

Island of



Guernsey

Ordinance of the States

XI
2016

Made 16th February, 2016

Coming into Operation 1st May, 2016

The Land Planning and Development (Strategic Land Planning) (Amendment) Ordinance, 2016

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THE STATES, in pursuance of their Resolutions of the 9th July, 2015^a and the 27th November, 2015^b and in exercise of the powers conferred on them by sections 12(1) and (2), 81, 86(10) and 89 of the Land Planning and Development (Guernsey) Law, 2005^c and all other powers enabling them in that behalf, hereby order:-

Amendment of the 2005 Law.

1. (1) The Land Planning and Development (Guernsey) Law, 2005 is amended as follows.

(2) Section 3 (appointment of strategic land planning group) is repealed.

(3) In section 5 (preparation of strategic land use plan) –

(a) for each reference to "the Strategic Land Planning Group" and for the reference to "the Group" substitute "the States Committee for the Environment & Infrastructure",

(b) in subsection (2), omit the words "for the

^a Billet d'État No. XII of 2015.

^b Billet d'État No. XXI of 2015.

^c Order in Council No. XVI of 2005 as amended by Order in Council No. XIII of 2010, Ordinance No. XXI of 2007, No. XXII of 2007, No. XXV of 2007, No. XXVII of 2007, No. XXVIII of 2007 and Ordinance No. XVIII of 2011 and the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016.

consideration of the States",

- (c) for subsection (3), substitute the following subsections –

"(3) The States Policy & Resources Committee must –

- (a) consider the draft so submitted,
- (b) determine whether in its opinion it is consistent with other parts of the States Policy and Resource Plan, and
- (c) send a statement of its opinion as to that consistency to the States Committee for the Environment & Infrastructure.

(3A) Following receipt of the statement of opinion of the States Policy & Resources Committee, the States Committee for the Environment & Infrastructure must lay the draft Plan or amendments before the States for their consideration, together with the statement of opinion.",
and

- (d) at the end, add the following subsection –

"(6) In this section, "**States Policy and Resource Plan**" means -

- (a) the States Strategic Plan 2013 to 2017, or

- (b) any policy or plan, other than the States Strategic Plan, (however named) adopted by the States and currently in force which replaced the States Strategic Plan,

in each case as from time to time amended or replaced.".

(4) In section 12(2)(a) (procedure for examination, adoption and revision of development plans, subject plans and local planning briefs), for "the Strategic Land Planning Group" substitute "the States Committee for the Environment & Infrastructure".

(5) In Schedule 2 (interpretation), the definition of "**Strategic Land Planning Group**" is omitted.

Amendment of the Plans Ordinance.

2. (1) The Land Planning and Development (Plans) Ordinance, 2007^d is amended as follows.

(2) For each reference to "the Strategic Land Planning Group" substitute "the States Committee for Environment & Infrastructure".

(3) In section 7(3)(c) (persons who may not be appointed as inspector), omit the words "the Strategic Land Planning Group or".

(4) In section 17(1) (interpretation), the definition of "**Strategic Land Planning Group**" is omitted.

^d Ordinance No. XXII of 2007 as amended by Ordinance No. XLI of 2008 and the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016.

Amendment of the Appeals Ordinance.

3. (1) The Land Planning and Development (Appeals) Ordinance, 2007^e is amended as follows.

(2) In section 4 (appointment of the Planning Panel), paragraph (c) is omitted.

(3) In section 21 (interpretation), the definition of "**Strategic Land Planning Group**" is omitted.

Amendment of the Plans Inquiry Regulations.

4. (1) The Land Planning and Development (Plans Inquiry) Regulations, 2008^f are amended as follows.

(2) In regulation 2(2)(e) (persons who may not be appointed as member of inquiry administration), omit the words "the Strategic Land Planning Group or".

(3) In regulation 17(1) (interpretation), the definition of "**Strategic Land Planning Group**" is omitted.

Savings and transitional provision.

5. Anything done before the 1st May, 2016, or in the process of being done on that date, by or in relation to the Strategic Land Planning Group or its

^e Ordinance No. XXVII of 2007 as amended by Ordinance No. XLI of 2008 and No. XVIII of 2011 and the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016.

^f G.S.I. No. 7 of 2008 as amended by G.S.I. No.66 of 2014 and the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016.

chairman or the chairman's alternate, under or by virtue of the Land Planning and Development (Guernsey) Law, 2005 or any other enactment shall have effect as if done or (as the case may be) may be continued by or in relation to the States Committee for Environment & Infrastructure or its President or Vice-President (as the case may be).

Interpretation.

6. (1) In this Ordinance, unless the context requires otherwise -

"**enactment**" includes a Law, an Ordinance and any subordinate legislation and includes any provision or portion of a Law, an Ordinance or any subordinate legislation,

"**Strategic Land Planning Group**" means the Group which is that appointed under section 3(1) of the Land Planning and Development (Guernsey) Law, 2005 immediately before the commencement of this Ordinance, and

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any statutory, customary or inherent power and having legislative effect, but does not include an Ordinance.

(2) Any reference in this Ordinance to an enactment is a reference thereto 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

(Strategic Land Planning) (Amendment) Ordinance, 2016.

Commencement.

8. This Ordinance shall come into force on the 1st May, 2016.

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