

Island of



Alderney

Ordinance of the States

III
2009

Made 22 June 2009

Coming into force22 June 2009

THE HOUSING (EXEMPTIONS) (No.2) (ALDERNEY) ORDINANCE 2009

THE STATES OF ALDERNEY, in exercise of the powers conferred upon them by Section 33(1)(c) and 75 of the Building and Development Control (Alderney) Law, 2002a ("the 2002 Law"), hereby order:—

1. (1) Subject to the provisions of this section, Steven John Syer ("the applicant") of The Harbour Lights Hotel, Newton, Alderney, is a person prescribed for the purposes of section 33(1)(c) of the 2002 Law.

**Persons
exempted from
section 33 of
2002 Law.**

(2) The provisions of subsection (1) apply only in relation to the applicant's application for permission for the conversion and redevelopment carried out in the 1980s of three storage units into three dwellings for residential use at the premises known as the Harbour Lights Hotel Annexe, Newton, Alderney, which forms part of land registered as entry number AY972 in the Alderney Land Register.

(3) For the avoidance of doubt, the provisions of the 2002 Law, other than section 33 thereof, apply in relation to the application described in subsection (2) in all respects.

(a) Order in Council No. XII of 2003; amended by No. XV of 2004.

(4) The permission which may be granted by the Committee pursuant to this Ordinance does not count towards the number of permissions for the time being prescribed under section 15 of the 2002 Law.

(5) The applicant is prescribed under subsection (1) subject to the condition that at least one of the dwellings referred to in subsection (2) -

(a) shall not be sold, conveyed or otherwise transferred by the applicant for a period of seven years from the date of the commencement of this Ordinance ("the seven year period") and shall only be so sold, conveyed or otherwise transferred by the applicant at any time following the expiry of the seven year period with the prior written consent of the Committee, and

(b) shall be made available for letting, throughout the seven year period, as permanent residential accommodation to persons ordinarily resident in Alderney and shall continue to be made so available to such persons after the expiry of that period unless the Committee gives its prior written consent to any letting on another basis, and

(c) shall not be occupied by the applicant throughout the seven year period and shall not be so occupied after the expiry of the seven year period without the prior written consent of the Committee.

Interpretation.

2. (1) In this Ordinance -

"the applicant" means the individual defined in section 1(1) of this Ordinance,

"the Committee" means the Building and Development Control Committee of the States of Alderney,

"the 2002 Law" means the Building and Development Control (Alderney) Law, 2002,

Citation.

and other expressions have the same meanings as in the 2002 Law.

(2) The provisions of the Interpretation (Guernsey) Law, 1948b apply to the interpretation of this Ordinance.

(3) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

3. This Ordinance may be cited as the Housing (Exemptions) (No. 2) (Alderney) Ordinance, 2009 and shall come into force on the day that it is approved by the States of Alderney. **Citation.**

S.E. KELLY
Greffier