

TERMS OF REFERENCE

The review, update and strengthening of Physical Planning Legislation for Grenada

1. BACKGROUND

In 2002 a new Planning Act for Grenada was adopted. The Physical Planning and Development Control Act 25 came into effect on the 5th of September 2002. This Act make fresh provisions for the control of physical development, continue the land development authority, enable the Physical Planning Unit to prepare physical plans for the state of Grenada, provide for the protection of natural and cultural heritage and other matters.

Draft regulations for the new Planning Act were prepared in 2006 by a contracted legal consultant. However, the draft regulations are stronger than the Act which needs to be enhanced to accommodate the draft regulations. The Physical Planning Unit is therefore seeking a consultant to conduct a review of the Physical Planning legislation, and make recommendations for enhancing the Planning Act and Regulations. The consultant is expected to deliver the output in the form of drafting instructions for the preparation of appropriate Planning Legislation.

The above assignment will be implemented with financial and technical support provided by the Sustainable Land Management Project, Ministry of Agriculture and the Attorney General (AG) Chamber respectively.

2. OBJECTIVE

The above assignment aims to review the existing physical planning legislation to identify structural and substantive deficiencies, and propose recommendations for enhancing the present Planning Act and current draft regulations.

3. THE ASSIGNMENT – SCOPE OF WORK

The consultant will be required to:

Task 1: Undertake a thorough review of all pertinent documents to assess the national situation.

The Consultant will:

- Conduct a review of all national relevant documents including but not limited to
 - a. The Draft Planning and Development Regulations
 - b. The National Environmental Policy and Management Strategy and proposed regulations.
 - c. The Draft Environmental Act

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d. Relevant Planning Legislation in the Common Wealth jurisdiction

- Attend meetings as required with the head of the Physical Planning Unit and other designated staff together with persons from the AG Department to discuss the Planning Act and proposed regulations.
- Prepare a list of concerns, omissions and weaknesses in the present Planning Act.
- Develop a set of recommendations regarding changes to the Planning Act for consistency with draft regulations.

Task 2: Undertake a consultation process with key stakeholders inter alia:

- Ministry of Legal Affairs
- Ministry of Health
- Ministry of Housing and Lands
- Ministry of Works
- Ministry of Agriculture
- Ministry of Tourism
- Ministry of Finance
- The Construction Sector
- Grenada Solid Waste management Authority
- Utility Companies, NAWASA
- Chamber of Commerce
- Bureau of Standards
- Civil Society Organizations (NGO's etc.)

During these meetings the consultant will: Brief stakeholders on the scope of work/project; present the issues identified to date; Head discussions to identify problems, needs, system weaknesses and other matters relating to the assignment.

- Document the process as well as record the proceedings of the meetings
- Adjust the issues and concerns identified under Task 1 to reflect the inputs from the stakeholders

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Task 3: Undertake a brief review of current legislation within the region and internationally that can provide additional information for strengthening planning legislation.

The Consultant will:

- Conduct a review of precedent Legislation in the Caribbean.
- Prepare a summary of findings from the review as well as recommendations, amendments and changes to Grenada's Planning Act and regulations.
- Submit the deliverables: The findings from the review and recommendations for amendments and changes to the steering committee who will then submit all recommendations to the AG Department for drafting.
- Drafting instructions for the preparation of appropriate planning legislation.

Task 4: Prepare and submit a report to the Project Coordinating Committee that will inform the updating of the new Act and enhancement of the existing draft regulations. The report should include the findings from the review conducted in Tasks 1, 2 and 3.

4. OUTPUTS

The Contractor is expected to deliver to the AG Department a report which includes recommendations for amendments for enhancing the existing Act, and providing additional information for strengthening the draft regulations.

5. PROJECT MANAGEMENT & ADMINISTRATION

The Physical Planning Unit, Ministry of Works will administer this contract in collaboration with the Sustainable Land Management (SLM) Project. A project Coordinating Committee comprised of members from the AG Office, the PPU and the SLM Project will provide support to project implementation. The Senior Planning Officer attached to the PPU will be responsible for the actual execution of the above project.

All communications regarding this assignment will be referred to the PPU. The Project Management Unit (PMU), SLM Project, Ministry of Agriculture will monitor the progress of the assignment to ensure effective implementation.

The PPU will facilitate the work of the consultant by informing relevant stakeholders of the commencement of the project, and providing access to documents and other relevant resources. The Project Management Unit will provide support to implementation of this assignment by assisting in organizing stakeholder workshops. Key informant interviews however, will be the responsibility of the consultant.

The Contractor will manage his/her time and responsibilities to ensure timely delivery of the outputs

6. QUALIFICATION AND EXPERIENCE OF CONTRACTOR

The successful Contractor is expected to possess at least a Masters in Planning (Urban, Regional or Physical) with at least six to ten years experience in the field.

7. TIMING

It is anticipated that the contract will commence by June 30th 2011 for a period of three months.

8. SUBMISSION REQUIREMENTS

Proposal submissions are to include:

1. A brief technical proposal
2. A schedule for delivery of outputs
3. A cost proposal (budget)
4. Consultant's CV

Proposal must be submitted via e-mail to the SLM Project Coordinator, Ministry of Agriculture – Grenada at slmgrenada@gmail.com by **June 16th 2011**. Proposals could also be hand delivered to:

SLM Project Coordinator
Ministry of Agriculture
Ministerial Complex, St. George's
Grenada.

Inquires can be obtained by contacting PPU at 440-2470 or SLM Project Management Unit at 440-2708 ext 3017 or the above email address.