

JULY 2014

## SOVEREIGN BASE AREAS ADMINISTRATION / DEPT OF TOWN PLANNING AND HOUSING

### **PUBLIC CONSULTATION ON NON MILITARY DEVELOPMENT IN THE SOVEREIGN BASE AREAS**

The Republic of Cyprus and the Administration jointly released the Aims, Guidelines, Objectives and Principles document and maps of the Sovereign Base Areas which will be released to the SBA communities to start the formal consultation period on NMD.

#### **Q & A**

##### **How will the planning process now work?**

The new process is outlined in the Aims, Guidelines, Objectives and Principles document which has been subject to detailed discussions between Republic of Cyprus and SBA Administration officials. The community leaders have been provided with the framework document, Aims, Guidelines, Objectives and Principles and mapping that while not definitive will give a guide of the current land uses and constraints. They have been informed that they will now have 10 weeks consultation period to develop their planning proposals which will be considered by the Joint Committee for the Preparation of the SBAA Policy Statement (CPPS). Working together, the Administration and the DTPH will produce the SBAA Policy Statement which will outline the zoning and planning policies within which future planning applications will be assessed.

##### **Which law will be adopted?**

In accordance with the 1960 Declaration made by the UK Government, laws in the SBA as far as possible reflect those in the Republic, and this will also be the case in relation to non-military development and planning. The Administration will review the relevant legislation within the Republic to assess as to whether it needs to be adopted. There is an expectation that the Administration will not adopt all of the planning legislation as it would not be applicable within the SBAs.

##### **Will the Republic's Policy Statement be adopted in its entirety by the Administration?**

As with the legislation, the Administration will assess the Republic's Policy Statement and only adopt what is applicable taking into account the unique nature of the SBAs and the military and security interests.

##### **Who will undertake the work with regards to the zoning and planning process?**

The Republic and the Administration will work jointly to produce the SBAA Policy Statement which will provide the guidelines and process within which planning application will have to operate. Most administrative functions in relation to ordinary residents of the SBA are delegated to Republic officials to perform. This will also be the case for non-military development however planning applications will need to obtain permission from the Administration.

## **When will the development restrictions be lifted?**

The Administration and the Republic are committed to work together to introduce these new arrangements and meet regularly to discuss the detailed work needed to introduce the necessary planning and legislative framework. The planning procedures will involve the participation of local authorities and the general public as it does in the Republic. Due to the complexity of the work involved, it is anticipated that the planning application process will not start until at least 2015.

## **Who can apply for residence and to buy and develop private property in the SBA?**

Those who have a right of residence in the Republic will generally also be able to reside in the SBA. Similarly, the right to own land in the SBA will also generally be given to those who have a similar right in the Republic but details, once known, will be publicised. Development will be subject to planning and building legislation. Legislation will also ensure that the UK's military needs are properly taken into account.

## **Why has the UK Government only now decided to allow development in the SBA?**

We proposed a relaxation in 2007. The issues involved were very complicated, and it has taken time for the UK and the Republic to work through them.

## **Why was I disadvantaged by living in the SBA?**

The Administration has acted strictly in accordance with the UK Government's 1960 Declaration on the Administration of the Areas which did not envisage a substantial resident Cypriot population in the SBA. This underlaid the Administration's proposals to change the position in 2007 and we are pleased that the new arrangement will allow increased flexibility to develop private property within the SBA and give greater freedom to residents and property owners within the SBA to use their property.

## **Why couldn't/can't the Administration just relax the rules?**

We appreciate the public interest to press ahead with planning applications. Unfortunately such complicated issues can sometimes take time to work through.

## **Will the relaxation of the NMD restrictions mean that the SBA will turn into a holiday haven and become full of commercial developments?**

No, there will still be a planning regime in the SBA to prevent inappropriate development that is inconsistent with the SBAA Policy Statement, military and environmental obligations. All development will be considered in the wider context and will take into consideration the rural nature of the SBA.

## **What are you doing about abandoned land?**

The SBA Administration recognises the need to consider the position on abandoned land and will be undertaking this as part of the work on implementation.

## **What does this meant for the Treaty of Establishment and the Treaty of Guarantee?**

The Treaty of Establishment concerns the establishment of the Republic of Cyprus and is not relevant to the administration of the SBA, which have remained under UK sovereignty since 1914. The Treaty creates no obligation to discuss or agree non-military development with third parties.

HMG's 1960 Declaration on the Administration of the Areas, is not part of the Treaty of Establishment and is not legally binding. The UK stands by its commitments not to develop the SBA for other than military purposes. Development which occurs under the Arrangement will be done by private land-owners, the vast majority of whom are Cypriots.

The Treaty of Guarantee is not relevant in the context of the internal administration of the SBA.

### **Does the Arrangement apply to all parts of the SBA?**

The Arrangement covers the whole of the SBA, excluding MOD controlled sites. In implementing it, we will seek to take account any special circumstances relating to individual communities. It will also have to take into account environmental and archaeological concerns.

### **Will any part of the SBA be subject to the jurisdiction of the Republic of Cyprus?**

No, the law in the SBA will continue to be SBA law under the supervision of the SBA courts and policed by the SBA Police.

### **What measures exist to ensure that environmental considerations are safeguarded, such as undertaking Strategic Environmental Assessments?**

The Administration and the Republic of Cyprus are working together to formulate the formal planning zones and policy for the areas in the SBA that are subject to the Arrangement. Important to emphasise that there are significant areas of MOD controlled sites that are not subject to the new arrangements.

The work in defining the planning zones and policy has not yet been completed. Alongside this, work is being carried out by the Administration in evaluating the legislative and procedural requirements needed for the new planning regime, which will include legislating for strategic environmental assessments.

### **Planning processes in the Republic do not appear to be as stringent on environmental issues: how will such matters be protected in the SBA?**

The Republic legislation requires strategic environmental assessments to be carried out as part of the planning process. The Administration is discussing the arrangements that will be put in place to ensure that environmental issues are taken into account. As far as possible, the procedures normally applied in the Republic for operating a planning regime, including the participation of local authorities, the general public and other organisations will be applied.

This will normally include the establishment of Protection Zones in areas such as:

- The seashore
- Forests

- Cultural heritage sites including areas with ancient monuments;
- Nature protection areas and areas of natural beauty, including the Natura 2000 Network of sites, Ramsar and other environmentally significant areas(rivers, ravines)

**Sounds as if the lifting of the NMD restrictions will mean that the SBA will become full commercial developments, with wildlife and nature being lost?**

There will still be a planning regime in the SBA that will take into account areas of particular environmental interest that require protection from inappropriate development.

**The maps show large areas of SPAs and SACs. Does that mean all development will be prohibited in these areas?**

All planning applications will take into consideration any environmental concerns, but that does not necessarily mean all building will be prohibited. It might mean that it will have to be done sensitively.