

Island of



Alderney

Ordinance of the States

XX
2008

Made 17th December 2008

Came into force 17th December 2008

THE HOUSING (EXEMPTIONS) (NO.5) (ALDERNEY) ORDINANCE, 2008

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, Nigel Steven Vizard and June Vizard ("**the applicants**") both of Verdun Farm, Longis Road, Alderney GY9 3YB are 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 demolition of that part of the premises known as Verdun Farm, Longis Road, Alderney GY9 3YB, which is in use as a barn and forms part of land registered as entry number AY 1413 in the Alderney Land Register, and for the construction on land adjacent to the said premises and also forming part of land registered as entry number AY 1413 of a two-bedroom dwelling.

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

(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 dwelling to be constructed pursuant to this Ordinance -

- (a) shall not be sold, conveyed or otherwise transferred by the applicant for a period of seven years from the date of the date of the completion of construction as certified by the States Engineer ("**seven year period**") and shall only be so sold, conveyed or otherwise transferred by the applicant at any time following the expiry of that 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 applicants throughout the seven year period and shall not be so occupied after the expiry of that period without the prior written consent of the Committee.

Interpretation.

2. (1) In this Ordinance -

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

"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,

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. 5) (Alderney) Ordinance, 2008.

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

S. E. KELLY
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