



ISLAND OF ALDERNEY

XVI
2010

ORDINANCE OF THE STATES

Made 22nd December 2010

Coming into force 22nd December 2010

The Housing (Exemptions) (No. 3) (Alderney) Ordinance, 2010

THE STATES OF ALDERNEY, in exercise of the powers conferred on them by sections 33(1)(c) and 75 of the Building and Development Control (Alderney) Law, 2002^a ("**the 2002 Law**"), hereby order:-

Persons exempted from section 33 of 2002 Law.

1. (1) Subject to the provisions of this section, Freshair Investments (Channel Islands) Limited ("**the applicant**"), whose registered office is the Hangar, Alderney Airport, Alderney GY9 3XD is hereby prescribed for the purposes of section 33(1)(c) of the 2002 Law.

(2) The provisions of subsection (1) apply only in relation to an application for permission for the construction of a two-bedroom, single storey dwelling, on land forming part of land registered as entry number AY 1041 in the Alderney Land Register, to be located to the west of existing premises, used as a

^a Order in Council No. XII of 2003; amended by Order in Council No. XV of 2004 and Ordinance No. III of 2007.

bar and a restaurant, known as the Vine Bar & Bistro (the address of which is Victoria Street, Alderney GY9 3TA) and also forming part of land registered as entry number AY 1413 ("**the existing premises**").

(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.

(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 two-bedroom, single storey dwelling to be constructed pursuant to this Ordinance -

- (a) shall not be sold, conveyed or otherwise transferred by the applicant, separately from the existing premises, without the prior written consent of the Committee, and
- (b) may only be used as accommodation for the manager or staff of any business run from the existing premises unless the Committee gives its prior written consent to use for any other purpose.

Interpretation.

2. (1) In this Ordinance, unless the context otherwise requires -

"the applicant" : see section 1(1),

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

"the existing premises"; see section 1(2),

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

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

(2) The provisions of the Interpretation (Guernsey) Law, 1948^b 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.

Citation and commencement.

3. This Ordinance may be cited as the Housing (Exemptions) (No. 3) (Alderney) Ordinance, 2010 and shall come into force on the date it is approved by resolution of the States of Alderney.

^b Ordres en Conseil Vol. XIII, p. 355.

S. E. KELLY

Greffier

£1.10

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