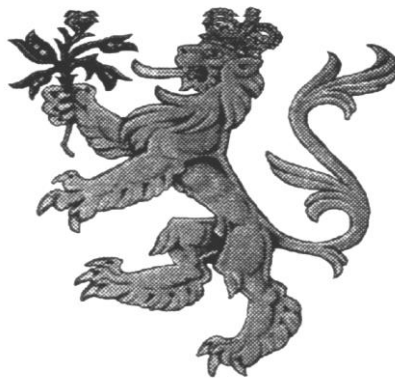


STATES OF ALDERNEY



BILLET D'ETAT

WEDNESDAY 16TH DECEMBER 2015

Price: £2.05

STATES OF ALDERNEY
BILLET D'ETAT
FOR WEDNESDAY 16TH DECEMBER 2015

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 16th December 2015. This will be preceded by the People's Meeting, which will be held on Wednesday 9th December 2015 at 7:00 pm in the Court House.

W Stuart Trought
President

Item I **Amendment to the Duty on Long Leases (Alderney) Law, 1994**

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

"The Alderney Housing Association (AHA) is a States of Alderney supported provider of social housing. In 2010 the AHA took over the former stock of States housing and currently the AHA is modernizing and building new housing for subsidized rental and partial ownership for Alderney residents.

The Partial Ownership Scheme is a new housing initiative to promote home ownership for eligible residents unable to purchase a home on the open market as they may have insufficient savings for a deposit or limited income to support a mortgage for a property on the open market. The scheme allows applicants to purchase between 40% -80% of new build homes from the AHA on long leases. The scheme is fully supported by the States as it will encourage residents with limited finance to own a home and forms an important element of the States Housing Strategy for the future.

Prior to the completion of the new AHA housing at The Butes the AHA advised the States that as the partial ownership properties would be sold on long leases (125 years) thus enabling the AHA to buy back the homes and resell to other eligible applicants in the future, these leases would under Alderney law have to be registered and the purchaser be liable for leasehold duty on the purchase price. If the scheme were being built by the States the purchaser would not be liable for the duty as States property is exempt under Section 14 of the Duty on Long Leases (Alderney) Law 1994 (the law). A Partial Ownership Scheme successfully operates in Guernsey where duty is not payable as the law on leases is different.

The AHA have advised that if an applicant obtained a mortgage of £100,000 to buy a partial share of a property they would be liable for £4000 leasehold duty (payable at the rate of 2% to the States of Guernsey and 2% to the States of Alderney). Guernsey Treasury and Resources Department has already agreed to waive their

proportion of this charge. This charge to the purchaser is in addition to a minimum 5% deposit and other fees. The duty therefore represents some 40% of their initial costs. The duty is not lost revenue to the States because if the scheme did not exist the duty would not be chargeable. The duty is a heavy burden on a purchaser with limited resources. The AHA considers an exemption to payment of the duty by the purchaser will help first time buyers and they will be treated equally to Partial Ownership buyers in Guernsey.

Under Section 15(e) of the Law the States may by Ordinance amend Section 14 of the Law (which relates to Exempt dealings) by adding to the list of exempt dealings.

At the Policy & Finance Committee on the 28th April 2015 it was "resolved unanimously to approve that an Ordinance be drafted to make an amendment to Section 14 of the Duty on Long Leases (Alderney) Law 1994 so that leases granted by a housing scheme are classified as exempt." At the same meeting the AHA Business Plan for 2015-2021 was tabled and noted. In the financial year 2016 the AHA have not requested any capital funding from the States as they will rely on their own financial resources. Exemption from payment of leasehold duty is not a grant to the AHA, it offers direct relief to the purchaser. Approximately 50% of the duty is payable to the States of Guernsey and they have no objection to this scheme being exempt as they see the benefit of supporting a first time buyer initiative in Alderney. The AHA now welcomes the support of the States of Alderney.

I would be grateful if you would place "The Duty on Long Leases (Exempt Dealings) (Alderney) Ordinance, 2015" before the next meeting of the States of Alderney with an appropriate proposition.

*R N Harvey
Chairman"*

The States of Alderney is asked to approve "The Duty on Long Leases (Exempt Dealings) (Alderney) Ordinance, 2015"

Item II The Inheritance (Alderney) Law, 2015 (Commencement) Ordinance, 2015

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

"The Inheritance (Alderney) Law, 2015 ("the Law") has received the Royal Assent and has been registered at the Royal Court. However, it cannot come into effect without an Ordinance providing for this.

I attach a copy of The Inheritance (Alderney) Law, 2015 (Commencement) Ordinance, 2015, which will bring the Law into effect on 1st January 2016. I would be grateful if you could place this before the next meeting of the States together with an appropriate proposition.

*R N Harvey
Chairman"*

The States is asked to approve "The Inheritance (Alderney) Law, 2015 (Commencement) Ordinance, 2015".

Item III **Questions and Reports**

1. **The following report was received from Mr Neil Harvey, Chairman of the Policy and Finance Committee:-**

Annual Report of the Policy and Finance Committee

As ever the Committee has as usual dealt with a wide variety of issues, some in the nature of firefighting, others having long term benefits to the island, which inevitably means a more protracted period of planning and implementation.

Economic Development Plan

Probably the single most important initiative, bringing together in one document all the separate projects aimed at reversing the downward trend in our economy and community. As a 'living' plan, there have been regular updates and revisions, and progress is monitored by the Committee on a monthly basis. We will continue to share it publicly.

Transferred Services

These are now being discussed, initially through the Alderney Liaison Group, and we are starting to define them better, which will lead to Service Level Agreements in due course, setting out obligations and measures. Of particular interest at present is the Alderney Airport, where we feel many years of underinvestment and inhibiting financial processes in Guernsey States are delaying very necessary rehabilitation of our diminished runways. We are pressing for resolution earlier than the 2017+ currently planned by Public Services Department.

Transport

The problems of Aurigny moving from the Trislander to Dornier fleets have been much publicised and exercise all States Members on an almost daily basis. Strong messages have been fed to Guernsey Ministers through our Alderney Representatives and the Alderney Liaison Group and we are pressing for contingency plans, in view of the paramount importance of air links to every aspect of life on Alderney. The process has been aided by the excellent initiative of the Alderney Representatives in bringing small groups of Guernsey Deputies to see the problems in Alderney for themselves.

Unfortunately although we have considered proposals from the private sector on both sea and air transport, to date none of these have passed essential 'value for money' and risk assessments which would encourage us to commit the large sums of public money required. We remain open to sound proposals in both forms of transport.

Financial Relationship Review with Guernsey

Another key long term project which should lead to transfer of some taxation and expenditure responsibilities to Alderney. The fundamentals of the 1948 Agreement will not be disturbed, but in recognising that whilst we have fiscal union, our economies are very different, this proposed transfer of taxation will permit a greater degree of control locally. We hope that agreement on this should be forthcoming early in 2016.

Some very good ground work has been put in place by the Committee in 2015 and I thank all members for their input, interest and commitment.

2. The following report was received from Mrs Norma Paris, Chairman of the Business Development, Tourism and Marketing Committee:-

Annual Report of the Business Development, Tourism and Marketing Committee

This has been a frustrating year. We still have many ongoing issues regarding our transport links. Tourist numbers will be down on last year. However, this year has provided good opportunities to improve what we are offering to visitors, new residents and the local population.

Business Development

The establishment of the KYC Centre of Excellence by PWC has been achieved. The employment opportunities, the likelihood of new residents and the reputational benefits to the island are all very encouraging news.

Age restrictions have been removed from the New Business Scheme (formerly the Young Entrepreneur Scheme) and there are currently two more applications in the pipeline. A new apprenticeship scheme is under discussion with the Chamber of Commerce to help local businesses with the costs of accessing the Bailiwick Apprenticeship Scheme. There has been good feedback so far.

Avgas remains available at the airport and Jet A1 will be available soon.

Tourism

The loss of one of our two members of staff at the beginning of the tourist season was unfortunate.

The relocation of the Tourism Department to the Visitor Information Centre in the centre of Victoria Street was achieved at the beginning of the tourist season.

With the end of the Living Islands Initiative, work is in hand to use the marketing thrust achieved within the Visit Alderney framework. There will be the appointment of a new member of staff to expedite this.

Voluntary Star Ratings have been introduced under our permit scheme for the accommodation sector. Inspections have just been completed for next year and initial feedback indicates that over 75% of our providers will take up their ratings for the 2016 season.

There have been new events in the shoulder months all of which have been supported by the States. A larger budget is in place for 2016. We are in the process of negotiating for Dark Skies Status and expect to have provisional status in 2016.

Marketing

Through Living Islands there has been an exciting breakthrough in attracting tour operators who specialise in wildlife and heritage tourism to the island.

A revamp of the Visit Alderney website, with a particular view to its relationship to Living Islands is in hand. The Move to Alderney website is also being updated in readiness to re-launch that campaign next year when our air services should be more robust.

There has been welcome support from Floral Guernsey of finance, marketing and the provision of flower bulbs. We look forward to an ongoing relationship with them.

In conclusion I should like to offer my sincere thanks to everyone on the Visit Alderney and the Living Islands teams, past and present, who have all worked so hard in 2015.

3. The following report was received from Mr Matt Birmingham, Chairman of the Building and Development Control Committee:-

Annual Report of the Building and Development Control Committee

2015 has been a year of significant upheaval for the BDCC and the planning department with a number of changes in staff caused by the Voluntary Early Severance, staff resignations and civil service restructuring. Factor into this, the committee's wish to proceed with implementation of the ARUP review and this has led to significant problems relating to resourcing throughout the year.

At the end of 2014, States elections took place and saw Mr Ray Berry a long standing member of the BDCC step down, replaced by Mr Robert McDowall. Also 2014 had seen the departure of the planning assistant, and at the same time the loss of the States Engineer, States Engineer Assistant and the Superintendent of States Works stripped the states building control capability.

In the short term an interim states engineer was appointed but this left the planning office and building regulation control severely stretched, a situation which was compounded by the departure of the part time administrative assistant in June. I would like to thank Ms Allen for her hard work over this period where she went over and above her call of duty.

However, June saw our new Planning Officer Mr John Young take up position. This enabled the committee to immediately act on several matters of concern which included putting into place an interim solution for building control inspections calling on assistance from the Guernsey Environment Department and short term assistance for local inspection from Hamon architects. Longer term solutions are currently being progressed.

Mr Young also began work on familiarising himself with the vagrancies of local planning law, the recommendations of the ARUP report and preparation work for the 2016 Land Use Plan review.

The beginning of October also saw Ms Sam Osborne B Arch (Architecture and Planning); appointed as a new administrative planning assistant. In my opinion this is the first time that the States has a properly structured planning department that I believe to be to the long term organisational benefit of the island.

This allowed myself as Chairman to report to the full States in October about future work streams including the planned proposals for changes by ordinance to the Building and Development Control (Alderney) Law, 2002, proposed for 2016; a longer term Projet de Loi revising the current law and also proposals for engaging with ARUP once more in undertaking 4 major work strands to be undertaken in conjunction with dual 2016 and 2017 Land Use Plan reviews including a long term spatial vision for the island based on future economic

development; a new housing strategy; new policy for built environment and finally new policy for environmental protection and rural land use.

I would like to take this opportunity to remind the public that the Land Use Plan review will take place at the end of April and that forms for the call for sites are now available on line and through the planning office and request the public to make their submissions as soon as possible, preferably by the 22nd January 2016.

BDCC have also been able to progress a number of new policy documents which will clarify a number of areas for future applicants and assist in the decision making process enabling consistency of decision making by the committee. These should be released shortly.

BDCC also brought to the States recommendations to investigate planning protections for Sylt camp, work which will continue as part of (and in conjunction with), the land use plan reviews.

2015 has been a tough year and I would like to thank all those officers for their assistance in taking the department forward.

2016 looks as though it will a very busy year with a significant number of new initiatives and legislative changes along with the scheduled Land Use Plan review. All these will contain positive changes to the planning regime that the committee believe will be of significant long term benefit to the island.

That leaves me with the task of wishing all islanders a Merry Christmas and a Happy New Year on behalf of the committee.

4. The following report was received from Mr Ian Tugby, Chairman of the General Services Committee:-

Annual Report of the General Services Committee

This has been a frustrating year with numerous civil service staff changes.

The lack of civil service manpower has contributed to slow rates of progress on several capital engineering projects. The Mouriaux Platte Saline drainage project has been moved into 2016 with the exception of some trench sharing with AEL during their substantial infrastructure work. This should help to keep costs down. The work on St Anne's Church has currently stopped, awaiting the design of complex scaffolding requirements.

There has been ongoing investment in infrastructure at the Water Board, although the Standby Infiltration Plant, initially included in the 2015 budget has been moved to the 2016 budget. The company made a small operational surplus in 2015 and should do so again in 2016.

The Harbour has mainly run smoothly during 2015. However, the need for serious improvements to the Visitor Facilities becomes more and more urgent, whilst the compatibility of any plans to improve the current building within the current marina proposals is problematic. Three ships are undertaking surveys for the proposed route for the FAB link interconnector power cable.

Temporary repairs have been made to the coastal erosion damage to the sea wall at Corbletts and plans are progressing to protect the fuel storage at the Glacis. Other areas of less immediate concern are being monitored.

With regard to recreation, the campsite has a new tenant with effect from the start of the 2015 season and the campsite was rated as having four star facilities. Work has commenced on the refurbishment of the Butes Play Park with the help of a States Grant and the removal of the Skate Park to a more suitable location is in hand.

The disposal of the island's green waste continues to be an issue, the agreed purchase of more equipment should enable it to be handled more efficiently. All those on the island who re-cycle are also to be thanked as this helps to keep the costs down by reducing the amount which is sent for landfill in Guernsey.

Refurbishment is going ahead on some of the smaller States properties. The lease on the Nunnery has expired and plans are being prepared for the conservation of the remains of the Roman Fort as an important part of our heritage.

The Alderney Wildlife Trust are to be congratulated, along with the States Works Department, for all the excellent work that has been put into the clearance work at both Tourgis and Bibette Head during the Living Islands Initiative.

Issued: 4th December 2015