



## **BILLET D'ETAT FOR 19-07-2006**

**Date: 18th July, 2006**

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 19th July 2006. This will be preceded by the People's Meeting, which will be held on Wednesday 12th July 2006 at 7:00 pm in the Island Hall.

Sir Norman Browse

President

### **Item 1 Alderney Land Use Plan 2006**

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

"The Building and Development Control (Alderney) (Amendment) Law, 1997 ("the 1997 Law"), mandated the Committee (then the Policy and Finance Committee) to prepare Land Use Plans indicating the manner in which the Committee proposed that land should be used (whether by development or otherwise) and the stages by which such development should be carried out, such Land Use Plans to be placed before the States for approval and to be reviewed thereafter at least once in every five years.

At its Meeting held on 14th December 1999 the States approved the first of these plans, for the Non-Designated (Building) Area. At its Meeting held on 18th July 2001 the States approved the second of these plans, for the Designated Area (Green Belt). As required by the provisions of the 1997 Law these were to be reviewed before 14th December 2004 and 18th July 2006, respectively.

It became evident by 2004 that different review dates for the two plans created problems, primarily when defining boundaries between the two areas. The Inspector who held the Planning Inquiry in that year, Mr J. Young, B.A. C.P.F.A., recommended that the 2004 review should be regarded as a "holding" exercise and that the plan for the Non-Designated Area should be reviewed again, with the plan for the Designated Area, prior to the 2006 deadline for the latter. This recommendation was accepted by the States.

The Building and Development Control Committee has, during the last eighteen months, been working on this joint review. It presented the proposed Land Use Plan at a public meeting on 1st March 2006. The present mandate of the Committee is contained in the Building and Development Control (Alderney) Law, 2002 ("the Law". In accordance with the provisions of the Law the Committee requested the President to appoint an Inspector to hold a Planning Inquiry to consider the plan. Mr Anthony Whitehead, Dip TP, MRTPI was appointed. He held the Public Inquiry on 10th and 11th May 2006. I attach a copy of his Report (dated 7th June 2006) and his accompanying letter dated 15th June 2006. The Committee has given full consideration to these and, as required by section 29 of the Law now lays the Report before the States with its recommendation. The unanimous recommendation of the Committee is that the States approves the Alderney Land Use Plan 2006 in the form attached, which incorporates all the recommendations of the

Inspector, without modification.

I shall be obliged if you place this matter before the States at its next meeting with an appropriate proposition.

C. J. Main  
Chairman"

The States is asked to approve the Alderney Land Use Plan 2006.

N.B. Copies of the Inspector's Report, Land Use Plan and accompanying documents can be purchased from the States General Office for £5, and copies have been lodged at the Alderney Library.

## **Item II The Housing (Exemptions) (Alderney) Ordinance, 2006**

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

"I attach a copy of the above. Mr Etheredge first proposed an extension of his property, 3 Simons Lane, Alderney, to be used as a self-catering tourist apartment. The Building and Development Control Committee was not minded to approve this application. However, the Committee was minded to approve the creation of a separate unit of accommodation to be used as long-term rental housing, there being a shortage of such accommodation on the Island. Accordingly, notwithstanding the Committee's general policy of not supporting the grant of Exemption Ordinances at the present time, Mr Etheredge was so informed.

Mr Etheredge has now indicated that he wishes to pursue an application to create a separate unit of accommodation to be used as long-term rental housing. Lets will be for a minimum of twelve months, at market rental. It is proposed by the Committee, and accepted by Mr Etheredge, that there be a condition that the accommodation remains available for such rental for a minimum of seven years. However, the States must first approve an Ordinance under the provisions of section 33(1)(c) of The Building and Development Control (Alderney) Law, 2002, prescribing Mr Etheredge as a person to whom permission may be granted.

The necessary Ordinance has been drafted by the Law Officers.

I shall be obliged if the Ordinance can be placed before the States at its next meeting together with an appropriate proposition.

C. J. Main  
Chairman"

The States is asked to approve "The Housing Exemptions (Alderney) Ordinance, 2006".

## **Item III The Burma (Restrictive Measures) (Alderney) Ordinance, 2006**

The following letter has been received from Colonel Walter, Chairman of the Policy and Finance Committee: -

"The European Union has introduced restrictive measures relating to Burma. To meet the requirements of these restrictive measures, local legislation is required under the provisions of the European Community (Implementation) (Bailiwick of Guernsey) Law, 1994. The Burma (Restrictive Measures) (Alderney) Ordinance, 2006, will, if approved by the States, give effect to these restrictive measures. I attach a copy. I shall be obliged if you place this matter before the States at its next meeting with an appropriate proposition.

P.F. Walter

Chairman"

The States is asked to approve "The Burma (Restrictive Measures) (Alderney) Ordinance, 2006".

## **Item IV The Belarus (Freezing of Funds) (Alderney) Ordinance, 2006**

The following letter has been received from Colonel Walter, Chairman of the Policy and Finance Committee: -

"The European Union has introduced restrictive measures relating to Belarus. To meet the requirements of these restrictive measures, local legislation is required under the provisions of the European Community (Implementation) (Bailiwick of Guernsey) Law, 1994. The Belarus (Freezing of Funds) (Alderney) Ordinance, 2006, will, if approved by the States, give effect to these restrictive measures. I attach a copy. I shall be obliged if you place this matter before the States at its next meeting with an appropriate proposition.

P. F. Walter

Chairman"

"The States is asked to approve "The Belarus (Freezing of Funds) (Alderney) Ordinance, 2006".

## **Item V Quay FM: Year Round Broadcasting Licence**

The following letter has been received from Colonel Walter Chairman of the Policy and Finance Committee: -

"Quay FM holds a "Restricted Service Licence" which permits it to broadcast for only two months of each year. To date, it has been unsuccessful in its endeavours to obtain a year round broadcasting licence. Although the issues are fairly complex they can be summarised as follows: there is no licence which OFCOM feels able to grant which would allow Quay FM to operate (throughout the year) in a way which enables it to do so. Quay FM could, for example, operate as a Community Radio Station but it would then be precluded from accepting the commercial sponsorship, which it must have in order to be financially viable. There are licences which enable such establishments as hospitals and garrisons to operate a broadcasting service throughout the year but the people of Alderney are not presently recognised as being a qualifying "closed user group". It may be that there is simply an insufficient recognition of the special circumstances of a small island jurisdiction such as Alderney.

The Law Officers and the Chief Executive have been assisting Quay FM in its efforts to secure an appropriate year round licence. It is considered that a public gesture of support from the States, by way of a formal resolution, would further assist in carrying this forward. In particular, it would emphasise that Alderney is a clearly identifiable jurisdiction in its own right, with its own government, and that it is an entirely justifiable aspiration of its people to have a permanent, self funding, independent radio station. I shall be obliged if you place this matter before the States at its next meeting with an appropriate proposition.

P. F. Walter

Chairman"

The States is asked to resolve as follows: "The States of Alderney, in pursuit of its aspiration that there be established on the Island of Alderney a permanent, self funding, independent radio station, supports Quay FM in exploring all options, ways and means of establishing such a radio station. All methods of broadcasting and all frequency bands (FM, AM, HF and Digital) should be considered.

Further, the States of Alderney requests that all relevant broadcasting, licensing and regulatory

organisations and individuals take note of the above aspiration and use their best endeavours to assist Mr Colin Mason OBE, TD, MPhil. A principal officer of Quay FM, in its realisation."

## **Item VI Questions and Reports**

Issued Friday 7th July 2006

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