



LAND REFORM POLICY DEVELOPMENT TEAM

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What follows is a text version of the five individual verbal reports made at the Land Reform public presentation on 24th November at the Island Hall.

If you have any questions, comments or wish further information please contact the team by letter or e-mail at the addresses above. The team would appreciate submissions by 11th December, if possible.

William

WELCOME TO YOU ALL WHO HAVE COME ALONG THIS EVENING. THIS IS THE FIRST PDT MEETING ON LAND REFORM BUT WE DO NOT EXPECT IT TO BE THE LAST. WE HAVE ASKED YOU HERE THIS EVENING SO THAT YOU KNOW WHAT WE AS THE PDT HAVE BEEN DOING. EACH OF US WILL EXPLAIN DIFFERENT ASPECTS AND YOU WILL SEE THE COMPLEXITIES OF THE SUBJECT. WE DO SPEAK FROM DIFFERING VIEWPOINTS AS YOU WILL SEE.

WE ARE HAPPY TO TAKE QUESTIONS, AT THE END, ON WHAT WE SAY THIS EVENING. IF HOWEVER YOU HAVE A LONG QUESTION OR ONE ON A POINT THAT WE HAVE NOT MENTIONED THEN PLEASE WILL YOU ADDRESS THOSE TO THE TEAM IN WRITING, BY EMAIL OR LETTER.

TO THOSE OF YOU WHO KNOW MORE THAN US, PLEASE BEAR WITH US.

IN RECENT TIMES THE DESIRE FOR LAND REFORM HAS BECOME EVIDENT IN THE ECONOMIC WORKSHOPS, THE VISION FOR SARK aka KNIVETON REPORT AND, TOGETHER WITH OTHER MATTERS, IS BEING TAKEN FORWARD IN CHIEF PLEAS UNDER THE HEADING SECURING SARKS FUTURE. THERE WAS A SURVEY TAKEN WHICH CONFIRMED THE NEED FOR REFORM FROM THE RESPONDENTS.

WE WILL BE ASKING YOU AT A LATER STAGE FOR FEEDBACK TO ASSIST US TO UNDERSTAND WHAT IT IS THAT YOU AS RESIDENTS WANT.

THE FOLLOWING IS BACKGROUND:

SARK WAS ESTABLISHED IN 1565 BY LETTERS PATENT GRANTED TO HELIER DE CARTERET AND HIS HEIRS IN PERPETUITY. THE TEAM ARE AGREED THAT WE DO NOT WISH TO DISTURB THOSE LETTERS IN ANY WAY.

FURTHER LETTERS PATENT WERE ISSUED IN 1611. THESE WERE SUPPOSEDLY TO COVER CERTAIN DEFICIENCIES IN THE ORIGINAL GRANT. IN ESSENCE THESE LETTERS PROVIDE FOR ALL RESIDENTS TO SWEAR AN OATH OF ALLEGIANCE, THAT NO PROPERTY SHALL BE MORTGAGED, OR DIVIDED. THE FIRST TWO PROVISIONS HAVE BEEN REPEALED AND ONLY THAT OF INDIVISIBILITY OF TENEMENTS REMAINS. ONE OF THE QUESTIONS THAT WE HAVE TO CONSIDER IS SHOULD IT CONTINUE.

IN PRACTICAL TERMS IN 1611 DIVISION OF TENEMENTS WAS SEEN AS REDUCING THE CAPACITY OF A FARMING MEMBER OF THE GARRISON TO SUPPORT HIS FAMILY, WHICH MIGHT HAVE WEAKENED THE DEFENCE OF THE ISLAND. THUS THEY THOUGHT, AS HAS BEEN POINTED OUT TO ME, IN TERMS OF 'LAND' BECAUSE THEY DEPENDED ON FARMING. THESE DAYS AS FEWER AND FEWER PEOPLE WORK ON THE LAND WE THINK INSTEAD IN TERMS OF 'HOUSES'. THE MAINTENANCE OF

A GARRISON IS LONG PAST. BUT THE LAW BASED ON 1611 STILL DECREES THAT THE 'LAND' DOMINATES THE LEGAL STRUCTURE AND REMAINS INDIVISIBLE.

AS ADDITIONAL HOUSING HAS BEEN NEEDED, OVER THE YEARS, PEOPLE HAVE BUILT ON TENEMENTS WITH THE CONSENT OF THE THEN TENANT. WHILST THE PRACTICE OF THESE ARRANGEMENTS GREW UP THEY MATURED INTO THE LEASEHOLD SYSTEM THAT WE SEE TODAY, BUT IT HAS ALL TAKEN PLACE IN A LEGAL VACUUM, BY WHICH I MEAN THAT THERE IS NO LEASEHOLD LEGISLATION. THE TEAM BELIEVE THAT THIS NEEDS TO BE PUT RIGHT.

A LITTLE MORE BACKGROUND. THE SEIGNEUR BY VIRTUE OF THE LETTERS PATENT OF 1565 IS THE HEAD OF THE LAND OWNERSHIP CHAIN. HE PAYS AN ANNUAL RENT TO THE CROWN. THE TENANTS HOLD A PERPETUAL RIGHT OF LAND OCCUPATION IN EXCHANGE FOR RIGHTS AND DUTIES SOME OF WHICH MAY HAVE LAPSED. SO CALLED FREEHOLDS ARE ANALAGOUS TO TENEMENTS CREATED IN THE PAST BY DIVISION OF SEIGNEURIAL LAND OR DIVISION OF TENEMENTS. NO RESIDENT OF SARK HAS A FEE SIMPLE FREEHOLD AS IN ENGLAND.

THERE ARE WELL OVER 300 RESIDENTIAL PROPERTIES ON SARK OF WHICH ONLY ABOUT 70 ARE WHAT WE CALL PERPETUAL LEASES (TENEMENTS OR FREEHOLDS). MOST OF THESE PROPERTIES ARE LEASED WITH A LIMITED NUMBER OF YEARS UNEXPIRED ON THE LEASE. MOST WOULD WISH TO HAVE A LONGER TERM AND IDEALLY A PERPETUAL ENTITLEMENT. IT IS AFTER ALL THEIR HOME. I BELIEVE THAT EVERYBODY SHOULD HAVE A TOTAL OWNERSHIP OF THE HOME OR AS CLOSE TO THAT AS THEY CAN GET. THIS WILL BE ACHIEVED EITHER BY DIVISIBILITY OR BY A NEW LEASEHOLD LAW.

WHAT IS THE DIFFERENCE BETWEEN A PROPERTY DIVIDED OUT OF A TENEMENT AND ONE LEASED OUT OF A TENEMENT? OBVIOUSLY THE LENGTH OF THE LEASE IS A DISADVANTAGE, BUT MORE IMPORTANTLY CONDITIONS MAY BE INSERTED IN THE LEASE WHICH WILL AFFECT THE LEASEHOLDERS FREEDOMS.

AT THIS POINT THE TEAM BELIEVE THAT MUCH CAN BE ACHIEVED BY LEGISLATING TO ENABLE A FREEING UP OF THE OWNERSHIP OF LAND. THIS COULD BE IN PART BY ABOLITION OF THE BAN ON DIVISIBILITY AS WELL AS BY A PROPER LEASEHOLD LAW TO ENABLE VERY LONG LEASES TO BE CREATED ON STANDARD TERMS. THE QUESTION THAT YOU HAVE TO CONSIDER AS THE DEBATE CONTINUES IS...DO YOU THINK THAT YOU SHOULD HAVE AN ABSOLUTE RIGHT TO YOUR HOME FOR ALL TIME FREE OF ALL LEASEHOLD TIES, THAT MEANS THAT YOU WANT DIVISIBILITY, IF YOU ARE HAPPY WITH SOME RESTRICTIONS AND A SPECIFIED PERIOD OF OCCUPATION THEN YOU FAVOUR AN AMENDED LEASEHOLD SYSTEM.

I SEE THE SYSTEM THAT WE HAVE AT THE MOMENT AS BEING A DISADVANTAGE TO SARK. WE NEED MORE ECONOMICALLY ACTIVE PEOPLE TO COME TO SARK AND START BUSINESSES AND PROVIDE EMPLOYMENT. AT THE MOMENT IT IS NOT ATTRACTIVE FOR INCOMERS WHO CANNOT GET A MORTGAGE TO BUY A LEASEHOLD HOUSE WHICH IS A DEPRECIATING ASSET, AND TO START A BUSINESS WHEN BUSINESS FINANCE MAY NOT BE READILY AVAILABLE. ONCE THEY WORK THIS OUT THEN I THINK THAT THEY WILL GO ELSEWHERE AND PROSPER IN ANOTHER PLACE. THE ADVANTAGE OF PEOPLE COMING TO THE ISLAND IS THAT THEY CREATE HIGH GRADE JOBS TO ENABLE PEOPLE ON THE ISLAND TO REALISE THEIR FULL EARNING CAPACITY.

THAT IS MY OPENING WITH THE BACKGROUND THAT I WANTED YOU TO HAVE. YOU WILL GATHER THAT I FAVOUR INTRODUCING DIVISIBILITY, ONE OF THE REASONS THAT I TAKE THIS VIEW IS THAT I HAVE STRUGGLED TO FIND ANY REASON TO RETAIN IT. THE TEAM ARE NOT UNANIMOUS ON THIS POINT. IN PRACTICE THERE IS ROOM FOR BOTH VIEWPOINTS SO THAT TENANTS WHO ARE PREPARED TO DIVIDE THEIR PROPERTIES SHOULD BE FREE TO DO SO WITH THEIR LEASEHOLDERS, WHEREAS THOSE WHO WISH TO KEEP THE TENEMENT SYSTEM SHOULD BE FREE TO DO SO BUT WILL INSTEAD OFFER LONG LEASES ON MODEL TERMS.

ONE OF THE KEY FACTORS THAT YOU WILL WANT TO KNOW AND WHICH PROBABLY CANNOT BE ANSWERED AT THE MOMENT IS WHAT WOULD THE COST TO CHANGE BE. THE MARKET WILL SET THE RATE, BUT ONE CAN SEE THAT LOCAL MARKET PROPERTIES WILL BE MUCH LESS EXPENSIVE THAN THOSE WITH UNRESTRICTED OCCUPANCY. LEASES WHICH COMMENCED WITH BARE LAND ON WHICH THE LEASEHOLDER HAS BUILT ARE GOING TO BE MUCH LESS COSTLY THAN THOSE WHICH COMPRISED AN EXISTING DWELLING.

YOU WILL NOW HEAR FROM ZOE WHO WILL EXPLAIN THE VIEWS OF ONE OF THE LONGEST STANDING ISLAND FAMILIES.

CHARLES WILL THEN SPEAK ON LEASES.

CHRIS WILL SPEAK ON THE NEED FOR AN AGRICULTURAL TENANCY REGIME.

TONY WILL THE DEAL WITH A LAND REGISTRY, MORTGAGE REGISTRY AND DEVELOPMENT CONTROL.

Zoë

I was asked to join this Policy Development Team as a non-chief pleas member, representing a very traditional view of Sark.

The Belinda Crowe report, Colin Kniveton's Vision for Sark and the most recent economic workshops all cited Land Reform as vital for the Island but none put Divisibility of tenements above other methods of Land Reform.

We need to try to bridge the gap between leaseholders, many with an English viewpoint regarding land tenure, and the old Sark families who want to hold on to history and tradition.

Any reform must create stability for leaseholders and stimulate the economy but also be fair to landowners.

So, should the tenements, established centuries ago, be split and pieces sold off or should they remain whole?

The establishment of the 40 tenements more than 4 centuries ago, and their retention into the 21st century, may be a Sark anomaly, but isn't this tiny island full of anomalies.

Why must we be like everywhere else?

Isn't being different why people choose to come here?

I was raised on the only tenement never to have been sold and was influenced by my grandparents.

They believed that they were custodians of the land for their lifetime, it wasn't theirs to with as they wished.

I grew up in the knowledge that due to birth order and indivisibility, I would never own any part of our family land.

This has never been an issue in our family, it's just 'how it is'.

Traditionally, family members who did not stand to inherit a tenement, were provided for by way of the lease of a piece of land upon which to build a house.

This would be for a peppercorn rent and usually on the understanding, in the lease, that should this lease ever be sold, it could be renegotiated, keeping it fair for the landlord who would obviously not be financially benevolent to someone outside his family.

This has generally perpetuated and only relatively recently have leases begun to be extended beyond the lifetime of the landlord and his heir.

This extension of leases could though, be the way forward.

Improving and extending leases would be the most rapid way to resolve some of the islands problems.

However, should the people of Sark decide to abolish indivisibility, there are pros and cons to be considered.

There is no doubt that the feudal system of land ownership has played an important part in creating the Sark of today.

There is strong feeling amongst the old families that change should not be forced upon them.

Although Divisibility could begin on a voluntary basis, how long until some leaseholders felt disadvantaged if their landlord was unwilling to sell the land and they brought a proposal for compulsory division through the Courts, I.e Human Rights.

The pastoral landscape of the island is what brings people to Sark and has been maintained partly due to our tenement system.

The main thoroughfares have always been looked after by landlords who take responsibility for their property as a whole, rather than piecemeal care by individuals.

The Divisibility of land is being proposed as good for the young people of the island but how many could afford to buy a plot and then build on it should that be the way things go forward?

Those who don't buy the land their house is on would be disadvantaged as those small new free holds would be worth more than just houses paying annual ground rent.

Mortgages may be available for people coming in to the island BUT local people generally have less income stability.

They often don't have employment contracts, few tax details and no proof of repayment ability.

One bank currently showing interest in offering mortgages in Sark also provides them to Alderney.

However, Alderney is under the jurisdiction of Guernsey and subject to Guernsey tax etc. for the purposes of 'paperwork'.

If only those coming in to the island can get a mortgage, Sark could become even more of a retirement place, with people purchasing holiday homes.

We already have many rich absentee householders who could see it as profitable to buy more houses, particularly with land.

These homes remain empty for most of the year, neither adding to the economy or the community.

Many struggle to pay rent, let alone build.

Paying an annual ground rent is much easier to factor into a household budget.

Ground rents are typically quite reasonable and manageable alongside other household expenses.

I have always believed that the tenement system has remained all this time as it encourages leaseholders to be good tenants, doing nothing which could be detrimental to a property.

The matter of a landlord refusing to extend a lease and people losing their homes is a matter to be dealt with via better and most probably longer leases not Divisibility.

Dividing the tenements is just one way forward --- maybe not the best way.

Much less controversial is leasehold reform which Charles will propose.

Charles

The discussions about Land Reform have been going on for years and in 2012, I well remember spending a number of evenings in this building listening to the concerns of the public. Up to that point I, like William, thought that voluntary divisibility was the way forward.

My views have moved on since then and I believe that we have to think about more radical solutions with leasehold reform in mind.

Last year an old friend, who I shall call Bill, came to Sark with a view to buying a property and making his home here. He had run a successful IT company, had a great deal of experience restoring old buildings, was enthusiastic and great at projects – just the sort of person we need. What he could not get his head round was the lease that was on offer – heavily weighted in favour of the Landlord with a blanket prohibition against subletting which would have meant that Bill could not let his house for the winter while he went off to see his family in Australia.

Sark has to attract incomers such as Bill. It is a beautiful place to live – I personally wouldn't want to live anywhere else – but the complexities of our land holding system act as a deterrent to potential settlers.

The second reason for Reform is that balance has to be restored in the relationship between landlord and leaseholder. Whatever we propose – and these are just proposals for you all to consider and comment on – has to be fair and equitable, or as fair and equitable as we can make them – for all those involved in property ownership and occupation. We are all involved in this but no doubt will see the problem from our different perspectives.

So any proposals have to be radical enough to make an immediate difference at this point in the Island's history. It would be no good bringing forward reforms that would have an effect in the future but had no immediate effect on the present. We have too many empty properties on the Island, having a really depressing effect on the economy.

As William has pointed out, the leasehold system developed in Sark in an ad hoc fashion to get round the 1611 prohibition against the division of Tenements. It is accepted as part of the Sark way of life but has many drawbacks.

It is a great system for the landlord who gets numerous bites of the same cherry as leases come to an end and new ones are granted. He also has control over the leased property and what the occupier of that property can or cannot do.

However, on the whole, it is not a good system for the leaseholder who has a depreciating asset and while he has to keep the property in good order during the course of the lease, at its end is not usually compensated for improvements made; even if the house in question has been largely rebuilt, or the leaseholder has built a house on a plot that he has bought. The landlord in Sark has potentially a great deal of power and control. Some will grant new leases or grant extensions, others will not contemplate such flexible behaviour. It is all something of a lottery. And that lottery will still exist if we just go down the voluntary divisibility path as Zoe has pointed out.

In addition, many leases are badly written. While some are unacceptably restrictive others fail to deal with even the basic essentials.

Some leases also contain restrictive clauses which would not be tolerated elsewhere. For instance that blanket prohibition against subletting which upset Bill has meant that property is at present lying damp and empty because leaseholders are unable to sell in the present market and cannot rent the property out because of this clause.

Other leases contain prohibitions against using a house for business purposes or for a B&B. I can see why such prohibitions were originally included as the Landlord wanted control, but feel strongly that today such clauses are against the public interest and so should be unenforceable.

The introduction of mortgages to Sark has to be part of the plan and Tony will be dealing with this as part of this presentation. Affordable finance is as important for the local market family who want to build their own house as for the incomer who needs to borrow in order to settle here.

At present many leases would not offer good security to a bank because of the way they are written or because the remaining term is too short or perhaps for both of these reasons. In the London flat market most lenders are looking for at least 70 years unexpired on a lease before they will lend on normal terms.

So if Sark is to prosper these thorny problems have to be dealt with.

Firstly we propose to introduce a new Sark Law establishing the Leasehold system in Sark, and giving rights to present leaseholders. We would examine the possibility of giving leaseholders the statutory right to renew leases and also to extend terms on payment of compensation to the landlord.

Secondly, we would introduce the concept of the Sark Lease.

This would be a standard lease written with mortgageability in mind, which would be as close to a freehold as possible.

So NO unnecessary restrictive clauses

A long term, of say 300 years, or perhaps shorter with a right to renew

Token ground rent of a peppercorn

But still would contain necessary provisions to cover such things as water supply and road maintenance

The idea is that leaseholders could exchange their present lease for a Sark Lease on payment of compensation to the Landlord.

The Sark Lease proposals would apply to all residential leases whether local or open market and payment to the landlord could reflect such matters as length of the present lease and the unused term, the upgrade in value to the property and the landowner's loss of the value of the ground rent. So badly written leases whether over restrictive or inadequate, could be replaced with a long lease that could be used as security by the Bank or lender.

The great advantage of these proposals in my mind, is that they would keep the present Tenement system intact thus preserving Sark's historical uniqueness together with the structure whereby land is held from the Crown through the Seigneur.

In considering a Sark Leasehold Law, we should look next at the situation in England and see how it might be applicable to Sark.

In England, almost all residential leases that were originally granted for more than 21 years include a statutory right to a lease extension. The right is either given by the Leasehold Reform Act 1967 for houses or by the Leasehold Reform Housing and Urban Development Act 1993 for flats.

The latter act is used in towns where large estates still exist and provides for an additional term of 90 years at a peppercorn rent, which is in addition to the unexpired portion of the existing lease.

The compensation payable to the Landlord is worked out by valuers following an established formula, which is set out in the law. A qualifying leaseholder is able to exercise his right of extension once he has owned the property for two years and once he has exercised his right under the Act, can sell the property with the right to extend included in the sale.

So, although generally in England a lease will automatically expire at the end of the term, most long leaseholders have a statutory right to stay on as a renting tenant or to buy an extension to the lease.

The English reforms illustrate an important principle that is very relevant to our situation in Sark. The State can intervene in existing contractual relationships when it is deemed in the public interest to do so. Thus the State intervenes in England to give rights to the Leaseholder where no such rights exist under the original lease. We should also look at the possibility of giving similar rights to leaseholders on this Island.

Having considered the alternatives that we are presenting today, the people of Sark will have to decide how far reform should be taken.

Should leaseholders here have the statutory right to buy an extension and if so for how long and on what terms?

Should there be another right to replace the existing lease with a Sark lease or should this be the only way that an existing lease can be extended?

Should leaseholders have a statutory right to rent once a lease comes to an end?

It is important to remember that in England most lenders will not give a mortgage on a flat with less than 70 years unexpired on the lease and so if we are to make Sark property an attractive proposition, both to buyer and lender, some right to extend leases will have to be introduced. Landlords will have no such problem in obtaining mortgages as they will be able to use their Tenements as security.

Above all, the initial aim of legislation and reform, apart from restoring a fair balance between the interests of leaseholder and landlord, will be to restore confidence to the Sark property market and to kick start the economy. This will encourage investment leading to higher employment and increased prosperity.

We have to take a view of what is in the best interests of the Island as a whole rather than what is in our individual best interests whether as a landlord or leaseholder.

Chris

I am the member of the Policy Development Team to represent the agricultural side of things.

I am sure most people will agree that the land which is, let's face it, the basis of all agricultural and horticultural activities has over the years suffered greatly by the way it has been rented i.e. no formal lease of any sort and the farmers have it today but may not have it next week, let alone next year, so if they make any improvements it is a big gamble. Therefore the thing most people do is nothing and just take what they can off the land which means that it is slowly bled dry of fertility.

It seems to the Team that the English short term leases (5 or 10 years), with a few adaptations for Sark's unique situation, could be the way forward. It also means guaranteed repossession at the end of the lease for the landowner.

The Agricultural lease would need to be fit for purpose which would mean the farming timeframe would dictate the minimum length of a lease e.g. 5 or 10 years – but Sark farmers will know the best minimum length of time to use, so they can invest in the land and therefore produce the best quality products. The agricultural part of Sark economy is essential as it's a link in the chain to the pastoral landscape that makes Sark unique, which in turn is the main attraction for visitors which are the major part of our economy. Therefore by getting this lease sorted farming has a more secure future, this ensures the pastoral landscape and unique way of life are protected (as much as they can be), tourism is on a firmer footing because the attraction is being maintained – which all contributes to achieving the Vision for Sark.

Antony

Land Registry

A Land Register is a complete register defining each parcel of land on Sark, and who owns it.

Currently the conveyances, that define who owns what, are written in French, to be used these would need to be translated accurately, while the property defined on the cadastre maps uses too broad a pen for this purpose.

As accurate definitions of property boundaries are required, it is hoped that this may initially be based upon the field information layer of the Sark DigiMap.

Registrar - A person would be required to update and maintain the Land Register, this would be the Registrar.

It had been considered this could be carried out by an existing 'office', keeping it in line with the 'no more rabbits policy' of not expanding the Islands 'civil service', however on reflection it was felt that this would best be served by the creation of a new position.

There should be compulsory registration after any property transaction, with registration in the form of mapping data.

It is felt that the work of actually maintaining the Land Register would be a simple task once it is set up.

Aware that the role could put pressure on the public purse it was felt that a 'user pays' policy should apply.

Once up and running the Registrar should be self-financing, with a fee being imposed upon any entry made into the register.

Regardless of how the office is created or filled, the role of Registrar will need to be defined within the relevant legislation, the same way that, for example, as is the Tax Assessor.

Register of Charges

This is a register of any charge (mortgage) taken out against any parcel of land on Sark, along with the details of the mortgage.

A mortgage will be compulsorily registered on the central Register of Charges kept by the Registrar.

Registrar - Like for the Land Register, there will need to be a person to maintain and update the Register of Charges, there being no reason why this should not be the same person as the Land Registrar.

The running and financing of a Register of Charges would follow along similar lines to the Land Register.

The main difference however would be due to the nature of the information contained within the Register of Charges it will have to be a confidential document.

A buyer will need to have the Register of Charges searched ahead of any sale to ensure the property is free of any charge, there will be a fee for this.

The Charges Registrar, whether part of the role of the Land Registrar or separate from it will need to be defined in law.

Mortgages

One of the recommendations within the Vision of Sark was to "Create a land ownership or rental structure that will permit the use of such ownership as a basis to provide collateral for the purpose of securing bank mortgages."

The Real Property (Transfer Tax, Charging and Related Provisions) (Sark) Law, 2007, is already in place, this allows for there to be charges on property, it only requires an Ordinance to commence it.

Section 11 of The Real Property Law specifies that for the purposes of charging property, a long lease may be treated as Real Property.

Tenements and freeholds being regarded as Real Property are already mortgageable.

It will be necessary for the commencing Ordinance to define the terms of a lease needed to make it qualify for mortgaging.

The ability to secure a loan on a property must be specified in the commencing Ordinance.

The team have had an offer of professional assistance when it comes to the matter of mortgages and will call upon that when the time arises.

New Development Control Law

One of the concerns raised in the Public Perception Survey of 2012 was that if introduced Land and/or Lease Reform would lead to a proliferation in the construction of dwellings across the Island.

A strong Development Control Law, combined with what has been termed a Land Use Map, will hopefully convince the public that adequate controls will be in place.

Work on the Development Control Law is being carried out by another Policy Development Team, the public will be asked by this other team to comment on this separately, once the Law Officers feel we have reached a draft that can be released.

Production of a Land Use Map is a task for the Development Control Committee and would be a large scale map of Sark, based upon the field boundary information of Digimap, with each parcel of land being considered for its suitability for the placing of one or more dwellings upon it.

It is probable that a simple 'traffic lights' system would be used to colour-code each parcel of land, Green indicating that the parcel could be developed, Red indicating that no new development would be considered, while Amber for those that somehow fell between the two.

A Land Use Map would be a public document, being freely available for viewing.

The Land Use Map would not be a static document and would need to be regularly reviewed.

It is hoped that a stronger Development Control Law, combined with a Land Use Map, will convince the public that adequate controls will be in place.

END