

The Land Planning and Development (Planning Tribunals) (Modifications) Ordinance, 2020

THE STATES, in pursuance of their Resolution of the 19th August, 2020^a, and in exercise of the powers conferred on them by sections 87(9) and 89 of the Land Planning and Development (Guernsey) Law, 2005^b, and all other powers enabling them in that behalf, hereby order:-

Modification of section 87 of the Land Planning Law.

1. (1) Section 87 (appointment and proceedings of Planning Tribunal) of the Law shall apply with the modifications set out in subsection (2) but only in the circumstances set out in subsection (3); and in those circumstances such modifications shall apply despite any other provision to the contrary under the Law.

(2) The modifications are that section 87 shall apply as if -

- (a) a member of the Planning Tribunal, who is not a professional member of the Planning Panel, may be designated to preside in the Tribunal under section 87(2), and
- (b) subsections (1) and (2) included a power for the Chairman of the Planning Panel, or as the case may be the Deputy Chairman, to replace the member of the

^a Article VII of Billet d'État No. XVI of 2020.

^b Order in Council No. XVI of 2005; section 87 is amended by Ordinance No. XXVIII of 2007 and No. IX of 2016; there are other amendments not relevant to this Ordinance.

Tribunal designated to preside in the Planning Tribunal if it is not reasonably practicable for that member to travel to Guernsey to preside at a hearing before the Planning Tribunal.

(3) The circumstances are that at the time of the designation of the person presiding under subsection 87(2), or at any time following that designation but before any final hearing in relation to the appeal before the Planning Tribunal, directions or other provisions have been made and are in force, or are to come into force, under the Civil Contingencies (Bailiwick of Guernsey) Law, 2012^c which prohibit or restrict, or impose conditions (including, without limitation, requirements for isolation) in relation to, persons travelling into or out of Guernsey.

Interpretation.

2. In this Ordinance, unless the context requires otherwise –

"**isolation**" in relation to a person means the separation of that person from any other person in such a manner as to prevent infection or contamination, and

"**the Law**" means the Land Planning and Development (Guernsey) Law, 2005,

and other terms or expressions which are also used in the Law have the same meanings as in the Law.

Citation.

3. This Ordinance may be cited as the Land Planning and Development

^c Order in Council No. XIV of 2012; amended by Ordinance No. IX of 2016 and No. II of 2017.

(Planning Tribunals) (Modifications) Ordinance, 2020.

Commencement.

4. This Ordinance shall come into force on the 19th August, 2020.