

**THE STATES OF DELIBERATION**  
**of the**  
**ISLAND OF GUERNSEY**

**THE LAND PLANNING AND DEVELOPMENT (VISITOR ACCOMMODATION)  
(AMENDMENT) ORDINANCE, 2022**

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Land Planning and Development (Visitor Accommodation) (Amendment) Ordinance, 2022", and to direct that the same shall have effect as an Ordinance of the States.

**EXPLANATORY MEMORANDUM**

This Ordinance amends the temporary exemption from the requirement to obtain planning permission for a change of use of visitor accommodation to certain residential uses, in Class 9A of the Schedule to the Land Planning and Development (Exemptions) Ordinance, 2007. The exemption was inserted earlier in 2021 to reduce planning restrictions on such changes of use in response to the impact on the visitor accommodation sector of travel restrictions imposed as a result of the coronavirus pandemic.

The amendments extend the current dates in the exemption by a year so that it applies to a relevant change of use up until 31<sup>st</sup> December, 2022 or such later date as the Development & Planning Authority may prescribe by Regulations. A consequential amendment is also made to the date by which visitor accommodation premises must revert back to their former visitor accommodation use from 31<sup>st</sup> January, 2022 to 31<sup>st</sup> January, 2023 or such later date as the Development & Planning Authority may prescribe by Regulations. The Regulation making powers are given to the Development & Planning Authority to further extend the dates owing to the uncertainty as to the further impact of coronavirus.

A consequential amendment is also made to section 3(2) of the Land Planning and Development (Visitor Accommodation) (Amendment etc.) Ordinance, 2021 which disregards the period during which the temporary exemption is available for the purpose of calculating the period within which a planning compliance notice may be issued when a change of use has originally occurred in reliance upon the exemption.



## **The Land Planning and Development (Visitor Accommodation) (Amendment) Ordinance, 2022**

**THE STATES**, in pursuance of their Resolutions of the \*\* December, 2021<sup>a</sup>, and in exercise of the powers conferred on them by sections 28, 48(5), 81 and 89 of the Land Planning and Development (Guernsey) Law, 2005<sup>b</sup>, and all other powers enabling them in that behalf, hereby order:-

### **Amendment of the Exemptions Ordinance.**

1. (1) The Land Planning and Development (Exemptions) Ordinance, 2007<sup>c</sup> is amended as follows.

(2) In the Schedule (exempt development), in Class 9A (temporary visitor accommodation change of use) –

- (a) in paragraph 1(1)(a), for "31<sup>st</sup> December, 2021", substitute "31<sup>st</sup> December, 2022 or such later date as the Authority may by Regulations prescribe", and
- (b) in paragraph 1(1)(b), for "31<sup>st</sup> January, 2022" substitute "31<sup>st</sup> January, 2023 or such later date as the Authority may by Regulations prescribe".

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<sup>a</sup> Article VIII of Billet d'État No. XXV of 2021.

<sup>b</sup> Order in Council No. XVI of 2005. This enactment has been amended.

<sup>c</sup> Ordinance No. XXIII of 2007. This enactment has been amended.

**Amendment of the 2021 Visitor Accommodation Ordinance.**

2. (1) The Land Planning and Development (Visitor Accommodation) (Amendment etc.) Ordinance, 2021<sup>d</sup> is amended as follows.

(2) In section 3(2) (further modification of section 48(4) of the Law in relation to certain changes of use from a visitor economy use to certain residential uses), for "31<sup>st</sup> January, 2022" substitute "31<sup>st</sup> January, 2023 or such later date as the Authority may prescribe under paragraph 1(1)(b) of Class 9A of the Schedule to the Exemptions Ordinance".

**Citation.**

3. This Ordinance may be cited as the Land Planning and Development (Visitor Accommodation) (Amendment) Ordinance, 2022.

**Commencement.**

4. This Ordinance shall come into force on the 27<sup>th</sup> January, 2022.

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<sup>d</sup> Ordinance No. XII of 2021.