |
| 6. | Copies of the publications in which the public notices ( Regulation 11(2) Notice—DOC B) appeared must be submitted. The copies must show the date of the publication.  | <input type="checkbox"/> |

Signed

Date

*This notice should be used as the notice to be published in the press*

**TOWN PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS, 2019  
NOTICE UNDER REGULATION 11(2)**

Proposed development at (a).....  
.....I give notice that (b).....  
.....is applying to the Development and  
Planning Commission for planning permission for EIA development in respect of (c) .....

Date of planning application: (d) .....

Members of the public may inspect copies of :

- The application
- The plans
- The Environmental Statement
- Other documents submitted with it.

at the offices of the Secretary of the Development and Planning Commission, Suite 631 Europort, during work-  
ing hours until (e).....  
Anyone who wishes to make representations about this application should write to the Development and Plan-  
ning Commission at Suite 631 Europort by (e) .....

Signed .....

\*On behalf of .....

Date .....

- a) Address or location of the proposed development.
- b) Applicant's name and address.
- c) Description of the proposed development, including the relevant class designated in regulation 13 of the Town Planning (General Procedures) Regulations 2019.
- d) Date the planning application was made
- e) Date giving a period of not less than 30 days, beginning with the date when the notice is published.

*This notice should be used as the notice to be placed on site.*

**TOWN PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS, 2019  
NOTICE UNDER REGULATION 11(3)**

Proposed development at (a).....  
.....I give notice that (b).....  
.....is applying to the Development and  
Planning Commission for planning permission for EIA development in respect of (c) .....

Date of planning application: (d) .....

Members of the public may inspect copies of :

- The application
- The plans
- The Environmental Statement
- Other documents submitted with it.

at the offices of the Secretary of the Development and Planning Commission, Suite 631 Europort, during working hours until (e).....

Anyone who wishes to make representations about this application should write to the Development and Planning Commission at Suite 631 Europort by (e) .....

Signed .....

\*On behalf of .....

Date .....

- a) Address or location of the proposed development.
- b) Applicant's name and address.
- c) Description of the proposed development, including the relevant class designated in regulation 13 of the Town Planning (General Procedures) Regulations 2019.
- d) Date the planning application was made
- e) Date giving a period of not less than 30 days, beginning with the date when the notice is first posted on site.

**REG 11 (5b) CERTIFICATE**

**DOC D**

You must certify that you have complied with the requirements of Regulation 9 (Town Planning (Environmental Impact Assessment) Regulations) that requires that a notice be placed on the site and remain there for not less than 14 days in a period of not more than one month preceding the making of this application (Notice attached for this purpose—Doc 3)

**TOWN PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS, 2019  
CERTIFICATE REGULATION 11(5b)**

Please tick the appropriate box:

**Certificate A**

I certify that:

- I/The applicant\* posted the notice required by Regulation 11(3) of the Regulations, on the land which is the subject of the application for planning permission for EIA development.
- This notice was left in position for at least 14 days in a period of not more than one month immediately preceding the making of the application.

Or

**Certificate B**

I certify that:

- I have/The applicant has\* been unable to post the notice required by Regulation 11(3) of the Regulations, on the land which is the subject of the application for planning permission for EIA development because I have/the applicant has\* no rights of access or other rights in respect of the land as would enable me/the applicant\* to do so.
  - I have/The applicant has\* taken the following steps to acquire those rights, but have/has\* been unsuccessful.
- (a) .....

Or

**Certificate C**

I certify that:

- I/The applicant\* posted the notice required by Regulation 11(3) of the Regulations, on the land which is the subject of the application for planning permission for EIA development.
  - It was, however, left in position for less than 14 days in a period of not more than one month immediately preceding the making of the application.
  - This happened because it was removed/obscured/defaced\* before 14 days had passed during the period of one month mentioned above. This was not my/the applicant's fault or intent.
  - I/The applicant\* took the following steps to protect and replace the notice:
- (a) .....

Signed .....

\*On behalf of .....

Date .....

\*delete where appropriate

Insert:

(a) description of steps taken

*This notice should be used to notify any person likely to be affected by, or having an interest in, the application for planning permission for an EIA development.*

**TOWN PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS, 2019  
NOTICE UNDER REGULATION 11(1d)**

Proposed development at (a) .....  
..... I give notice that (b) .....  
..... is applying to the Development and  
Planning Commission for planning permission for EIA development in respect of (c) .....  
.....  
.....

Date of planning application: (d) .....

Members of the public may inspect copies of :

- The application
- The plans
- The Environmental Statement
- Other documents submitted with it.

at the offices of the Secretary of the Development and Planning Commission, Suite 631 Europort, during working hours until (e).....

Anyone who wishes to make representations about this application should write to the Development and Planning Commission at Suite 631 Europort by (e) .....

Signed .....

\*On behalf of .....

Date .....

- a) Address or location of the proposed development.
- b) Applicant's name and address.
- c) Description of the proposed development, including the relevant class designated in regulation 13 of the Town Planning (General Procedures) Regulations 2019.
- d) Date the planning application was made
- e) Date giving a period of not less than 30 days, beginning with the date the notice is served.