

**ORDINANCE
OF THE STATES OF DELIBERATION**

ENTITLED

**The Land Planning and Development (Application to Herm
and Jethou) Ordinance, 2007 ***

[CONSOLIDATED TEXT]

NOTE

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* No. XXIX of 2007.

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(Made on the 26th September, 2007.)

The Land Planning and Development (Application to Herm and Jethou) Ordinance, 2007

THE STATES, in pursuance of their Resolutions of the 27th June 2002 and of the 26th January, 2005^a, after consultation by the Environment Department with her Majesty's Receiver-General, and in exercise of the powers conferred on the States by section 94(2) of the Land Planning and Development (Guernsey) Law, 2005^b and of all other powers enabling them in that behalf, hereby order: –

PART I

APPLICATION TO HERM AND JETHOU

Application of Law to Herm and Jethou.

1. The provisions of the Land Planning and Development (Guernsey) Law, 2005 ("**the Law**") specified in –

- (a) Part II of this Ordinance shall apply to the island of Jethou, and
- (b) Part III of this Ordinance shall apply to the island of Herm.

^a Billet d'État No. XI of 2002 and Article 1 of Billet d'État No. I of 2005.

^b Order in Council No. XVI of 2005.

PART II

BUILDING REGULATIONS: APPLICATION TO JETHOU

Provisions as to building regulations.

2. The following provisions of the Law apply to Jethou subject to the exceptions, adaptations and modifications specified in this Part of this Ordinance –

- (a) section 17(1), (3) and (4) (building regulations),
- (b) Part V (enforcement),
- (c) Part VI (appeals and reviews),
- (d) Part VIII (administrative, general and miscellaneous provisions), and
- (e) Schedules 2 (interpretation) and 3 (repeals etc.).

3. Sections 17(3)(f)(i), 68, 69, 70(2) and 71(2) of the Law are omitted.

PART III

BUILDING REGULATIONS AND PROTECTED MONUMENTS AND
PROTECTED BUILDINGS: APPLICATION TO HERM

Provisions as to building regulations and protected monuments and protected buildings.

4. The following provisions of the Law apply to Herm subject to the exceptions, adaptations and modifications specified in this Part of this Ordinance –

- (a) Part III (control over development),

- (b) Chapters 1 (monuments and archaeological sites) and 2 (buildings of special interest) of Part IV,
- (c) Part V (enforcement),
- (d) Part VI (appeals and reviews),
- (e) Part VIII (administrative, general and miscellaneous provisions), and
- (f) Schedules 2 (interpretation) and 3 (repeals etc.).

5. Part III of the Law, except for section 17 of the Law (building regulations), shall only apply in Herm in relation to development which falls within section 1 (operations in relation to protected monuments) or 2 (operations in relation to protected buildings) of the Land Planning and Development (General Provisions) Ordinance, 2007^c.

PART IV
GENERAL PROVISIONS

Interpretation.

6. (1) In this Ordinance "**the Law**" means the Land Planning and Development (Guernsey) Law, 2005.

(2) References to an enactment –

^c Approved by resolution of the States on 26th September, 2007.

Consolidated text

- (a) in the provisions of this Ordinance, and
- (b) in the provisions of the Law applied by this Ordinance to Herm or Jethou,

are references to that enactment as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation.

7. This Ordinance may be cited as the Land Planning and Development (Application to Herm and Jethou) Ordinance, 2007.

Commencement.

8. This Ordinance shall come into force on the same date as the Law.

NOTE

The Law was brought into force on 6th April, 2009 by the Land Planning and Development (Fees and Commencement) Ordinance, 2008, section 15.
