

States of Alderney



DELIBERATIONS

WEDNESDAY 14TH MARCH 2018

STATES OF ALDERNEY
DELIBERATIONS FOR THE MEETING
ON WEDNESDAY 14TH MARCH 2018 AT 17:30

Present: Mr Stuart Trought, President
Mr Ian Tugby
Mr Matt Birmingham
Mr Louis Jean
Mr Steve Roberts
Mrs Norma Paris
Mr Graham McKinley
Mr James Dent
Mr Alex Snowdon
Mr Mike Dean
Mr Tony Barnes

His Excellency Vice Admiral Sir Ian Corder, The Lieutenant-Governor of the Bailiwick of Guernsey was in attendance.

After the opening of the meeting the President welcomed the Lieutenant-Governor to the meeting.

Item I **Chief Pleas**

Mrs Pamela Pearson addressed the States on a matter concerning the Land Use Plan 2017.

Item II **The Speed Trials (Alderney) Ordinance, 2018**

The States of Alderney resolved to approve “The Speed Trials (Alderney) Ordinance, 2018.

Proposer: Mrs Paris

Secunder: Mr Roberts

Approved unanimously

Item III **The Alderney eGambling (Amendment) Regulations, 2018**

The States of Alderney resolved not to annul ‘The Alderney eGambling (Amendment) Regulations, 2018’.

Proposer: Mr Dent

Secunder: Mr Tugby

Approved by a majority, all in favour except Messrs Birmingham and Barnes who abstained.

Item IV **Land Use Plan Review 2017 – Approval in Principle**

The following amendment was received from Mr Jean, seconded by Mr Tugby

“In proposition 1., immediately after “To agree in principle to the approval of the Land Use Plan 2017 subject to” insert “the deletion of the Development principles as set out at OA4 and their replacement by the wording of Development Principles set out at OA3 and also to the deletion of areas marked at Section 5.3 as “Broadleaved woodland; small isolated patches around the island” and “Coastal grassland” at the Arsenal outlined in the associated green index notation on Map reference Figure 5.5: Hierarchy of Biodiversity Designations: Regional Tier, and also subject to”

Amendment failed.

For: Messrs Tugby, Jean and Roberts

Against: Messrs Birmingham, McKinley, Dent, Snowdon, Dean, Barnes and Mrs Paris

The original item was then voted on and The States of Alderney resolved to agree in principle to the approval of the Land Use Plan 2017 subject to prior approval of:-

- i. **The Building and Development Control (Alderney) (Amendment) Ordinance, 2018**
- ii. **The Building and Development Control (Designated Area) (Alderney) Ordinance, 2018**
- iii. **The Building and Development Control (Exemptions) (Alderney) (Amendment) Ordinance, 2018, and**
- iv. **The related amendments to the States of Alderney Rules of Procedure**

Proposer: Mr Birmingham

Secunder: Mr Dean

Approved by a majority, all in favour except Messrs Tugby and Jean who voted against.

Item V **Building and Development Control Legislative Changes**

The following amendment was received from Mr Dent, seconded by Mr McKinley

“In Proposition 1i., immediately after “The Building and Development Control (Alderney) (Amendment) Ordinance, 2018” insert “subject to the following amendment:-

- **in paragraph 13(4) of the inserted Schedule 1 set out in Schedule 1 to the Ordinance, after “objective, credible and robust evidence” insert “(which may include, without limitation, relevant evidence relating to economic or social impacts of the development or other work or the financing, or other financial implications or risks, of the same)”.**

Amendment passed.

For: Messrs Tugby, Jean, Roberts, McKinley, Dent, Snowdon, Barnes and Mrs Paris

Against: Messrs Birmingham and Dean

The Amended item was then debated and the States of Alderney resolved to approve:-

- i. **“The Building and Development Control (Alderney) (Amendment) Ordinance, 2018” as amended; and**

- ii. **“The Building and Development Control (Designated Area) (Alderney) Ordinance, 2018”**; and
- iii. **“The Building and Development Control (Exemptions) (Alderney) (Amendment) Ordinance, 2018”**.

Proposer: Mr Birmingham

Secunder: Mr Dean

Approved by a majority, all in favour except Messrs Tugby and Jean who voted against.

Item VI **Rules of Procedure States of Alderney: Amendments**

The States of Alderney resolved to approve in exercise of their powers to prescribe rules of procedure applicable to meetings of the States under section 45(1) of the Government of Alderney Law, 2004, that the following amendments are made to the States of Alderney Rules of Procedure, as amended:-

- (a) in Rule 3 (3 day-Billet) after "any matter" insert "(except for a letter to which Rule 4A applies)";
- (b) in Rule 4(a)(i) (Matters for inclusion in the Billet), after the first reference to "the President" insert ", except for a letter to which Rule 4A applies,";
- (c) immediately before Rule 5 (Billet to Bailiff) insert the new rule 4A as set out in this item above;
- (d) in the definition of "President" in Rule 25, after "4" insert "4A".

Proposer: Mr Dent

Secunder: Mr Barnes

Approved unanimously.

Item VII **Land Use Plan 2017 – Formal Approval**

The States of Alderney resolved to approve, under section 30 of the Building and Development Control (Alderney) Law, 2002, (the Law), the Land Use Plan 2017 prepared under Part IV of the Law in replacement of the Land Use Plan approved by the States of Alderney on the 20th July 2016.

Proposer: Mr Birmingham

Secunder: Mr Dean

Approved unanimously.

Item VIII **Questions and Reports**

No Questions or Reports were received.

The President thanked Mr Adrian Lewis on behalf of himself, the States and the people of Alderney, for his help and hard work during the time spent working at the States of Alderney as Interim Chief Executive.

Meeting Closed: 1945hrs

Issued: 16th March 2018