



OFFICIAL REPORT

OF THE

STATES OF THE

ISLAND OF ALDERNEY

HANSARD

The Court House, Alderney, Wednesday, 15th March 2017

*All published Official Reports can be found on the
official States of Alderney website www.alderney.gov.gg*

Volume 5, No. 2

Present:

Mr Stuart Trought, President

Members

Mr Tony Barnes
Mr Matthew Birmingham
Mr Mike Dean
Mr James Dent
Mr Louis Jean
Mr Graham McKinley
Mrs Norma Paris
Mr Steve Roberts
Mr Alex Snowdon

The Greffier of the Court

Mr Jonathan Anderson

Business transacted

Apologies received.....	3
Procedural – HE Lieutenant-Governor unable to attend due to fog.....	3
Convener’s Report of the People’s Meeting held on 8th March 2017.....	3
Billet d’État for Wednesday, 15th March 2017	4
I. Chief Pleas – Chief Plea from Mr Brian Bonnard	4
II. General Services Committee – Amendment to mandate – Item approved	5
III. St John Alderney Ambulance Service Ltd – Transfer of ownership – Item approved	8
IV. Air Transport Licensing (Exemption of Air Taxi Service) (Alderney) Regulations 2017 – Item approved	9
V. Independent Review of Health and Social Care Need, Provision and Governance in Alderney (Wilson Report) – Item approved	11
VI. Questions and Reports – Land Use Plan 2017 – Progress Report	20
<i>The Assembly adjourned at 6.24 p.m.</i>	22

States of Alderney

*The States met at 5.20 p.m. in the presence of
Colonel Colin Mason, a representative of His Excellency Vice-Adm. Sir Ian Corder, KBE, CB,
Lieutenant-Governor and Commander-in-Chief of the Bailiwick of Guernsey*

[THE PRESIDENT *in the Chair*]

PRAYERS

The Greffier

Apologies received

The Greffier: Good evening, Mr President. If you are ready, I will proceed directly to the roll call.

5 **The President:** If you would, please, Mr Greffier. Apologies have been received from Mr Tugby.

ROLL CALL

The Greffier

Procedural – HE Lieutenant-Governor unable to attend due to fog

The President: Before we move on to the first Item, for those of you who are expecting to see the Lieutenant-Governor here, I bring apologies from him. He was prevented from arriving by fog, so that is why we do not have the Lieutenant-Governor with us.

Convener's Report of the People's Meeting held on 8th March 2017

10 **The President:** If you would like to carry on, please, Mr Greffier.

The Greffier: Thank you. Would you like to start with the Convener's Report, sir?

The President: If you would. Mr Dent.

15

Mr Dent: Do you want me to go through, Mr President ...?

20

The President: I would like you to go through ... As we get to each Item, if you would read the comments that were received on that Item at the People's Meeting; and prior to that, if you would like to tell us who was present at the People's Meeting.

Mr Dent: Thank you, Mr President.

I was the Convener at the People's Meeting. I was assisted by the Chief Executive and the Treasurer. There were seven States Members in attendance, including myself. There was the President, there was the minutes secretary, there were 36 in the public gallery and there were three press.

The President: Thank you very much.

Billet d'État for Wednesday, 15th March 2017

I. Chief Pleas – Chief Plea from Mr Brian Bonnard

The President: Were there any comments with regard to Item I, Chief Pleas?

Mr Dent: There were no comments on this Item.

The President: Thank you very much, Mr Dent.
Mr Greffier, if you would like to proceed, please.

The Greffier: Thank you, sir. Item I this evening is Chief Pleas.
In accordance with the Rules, I have received one Chief Plea from Mr Brian Bonnard. If you would like to step forward, sir.

Mr Bonnard: Mr President, States Members, this is the fourth time I have spoken in Chief Pleas on the same subject in the last 26 years – and I hope I last long enough to succeed in my little pet theme with you!

You all know that Alderney has a very special group who help flora and fauna. We have many plants that are not found in England and we have many small animals and birds that are also rare in England, but we do have no all-round administration or law to protect them. I think that in these days this is about the only place in the western world that does not have a comprehensive wildlife protection law.

We do not need the sort of thing that the UK has. Theirs took God knows how many years to put together and it now consists of more than 500 pages of documents specifying enormous fines for people who do certain things that they should not be doing with plants and animals. All Alderney needs, really, is a two-page document allowing them to write an ordinance which will protect specific lists of animals and plants and their habitats at some time in the future.

The things that we do have here are not very much under threat at the moment, because most of the plants particularly are too small and too insignificant – although they are important within the conservation of the species, they have no commercial value either – and you will see quite a lot of them only if you get down on your hands and knees on the paths around the Island, and only if you know what you are looking for.

Some of the information that Alderney Wildlife has got down on behalf of the States in the last few years, including the Ramsar site, which is an important internationally famed site for the States to help them ...

60 We have also very recently had the opening of the Alderney Bird Observatory (ABO) which is
the most southerly of the 60 bird observatories in the United Kingdom. The people who are
running that at the moment are not only experts in their own fields but they have in a few
months measured, caught, examined, recorded and ringed something like fourteen or fifteen
65 thousand birds in the last half-year, which has been more than all of the other bird observatories
in the UK put together. They have really worked hard and established that the Island is in fact on
the very important international flight path for birds going to the north in the summer and to
the south in the winter. I do feel that we need to have some sort of legislation to ensure that
these are protected whilst they are here and encouraged to come along and stay here, so that
we are an attraction for the people who like to watch birds and look at flowers and who spend a
70 lot of time here. In fact, in the few months that the ABO has been operating, something like 300
people have visited it and learned something.

I would ask you most sincerely to consider bringing in an ordinance that will allow you to
declare in a fairly simple way a list of any plants or animals that need protecting because of their
special status, and any penalties for those who are caught disobeying the ordinance if you do
75 pass it.

That was really all I had to say. I believe each of the Members has a copy of what I was going
to say, which is more or less what I have said. Thank you all for listening.

80 **The President:** Mr Bonnard, that is your presentation, and thank you very much.

Mr Bonnard: Thank you.

**II. General Services Committee –
Amendment to mandate –
Item approved**

Item II.

The States of Alderney is asked:

*To approve the amended General Services Committee mandate to remove the reference to
the Civil Emergency Working Party but noting that the Committee still retains the
responsibility for environmental monitoring and for the co-ordination of public services in the
event of a civil emergency.*

The President: Greffier, could we move to Item II, please.

85 **The Greffier:** Thank you, sir. Item II this evening is an amendment to the General Services
Committee mandate.

A letter has been received from Mrs Norma Paris in her capacity as Chairman of the General
Services Committee, and the States of Alderney are asked to approve the amended General
Services Committee mandate to remove the reference to the Civil Emergency Working Party but
noting that the Committee still retains the responsibility for environmental monitoring and for
90 the co-ordination of public services in the event of a civil emergency.

The President: Thank you very much, Mr Greffier.

Mr Dent, as Convener, were there any comments on this Item, please?

95 **Mr Dent:** Mr President, fellow States Members, yes, there was one comment. It was asked
whether committees are able to make decisions without them being approved by the full States.
It was noted that one committee in particular acted as the States in camera. The meeting was

advised that committees can make some decisions without full States' approval but in other circumstances approval from the full States is required.

100 It was then asked as a supplementary to whom enquiries could be addressed for clarification on these matters. It was advised that the President's office should be able to assist.

The President: Thank you very much, Mr Dent.
Mrs Paris, I believe you wish to propose this.

105 **Mrs Paris:** I do, sir. Thank you.

Mr President, this change in the General Services Committee mandate is, really, simply good housekeeping. We obviously have first-response arrangements in place here, but should we have a large civil emergency we really would need much more highly co-ordinated and probably outside help to cope with all the implications that might be involved.

110 Just such an emergency plan is now in place and there are strong arguments against the duplication of responsibilities and the subsequent possibility of miscommunication that could arise if we continue to have the General Services Committee Civil Emergency Working Party as well as the Island Emergency Plan. Therefore, I ask the States to approve the amendment to the General Services Committee mandate to reflect the validation of the Alderney Emergency Plan and the unnecessary duplication of resource which is the Civil Emergency Working Party.

115 Thank you, Mr President.

The President: Thank you, Mrs Paris.
120 Mr Barnes, I believe you wish to second this.

Mr Barnes: I do, Mr President. Thank you.
From what Mrs Paris has just said, I think it is fairly clear the danger of duplication is a danger that things could go wrong, and I fully endorse this and second the Proposition.

125 **The President:** Thank you, Mr Barnes.
Does any Member wish to speak on Item II?

Mr McKinley: Mr President, fellow States Members, my question really is ... I think I know the answer to it, but I am not sure that the public listening in the gallery, the public listening on the radio and the public who will read the report of this meeting do know the answer to the question.

130 In view of recent events in places such as Flamanville, where there was an unpleasant possible problem, and in view of other possible problems that could happen on this Island – and they have been rehearsing in Guernsey and in Jersey over the last week or so – could we just confirm that, although we have no working group, we do have a States Member responsible for civil emergency and for liaison with Guernsey; and could the name of that person please be made public?

140 **The President:** Thank you very much, Mr McKinley.
Does any other Member wish to speak on this Item?

Mr Dean: Mr President, fellow States Members, I am the elected Member to be on that Committee. I will be liaising with Guernsey and I will report back.

145 **Mr McKinley:** Thank you very much.

The President: Thank you, Mr Dean.

Does any other Member wish to speak on this Item?

150 **Mr Roberts:** Thank you, Mr President.

I support this and I am glad to hear an explanation from Mrs Paris. In the event of an emergency, decisions do have to be made. However, somebody will have to take the responsibility and the formation of such a group within the States should fill that gap until such a time as a full States could gather, direct and agree on any further action that would need implementation should that be the case. The only trouble is we are getting snowed under by working group after working group, instead of people elected by the public to fill this role. They used to call them quangos.

155
160 Sorry, but I am not a dreaded fan of the health and safety brigade, politically correct and self-employing, who have become an industry that has cost this Island and the rest of the world billions upon billions – this has become evident recently with Aurigny not allowing their own staff to load desperately ill patients and disabled onto their very own aircraft with the excuse of inadequate insurance, which they should upgrade – but I do support this forced action.

Thank you.

165 **The President:** Thank you, Mr Roberts.

Does any other Member wish to speak on Item II? No other Member?

Mrs Paris, would you like to exercise your right of reply?

Mrs Paris: If I may, sir.

170 Obviously, Mr Dean has volunteered and taken my first response, which is that he is our Member on General Services Committee who will liaise over this.

I take Mr Roberts' point, to some extent, that there are an awful lot of people involved in an awful lot of things, but this would be a very crucial thing should, God forbid, it happen here, and we would need some very expert people to help us. I think in this instance we would indeed have to look outside this Island for that help.

The President: Thank you, Mr Paris.

Mr Greffier, because this concerns a mandate, would you please call the vote on this.

180 **The Greffier:** Thank you, sir.

The States of Alderney are asked to approve the amended General Services Committee Mandate to remove the reference to the Civil Emergency Working Party but noting that the Committee still retains the responsibility for the environmental monitoring and for the co-ordination of public services in the event of civil emergency.

A vote was taken and the results were as follows:

FOR	AGAINST	ABSTAINED
Mr Birmingham	None	None
Mr Jean		
Mr Roberts		
Mrs Paris		
Mr McKinley		
Mr Dent		
Mr Snowdon		
Mr Dean		
Mr Barnes		

185 **The Greffier:** Sir, that motion is passed.

The President: Thank you very much indeed.

**III. St John Alderney Ambulance Service Ltd –
Transfer of ownership –
Item approved**

The States of Alderney is asked:

To approve the transfer of the share in The St John Alderney Ambulance Service Ltd held by The Commandery of the Bailiwick of Guernsey of the Most Venerable Order of the Hospital of St John of Jerusalem ('The Commandery') to The Alderney Foundation.

The President: Can we move to Item III on the Billet, please.

190 **The Greffier:** Thank you, sir. Item III this evening is the Transfer of ownership of the St John Ambulance Service Ltd from the Commandery of the Bailiwick of Guernsey of the Most Venerable Order of the Hospital of St John of Jerusalem ('The Commandery') to the Alderney Foundation.

195 A letter has been received from Mr Dent in his capacity as Chairman of the Policy and Finance Committee, and the States of Alderney have been asked to approve the transfer of the share in the St John Alderney Ambulance Services Ltd held by the Commandery of the Bailiwick of Guernsey of the Most Venerable Order of the Hospital of St John of Jerusalem ('The Commandery') to the Alderney Foundation.

200 **The President:** Thank you very much.
Mr Dent, as Convener, please.

Mr Dent: Mr President, fellow States Members, there were no comments on that Item.

205 **The President:** Thank you very much. Would you care to stand on your feet and propose this?

Mr Dent: Yes, I would very much like to propose this motion.

210 In January, when this was first brought to the States, I was the one who voted against the transfer. I did this because I did not at that time know enough about the Alderney Foundation. I have, however, now researched the situation and I believe the Foundation is an appropriate organisation for receiving this golden share. I understand the transfer has the blessing of both the Guernsey and Alderney branches of the St John Ambulance. With this in mind, I have no hesitation in recommending the States facilitate the transfer. Indeed, it is good to see something transferred to Alderney control.

215 The Alderney Ambulance Service, through Les Stewart, has assured our CEO that he and his board are keen to resolve the issues of the loading of patients onto the Dorniers and are awaiting advice from Capital Aviation. He has confirmed that the Alderney Ambulance Service will continue to support patients in critical situations and have no intention of doing otherwise. However, there does need to be a resolution of the ongoing methods and practices in respect of the Dornier and I understand that the Alderney Ambulance Service is keen to get this and any necessary training concluded as soon as possible.

220 Both branches of the St John Ambulance are keen that an MoU between the Alderney Ambulance Service and HSC is put in place as soon as possible.

225 I believe that the problems with Medevac services are a bit of a red herring when considering the proposed transfer of the so-called 'golden share' in the Alderney Ambulance Service held by the Commandery of St John in Guernsey. It is the Commandery that wishes it to take place and the Alderney Ambulance Service has asked the States if it will in turn ask the Alderney Foundation if it is willing to take ownership of the share. No changes in Government funding or the ownership of assets is proposed.

230 If the States of Alderney approves this motion it will go to the Foundation for its consideration and finally it will require the Commandery to actually initiate the transfer.
Thank you very much.

The President: Thank you very much, Mr Dent.
235 Mr Roberts, I believe you wish to second this.

Mr Roberts: Yes, I do wish to second.

The President: Thank you, Mr Roberts.
240 Does any Member wish to speak on Item III? Mr Roberts?

Mr Roberts: I would like to speak on Item III – I hope I did not miss that.

The President: Well, you did.
245

Mr Roberts: I do apologise, sir.

The President: Please rise and continue.

250 **Mr Roberts:** Okay, sorry about that.

I support this Item as I fully support the trust that it should be lodged with. The trust was formed for the good of Alderney and cannot be taxed or moved to neighbouring islands, no matter what external forces demand it. I applaud the person responsible for having the foresight to form it. Nothing will change and people will still be able to donate to Alderney Ambulance, should they wish to do so.
255

I supported it last time, I support it again: it is a no-brainer. Really, Alderney Ambulance should be supported and paid for by Guernsey as a transferred service, (**Mr Birmingham:** Hear, hear.) but as Bailiwick taxpayers again we lose out and we are overlooked.

260 **The President:** Thank you, Mr Roberts.

Does any other Member wish to speak on Item III? No Member wishes to speak, is that correct? In that case we can take that as approved, Mr Greffier.

IV. Air Transport Licensing (Exemption of Air Taxi Service) (Alderney) Regulations 2017 – Item approved

The States of Alderney is asked:

To resolve not to annul The Air Transport Licensing (Exemption of Air Taxi Services) (Alderney) Regulations, 2017.

The President: We move to Item IV.

265 **The Greffier:** Thank you, sir. Item IV this evening is the Air Transport Licensing (Exemption of Air Taxi Service) (Alderney) Regulations 2017.

A letter has been received from Mr Dent in his capacity as Chairman of the Policy and Finance Committee, and the States of Alderney are asked to resolve not to annul the Air Transport Licensing (Exemption of Air Taxi Services) (Alderney) Regulations 2017.
270

The President: Thank you very much.
Mr Dent, as Convener.

275 **Mr Dent:** Mr President, fellow States Members, it was noted that the wording of the resolution was confusing as it was a double negative.

It was asked if the new regime would mean that air taxis were not regulated for safety. The Convener assured the meeting that the exemptions concerned only route licensing and would have no bearing on safety – safety is otherwise regulated.

280 **The President:** Thank you very much. If you wish to stay on your feet to propose that, please do.

Mr Dent: I would very much like to propose this, Mr President.

285 This is a move that should have been made some time ago. It brings us into line with the rest of Europe and will increase the number of travel options for both islanders and visitors. Guernsey abolished these licences last year. Additional capacity is expected to be particularly important at peak travel times.

Please note there are no safety implications; this is only concerned with route licensing. Thank you.

290

The President: Thank you very much, Mr Dent.
Mr Barnes, I believe you wish to second this.

Mr Barnes: Yes, Mr President, thank you.

295 I second this resolution and I hope we all pass it very quickly.

The President: Mr Barnes, so we do not make the same mistake as last time, is there anything else you wish to say before you sit down?

300 **Mr Barnes:** No, Mr President.

The President: Thank you very much.

Does any other Member wish to speak on this Item? Mr Greffier, it appears that nobody wishes to speak on this.

305 Mr Dent, do you wish to exercise your right of reply?

Mr Dent: No, thank you; I do not think it is necessary.

The President: Thank you.

310 Mr Greffier, you can take that as passed, please.

The Greffier: Thank you, sir.

**V. Independent Review of Health and Social Care
Need, Provision and Governance in Alderney (Wilson Report) –
Item approved**

The States is asked to:

a. Approve that the Chief Executive conveys to the Committee for Health and Social Care the urgent need to implement the 16 basic recommendations contained in the report and asks them to work with the States of Alderney on a timetable;

and

b. Request Professor Wilson to return to Alderney to:

(i) conduct further confidential research in order to establish which option for institutional change is the best way forward for our primary health care services.

(ii) indicate the cost implications, if any, associated with the options identified.

315 **The President:** Could we move to Item V, please.

The Greffier: Item V this evening is the Independent Review of Health and Social Care Need, Provision and Governance in Alderney, the Wilson Report.

320 The States of Alderney have been asked to approve that the Chief Executive conveys to the Committee for Health and Social Care the urgent need to implement the 16 basic recommendations contained in the Report and asks them to work with the States of Alderney on a timetable; and secondly, request Prof. Wilson to return to Alderney to (i) conduct further confidential research in order to establish which option for institutional change is the best way forward for our primary health care services, and (ii) indicate the cost implications, if any, associated with the options identified.

325

The President: Thank you, Mr Greffier.

Mr Dent, as Convener, were there any comments on this at the People's Meeting, please?

330 **Mr Dent:** Mr President, fellow States Members, there were a number of comments on this Item. I will go through them one by one.

335 The first was that it was noted that they were entertained by some of Prof. Wilson's comments. It was suggested the best solution for the Island's ageing community was to have less institutionalised care and more care within the home. It was pointed out that exercise was also important for good health, as witnessed in Japan. Everyone in Guernsey has access to a swimming pool and everyone on Alderney should have the same.

340 The second point was one of deep concern should the States of Alderney be seen to be sanctioning the Wilson Report. It was noted that if they did they would be 'sanctioning a collection of lies'. That was the speakers' comments. Prof. Wilson's original report as provided to the States of Guernsey in October had been considerably changed before it had been released to the Alderney public in January. There had been a huge change in emphasis particularly in the conclusion, which in the January version infers that HSC are not responsible for what happened. Also, in a letter received from Heidi Soulsby it was asserted that HSSD had been in regular contact with Dr Lyons: Dr Lyons advised that this was not true.

345 The third comment was in respect of being troubled as to how this meeting was being handled. In particular it was noted: why were States Members being advised not to comment in public? The Convener advised that the States Members have privilege in the States Chamber but not at the People's Meeting.

350 The same contributor asked what the strategic implications for healthcare were on the Island. The CEO advised that the Report made 16 basic recommendations for secondary healthcare and outlined a number of options for primary care. The States were concerned that the initiatives for change should be firmly centred in Alderney and not in Guernsey and it was for

this reason that Prof. Wilson should be invited to return, so that Alderney could make its own views known.

355 Dr Lyons provided a brief history of events and noted a number of disturbing censorship issues. For example, there had been redactions related to an HSSD willingness to accept no medical cover on Island when a doctor had to accompany a patient to Guernsey. Such absences, it seemed, had been deemed by HSSD as an acceptable risk.

360 He also referred to a GGI report of a year ago which stated that training in duty of candour should be given for all HSSD staff. So, he asked, why the redactions in Prof. Wilson's Report?

Dr Lyons noted that Prof. Wilson needed to be invited back to help identify what healthcare provision Alderney needs. He noted that he would trust Prof. Wilson and he suggested a minor amendment to the motion going before the States to ensure that Alderney moved forward in a manner actually approved by Prof. Wilson

365 Others asked if this Item be withdrawn from the Billet in the form that it was presented to the people, and others also suggested that the real recommendations put forward by Prof. Wilson were the real way forward and should be actioned now.

Thank you, Mr President.

370 **The President:** Thank you very much.

Before we go any further, the Greffier has asked me to make it clear that while the States are in session nobody in this room, including States Members, is allowed to use electronic recording devices or devices that are capable of communication, to which end could I please ask you to remove your iPad? Thank you.

375 Mr Dent, if you would care to propose this motion, please.

Mr Dent: Mr President, I understood we were going to be putting an amendment first.

380 **The President:** No, what we do is first of all propose and second the original, and then afterwards we bring in the amendment.

Mr Dent: Thank you. Mr President, fellow States Members, I shall be very honoured to propose this motion.

385 In November last year at the hustings I talked about the need to differentiate our policies from Guernsey's. At that time I did not envisage that I would be standing here with a readymade health policy – I rather thought that I might be talking about transport. Well, events have overtaken us. Health may be a transferred service, but the Wilson Report has highlighted so clearly why we sometimes need to follow a different path to Guernsey.

390 We have here a document with 16 clear recommendations for secondary healthcare and we need now to ensure that both the States of Alderney and the States of Guernsey walk hand in hand to deliver these recommendations.

395 More important, however, are Prof. Wilson's findings on our primary health services. Prof. Wilson sets out four distinct paths that we might follow. In my mind I distil these into two distinct concepts. Do we want to continue with competition between our primary medical practices, and if so, how might we achieve this; or do we want a more States-sponsored service that, amongst other things, generates the data – anonymised, of course – that will help us to make rational choices about the levels of service we need and whether those services are delivered here in Alderney or in Guernsey? Another separate question is the extent of provision of primary health services and whether the provision of primary health services should be a business rather than a service to the people of Alderney. With these alternatives in mind, two secondary questions arise: can we in any way narrow these concepts, or must we have some level of compromise; and if so, what?

400

I believe the answers to these questions can only be decided after careful further research by independent professionals, and it is for this reason that I am proposing that Prof. Wilson is

405 invited to Alderney. I want him to undertake confidential soundings, just as he did in his first report, so that the views of Alderney people can be made known. I do not want the process driven by Guernsey or tailored to what Guernsey deems best for Alderney – we have had too much of that. I do not want to dig up mistakes from the past, but I do want Alderney people’s opinions to be heard and I do want Alderney in the driving seat.

410 Finally, something I was not going to talk about, but as it is fundamental to our healthcare, our relationship with HSC and our need to progress independent policies in both healthcare and transport sectors, I would like to read first from a statement from Aurigny sent to me last week, and then from a reply from Heidi Soulsby. It concerns Medevac. First, from Mark Darby:

Until now, no agreement has existed regarding provision of a Medevac service for Alderney. There have been discussions agreeing a contract to provide a Medevac service to Alderney. Considerable effort has gone into this by a number of agencies but it has moved very slowly. We initiated discussions more than 12 months ago.

And from Heidi Soulsby:

To deliver the Medevac services all partners want, a full rehearsal exercise was completed on Friday night in the Guernsey Aurigny hangar used by the Dornier. I understand that the rehearsal using the proposed methodology went well and was independently verified by an operating manager from Capital, who provide the Guernsey to UK air ambulance service for us. We awaited a written policy and received it this week, which can then be distributed to all parties, training provided and associated additional kit provided to bring back stability to this lifeline service.

415 I continue to quote Heidi:

Finally, I am extremely concerned to note that Aurigny appears to have not helped a wheelchair-bound passenger last week when returning to Alderney and I know that officers have urgently raised this with Mark Darby to ascertain the facts as soon as possible. Such interruption to the general service provision for residents who require wheelchair assistance is simply not acceptable.

My point in reading these two emails is not to point the finger of blame at HSC nor at Aurigny, but to show how easily we in Alderney get caught between two branches of the Guernsey administration. My finger is pointed at the central organs of the administration in Guernsey.

420

The President: Thank you very much, Mr Dent.
Mr McKinley, I believe you wish to second this.

Mr McKinley: I do, sir, and I am not sure if I am allowed to reserve my right to speak, but I will speak now if necessary.

425

The President: Please do.

Mr McKinley: Mr President and fellow States Members, much of what I intend to say will almost certainly be repeated by other States Members, and so I will try to keep my comments as brief as possible.

430

We in Alderney, on this beautiful Island of ours, have a number of very serious challenges facing us at the moment. One which often hits the top is air links and sea links – in other words, our transport links. But tidal power generation, the possible FAB link and the converter station are all on the agenda at the moment – the advantages and disadvantages of those; possible changes to company law; possible changes to beneficial ownership. There are others: the airfield, the breakwater, heritage sites and NatWest Bank. But I do not think any of those really are as important to the entire population of Alderney as the delivery of health and social care. It is the most serious, I believe, problem that we face at the moment. They have been highlighted very clearly in the Wilson Report. An inadequate or high-risk Health Service on this Island is a

435

440 major deterrent to people moving here and the demographics of our population are such that
more and more people are lasting longer and thus are requiring more healthcare.

We now have to decide which elements of the Report must be implemented, by whom, how
and when. There are 16 recommendations. The first two deal with a public apology from the
445 States of Guernsey to Dr Rory Lyons and to the relatives of those who died. I know that Dr Lyons
has written a letter on 9th February and he still has not received a reply, and I know that
Mr Arthur Wheeler has also written letters and not received full replies. I think realistically it is
going to be almost impossible for the States of Guernsey to release a full and open apology,
because by so doing they will be possibly admitting the errors that they have made and will be
therefore opening themselves to further possible legal proceedings – and consider the expenses
450 of those, or the possible expenses of those.

Healthcare is very expensive in the Bailiwick, not just for the patients but also for those who
provide it, the medical practitioners. So I ask the question: should all healthcare come from the
States of Guernsey? Should Alderney be considering other sources? A National Health Services
trust to link to the UK and into Britain, possibly? It was considered before – and indeed offered, I
455 believe – a link by France. Should we be considering some sort of local National Health Service
part funded by the States here? Should we have only one medical practice, or should we return
to two? Or indeed should we combine the two, or the one that we did have and the one that we
still have now, into one practice with one administrative area and record-keeping area and
perhaps two or three doctors that patients can ask to go and see? That certainly would reduce
460 the cost, and it so happens that they are quite close together.

If we do return to two practices, perhaps Dr Lyons should be given, if he wishes to return,
some incentive to re-establish the medical practice, some sort of compensation – and I hope
that that will happen. He will need quite a lot because he has certainly spent an awful lot of his
own money challenging what has happened to him and to his family.

465 I have heard many complaints about the lack of continuity on the medical cover, with
constant changes of locums which have led to different diagnoses in one week and different
treatment by the following week. Indeed, sir, one person – and there are probably many – went
through exactly that for almost a year with her partner, who eventually died earlier this year.

If we do return to two practices, will it not be appropriate for both practices to have access to
470 the Mignot Memorial Hospital? I am sure it would. It has always surprised me that only one
practice has had access to date. Should we not be considering a more reliable medical
evacuation service that has already been discussed in two issues? The answer to that is
obviously yes.

I do not know the answers to all these questions but I do think that we should proceed as
475 mentioned by Mr Dent.

The President of the Committee for Health and Social Care has admitted that the current
model for health and social care in the Bailiwick is not sustainable. It is partly because of the
ageing demographics; there are other reasons also. It is therefore critical that the model for
provision be redesigned to ensure that it is effective, that it represents value for money and it
480 has longevity.

With that in mind, the Committee is developing an action plan to address the main
recommendations of the Prof. Wilson Report. I very much hope that part of that plan will be an
open public People's Meeting within the next few weeks, which would be attended by the
President of the Committee, Mrs Heidi Soulsby, the head civil servant, Mr Mark de Garis and the
485 Chief Medical Adviser, Mr Peter Rabey. And it may also be appropriate if Mr Paul Whitfield was
to return to the Island. Many will recall that he chaired a meeting along with Mr Alistair Langlois
about 10 months ago and at the end of that meeting he did say that he would be prepared to
return to the Island to brief the population once more on process. I would suggest the four of
them attend a meeting very soon. Following that meeting, the Guernsey Action Group and the
490 Alderney Action Group should meet together and decide the way ahead. It will be useful to have
Prof. Wilson here also and maybe even Dr Thompson as advisers to our Action Group here in

Alderney. But I believe that we should also consider inviting other suitably qualified medical practitioners or former practitioners who are resident on this Island to contribute to that review.

495 With regard to the timeframe, I believe the public meeting should happen within the next four weeks, the Action Group should be formed certainly immediately after that and that we should try to have some resolution to this very difficult problem within the next four to six months.

Thank you, sir.

500 **The President:** Thank you, Mr McKinley.

Before we move into the debate, Mr Dent, I believe you wish to move an amendment on this Item.

Mr Greffier, would you be kind enough to read the amendment out.

505 **The Greffier:** Thank you, sir.

I have received an amendment from Mr Dent, who wishes to table two minor amendments to the wording of Item V.

510 Within the Proposition he wishes to change the wording by inserting the word 'to implement' after the words 'healthcare changes using' and to insert, after the words 'in the report', 'as a non-exclusive template'. For ease, sir, the amended Proposition will read:

The States is asked to:

a. Approve that the Chief Executive conveys to the Committee for Health and Social Care the urgent need to implement healthcare changes using the 16 basic recommendations contained in the report as a non-exclusive template and asks them to work with the States of Alderney on a timetable;

Part b. of that Proposition remains unchanged.

The President: Thank you very much, Mr Greffier.

Mr Dent, can you confirm you wish to propose this, please?

515

Mr Dent: Mr President, fellow States Members, yes, I do confirm that I wish to propose this amendment.

The President: You can speak on it, if you want to.

520

525 **Mr Dent:** Since the publication of the original motion a certain amount of additional information came into public knowledge. I am speaking of the fact that the published report we had before us had certain amounts of material redacted. We do not condone this. It is for this reason that I am proposing the amendment to the original text. The amendment should make it clear we want to progress along the lines truly supported by Prof. Wilson and I would like you to note that Dr Lyons himself guided us as to the most appropriate language.

Having said this, this motion is about moving forward, not looking back. Lawyers can do the looking back. We the States must move forward. I believe too that Dr Lyons wishes us to move forward.

530

The President: Thank you, Mr Dent.

Do I have a seconder for that proposal, please?

535 **Mr Birmingham:** Yes, thank you, Mr President, fellow States Members, I fully support the comments made by Mr Dent in his summation there and I have nothing to add to them, so I second the amendment.

The President: Thank you very much. Does any Member wish to speak on the amendment? Nobody wishes to speak on the amendment. In that case, Mr Greffier, the amendment is carried, (The Greffier: Thank you, sir.) so those changes will be made to Item V and we now move to the debate on the amended Item 5.

540

Does any Member wish to speak on the amended Item 5 – that is the main debate carrying on from where the Proposer and the seconder took off? Mrs Paris.

Mrs Paris: Thank you, Mr President.

545

Fellow States Members, I think everyone, and to his great credit Dr Lyons as well, recognises that we must move on and begin the task of sorting out the problems with our Health Service which have been highlighted in this health review – or reviews, depending how you look at it. There is very urgent work to be done; there is no question. I wholeheartedly agree with this, but I also acknowledge the collected wisdom on the Island which is reluctant to let go of a situation where a very grave wrong has been committed and a proper apology has not been received. It is no use mincing words: this has all led to a profound loss of trust and a subsequent loss of confidence that HSC can be part of the solution rather than continuing to mainly be the problem.

550

Prof. Wilson's Report highlights that there are many endemic failures in the service we have here and I agree that we should invite him back to help us pursue how best we can tackle the practical issue for improvement. I would just say, in terms of both quality of life and the financial constraints now operating in all areas of public life, we do need to turn our attention more to preventative medicine. I quote from Prof. Wilson's Report:

555

Alderney residents have a range of diseases which are largely preventable.

I think we need to consider that very carefully. Regular and perhaps free medicals would help to maintain patient records, detect early signs of lifestyle-related problems and empower people to live well. It would also produce the sort of data that would help in the effective allocation of States funds to where they are most needed. Ironically, the Guernsey-led criticism of the Report – that it was based on anecdotal information – only highlights the failure of the Guernsey Health Authority to insist on the collection of such data.

560

Nevertheless, it is my sincere wish that together with Guernsey we can action a health plan suitably tailored to Alderney's particular needs; but our first objective, with the help of Prof. Wilson, has to be to decide exactly what we want from Guernsey in return for the taxes that we all so scrupulously pay to them.

565

The President: Thank you very much, Mrs Paris.

Does any other Member wish to speak on Item 5? Mr Jean.

570

Mr Jean: Thank you, sir.

The Report points out large quantities of tranquilisers and sleeping tablets are prescribed to the population of Alderney. I would like to point out that two nights ago, on Channel News, Jersey was also cited as having a high rate of similar prescribed medication; I do not know if it is the same in Guernsey. This may be a sign that such a long recession, especially here in Alderney and probably in Jersey as well, may be the cause of this increase in prescribed medication. Feeling the effects of rising costs coupled with a lower ability to earn what they used to before the recession may be another cause.

575

Prof. Wilson has written a good Report and I am grateful to him and his colleague, Lucy Thompson. I have no doubt many improvements are already underway and many of the recommendations will be implemented in the fullness of time.

580

I and others have tried to assist Dr Lyons during both the inquiry ... and, as much as we are able, we will continue to assist him with the recommendations contained within this Report.

585

There is no doubt in my mind that through these devastating inquiries the whole situation regarding continuity of medical practitioners has been disturbed. The States of Alderney must do all it can to help to re-establish that continuity. If some form of continuity can be re-established, this must include efforts to assist Dr Lyons in reopening the Eagle Medical Practice. If, working
590 together, the States of Alderney and Guernsey are unable to achieve these aims, the States will have to explore other options contained in the Report and the possibility of a States-run practice.

I do understand the difficulties faced by the Chairman – to some extent – of HSC. Heidi Soulsby is not able to deliver to Dr Lyons a full and unconditional apology. The legal advisers to
595 HSC will have advised her, I am sure, that such an apology is not advisable as it is a full admission of responsibility.

I referred earlier to improvements that are well underway, such as video conferencing at the hospital saving journey time by plane, which is difficult at the best of times, and allowing patients the ability to talk with their consultants. I am also told that blood tests can now be dealt
600 with at the hospital.

The Report points out that more use of our excellent Mignot Memorial Hospital should be encouraged. Good points are raised about having a qualified midwife on the Island to assist young mothers in terms of the ability to advise and in the case of an emergency. Just because Alderney is small ... let me point out that last year, during 2016, 21 babies were born to local
605 families, and I call that a good year for Alderney; it may even push the demographic time bomb the other way a little bit. Well done, all you mums and dads in Alderney! I had better declare my interest in the babies born during 2016. *(Laughter)* You will like this, I am sure you will: both my children and their partners became parents and I am now a grandfather twice over to a boy and a girl.

610 Moving on –

The President: Carry on, Mr Jean.

Mr Jean: Sorry, that caught me there; I heard that sigh.

615 Moving on, I understand that this Report will assist both our Islands as together we implement its recommendations. We must move on and we must strengthen the bonds and re-establish them between our two Islands, making every effort to put in place the recommendations contained within this excellent Report.

As I come near to finishing, I would like to have removed from the Report only one recommendation – or I would at least like it checked out – which may need removing from
620 Report. The one that I refer to is the seatbelt legislation, saying its introduction would save £10,000. I do not believe that that is so and I believe it needs to be checked out.

As the rest of the Report spells out every recommendation, the question I would put – and this is only a question – is do we need to invite Prof. Wilson back when it is a matter of
625 overseeing the implementation of what is already clearly outlined? I would only consider voting against this – and I do not think I will – because I believe that there is expertise here in Alderney to oversee the implementation of this good Report. In no way am I being critical of Prof. Wilson; I am simply asking the States to take note of the continuing growing public criticism on how much we spend on consultation. I would be grateful, sir, if we could have a separate vote on this
630 item, but I have to say I do not think that I would vote against it.

Thank you.

The President: Thank you very much, Mr Jean.

Does any other Member wish to speak on Item 5? Mr Birmingham? If no Member wishes to
635 speak –

Mr Roberts: Yes, please.

The President: Okay, please, Mr Roberts.

640 **Mr Roberts:** I fully support the findings of Prof. Wilson but I am again flabbergasted at the
reaction of Guernsey's leading politicians to this. The negative comments by Mr St Pier are
unhelpful but they do not really surprise me. The scrutiny report was unacted upon and thrown
in the drawer. My successful requête, when Alderney States was voted with a vote of no
645 confidence, almost was totally supported, was unacted upon and thrown in the drawer. The new
airline review will find nothing. And if by some miracle indeed it does, do I have the confidence it
will be acted upon, or will it be ignored again? No, it will be thrown in the drawer with plenty
good company.

I am sorry, Guernsey Reps, but we seem to be getting a raw deal from Guernsey from every
report that seems to be drawn upon.

650

The President: Mr Roberts, could you confine your comments to the Item on the Billet,
please?

655 **Mr Roberts:** I support the return of Prof. Wilson to conduct further research and I support
the implementation of the 16 basic recommendations with immediate effect.

Thank you.

The President: Thank you very much, Mr Roberts.

Does any other Member wish to speak on this?

660

Please, Mr Dean.

665 **Mr Dean:** Mr President, fellow State Members, I do support the report, but we do have to
work with Guernsey and we need to build some bridges here because this is *really* important, so
we do all need to work together. But the most important thing at the end of it is that we have a
Health Service here that is fit for Alderney, for young and old and everybody. So it is not an open
cheque book. I am one of the first ones to be critical of the amount of money we spend on
consultants, but this is actually money that we do need to spend and it will be money well spent.
We have to have a service that is fit for purpose for us.

670 **The President:** Thank you, Mr Dean.

Does any other Member wish to speak on this item? Mr Barnes.

675 **Mr Barnes:** Mr President, fellow Members, just reacting to what has just been said recently, I
think the first thing is we have got to look forward. Just like we said earlier, let the lawyers look
back, we will look forward. I think the first item is yes, we get Prof. Wilson back and we pay for
him to guide us in the right direction; after that, then we should all look at our costs and make
sure it is value for money.

Thank you.

680 **The President:** Thank you, Mr Barnes.

Does any other Member wish to speak on this Item? Please go ahead.

Mr Snowdon: Thank you, Mr President, fellow States Members.

685 I think it is very important that we do support this motion and really try and work on it as
soon as possible, because I think time is of the essence here. Obviously, there are a lot of areas
we need to deal with, but it is very important we move forward now and do not go backwards
too much, and as I think other States Members have said, leave that to the lawyers to look at.

Thank you.

690 **The President:** Thank you, Mr Snowdon.
Mr Birmingham, do you wish to speak on this Item? Very well.
Mr McKinley, do you wish to exercise the right of reply you requested?

Mr McKinley: I am sorry, sir, I cannot remember the question I asked. *(Laughter)*

695 **The President:** You did not ask a question; you asked me to reserve the right to your reply.

Mr McKinley: That was before I spoke. I was hoping to be able to speak after everybody rather than before them.

700 **The President:** Fine, please be seated.
Mr Dent, do you wish to exercise your right of reply?

Mr Dent: Mr President, I would like to just say one or two things as I reply.

705 **The President:** Mr Roberts, there is somebody speaking, please.

Mr Dent: First of all, I would like to thank my colleges for their comments, because I think I agree with almost all of what you have said.

710 I would just like to say to Mr Jean that the reason we need outside help really is because there are a number of unanswered questions, particularly in regard to primary healthcare, and I think we need an independent outsider to do this confidentially. It is not something we can do in house with local people; this is particularly sensitive. But thank you, Mr Jean, for your thoughts on the matter; they are appreciated.

715 Thank you very much, sir.

The President: Thank you, Mr Dent.

Mr Greffier, I would like you to take parts a. and b. separately, please, and put them both to the vote, as I said, separately, one after the other.

720 **The Greffier:** Thank you, sir.

Firstly, in that case, the States of Alderney are asked to approve that the Chief Executive conveys to the Committee for Health and Social Care the urgent need to implement healthcare changes using the 16 basic recommendations contained in the Report as a non-exclusive template and asks them to work with the States of Alderney on a timetable.

A vote was taken and the results were as follows:

FOR	AGAINST	ABSTAINED
Mr Barnes	None	None
Mr Birmingham		
Mr Dean		
Mr Dent		
Mr Jean		
Mr McKinley		
Mrs Paris		
Mr Roberts		
Mr Snowdon		

725 **The Greffier:** Sir, that motion passes.

Secondly, the States of Alderney are asked to request Prof. Wilson to return to Alderney to:
(i) conduct further confidential research in order to establish which option for institutional

change is the best way forward for our primary health care services; and (ii) indicate the cost implications, if any, associated with the options identified.

A vote was taken and the results were as follows:

FOR	AGAINST	ABSTAINED
Mr Barnes	None	None
Mr Birmingham		
Mr Dean		
Mr Dent		
Mr Jean		
Mr McKinley		
Mrs Paris		
Mr Roberts		
Mr Snowdon		

730 **The Greffier:** Sir, again that motion passes.

The President: Thank you very much indeed.

VI. Questions and Reports – Land Use Plan 2017 – Progress Report

The President: We move onto Item VI, please.

The Greffier: Thank you, sir. Item VI this evening is Questions and Reports.

735 I confirm I have received a single Report from Mr Birmingham, in his capacity as Chairman of the Building and Development Control Committee, entitled 'The Land Use Plan 2017 – Progress Report'.

The President: Thank you very much indeed.

740 Mr Dent, as Convener, were there any comments on this Item, please?

Mr Dean: Mr President, fellow States Members, there were no comments.

The President: Thank you very much, Mr Dean.

745 Mr Birmingham, would you like to introduce your Report please?

Mr Birmingham: Thank you, Mr President, fellow States Members.

I do not intend to read the Report, as I believe it is self-explanatory. However, if the President will permit me, I can update the information that it contains.

750

The President: You can, as long as it does not materially change the content of the Report – apart from dates and things like that.

Mr Birmingham: It is an update on the situation regarding the time.

755 Since this Item was submitted to the Billet a replacement Land Use Plan inspector has been found to replace Mr Langton and he has been invited by the President to conduct the inquiry. Also, we have a provisional date for the inquiry, which has been set for September, and the BDCC will be releasing full details to the public imminently. Other than that, I have nothing else to add to the Report.

760 **The President:** Thank you, Mr Birmingham.
Do any Members have questions for Mr Birmingham on his Report? Mr Jean.

Mr Jean: Thank you, sir.

765 Mr Birmingham, after the public inquiry in July 2016, the Land Use Plan was approved. At the same time, the requirement for C permits was removed. Do you agree with me that some controls should be put in place to safeguard and protect the local construction industry, owing to the fact that there will be the possibility – which I will go on to show in my second question – that there may be many applications to build throughout the course of this coming year?

770 **The President:** Do you have more questions, Mr Jean?

Mr Jean: I do.

The President: Would you please ask them now, so he can reply to them all at once.

775

Mr Jean: Would the Chairman agree with me that if applications for building permission continue to come before the Building and Development Control Committee, by the end of the year the local construction industry may be no longer able to cope? If this were the case, would the Chairman agree with me ... What recommendations would he and his Committee suggest to control the situation? Or would his Committee look for assistance from the P&F Committee and the Law Officers, Guernsey?

780

My final question is: would the Chairman agree with me that a good robust work permit system may help solve part – and only part – of this problem?

Thank you, sir.

785

The President: Does any other Member have any questions for the Chairman?

I would remind you that you do not have to answer these questions at the moment. You can delay the answer, if you wish, or you may answer them now as you wish.

790 **Mr Birmingham:** I am more than happy to attempt to answer them.

Obviously, employment permits do not come under the remit of my Committee. However, I do sympathise with Mr Jean's point that, if we do end up with a building bubble, there is always the possibility that extra individuals will be needed in the Island for the building industry. I will say, however, that just because plans are passed does not automatically necessarily mean that you see the building on from that quite quickly. However, we do need to be aware of that situation and I am quite sure we will get representations from the building industry if they feel that there is a shortage of skilled staff in relation to that.

795

Your second point related to should there be perhaps some better controls in place in relation to this. Funnily enough, this very lunchtime we had a meeting with ARUP, who have been over dealing with some of the strategy issues, and this very issue was actually discussed between Members, and I see them nodding agreement there. What was interesting in terms of that discussion was that those issues were raised and we got some good feedback from ARUP and their views about how the plan itself currently sits. Their feeling has been that one of the important parts that the plan includes is monitoring the situation, making sure that the information is kept up to date, so when we know that we are getting maybe that boom, then we should then have the ability to consider the possible problems that may bring, so we can act on them. So that is one area that I feel the plan is actually going to help in.

800

805

As to whether we should have more robust Work Permit Law, the problem is that the Work Permit Law was introduced in I believe it was 1976, so we are talking 40 years ago. I am pretty sure – I am sure – that the world of work has changed a lot since that time and the way people travel in terms of between states has changed significantly. Obviously you can throw Brexit into

810

815 that as well. There are going to be some changes there as regards immigration. The Work Permit
Law itself has some very odd vagrancies where for certain places in the world you do not even
require to have a work permit to come to Alderney. So I think it needs looking at, but as to
whether it is fit for purpose I think that is not really for us to discuss but I think it is a matter that
we should have public consultation on.

The President: Thank you very much, Mr Birmingham.

820 Absolutely certain no other Member has questions for Mr Birmingham? Thank you very
much.

In that case, Mr Greffier, would you be kind enough to close the States, please.

PRAYERS

The Greffier

The Assembly adjourned at 6.24 p.m.