

# STATES OF ALDERNEY



# BILLET D'ETAT

WEDNESDAY 19<sup>TH</sup> SEPTEMBER 2012

Price: £1.90

## **STATES OF ALDERNEY**

### **BILLET D'ETAT** **FOR WEDNESDAY 19<sup>TH</sup> SEPTEMBER 2012**

Members of the States:

I have the honour to inform you that a Meeting of the States will be held at 5:30 pm on Wednesday 19<sup>th</sup> September 2012. This will be preceded by the People's Meeting, which will be held on Wednesday 12<sup>th</sup> September 2012 at 7:00 p.m. 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 Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2012**

**The following letter has been received from Mr Stuart Trought, President of the States of Alderney:-**

*"Please find enclosed a letter from the Bailiff, dated 20<sup>th</sup> June 2012, seeking approval of the above law.*

*I would therefore be obliged if you would debate this matter at your meeting on 19<sup>th</sup> September 2012 and give your approval as set out in the letter.*

*W Stuart Trought  
President"*

**The States is asked to approve "The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2012".**

Note; A copy of the Projet de Loi entitled "The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2012" may be seen at the States Office, Island Hall, and in the Library.

#### **Item III**      **Compulsory Purchase Order (AY 1619)**

**The following letter has been received from Mr Walden, Chairman of the General Services Committee:-**

*"The States of Alderney have been advised of the requirement to relocate the airport boundary fences as an action arising from a Civil Aviation Aerodrome audit. This action has been outstanding for several years. The audit found that the minimum clearways around the grass runways did not comply with the requirements of the regulations and should be moved further away from the centre line of the runway in*

*certain places to ensure that the clearways complied with CAP168 – which sets out the standards required at UK licensed aerodromes relating to management systems, operational procedures, physical characteristics, assessment and treatment of obstacles, visual aids, rescue and fire-fighting services and medical services.*

*All land purchase issues associated with the repositioning of the boundaries have taken some time to conclude. The person who owns the last plot of land to be purchased, plot AY1619, has refused to sell. The States of Alderney have been trying to purchase this land since at least 2006.*

*Accordingly the only way to conclude the repositioning of the boundaries is through a compulsory purchase order.*

*At their meeting on 18 July 2012 the States resolved to serve notice on the owner of the land pursuant to and in accordance with Section 1(2) of The Compulsory Purchase (Alderney) Law, 1986 prior to the matter being returned to the States of Alderney to consider, and if thought fit, to resolve to acquire the property by compulsory purchase. On 2<sup>nd</sup> August 2012 a Notice under section 1(2) of the said Law was served on the owner of the property and his representative. The States is asked to decide:*

*Whether after consideration of the above report, and any representations made by or on behalf of the land owner, they are of the opinion:-*

*that it would be in the public interest for the purposes of carrying out of the following public purpose namely the relocation of the airport boundary fences as an action arising from a Civil Aviation Aerodrome audit in order to comply with CAP168 to acquire by purchase all that freehold property registered on the Alderney Land Register under title number AY1619*

*W. Walden  
Chairman”*

**The States is asked to approve to acquire by purchase:  
all that freehold property registered on the Alderney Land Register under title number AY1619**

#### **Item IV**      **The Housing (Exemptions) (Alderney) Ordinance, 2012**

**The following letter has been received from Mr Sargent, Chairman of the Building and Development Control Committee:-**

*“On 22<sup>nd</sup> December 2010, an Exemption Ordinance was granted by the States, which enabled the Building and Development Control Committee to consider an application for permission for the construction of dwellings at Parcel AY961, The Butes. A planning application for a housing development of 36 houses and apartments was subsequently approved in principle by the Building and Development Control Committee.*

*Exemption Ordinances in Alderney are personal to the applicant. The ownership of the site has recently changed, and the new owner, Grand Hotel Developments Ltd, wishes to carry out exactly the same development on the same terms as the previously approved development. In order for the approval for the development to be given, Grand Hotel Developments Ltd needs to be prescribed as a person exempted from S33 of the Building and Development Control (Alderney) Law, 2002, as amended.*

*I would be grateful if the Housing (Exemptions) (Alderney) Ordinance, 2012 is placed before the States when it next meets together with an appropriate proposition.*

*G Sargent  
Chairman"*

**The States is asked to approve "The Housing (Exemptions) (Alderney) Ordinance, 2012".**

**Item V      The Alderney eGambling (Amendment) Regulations, 2012**

**The following letter has been received from Mr Beaman, Chairman of the Policy and Finance Committee:-**

*"The Alderney eGambling (Amendment) Regulations, 2012 were made by the Alderney Gambling Control Commission on 24<sup>th</sup> July, 2012 and came into force on 24<sup>th</sup> July, 2012.*

*The Amendment Regulations were made for two reasons.*

*Firstly a new licensing condition is imposed upon all eGambling licensees and Foreign Gambling Associate Certificate holders to take reasonable steps to identify attempts to influence the outcome of events upon which betting takes place, to notify the Commission of any such attempts, and to co-operate with any investigation that might take place. This amendment is particularly timely, coming into force before the 2012 Olympic games in London. These regulations have immediate effect.*

*Secondly Category 1 eGambling licensees will be required to segregate funds standing to the credit of registered customers into separate accounts which exist solely for that purpose and to make monthly reports to the Commission of the funds they hold and the accounts they are held in. This requirement may be waived where a written guarantee has been provided which is considered suitable by the Commission. This change has been made in the light of comments made in the independent review of the Commission's actions regarding "Full Tilt Poker". The effect of the change will be to give the Commission greater visibility of funds standing to the credit of registered customers and to strengthen the Commission's powers of monitoring. Licensees will have until 31<sup>st</sup> December, 2012 to effect the changes needed to meet this new regulation.*

*In addition Category 1 eGambling licensees will be required to inform their customers of the risks associated with funds standing to the credit of the customer in the event of the insolvency of the licensee.*

*Under the current licensing regime only Category 1 eGambling licensees transact with the customer and hold funds. Accordingly this amendment does not apply to Category 2 eGambling licensees or Foreign Gambling Associate Certificate holders.*

*I would be obliged if The Alderney eGambling (Amendment) Regulations, 2012 is placed before the States at its next meeting together with an appropriate proposition.*

*John Beaman  
Chairman"*

**The States is asked to resolve that "The Alderney eGambling (Amendment) Regulations, 2012" not be annulled.**

**Item VI**    **Questions and Reports**

**Issued: 7<sup>th</sup> September 2012**