

**STATES OF ALDERNEY**



**BILLET D'ETAT**

WEDNESDAY 13<sup>th</sup> MARCH 2019

Price: £2.25

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### **BILLET D'ETAT**

#### **FOR WEDNESDAY 13<sup>TH</sup> MARCH 2019**

Members of the States:

I have the honour to inform you that the Meeting of the States will be held at 5:30 pm on Wednesday 13<sup>th</sup> March 2019. This will be preceded by the People's Meeting, which will be held on Wednesday 6<sup>th</sup> March 2019 at 7:00 pm in the Island Hall.

W Stuart Trought  
President

#### **Item I**      **Chief Pleas**

**Persons whose names are included on the Register of Voters and who have given due notice will address the States on matters of public interest.**

#### **Item II**      **The Motor Vehicles (International Circulation) (Alderney) (Brexit) Regulations, 2019**

The following letter was received from Mr Dent, Chairman of the Policy and Finance Committee:-

*"These Regulations are made in consequence of the withdrawal of the United Kingdom from the EU and the resulting necessity for International Driving Permits (IDPs) to be issued by the Committee for the Environment & Infrastructure ("the Committee") on behalf of Alderney and other Bailiwick residents who wish to drive in Europe.*

*The Committee issues domestic driving licences to all Bailiwick residents under the Driving Licences (Guernsey) Ordinance, 1995, made under the Motor Taxation and Licensing (Guernsey) Law, 1987 ("the 1987 Law"). However, the Motor Vehicles (International Circulation) (Guernsey) Law, 1956 ("the 1956 Law"), and the Motor Vehicles (International Circulation) (Alderney) Ordinance, 1961 ("the 1961 Ordinance"), made under the 1956 Law, were drafted at a time when Alderney was a separate jurisdiction for the purposes of driver licensing, and made provision for IDPs to be issued by the Treasurer.*

*The Motor Vehicles (International Circulation) (Guernsey and Alderney) (Brexit) Regulations, 2019, to be made by the Guernsey Policy & Resources Committee, will repeal the 1956 Law and incorporate the enabling powers relating to these matters into the 1987 Law; and will also provide that the Motor Vehicles*

*(International Circulation) (Guernsey) Ordinance, 1974 will henceforth apply to Alderney. The effect of these legislative changes will give clarity to the power of the Committee to issue IDPs for Alderney residents as well as for Guernsey and Sark residents.*

*The purpose of these Regulations is to repeal the 1961 Ordinance which, in the circumstances described above, is no longer applicable. These Regulations will come into force on the same day as the Ordinance which inserts the new enabling power into the 1987 Law.*

*The Policy and Finance Committee considered and approved unanimously the proposal to introduce these regulations at its meeting of 15<sup>th</sup> January, 2019. Subsequently 'The Motor Vehicles (International Circulation) (Alderney) (Brexit) Regulations, 2019' were made and signed at the Policy and Finance Committee meeting of 19<sup>th</sup> February, 2019, on receipt of a Law Officer's certificate under section 5(3) of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, provided to Committee certifying (inter alia) that the enactment of the regulations is necessary or expedient in consequence of Brexit and in the public interest.*

*I would be grateful if you would place the Motor Vehicles (International Circulation) (Alderney) (Brexit) Regulations, 2019 before the next meeting of the States of Alderney with an appropriate proposition.*

*Mr James Dent, Chairman"*

Mr J Dent, Chairman  
Mr D Earl, Deputy Chair  
Mr S Roberts  
Mr G McKinley OBE  
Mr M Dean  
Mr A Snowdon  
Mr L Jean  
Mr C Harris  
Mr K Gentle  
Ms A Burgess

**The States of Alderney is asked to resolve that 'The Motor Vehicles (International Circulation) (Alderney) (Brexit) Regulations, 2019' not be annulled.**

**Item III      The Speed Trials (Alderney) Ordinance, 2019**

The following letter was received from Mr McKinley, Chairman of the General Services Committee:-

*"I am pleased to be able to report that the Guernsey Kart and Motor Club applied to the General Services Committee for permission to organise a three-day Sprint and Hill Climb event from the 12<sup>th</sup> to the 14<sup>th</sup> September this year. The Committee at its meeting on 22<sup>nd</sup> January 2019, having delegated permission to the Chief Executive's office, has noted the times and dates of the event and raised no objection.*

*The Speed Trials (Alderney) Ordinance will allow competing vehicles to exceed the statutory speed limit and permit the closure along the course (a) on the road extending from Whitegates (Hammond Memorial) to Route des Mielles (Corblets Bay car park), (b) the road extending from Le Grand Val (Judges Pond) to Tourgis Hill and (c) Tourgis Hill along the extent of the Hill Climb course, from the road*

*junction of the Petit Val with Route de Picaterre to the junction of Tourgis Hill Road with Le Grand Val.*

*As in past years, the Guernsey Kart and Motor Club has undertaken to put in place all necessary safety precautions and to liaise with the Police, Ambulance and Fire Service for these events.*

*I would be grateful if 'The Speed Trials (Alderney) Ordinance, 2019' is placed before the States of Alderney at its next meeting together with an appropriate proposition.*

*Mr Graham McKinley OBE, Chairman"*

Mr G McKinley OBE, Chairman  
Ms A Burgess, Deputy Chair  
Mr M Dean  
Mr K Gentle  
Mr C Harris  
Mr S Roberts

**The States of Alderney is asked to approve "The Speed Trials (Alderney) Ordinance, 2019"**

**Item IV**     **Building and Development Control Committee Mandate**

The following letter was received from Mr Dean, Chairman of the Building and Development Control Committee:-

*"The mandate approved at the January meeting of the States of Alderney in 2017 for the Building and Development Control Committee was as follows:*

*To be the Authority for approving plans in both the public and private sector;*

*To administer The Building and Development Control (Alderney) Law, 2002, as amended;*

*To be the Committee to make recommendations to the States (of Alderney) on the maximum number of dwellings to be permitted in any given period in accordance with Section 15 of The Building & Development Control (Alderney) Law, 2002;*

*To administer Building Regulations made under the provisions of The Building & Development Control (Alderney) Law, 2002, and any other law or laws by which they may be replaced.*

*To be responsible for the preparation of a policy and strategy for environmental conservation and ecology on the Island"*

*Since the January 2017 meeting of the States there has been a number of amendments to The Building and Development Control (Alderney) Law, 2002, (the Law) relating to housing policy, fees and the review of the Land Use Plan<sup>1</sup> for the island.*

*As part of the review and subsequent amendment to the Law, Section 15, relating to the maximum number of new dwellings permitted to be constructed on island,*

*has been removed and a requirement for a housing strategy that responds to the islands needs over the term of the Land Use Plan has been recognised.*

*A further amendment identified, related to the fees for planning and building regulation chargeable under the Law which previously were dealt with by the Fees (Alderney) Ordinance, 1990. The 1990 Ordinance has now been repealed and replaced<sup>2</sup> with the fees for planning and building regulation being removed from the new ordinance. This now falls within the responsibility of the Committee under the provisions of the Building and Development Control (Alderney) Law to review and put forwards new levels of fees to be charged for such services.*

*To reflect the aforementioned changes a new mandate for the Committee has been drafted and approved by the Building and Development Control Committee at its meeting of 17<sup>th</sup> January, 2019. I would be grateful if the new Committee mandate is placed for approval before the next meeting of the States of Alderney with an appropriate proposition.*

*Mr Mike Dean, Chairman”*

<sup>1</sup> The Land Use Plan for 2017 was formally approved by the States of Alderney at its meeting of the 14<sup>th</sup> March, 2018

<sup>2</sup> The Fees (Alderney) Ordinance, 2018 (XVII / 2018) approved by the States of Alderney 19<sup>th</sup> December, 2018.

Mr M Dean, Chairman  
Mr K Gentle, Deputy Chair  
Mr D Earl  
Mr A Snowdon

**The States of Alderney is asked to approve the adoption of the new mandate for the Building and Development Control Committee, as follows:-**

**“Building and Development Control Committee Mandate**

- **To administer The Building & Development Control (Alderney) Law, 2002, (the Law) as amended.**
- **To be the Authority for approving plans in both the public and private sector.**
- **To be the Committee for the preparation, maintenance and operation of the Land Use Plan as per Part IV of The Building & Development Control (Alderney) Law, 2002 as amended.**
- **To administer Building Regulations made under the provisions of part VI of The Building & Development Control (Alderney) Law, 2002, as amended and any other law or laws by which they may be replaced.**
- **To be the body responsible for reviewing the levels of fees chargeable for both planning and building regulations.**
- **To be responsible for the preparation of policy and strategy for housing.**
- **To be responsible for the preparation of policy and strategy for environmental conservation and ecology on the Island.**

**17<sup>th</sup> January, 2019”**

**Item V**      **Questions and Reports**

**Issued:** 1<sup>st</sup> March 2019