

DraftOrdinance of the Chief PleasentitledThe Natural Amenities and Land Control
(Implementation) Ordinance, 1964.

THE CHIEF PLEAS OF SARK, in pursuance of the powers conferred upon them by sections five and nine of the Natural Amenities and Land Control Law, 1961, and of all other powers enabling them in that behalf, hereby order:-

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PART I

Control of Agricultural Land

Permission
required to
develop
agricultural
land.

1. A person shall not, without the permission in writing of the Committee in that behalf, carry out any development of agricultural land in this Island.

Applications
for
permission to
develop
agricultural
land.

2. (1) Any person desirous of obtaining permission to carry out any development of agricultural land in this Island shall make application in that behalf to the Committee and such application shall be in such form and shall be accompanied by such information, including site plans, as the Committee may, from time to time, require.

(2) Upon receipt of an application under the provisions of the last preceding subsection, or at any time thereafter, the Committee may require an applicant to supply the Committee with such information, including site plans, in addition to any information or site plans supplied in accordance with the provisions of the last preceding subsection, as the Committee may require.

Grant or
refusal of
permission.

3. (1) Upon the receipt of an application under the provisions of the last preceding section, the Committee may either -

- (a) grant permission for the applicant to carry out the development concerned;
- (b) refuse such permission; or
- (c) grant such permission subject to such conditions as the Committee may think it necessary or expedient to impose.

order within such period as the Ordinary Court may, on his application, allow, the Committee may apply to the Ordinary Court for permission to enter the premises concerned and there to do such restoration as may be necessary to give effect to the said order and the Ordinary Court, after hearing the evidence as to the estimated cost of such restoration, may make such order as it deems just and the Ordinary Court may, upon application in that behalf by the Committee, as soon as may be after the completion of such restoration, order that any expenses reasonably incurred by the Committee in carrying out such restoration shall be recoverable by the Committee as a civil debt.

(4) The Ordinary Court shall not make an order under this section unless the person against whom such order is sought has been served by the Committee with notice of its intention to apply for such order and unless such person has had a reasonable opportunity of being heard thereon.

PART II

General

Notification
of refusals.

6. If the Committee refuse any permission applied for by any person under the provisions of Part I of this Ordinance, notice of such refusal shall be served upon the applicant within the eight days next following the date of the meeting of the Committee at which the decision was taken to refuse such permission.

Interpretation.

7. The Interpretation (Guernsey) Law, 1948, shall apply to the interpretation of this Ordinance and the Natural Amenities and Land Control (Implementation) Ordinance, 1962, as it applies to the interpretation of an enactment in force in the Island of Guernsey.

Citation.

8. This Ordinance may be cited as the Natural Amenities and Land Control (Implementation) Ordinance, 1964, and this Ordinance and the Natural Amenities and Land Control (Implementation) Ordinance, 1962, may be cited together as the Natural Amenities and Land Control (Implementation) Ordinances, 1962 and 1964.

Commencement.

9. This Ordinance shall come into force on the 22nd day of *January*, nineteen hundred and sixty-four.

H. P. Bell
Chairman.

(2) The Committee may, from time to time, revoke or vary any conditions attached to any permission granted in accordance with the provisions of the last preceding subsection upon application being made to it in writing in that behalf by the person to whom such permission was granted.

Considerations
to be taken
into account
by Committee.

4. In the exercise of its powers under the provisions of the last preceding section the Committee shall take into account, as an important factor, the degree of suitability of the land which is the subject of the application and upon which the development is to take place, as agricultural land.

Penalties,
etc.

5. (1) Any person who develops agricultural land without first having obtained the permission of the Committee in accordance with the provisions of this Part of this Ordinance or who fails to comply with any condition attached to any permission granted under the provisions of section three of this Ordinance shall be guilty of an offence and liable, on conviction, to a fine not exceeding fifty pounds.

(2) Where there has been a conviction against any person in respect of -

- (a) any development of agricultural land in contravention of section one of this Ordinance; or
- (b) any development of agricultural land in contravention of any condition attached to any permission granted under the provisions of section three of this Ordinance;

the Committee may apply to the Royal Court of Guernsey sitting as an Ordinary Court (hereafter in this section referred to as "the Ordinary Court") to make an order requiring the convicted person -

- (c) to restore the land concerned in such manner and with such materials as may be necessary to render the land capable of being cultivated as agricultural land; or

(d) to comply with such condition as aforesaid.

(3) If a person in respect of whom an order has been made in pursuance of the last preceding subsection fails to comply with the