



OFFICIAL REPORT

OF THE

STATES OF THE

ISLAND OF ALDERNEY

HANSARD

The Court House, Alderney, Wednesday, 10th January 2018

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

Volume 6, No. 1

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
Mr Ian Tugby

The Greffier of the Court

Ms Deborah Burgess

Business transacted

Billet d'État for Wednesday, 10th January 2018	5
I. Opening of the States of Alderney Annual January Meeting	5
Convener's Report of the People's Meeting held on 29th November 2017	5
II. Election procedure – Verbal voting approved.....	6
III. Election of Vice-President – Mr Tugby elected	6
IV. Appointment of Auditors – KPMG Channel Islands Ltd appointed	8
V. Appointment of Committee Chairmen – Mr Dent elected Chairman of Policy and Finance Committee; Mrs Paris elected Chairman of General Services Committee; Mr Birmingham elected Chairman of Building and Development Control Committee	8
VI. Appointment of members of the Policy and Finance Committee – Mr Barnes, Mr Dean, Mr Jean, Mr McKinley, Mrs Paris, Mr Roberts, Mr Snowdon and Mr Tugby appointed	11
VII. Appointment of Committee members of other Committees – Mr Barnes, Mr McKinley, Mr Roberts and Mr Dean elected to General Services Committee; Mr Dean, Mr Snowdon and Mr Roberts elected to Building and Development Control Committee	13
VIII. Commonwealth Parliamentary Association Alderney Branch – Mr Dent, Mrs Paris and Mr McKinley elected	19
IX. Code of Conduct Review Panel – Mr Peter Cunningham, Mrs Rosemary Hanbury, Mrs Helen McGregor, Mrs Pamela Pearson and Mr William Tate elected	21

X. St Anne’s School Management Committee – Mr Snowdon appointed	22
XI. Guernsey States of Deliberation – Mr Jean and Mr McKinley elected as Alderney Representatives; Mr Roberts and Mr Dean elected as Alternative Alderney Representatives.....	23
XII. Beneficial Ownership (Alderney) (Definition) (Amendment) (No.2) Regulations, 2017 – Item approved.....	25
XIII. Proposed changes to eGambling legislation – Alderney eGambling (Amendment) Ordinance, 2018 approved; Gambling (Alderney) (Amendment) Law, 2018 approved	26
XIV. Co-opted BDCC non-States members – Item debated without resolution	28
XV. Capital expenditure for road resurfacing project 2018 – Capital funding approved	33
XVI. Questions and Reports.....	39
<i>The Assembly adjourned at 7 p.m.</i>	39

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States of Alderney

*The States met at 5.30 p.m. in the presence of
Colonel Colin Mason, a representative of His Excellency Vice Admiral Sir Ian Corder KBE, CB,
Lieutenant-Governor and Commander-in-Chief of the Bailiwick of Guernsey*

[THE PRESIDENT *in the Chair*]

PRAYERS

The Greffier

ROLL CALL

The Greffier

The Greffier: Mr President, all States Members are present.

Billet d'État for Wednesday, 10th January 2018

I. Opening of the States of Alderney Annual January Meeting

5 **The Greffier:** Mr President, the first Item on the Billet tonight is the Opening of the States of Alderney Annual January Meeting.

The President: Thank you very much indeed.

Convener's Report of the People's Meeting held on 29th November 2017

10 **The President:** Mr McKinley, as Convener, would you like to give the Convener's Report, please.

Mr McKinley: Very briefly, sir, there were six States Members present, the Chief Executive, the Treasurer and the Secretary, 26 members of the public and four members of the press. The Convener laid apologies for the President, Mr Barnes and Mr Roberts.

15 **The President:** Thank you very much indeed.

**II. Election procedure –
Verbal voting approved**

Item II.

The States is asked:

To approve that the following elections should be by verbal vote, otherwise Rule 20 of the Rules of Procedure of the States of Alderney shall come into operation, i.e. voting shall, unless the States otherwise resolves, be carried out by written ballot.

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

20 **The Greffier:** Thank you. Item II, Electoral Procedure. The States of Alderney is asked to approve that the following elections should be by verbal vote, otherwise Rule 20 of the Rules of Procedure of the States of Alderney shall come into operation, i.e. voting shall, unless the States otherwise resolves, be carried out by written ballot.

The President: Thank you very much indeed.

25 Mr McKinley, as Convener, were there any comments on this Item?

Mr McKinley: No, sir, there were no comments on this Item.

The President: Thank you very much indeed.

Does any Member object to there being a verbal vote? Very well, that is passed.

**III. Election of Vice-President –
Mr Tugby elected**

Item III.

The States is asked:

To elect a Vice-President for 2018.

30 **The President:** Madam Greffier, would you move to Item III, please.

The Greffier: Item III is the Election of the Vice-President. The States of Alderney is asked to elect a Vice-President for 2018.

35 **The President:** Thank you.

Mr McKinley, as Convener.

Mr McKinley: No, sir, there were no comments on this Item.

40 **The President:** Thank you very much indeed.

Do we have any proposals for the position of Vice-President?

Mr Jean: I would like to propose Mr Tugby.

45 **The President:** Mr Tugby. Thank you very much.

Do I have a seconder for Mr Tugby?

Mr Roberts: Yes, please, I would like to second.

50 **The President:** You would like to second, Mr Roberts. Thank you very much indeed.
Do we have any other ...? Yes, please rise.

Mr Dent: Mr President, I would like to propose Mr McKinley.

55 **The President:** Thank you very much indeed.
Do I have a seconder for Mr McKinley?

Mrs Paris: I would like to second Mr McKinley.

60 **The President:** Thank you very much, Mrs Paris.
Do I have any other proposals for the position of Vice President? No.
In that case, everybody will be given one vote. Madam Greffier, would you please ask people
to signify which of the two individuals they would prefer to take the position of Vice-President.

65 **The Greffier:** Thank you, Mr President.
For the election of the Vice-President, you may vote for Mr Tugby or Mr McKinley.

A vote was taken and the results were as follows:

FOR MR TUGBY	FOR MR McKINLEY
Mr Tugby	Mrs Paris
Mr Birmingham	Mr McKinley
Mr Jean	Mr Dent
Mr Roberts	Mr Snowdon
Mr Barnes	Mr Dean

The Greffier: Mr President, we have 5 votes for each of the nominated Vice-Presidents.

70 **The President:** An interesting conundrum we have there. I would like to ask you all to revote
to see if anybody has changed their mind as we have a stalemate, and we will take it from there.
Will you please call the vote again.

A vote was taken and the results were as follows:

FOR MR TUGBY	FOR MR McKINLEY
Mr Tugby	Mrs Paris
Mr Birmingham	Mr McKinley
Mr Jean	Mr Dent
Mr Roberts	Mr Snowdon
Mr Barnes	Mr Dean

The President: Very well. In that case, I am going to be forced to use my casting vote.

The Greffier: Sorry, was the last one ...?

75 **Mr Barnes:** Mr Tugby.

The Greffier: Mr Tugby. Yes, sorry, it is 5 each.

80 **The President:** Okay. In that case, I am going to be forced to used my casting vote. As
Mr Tugby is currently the Vice-President, there are insufficient votes for him to be removed and
therefore I will support the status quo. Mr Tugby, you will remain as Vice President.

The Greffier: Thank you, Mr President. That is Mr Tugby voted as Vice-President.

**IV. Appointment of Auditors –
KPMG Channel Islands Ltd appointed**

Item IV.

The States is asked:

To appoint KPMG Channel Islands Ltd to be the States' Auditors for 2018.

The President: Can we move to Item IV, please.

85

The Greffier: Item IV is the Appointment of Auditors. The States of Alderney is asked to appoint KPMG Channel Islands Ltd to be the States' Auditors for 2018.

The President: Thank you very much.

90

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

Mr McKinley: No, sir, there were no comments on this Item.

The President: Thank you very much.

95

Is any States Member against the appointment of KPMG as the auditors?

Madam Greffier, there being nobody against the appointment of KPMG as auditors, that motion is carried.

The Greffier: Thank you, Mr President.

**V. Appointment of Committee Chairmen –
Mr Dent elected Chairman of Policy and Finance Committee;
Mrs Paris elected Chairman of General Services Committee;
Mr Birmingham elected Chairman of Building and Development Control Committee**

Item V.

The States is asked:

To elect the Chairmen of the following Committees –

1. Policy and Finance Committee.

2. General Services Committee.

3. Building and Development Control Committee.

100

The Greffier: Item V is Appointment of Committee Chairmen. The States of Alderney is asked to elect the Chairmen of the following Committees: first, the Policy and Finance Committee; second, the General Services Committee; and third, the Building and Development Control Committee.

105

The President: Thank you very much.

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

Mr McKinley: No, sir, there were no comments on this Item.

110

The President: Thank you very much.

We will start with the Chairman of Policy and Finance. Do I have any proposals for the Chairman of Policy and Finance?

115 **Mr Roberts:** I would like to propose Mr Dean, please. Mr Dent. I do beg your pardon.

The President: Can you just clarify who you are proposing? (**Mr Dean:** Mr Dent.) Mr Dent. Thank you very much indeed.

120 **Mr Roberts:** Yes. Sorry about that.

The President: Thank you.
Do we have a seconder for Mr Dent, please?

125 **Mr Birmingham:** I will second Mr Dent.

The President: Thank you very much indeed.
Do we have any other proposals for the position of the Chairman of Policy and Finance? We have no other proposals for the Chairman of Policy and Finance, therefore Mr Dent is now appointed as the Chairman of Policy and Finance for the following year.

130 We move to section 2, which is for the chairmanship of the General Services Committee. Do I have any proposals for the Chairmanship of the General Services Committee? Mr Snowdon.

Mr Snowdon: I would like to propose Mr Dean. Thank you.

135 **The President:** Do I have a seconder for Mr Dean?

Mr Roberts: I would like to second Mr Dean, please.

140 **The President:** Thank you very much.
Do I have any other proposals for the position of Chairperson of the General Services Committee?

Mr Barnes: I would like to propose Mrs Paris.

145 **The President:** Thank you very much indeed.
Do I have a seconder for Mrs Paris?

Mr Dent: I would like to second Mrs Paris.

150 **The President:** Thank you very much indeed.
Do I have any other proposals for the position of Chairperson of the General Services Committee? No.

155 There being no other proposals for the chairmanship of that Committee, I will now give the opportunity to both of the candidates to stand and explain to their fellow States Members why they think they should be the Chairman of the General Services Committee.

Mr Dean, being the first to be proposed, would you care to stand and very briefly tell people why you think you should hold that position.

Mr Dean: Thank you.

160 Fellow States Members, Mr President, we tend to underestimate the importance of the General Services Committee, it being seen as mundane and boring, dealing with such things as roads, the sewerage system, rubbish collection and all the things we take for granted and expect to happen on a daily basis. General Services is probably regarded as the least important of the Committees, but the truth is it is vital and certainly one of the most important States Committees, if
165 not the most important States Committee. General Services represents the nuts and bolts that

hold together the Island's infrastructure. Without an efficient, well-run and proactive Committee, the nuts corrode and snap or loosen and we end up with a dysfunctional Island infrastructure. This is what is actually happening now.

170 If we look at the last few years, we can see a number of instances where the Committee has been ineffectual or public money has not been spent wisely enough; or, in some instances, it has not been spent when it should have. Our States engineer is pretty much left to his own devices and on many occasions he is left to cope without the direction of a strong Committee. This has led to the Committee management being reactionary rather than proactive, crisis managing rather than predictive and planning.

175 What we now need is a properly run, fit-for-purpose Committee which gels together and meets regularly to plan, predict and prevent problems before they occur, to aid and assist the States engineer in managing and improving all our services. Better services will mean a more efficient Island and a far better platform on which we can develop and improve our economy.

180 So I say again, GSC is of vital importance. It is not run efficiently and effectively and it clearly needs a change of leadership and direction.

Being on the States is not about a popularity contest once you get elected; it is about putting the needs of the Islanders and the Island before our own. I ask all of you to think long and hard about your choice of chairperson. I will always endeavour to put the needs of the Island and the Islanders before my own. I want to leave the States and the Island in a far better position when my time is up than when I started, as should we all, and it is time we started leading this Island forward: Island first always.

The President: Thank you, Mr Dean.

190 Mrs Paris, do you wish to rise and address the States?

Mrs Paris: Yes, sir, I do.

Mr President, fellow States Members, in my four years on the States I have served with four CEOs, the fifth one on the way, and four Chairs of P&F – I congratulate Mr Dent on his reappointment. With the greatest of respect to the various individuals involved, however, this is not a recipe for stability or the steady pursuit of objectives.

200 I have served on General Services throughout this time, two years as Vice-Chairman and then as Chairman last year, and in my view 2017 was a good year – hard work, but a good year. We have improvements to our infrastructure – the church is finished, the Nunnery is on its way, the electricity and the water network and sewerage upgrades are all in progress; we are about to start on the road programme and we have purchased plenty of plant and machinery to help the States Works Department and the harbour to work more efficiently. The nurturing of better relationships with Guernsey's Committee for Environment and Infrastructure has also been a top priority, given their responsibility for our breakwater and the need for close communication.

205 The Nunnery is an example of finding a new use for a special building that will help the building to be protected for its future and enable it to be open to the public. I anticipate continued work on proposals for some of our other important buildings. They are crying out to be better used and to be part of our plan to attract more residents and visitors to the Island.

210 Last year at this time I flagged up the need for medium-term policies for both our Waste Strategy and for the traffic on the Island. Both of these are still work in progress but are happening. Progress with regard to a marina has been slower but is now starting to look more positive.

I am a little concerned that Mr Dean does not even know the title of our States engineer, which actually is 'Technical Services Officer', and I am sure Mr Bray might feel that all his hard work over this year has been slightly upset by Mr Dean not knowing his title.

215 However, I hope to have the opportunity – and I am asking, obviously, for your support – to serve energetically and enthusiastically, as I have this year, for a second year in order to pursue these objectives. Thank you.

The President: Thank you very much.

220 As before, everybody will have one vote. I will ask you to call the vote and ask the respective States Members whom they support.

The Greffier: The States is asked to elect the Chairman of the General Services Committee, and the nominated people are Mr Dean and Mrs Paris.

A vote was taken and the results were as follows:

FOR MR DEAN

Mr Jean
Mr Roberts
Mr Snowdon
Mr Dean

FOR MRS PARIS

Mr Tugby
Mr Birmingham
Mrs Paris
Mr McKinley
Mr Dent
Mr Barnes

225 **The Greffier:** Mrs Paris has been elected as Chairman of the General Services Committee with 6 votes.

The President: Thank you very much indeed. Congratulations to Mrs Paris and commiserations to Mr Dean.

230 We now move on to the Chairman of the Building and Development Control Committee. Do I have any proposals for the chairmanship of the Building and Development Control Committee? Mr Snowdon.

Mr Snowdon: I would like to propose Mr Birmingham. Thank you.

235 **The President:** Thank you. Do I have a seconder for Mr Birmingham, please?

Mr Dean: I would like to second Mr Birmingham.

The President: Thank you, Mr Dean.

240 Do I have any other proposals for the position of Chairperson of the Building and Development Control Committee?

There being no other nominations, Mr Birmingham is duly elected as Chairman of the Building and Development Control Committee. Congratulations, Mr Birmingham.

245 **Mr Birmingham:** Thank you.

**VI. Appointment of members of the Policy and Finance Committee –
Mr Barnes, Mr Dean, Mr Jean, Mr McKinley,
Mrs Paris, Mr Roberts, Mr Snowdon and Mr Tugby appointed**

Item VI.

The States is asked:

To elect a minimum of two Members, in addition to the Chairman, to the Policy and Finance Committee.

The President: We now move on to Item VI, please.

The Greffier: Thank you, Mr President.

250 Item VI is the Appointment of Members of the Policy and Finance Committee. The States is asked to elect a minimum of two Members, in addition to the Chairman, to the Policy and Finance Committee.

The President: Thank you very much indeed.

255 Mr McKinley, as Convener, were there any comments on this Item at the People's Meeting?

Mr McKinley: There was only one comment, sir, and that was the size of the Committee. At the moment the quorum is three Members only. The size of the Committee is at present 10, although there will be further debate, no doubt, this year regarding the size of the Committee, but at the moment it is 10 with a quorum of three.

260 **The President:** Thank you very much indeed.

Do I have any proposals for the position of Member of the Policy and Finance Committee? Mr Dent.

265 **Mr Dent:** Mr President, I should like to propose that all States Members are members of this Committee. Thank you.

The President: Do I have a seconder for this proposal?

270 **Mr Jean:** You do, sir. I would like to second it.

The President: Thank you very much, Mr Jean.

275 Before we proceed any further, is every Member willing to serve on the Policy and Finance Committee? Mr Birmingham.

Mr Birmingham: Thank you, Mr President.

I think my position on a 10-man Policy and Finance Committee is well known: if elected, I will resign.

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

In that case, I am afraid your proposal for all 10 Members to be a member of the Policy and Finance Committee fails, because we cannot coerce a Member to become a member of a Committee; in which case, I ask again do we have any proposals for the membership of Policy and Finance Committee. Mr Jean.

285 **Mr Jean:** I would like to propose the remaining nine Members.

The President: Become Members of the P&F Committee?

290 **Mr Jean:** Of the P&F Committee, sir.

The President: Thank you.

Do I have a seconder for that proposal? Mr Snowdon.

295 **Mr Snowdon:** Thank you. I am happy to second that proposal.

The President: Happy to second that proposal.

Are all of the remaining nine Members, Mr Birmingham being excepted, willing to sit as Members of the P&F Committee? (**Two Members:** Yes.) No dissenters there whatsoever.

300 In that case, the nine remaining Members are duly elected as Members of the P&F Committee.

**VII. Appointment of Committee members of other Committees –
Mr Barnes, Mr McKinley, Mr Roberts and Mr Dean elected to General Services Committee;
Mr Dean, Mr Snowdon and Mr Roberts elected to
Building and Development Control Committee**

Item VII.

The States is asked:

To elect the members of the following committees, in addition to the Chairmen –

- 1. A minimum of two Members to the General Services Committee.*
- 2. A minimum of two Members to the Building and Development Control Committee.*

The President: Could we now move to Item VII, Madam Greffier.

The Greffier: Thank you, Mr President.

305 Item VII is the appointment of Committee members of the other Committees. The States of Alderney is asked to elect the members of the following Committees, in addition to the Chairmen: firstly, a minimum of two Members to the General Services Committee; and secondly, a minimum of two Members to the Building and Development Control Committee.

310 **The President:** Thank you very much indeed.

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

315 **Mr McKinley:** No, sir, there were no comments on this Item.

The President: Thank you very much indeed.

We will start with the General Services Committee. Do I have any proposals for membership of the General Services Committee? Mrs Paris.

320 **Mrs Paris:** Thank you, sir.

I should very much like to propose Mr Barnes and Mr McKinley to stay on the Committee and I should very much hope that Mr Tugby would think about joining us again.

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

Mr Tugby: Sir –

330 **The President:** Just one minute. Before we make general sweeping statements about who we would like, we have to confirm that the people are willing to stand. So, in that instance, what I suggest you do is propose one of them, see if there is a seconder, and then I will ask the individual if they wish to serve.

Mrs Paris: I would like to propose Mr Barnes.

335 **The President:** Do I have a seconder for Mr Barnes, please?

Mr Roberts: I will second Mr Barnes.

340 **The President:** Thank you very much.
Mr Barnes, are you willing to serve?

Mr Barnes: I am, sir.

The President: Please call the vote on Mr Barnes becoming a Member of the General Services Committee.

345

The Greffier: Mr Tugby –

Mr Tugby: Because I have had so much stick about being desperately entrenched, it is better if I just work on the outside of –

350

The President: Nobody is asking you to serve at the moment, Mr Tugby. What we are asking is ... We have a seconder for Mr Barnes.

Mr Tugby: Yes, I will second him.

355

The President: Right, thank you very much. So you are seconding Mr Barnes.

Mr Roberts: I thought you had done that.

360

The President: Somebody has already seconded him, yes? Okay, in that case, could you call the vote for Mr Barnes, please.

The Greffier: You would like me to call the roll for the vote?

365

The President: Yes, please.

A vote was taken and the results were as follows:

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

The President: Thank you very much. Mr Barnes is duly elected as a member of the General Services Committee.

Do I have any other proposals for membership? Mrs Paris.

370

Mrs Paris: I would like to propose Mr McKinley, please.

The President: Thank you very much indeed.
Do we have a seconder for Mr McKinley, please?

375

Mr Jean: I would be happy to second Mr McKinley.

The President: Thank you, Mr Jean.
Mr McKinley, are you willing to serve?

380

Mr McKinley: Yes, sir, I am.

The President: Thank you very much.
Please call the roll for Mr McKinley.

A vote was taken and the results were as follows:

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

The Greffier: Sir, that is 9 votes for.

385

The President: Thank you very much. Mr McKinley is duly elected to the General Services Committee.

Do I have any proposals for any other Members? Mr Snowdon.

390

Mr Snowdon: I would like to propose Mr Roberts.

The President: Thank you very much indeed.
Do we have a seconder for Mr Roberts, please?

395

Mr Dean: I will second that.

The President: Thank you very much indeed.
Please call the vote for Mr Roberts.

A vote was taken and the results were as follows:

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

The Greffier: Sir, all 10 Members voted for Mr Roberts as a member of General Services.

400

The President: Thank you. Mr Roberts is duly elected as a member of the General Services Committee.

Do I have any further proposals for membership of the General Services Committee?
Mr McKinley.

405

Mr McKinley: Could I propose Mr Dean, please.

The President: You may.
Do I have a seconder for Mr Dean?

410

Mr Roberts: I would like to second Mr Dean, please.

The President: Please call the roll for Mr Dean as a member of the General Services Committee.

A vote was taken and the results were as follows:

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

415 **The Greffier:** Sir, that is 9 votes for Mr Roberts as a member of this Committee – Mr Dean, sorry.

The President: Mr Dean. Mr Dean is duly elected as a member of the General Services Committee.

420 Do I have any further proposals for membership of the General Services Committee? Speak now. I have no further proposals for membership of the General Services Committee.

Mr McKinley: Mr President –

425 **The President:** You wish to speak?

Mr McKinley: Yes, please, sir. I believe the maximum number is five anyway, is it not?

The President: No.

430

Mr McKinley: Oh, it is not; in which case, I propose Mr Tugby.

The President: Mr Tugby has already said he does not wish to serve.

435 **Mr McKinley:** Fine, then I misunderstood and I apologise.

The President: Do I have any further nominations for membership of the General Services Committee?

440 Thank you very much. In that case, the elected members of the General Services Committee in addition to the Chairperson are Messrs Barnes, McKinley, Roberts and Dean.

We now move to the membership of the Building and Development Control Committee. Do I have any proposals for membership of the Building and Development Control Committee? Mr Birmingham.

445 **Mr Birmingham:** Thank you, Mr President.

I would like, if possible, to propose the existing members of the Committee, so I will do those individually and I would like to propose Mr Dean.

The President: Thank you.
Do I have a seconder for Mr Dean, please?

450

Mr Snowdon: I am happy to second Mr Dean.

The President: Mr Snowdon, thank you.

455

Call the roll, please, for Mr Dean as a member of the Building and Development Control Committee.

A vote was taken and the results were as follows:

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

The Greffier: That is 10 votes for Mr Dean as a member of that Committee.

The President: Thank you. Mr Dean is duly elected as a member of the Building and Development Control Committee.

460

Would you care to propose your second Member?

Mr Birmingham: Thank you, Mr President.
I would like to propose Mr Snowdon.

465

The President: Mr Snowdon, are you willing to serve as a Member?

Mr Snowdon: I am, thank you.

470

The President: Thank you very much indeed.
Please call the vote for Mr Snowdon as a member.

The Greffier: Could we have a seconder, sir?

475

The President: Sorry?

The Greffier: Could we have a seconder for that?

The President: Thank you very much. Can I have a seconder for Mr Snowdon?

480

Mr Dean: I will second that.

The President: Thank you.
Now we have a seconder and his willingness to serve, could you please put that to the vote.

A vote was taken and the results were as follows:

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

485 **The Greffier:** Sir, we have 10 votes for Mr Snowdon's membership of that Committee.

The President: Thank you. Mr Snowdon is duly elected as a member of BDCC.
Do I have any other nominations? Mr Birmingham.

490 **Mr Birmingham:** Thank you, Mr President. I would like to now propose Mr Roberts.

The President: Mr Roberts, are you willing to serve?

Mr Roberts: Yes, sir.

495 **The President:** Thank you.
Do I have a seconder for Mr Roberts, please?

Mr Snowdon: I would like to second Mr Roberts, thank you.

500 **The President:** Mr Snowdon, thank you very much indeed.
Would you please put the vote for Mr Roberts to become a member of BDCC.

A vote was taken and the results were as follows:

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

The Greffier: Sir, that is 10 votes for Mr Roberts' membership of the Committee.

505 **The President:** Thank you very much. Mr Roberts is duly elected as a member of BDCC.
Do I have any other proposals for membership of BDCC? I have no further proposals for membership of BDCC.

**VIII. Commonwealth Parliamentary Association Alderney Branch –
Mr Dent, Mrs Paris and Mr McKinley elected**

Item VIII.

The States is asked:

To elect three Members to sit on the Management Committee in the affairs of the Alderney Branch of the Commonwealth Parliamentary Association (the President being Ex-officio Chairman) for 2018.

The President: We will therefore move on to Item VIII, please, Madam Greffier.

The Greffier: Thank you, Mr President.

510 Item VIII is the Commonwealth Parliamentary Association. The States of Alderney is asked to elect three Members to sit on the Management Committee in the affairs of the Alderney Branch of the Commonwealth Parliamentary Association (the President being Ex-officio Chairman) for 2018.

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

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

Mr McKinley: No, sir, there were no comments on this Item.

520

The President: Thank you very much indeed.

Do I have any proposals for membership of the Commonwealth Parliamentary Association?
Mrs Paris.

525 **Mrs Paris:** I would like to propose Mr Dent, please.

The President: Mr Dent. Thank you. Do I have a seconder?
Are you willing to serve, Mr Dent?

530 **Mr Dent:** Yes, Mr President, I am.

The President: Do I have a seconder for Mr Dent? Mr McKinley, you are seconding?

Mr McKinley: Yes, indeed, sir.

535

The President: Thank you very much indeed.

Please could you call the vote on Mr Dent as a member of the CPA.

A vote was taken and the results were as follows:

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

540 **The Greffier:** Sir, that is 10 votes for Mr Dent as a member of the Commonwealth Parliamentary Association.

The President: Thank you very much indeed.
Do I have any other proposals? Yes, please, go ahead, Mr Dent.

545 **Mr Dent:** Mr President, I would like to propose Mrs Paris as a woman's representative and (inaudible)

550 **The President:** Thank you, Mr Dent.
Mrs Paris, are you willing to serve?

Mrs Paris: Yes, I am, sir.

555 **The President:** Thank you very much.
Do I have a seconder for Mrs Paris, please? Mr McKinley.

Mr McKinley: Yes, sir, I second Mrs Paris.

The President: Thank you very much.
Could you please call the vote on Mrs Paris.

A vote was taken and the results were as follows:

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

560 **The Greffier:** Sir, we have 10 votes for Mrs Paris as a member of the Commonwealth Parliamentary Association.

565 **The President:** Thank you very much indeed.
Do we have any further proposals? Mr Dent.

Mr Dent: Mr President, I would like to propose Mr McKinley.

The President: Mr McKinley, are you willing to serve?

570 **Mr McKinley:** Yes, indeed, sir.

The President: Thank you very much indeed.
Do I have a seconder for Mr McKinley, please?

575 **Mrs Paris:** I will second Mr McKinley.

The President: Thank you very much, Mrs Paris.
Call the vote for Mr McKinley, please.

A vote was taken and the results were as follows:

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

The Greffier: We have 10 Members voting for Mr McKinley as a member of the Commonwealth Parliamentary Association.

580

The President: Thank you very much.

Does any Member wish to contest any of these memberships? There being nobody wishing to contest these positions, Mr Dent, Mrs Paris and Mr McKinley are duly elected as members of the CPA.

**IX. Code of Conduct Review Panel –
Mr Peter Cunningham, Mrs Rosemary Hanbury, Mrs Helen McGregor,
Mrs Pamela Pearson and Mr William Tate elected**

*Mr Peter Cunningham
Mrs Rosemary Hanbury
Mrs Helen McGregor
Mrs Pamela Pearson
Mr William Tate*

Item IX.

The States is asked:

To approve that the five persons listed above be confirmed as Members of the States Members Code of Conduct Review Panel until the next Annual January Meeting of the States of Alderney.

585

The President: Could we now move on to Item IX, please.

The Greffier: Sir, Item 9 is the Code of Conduct Panel members. The States of Alderney is asked to approve that the five persons listed – Mr Peter Cunningham, Mrs Rosemary Hanbury, Mrs Helen McGregor, Mrs Pamela Pearson and Mr William Tate – be confirmed as Members of the States Members Code of Conduct Review Panel until the next Annual January Meeting of the States of Alderney.

590

The President: Thank you very much, Madam Greffier.

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

595

Mr McKinley: No, sir, there were no comments on this Item.

The President: Thank you very much.

Is any States Member against the appointment of any of the members of this Committee?
600 Thank you very much. Madam Greffier, that is duly approved.

**X. St Anne's School Management Committee –
Mr Snowdon appointed**

Item X.

The States is asked:

*To resolve to appoint, for a period of one year renewable at the next Annual January Meeting,
one Member as a Representative on the Management Committee of St Anne's School.*

The President: Could we please move to Item X.

The Greffier: Sir, Item X is an appointment to St Anne's School Management Committee. The
605 States of Alderney is asked to resolve to appoint, for a period of one year renewable at the next
Annual January Meeting, one Member as a representative on the Management Committee of
St Anne's School.

The President: Thank you very much, Madam Greffier.

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

Mr McKinley: No, sir, there were no comments on this Item.

The President: Thank you very much indeed.

615 Do I have a proposal, please, for membership of the School Committee?

Mr Roberts: I would like to propose Mr Snowdon, please.

The President: Mr Snowdon, are you willing to serve?

620

Mr Snowdon: I am, thank you, Mr President.

The President: Do I have a seconder for Mr Snowdon, please?

625

Mr Dean: I will second that.

The President: Thank you.

Are there going to be any other proposals for this position?

630 There being no other proposals, Mr Snowdon, you are duly elected for the position of the
States representative for St Anne's School Management Committee for a period of one year.

Thank you.

**XI. Guernsey States of Deliberation –
Mr Jean and Mr McKinley elected as Alderney Representatives;
Mr Roberts and Mr Dean elected as Alternative Alderney Representatives**

The States is asked:

(a) To elect two Members to sit in the Guernsey States of Deliberation for 2018, and

(b) To elect two other Members to sit in the Guernsey States of Deliberation as Alternative Representatives for 2018.

The President: We move to Item XI, please, Madam Greffier.

635 **The Greffier:** Item XI is the election of Alderney Representatives to sit on the Guernsey States
of Deliberation. Following the procedure as laid out in the Resolution of the States of Alderney
dated 18th October 2006 and the plebiscite election of 10th December 2016, the States of
Alderney is asked to elect two Members to sit in the Guernsey States of Deliberation for 2018
and to elect two other Members to sit in the Guernsey States of Deliberation as Alternative
Representatives for 2018.

640

The President: Thank you very much indeed.

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

645 **Mr McKinley:** It was noted that there has been no requirement for the Alternative Alderney
Representatives to sit on the Guernsey States of Deliberation during 2017.

The President: Thank you very much, Mr McKinley.

650 We will deal with section (a) first. In line with the procedures laid out in the Resolution of the
States of Alderney dated 18th October 2006 and the plebiscite election of 10th December 2016,
the following Members were elected as Alderney Representatives in the States of Guernsey,
those being Messrs Jean and McKinley.

So we now move to section (b), when nobody was mentioned in the plebiscite, so I am now
calling for people to take the position of the two other Members to sit in the Guernsey States of
Deliberation as Alternative Representatives for 2018. Do we have any proposals, please?

655

Mr Roberts: Can I propose Mr Dent, please.

The President: Mr Dent. Okay, you are proposing Mr Dent.

Mr Dent, are you willing to serve?

660

Mr Dent: I am willing to serve, Mr President.

The President: Thank you.

Do I have a seconder for Mr Dent, please?

665

Mr McKinley: Yes, sir, I second Mr Dent.

The President: Thank you very much indeed.

Do we have any other proposals for membership as Alternative States Members? Mr Dean.

670

Mr Dean: I would like to propose Mr Roberts.

The President: Mr Roberts, are you willing to serve?

675 **Mr Roberts:** I am, sir.

The President: Do we have a seconder for Mr Roberts?

680 **Mr Jean:** Yes, I will second Mr Roberts.

The President: Thank you very much.
Do we have any other proposals for this position? Mr Snowdon.

685 **Mr Snowdon:** I would like to propose Mr Dean. Thank you.

The President: Thank you very much.
Mr Dean, are you willing to serve?

690 **Mr Dean:** Yes, I am, Mr President.

The President: Thank you.
Do I have a seconder for Mr Dean, please?

695 **Mr Barnes:** I will second Mr Dean.

The President: Thank you very much.

Do I have any other proposals for people to go forward for election as the Alternative Representative? There are no others. I have three people at the moment: Mr Dent, Mr Roberts and Mr Dean. There are no others? No.

700 In that case, every States Member will be given two votes to fill these positions. You will call the roll and as you are asked to answer the roll you will nominate the two candidates you wish to be Alternative Representatives. Madam Greffier, would you please call the roll.

A vote was taken and the results were as follows:

FOR MR DENT

Mr Tugby
Mr Roberts
Mrs Paris
Mr McKinley
Mr Dent

FOR MR ROBERTS

Mr Tugby
Mr Birmingham
Mr Jean
Mr Roberts
Mrs Paris
Mr McKinley
Mr Dent
Mr Snowdon
Mr Dean
Mr Barnes

FOR MR DEAN

Mr Birmingham
Mr Jean
Mr Snowdon
Mr Dean
Mr Barnes

705 **The Greffier:** Mr President, we have 10 votes for Mr Roberts and we have 5 votes each for Mr Dent and Mr Dean.

The President: That being the case, I would ask States Members to vote again, their choice being either Mr Dent or Mr Dean, please.

A vote was taken and the results were as follows:

FOR MR DENT

Mr Tugby
Mr Roberts
Mrs Paris
Mr McKinley
Mr Dent

FOR MR DEAN

Mr Birmingham
Mr Jean
Mr Snowdon
Mr Dean
Mr Barnes

The Greffier: The result is 5 votes each for Mr Dent and Mr Dean.

710 **The President:** Thank you very much indeed.

Mr Dean already being an Alternative Representative, I will use my casting vote to maintain the status quo, there being insufficient support for Mr Dent. So that means that our two Representatives are Mr Roberts and Mr Dean.

**XII. Beneficial Ownership (Alderney) (Definition) (Amendment) (No.2) Regulations, 2017 –
Item approved**

Item XI.

The States is asked:

To resolve that the Beneficial Ownership (Alderney) (Definition) (Amendment) (No.2) Regulations, 2017 not be annulled.

The President: Could we now move to Item XII, please.

715

The Greffier: Thank you, Mr President.

Item XII is the Beneficial Ownership (Alderney) (Definition) (Amendment) (No.2) Regulations, 2017. The States of Alderney is asked to resolve that the Beneficial Ownership (Alderney) (Definition) (Amendment) (No.2) Regulations, 2017 not be annulled.

720

The President: Thank you very much.

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

Mr McKinley: There were no comments on this Item, sir.

725

The President: Thank you very much.

Mr Dent, I believe you wish to propose this.

Mr Dent: Mr President, colleagues, this is yet another piece of legislation that we are being asked to approve in something of a hurry.

730

I do not want to go into too much detail as the measures are really all benign. Two of the three amendments relax the regulatory regime, albeit by only a small amount, and that is undoubtedly a good thing; and the third plugs an important gap in the information on the register.

735

Having said this, I simply commend the Chamber not to annul the Regulations as approved by P&F in December. Thank you.

The President: Thank you very much Mr Dent.

Mr Barnes, I believe you wish to second this.

740

Mr Barnes: Yes, I do wish to second it and I have nothing to add.

The President: Thank you very much.

745 Does any Member wish to speak on Item XII, Beneficial Ownership? No Member wishing to speak, the States of Alderney resolve the Beneficial Ownership (Alderney) (Definition) (Amendment) (No.2) Regulations, 2017 not be annulled.

Thank you very much.

**XIII. Proposed changes to eGambling legislation –
Alderney eGambling (Amendment) Ordinance, 2018 approved;
Gambling (Alderney) (Amendment) Law, 2018 approved**

The States is asked to approve:

1. *The Alderney eGambling (Amendment) Ordinance, 2018; and*
2. *The Projet de Loi entitled The Gambling (Alderney) (Amendment) Law, 2018 and to request the Bailiff to present a most humble petition to Her Majesty in Council for Her Royal Sanction thereto.*

The President: Madam Greffier, if we could move to Item XIII, please.

750 **The Greffier:** Item XIII is Proposed Changes to eGambling Legislation. The States of Alderney is asked to approve, firstly, the Alderney eGambling (Amendment) Ordinance, 2018; and secondly, the Projet de Loi entitled the Gambling (Alderney) (Amendment) Law, 2018 and to request the Bailiff to present a most humble petition to Her Majesty in Council for Her Royal Sanction thereto.

755

The President: Thank you very much indeed.

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

760 **Mr McKinley:** There was one comment, sir. It was advised that the Commission are comfortable with overseeing the regulation of the additional category of licence and that it has been requested by them.

The President: Thank you very much, Mr McKinley.

765

Mr Dent, I believe you wish to propose this.

770 **Mr Dent:** Mr President, colleagues, I consider these as important changes to our gambling legislation. The gambling legislation currently allows the Alderney Gambling Control Commission (AGCC) to license operators who meet all the necessary stringent requirements to ensure that they are fit and proper and that the gambling operations they control are conducted fairly and reasonably.

775 At present there are three categories of licence. The first two are issued to businesses registered in Alderney and operating within the Bailiwick. The first relates to a gambling company which is selling its products direct to the customer. This is commonly referred to as a B2C – shorthand for business to customer. The second is for a locally based gambling business which is trading directly with another gambling business – for example, providing software, expertise or other support services. This is commonly referred to as a B2B, business to business. The third, introduced in 2009, is for gambling-related businesses outside the Bailiwick which want to supply services to locally based gambling businesses. Thus, for example, a gambling

780 software company may seek such a licence in order that it can sell its product to an Alderney
gambling company and the Alderney company can be assured the software provider has met all
the stringent requirements of the Alderney Gambling Control Commission. This can be described
as a B2B associate.

785 What is now proposed is the introduction of a fourth category of licence similar to the B2B
associate licence. It will, however, allow businesses outside of the Bailiwick who can
demonstrate that they meet all the strict criteria of the Alderney Gambling Control Commission
to obtain an associate's licence and be able to deal directly with gambling customers. This could
be referred to as a B2C associate.

790 It is interesting to note that these businesses will still be subject to all the gambling
regulatory requirements of the jurisdiction in which they are based. Furthermore, in the event
that something goes wrong, they will be investigated and dealt with by the home licensing
jurisdiction. Nonetheless, for trading on the international stage a number of these businesses
wish to demonstrate that they are operating to the highest of standards such as those set by the
AGCC. Whilst, of course, they could relocate from their current jurisdiction and set up in
795 business in Alderney, the organisational upheaval, the costs and the cultural ties of the business
owners tend to make this unattractive. However, this new category of licence will enable them
to subject themselves to the scrutiny to actually demonstrate that they are A++ quality gambling
operators and yet not actually relocate.

800 Feedback from the Alderney gambling and gaming industry is that this will be a welcome
addition to the licence offering. It is not expected to see any material reduction in the number of
licences based in Alderney and operating out of the Bailiwick, but it is predicted to increase the
number of total licences issued by AGCC and a corresponding increase in internet revenue.

Mr President, colleagues, I therefore commend both the Alderney eGambling (Amendment)
Ordinance and the Projet de Loi entitled the Gambling (Alderney) (Amendment) Law, 2018.

805 Thank you.

The President: Thank you, Mr Dent.

Mr Snowdon, I believe you wish to second this.

810 **Mr Snowdon:** Thank you, Mr President, fellow colleagues.

Following on from Mr Dent, I am very happy to support this Item. It is a very important step
forward for the Alderney Gambling Control Commission and I think it will be very beneficial to
the Island as well if we are able to support this Item. Thank you.

815 **The President:** Thank you very much, Mr Snowdon.

Does any Member of the States wish to speak on Item XIII, Proposed Changes to eGambling
Legislation? Mr Birmingham.

Mr Birmingham: Thank you, Mr President.

820 As a States nominated director of AEG Ltd, which is the States of Alderney company tasked
with marketing the Island as a gaming jurisdiction, I would like to express my wholehearted
support for the introduction of new licence categories. It has been through the introduction of
innovative new products such as these that the Island has maintained its pre-eminent position in
the world of online gaming regulation. By being responsive to the industry's changing face and
825 developing new products in this way the jurisdiction will remain relevant to the gaming industry
and stay at its forefront and this will help maintain this vitally important stream of income to the
Island for years to come.

However, as a director of AEG Ltd and tasked with marketing those proposals, I believe it
would not be proper for me to vote and hence I state my intention to abstain on this Item.

830 **The President:** Thank you very much, Mr Birmingham.
Does any other Member wish to speak on this? Mr Jean.

Mr Jean: Sir, I think this is good; it is excellent and I am delighted. I agree with every word that Mr Birmingham has said. These are the kind of things that if we can do and make progress with them they will help Alderney. But I would remind Members we must build for the fees that we receive when we receive them at the end of each year, very gratefully ... we must make sure that we have good practical programmes in place showing that we are using that money wisely and on the infrastructure of the Island and more practical projects of a nature that will help the Island out of the recession in order to make a valid case in due course for keeping that money.

840 Thank you, sir.

The President: Thank you, Mr Jean.
Does any other Member wish to speak on this? Mr Barnes.

845 **Mr Barnes:** I would just like to add my thoughts in the same way as Mr Birmingham, Mr Jean and Mr Dent; but like Mr Birmingham, I feel I have to abstain as I am also a director appointed by the States of Alderney and hence have a conflict of interest.

The President: Thank you very much, Mr Barnes.
850 Does any other Member wish to speak on Item XIII? In that case, Madam Greffier, would you put both of these items to the vote in the first instance together, items 1 and 2.

A vote was taken and the results were as follows:

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

The Greffier: Mr President, that is 8 votes and 2 abstentions for this Proposition.

The President: Thank you very much indeed.
855 That being passed, could we please move to Item XIV.

**XIV. Co-opted BDCC non-States members –
Item debated without resolution**

The States is asked:

To debate without resolution the option for electing non-States members onto the Building and Development Control Committee.

The Greffier: Item XIV concerns the co-opted BDCC non-States members. The States of Alderney is asked to debate without resolution the option for electing non-States members onto the Building and Development Control Committee.

860 **The President:** Thank you very much, Madam Greffier.
Mr McKinley, as Convener, were there any comments on this at the People's Meeting, please?

Mr McKinley: There were, sir.

865 One question was: when are we going to have a proper qualified planning officer in place? The Chief Executive stated that the States are conscious of the requirement for this post, both in terms of the level of expertise but also the relatively low volume of applications, and the issue is in progress.

870 A view was expressed that there is a weakness in BDCC. The Committee are turning down applications spuriously. More experienced people and guidance are needed.

Mr Birmingham clarified his report and the procedure that will be followed if non-States members are co-opted onto the Committee. It was noted that co-opted members will be given voting rights, as set in the Law.

875 The following issues were also raised: will they be paid – this is to be discussed further; they have to be on the electoral roll; how is the qualified person going to be determined; and conflicts of interest.

It was noted that the majority of committee members on any Committee have to be States Members, and Policy and Finance has to be all States Members.

880 **The President:** Thank you very much, Mr McKinley.
Mr Birmingham, I believe you wish to propose this for debate.

Mr Birmingham: Thank you, Mr President.

885 I will not rehash the notes that accompany the proposal, but I will just make a short statement quoting some of the more vital parts.

890 Since 2008 the States has attempted to pass its own development proposals through the planning system. However, that has been problematic for a number of reasons, not least that the members of the Building and Development Control Committee also are members of other States Committees and those Committees are those that bring forward the development proposals. This creates a conflict for Members engaged in multiple roles as States Members between the regulatory function that the BDCC performs and the commercial aspects of proposals that may be being promoted by other Departments of the States.

895 From first-hand experience I have seen a situation where a BDCC member who voted against a development proposal in one committee continued to vote against that proposal in Building and Development Control, despite there being no relevant planning considerations to justify that decision. In order to try to solve this problem, one of my first actions as Chairman of BDCC was to ensure that there was relevant proprietary guidance in place in order that members of the Committee had a clear understanding of the decision-making process.

900 But good guidance is no substitute for independence and many jurisdictions get around problems of conflict of interest between Government and the planning function by removing elected officials from the process altogether. The introduction of independent suitably qualified individuals to assess an application against agreed criteria is a well-understood concept. I believe that such an approach could work for Alderney by introducing an element of non-political input to the Committee. Widening the pool of members for BDCC to include co-opted members with relevant town and country planning qualifications or expertise in conflict resolution or making independent judgements surely would only aid in reaching good, unbiased decisions. It would also allow for States Members to step aside more readily when States-sponsored developments are brought forward for consideration, leading to better transparency in that process and avoiding potential issues around the Committee being inquorate to make a decision.

910 In my view it is certainly worth a trial to see if it is workable. This autumn will see States elections and this will give the States an opportunity to trial co-opted members on BDCC until

the end of the year. The new States then can review the trial and decide if they wish to continue. If the States are supportive of the proposal, then I will return the letter to committee and then seek to bring forward prospective candidates for the full States to consider.

915 One question that was raised at the People's Meeting was if co-opted members were to be included on the Committee, should they receive payment. Well, I can only give my view at the present moment in time and I do believe that they should receive some stipend for attending meetings to compensate them for their time. However, that is a matter for maybe comments by the other Members here this evening.

920 As I brought this forward, it is a matter to find the views of the States and I look forward to hearing the views of the other Members.

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

925 **Mr Dean:** Yes, I would like to second it so that we can discuss it and debate it, but one thing I would like to say is it is very disappointing that we have 10 States Members and we have four Members on BDCC and we have struggled to get any other Members to come forward. If that had been the case when you stood for election, you probably would not have got elected. It is very disappointing indeed. We seem to have some workers on the States and a few shirkers.

930 Thank you.

The President: Thank you very much, Mr Dean.
Does any Member wish to speak on Item XIV? Mr Jean.

935 **Mr Jean:** I am a little bit concerned about the veiled criticism of Members' interests and the expert guidance which they might be given, and possibly the so-called conflict of interest through them being on a committee from which another application comes. Providing that interest is not personal and in the interest of the States of Alderney, I cannot see what difference it makes whether an application comes from another committee and a Member has spoken against that interest in that committee and has benefitted from the expert guidance and then still feels resolutely that they must vote against. That is, for me, the first point.

940 I am going off this idea; I am really going off it, and big time. The reason I am going off it is because that is a great concern to me but also I believe here that the membership of the co-opted members is already thought out in the degree of thought to this that we know nothing. To me, that is not satisfactory.

945 I also note the criticism from Mr Dean and I would perhaps like to make a point or two on that criticism. In my first two years as a Member of the States, in my first terms from 1990 to 1992 I was a member of Building and Development Control. At that time there was a lot of scandal and a lot of untruth said about that particular Committee. I had and have quite large interests in this Island; that is well known. I always declared those interests properly and clearly and anything to do with anything that affected in any way any business of mine, or might be viewed as –

955 **The President:** Mr Jean, we are not debating your probity here; we are talking about bringing people in.

Mr Jean: No, I am not talking about mine. I am trying to give you an example here. That Committee, although I was not removed from it two of the Members were removed by what I regarded as stories that were not correct. That left the Committee in pieces at that time.

960 Because of my large interests, I found myself, after what I went through those two years, those years ago ... that I would always have great difficulty in serving on that Committee. But I note this – this I do note: all the members were willingly reassigned to their positions. You may

965 think that you are shy on numbers. I am afraid that I have decided after hearing what the
Chairman said about the interests, that my view has changed. That has changed my view and I
will vote against this because I think it is wrong.

The President: Thank you, Mr Jean.

970 Does any other Member wish to speak? There is no vote, by the way, Mr Jean.

Mr Jean: No, that is fine.

The President: There will not be any voting; it is just for debate without resolution.
Mr Snowdon.

975

Mr Snowdon: Thank you.

Mr President, fellow colleagues, just to add on to the debate, really, I think Mr Birmingham
knows my views on this. I am totally against this because you are taking away what the public
are saying in who they voted for. You are putting people on and the public do not know who will
980 be going on to the BDCC and it is very much opening up Pandora's Box.

My view of BDCC is that you need to strengthen the Planning Department as the way forward
and hopefully get more States Members to join the BDCC, which unfortunately did not happen
tonight but we can keep trying. It is the way forward, in my view.

985 I think this was done, trialled, 17 years ago another States Member did tell us, and it was a
trial period. I am not quite sure how successful it was but this is not the way forward in my view
and I would hope we might get some more States Members to join some time, or with the new
upcoming elections I think that should be one of the things that is asked, whether the candidates
standing in elections will serve on BDCC during their time on the States.

Thank you.

990

The President: Thank you, Mr Snowdon.

Does any other Member wish to speak on this? Mr Dent, do you wish to speak?

Mr Dent: Yes, please, Mr President.

995 I do actually support this proposal. I believe that planning decisions should be as
professionally based as it is possible to make them. I think it is also a good thing if we can reduce
the possibilities of conflicts of interest and I think this can only be for the good.

This is actually an approach that has been adopted in many other jurisdictions and it works
very well. I am wholeheartedly behind this proposal.

1000

The President: Thank you, Mr Dent.

Mr Barnes, I believe you wish to speak.

1005 **Mr Barnes:** Mr President, fellow colleagues, I think some of us are missing the point here. We
are talking about workloads, we are talking about people on the various committees and the one
thing we have not mentioned tonight, and thankfully it is not on the Agenda, is the governance
review. I am sure that this sort of discussion can take place after we have had a governance
review because maybe we will get round to talking about sensible committees and a sensible
balance of committees in the first place.

1010 Thank you.

The President: Thank you, Mr Barnes.

Does any other Member wish to ...? Mr Tugby.

1015 **Mr Tugby:** I am totally against this idea, sir. Okay, they say there are not enough members,
that could cause problems on the BDCC, but at the end of the day surely if there was a shortage
of members they could always co-opt another States Member for a particular subject without
1020 having to go out and pay other people, members from the general public, to come in and do it. It
just seems if the BDCC was not so full of wanting so many rules and regulations ... When you
think that there are just over 2,000 in Alderney and we have spent in the last year, on planning
inquiries and land use inquiries and everything else, and ARUP, it must be getting on for £½
million in total, I would have thought, with the wages for the planning officer as well, if you take
1025 all that into account. And what amount of building has gone on this year? Hardly anything. The
Chairman of BDCC said himself very few planning applications are coming in, and it looks as
though it is not going to change in the distant future. They are so desperate for more planning
applications, in the new rules they want to even make a law such that you have got to apply to
dig a hole, so I think we are getting a bit too involved in petty rules and regulations and there are
more than enough Members on the States to actually be able to stand in if there is somebody
1030 short whilst there is a conflict of interest on that Committee. That is why I am totally against it,
sir.

The President: Thank you very much, Mr Tugby.
Does any other Member wish to speak on this Item? Mrs Paris.

1035 **Mrs Paris:** Thank you, sir.

Mr President, fellow colleagues, I can see some merit in a short trial of this, but I can also see
that the devil will be in the detail, particularly in how do you choose the co-opted members and
what counts as a qualification to be a co-opted member. I think a lot of comfort is required on
that point in particular before I could be fully supportive of such a trial.

1040 **The President:** Thank you, Mrs Paris.
Does any other Member wish to speak?

I would just like to point out three things, points of order: (1) that States Members cannot be
co-opted on to a committee if they are not willing to do so; (2) that this facility already exists
1045 within law, so nobody is talking about anything new; and (3) the method of choosing them is laid
down very clearly in the Rules of Procedure. Thank you. That's all I'd like to say on the matter.

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

1050 **Mr Birmingham:** Yes, thank you, Mr President.

I am slightly disappointed with some of the response, but it is not anything that I was not
necessarily expecting.

I would just like to address some of the points made by Mr Jean, as I appreciate ... I think
some of us remember the rather fractious time there was on the BDCC back in the early 1990s
when he was there. When we were talking about numbers and States Members joining the
1055 Committee, it is quite obvious that there are various people who have certain levels of business
interest in the Island that would make it very difficult for them to stand on the BDCC – and
certainly your case with a large property interest in the Island and particularly Mr Tugby's case,
where effectively any building work that comes along there is more or less likelihood that he will
be involved in it somewhere down the line. I perfectly understand why both you two gentlemen
1060 would always feel that it would not be appropriate for you to sit on the Committee. But in a way,
the example that you are giving there of the two of you is precisely the reason why I have
brought forward this idea. If you ended up with the situation with a large number of
businessmen on the States who all had those levels of interest, how would you fill the role of the
BDCC?

1065 In the big wide world there are jurisdictions where there are no elected officials involved at
all and decisions are made by appointed independent planning officers. You could argue that

that might be a solution for Alderney, but that is not what we have under the law at the moment. The law instructs that we have the formation of the BDCC, but the law also says that there is the possibility of co-opting, which would allow us to bring in those independent members.

1070

I have always been very aware of Mr Tugby's position about planning – I think it is fair to say libertarian would be Mr Tugby's view about the planning function, but we have the law. The law is in place on the planning function and unfortunately – or fortunately, whichever way you want to look at it – as Chairman of the BDCC I am the individual who is left to manage and implement it. My intentions always are to try and make the process as clear and as transparent as possible, and particularly if we are heading towards the situation where the States wants to make planning applications to itself we are going to have this issue of conflict of interest between committees. The only way that I can see to be able to alleviate that conflict is by having some independent members who are not involved in that conflict of interest on the Committee, and as the law sits at the moment, this is the method that I believe is possible.

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1080

It seems that I have not been able to convince the entire States of my argument, so I think the only thing I can do at the present moment is take the matter back to the Committee; we will discuss it and then see how we wish to take it forward. But I would like to thank you for your views and it has at least allowed us to put the issue in front of the public. The public have had the opportunity to have their say and see what they think and I am always grateful for the views of the other States Members to see whether what we are proposing has merit or not.

1085

Thank you.

The President: Thank you, Mr Birmingham.

XV. Capital expenditure for road resurfacing project 2018 – Capital funding approved

The States is asked:

To approve capital funding of up to £245,000 for the 2018 road resurfacing project, and to award the contract for the surfacing dressing works to Roads Maintenance Services Limited.

1090

The President: Item XIV having been debated without resolution, we will now move to Item XV, please, Madam Greffier.

The Greffier: Thank you, Mr President.

Item XV is capital expenditure for road resurfacing project 2018. The States of Alderney is asked to approve capital funding of up to £245,000 for the 2018 road resurfacing project, and to award the contract for the surfacing dressing works to Roads Maintenance Services Limited.

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The President: Thank you very much, Madam Greffier.

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

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Mr McKinley: There were a number of comments, mainly technical, which will be answered by Mrs Paris in her reply, but I just give you one or two of them.

1105

The President: I would ask you to read out all of the comments that were made.

Mr McKinley: Yes, I will, sir.

The President: Thank you very much.

1110 **Mr McKinley:** How thick is the new surface?
Will it be placed on top of existing, or will they scarify the surface first?
Will there be any channels at the side of the road to remove surface water to protect private drives etc?

Which materials will be used?
1115 Where will they operate from, i.e. will it be Mannez Quarry as per Ronez? Complaints were received at the time.
Where will they store plant?

The President: Mr McKinley, can you read out the full report, please, as provided to you. I presume you are looking at the same report as I am.

Mr McKinley: I am looking at the actual questions and I have the answers in red if you want me to read out the answers, but I was going to leave those to be answered by Mrs Paris.

1125 **The President:** Are these answers that were given at the People's Meeting?

Mr McKinley: No.

The President: In that case do not read them out.

1130 **Mr McKinley:** Well, that's what –

The President: What we want to hear here is what was said at the People's Meeting and, if there were any responses given at the People's Meeting, what responses were given. The copy I have got in front of me says 'No, it's a difference process perhaps out of Butes yard'.
1135

Mr McKinley: Yes, well, that is correct: 'Where will they store plant?' and the answer was given later by Mr Aaron Bray, who was not able to be at the meeting.

1140 **The President:** Thank you very much for that clarification. Please continue.

Mr McKinley: So the answers were not given at the meeting, but if you would like me to read the answers out I will.

1145 **The President:** No, what I want to hear is what was said at the People's Meeting.

Mr McKinley: That's fine.

Size of plant – will their plant fit our roads?

Confirmation that RMS will take the roads back to their original size. Ronez have gradually reduced the width of roads due to vegetation ingress, crumbling walls etc.
1150

A query whether the path from Val car park to Victoria Street will be carried out in surface dressing – the query was that the path is too narrow, possibly.

There were also questions on the ownership of some of the roads, particularly the road in Allee es Fees. The Treasurer advised that she understood Allee es Fees was States owned and this has since been confirmed by the Land Registry.
1155

Two other comments were to do with pavements. There was a lot of discussion about the state of our pavements and the Chairman of GSC confirmed that this would be discussed at the next GSC meeting and a separate proposal put forward to the repair of pavements.

There was a complaint about tarmac being dumped at Mannez quarry and the Chairman of GSC confirmed that this was required as infill for future projects, as approved within the Land Use Plan.
1160

That was it, sir.

The President: Thank you very much, Mr McKinley. I apologise for interrupting you, but I just wanted to get that quite clear.

1165

Mr McKinley: No, that is quite all right.

The President: Now we have had the Convener's Report, Mrs Paris, I believe you wish to propose this.

1170

Mrs Paris: Yes, I do.

Mr President, fellow colleagues, this proposal for road resurfacing is the culmination of several months of work and research by our Technical Services Officer, including his visit to Hampshire Council, who use this particular method very extensively. It was unanimously approved by the General Services Committee at our December meeting.

1175

The work is now urgent. It has been delayed by the very practical decision to defer it until after the majority of the trenching work required for infrastructure improvements had been completed. A significant number of roads have been affected by these improvements to our electricity, water and sewerage systems.

1180

Although Ronez have held the contract for our road maintenance for several years, it would have been remiss not to explore other possibilities to make best use of the budget available. As is often the case here, not many of those contractors originally approached produced final costings for the work, deeming our budget to be too low to be of interest.

This method of road resurfacing is widely used in the UK and it is also used in Jersey. It will protect our roads for several years. The process consists of using surface dressing with a lock-down binder. Areas obviously will be patched and repaired as required before this is done and a new surface which is between 6 mm and 10 mm surface dressing will be applied as an overlay to protect, seal and give a good surface finish. There will be loose chippings for a few days until the surface is re-swept and locked down. It is a quick and relatively quiet process using a lorry unit, so we will have no problems with getting this equipment on to our roads and it will be operated either from the harbour or the Bute, not Mannez Quarry. No road sizes will change, because obviously it is a surface dressing on top of the roads we currently have, and all current water flows will stay exactly as they are.

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Although not strictly in the roads budget, the General Services Committee wanted work to be done on the paths from the Val car park to Victoria Street to enable easier access from the New Connaught and from the medical centre to the town centre. This will be done using micro-asphalt, which is a sort of slurry.

1195

As the Convener has stated, there were several questions raised at the People's Meeting and I hope the above points will have answered them and also reassured States Members not on the General Services Committee that this is a well-considered and appropriate proposal and within our budget limitations.

1200

I think we must take note that delay will not improve the condition of our roads or keep the costs of this work from rising, and prevarication at this point will not give confidence to our potential supplier that we are a serious player, so I would urge my fellow States Members to vote for this proposal so that the work can be carried out in spring 2018.

1205

Thank you.

The President: Thank you, Mrs Paris.

Mr Barnes, I believe you wish to second this.

1210

Mr Barnes: I do, sir, thank you.

First of all, I would like to just congratulate Mrs Paris on her re-election and I look forward to working with her in the General Services this year.

1215 I wholeheartedly endorse and what I have is very little to add. I personally am responsible for the roads to the Committee and I have spent a lot of time liaising with the Technical Services Officer regularly and naturally reports behind the project. It is a new idea for us and the thought of doing the lesser roads first gives us the opportunity of checking that we are doing the right thing, so it is really a double saving.

1220 I believe it is the best way forward. It is what is available in a reasonable time and whilst Mrs Paris mentioned there are not many people want to come to Alderney to do this work and we do believe these are the right people.

Thank you.

The President: Thank you very much, Mr Barnes.

1225 Does any Member wish to speak on Item XV, Capital Expenditure – Road Resurfacing Project 2018? Mr Snowdon.

Mr Snowdon: Thank you, Mr President, fellow colleagues.

1230 This was rather a hot topic at the People's Meeting and I learnt quite a lot at the People's Meeting about this. I think at the People's Meeting the main thing that comes across is the quality of the road surface finishing. I was quite concerned about what the actual quality of the road would be, the finished surface of the road, because our existing surfaces are apparently quite good for island roads – and what would the quality be after this? Another concern is this loose chipping process, where I suppose you are putting loose chippings on and hammering them in or pushing them in somehow. That was a bit of a concern as well and I do share the public's concern about these different issues.

1235 I do not feel I have really got enough information to recommend this at the moment and I would like further information about all these different aspects of this before we go full hog on the whole project.

1240 Thank you.

The President: Thank you, Mr Snowdon.

Does any other Member wish to speak on Item XV? Mr Tugby.

1245 **Mr Tugby:** Yes, I support this project, sir, but I see that they are only going to spend £245,000 when there is £300,000 budget. We seem to have lost £150,000 somewhere along the line because it is three years and we always agreed in the past that we were going to spend £150,000 a year. So, in theory, it should have been £450,000, basically, instead of £300,000 if we had kept to the initial programme, but we seem to have drifted off. But seeing we have only budgeted £300,000 and they are only going to spend £245,000, it may be that they could do something with Clonque Road with some of the money they have saved and also the road around the back of the Airport. A number of cars go around that way and it is in an appalling state and definitely could do with being improved upon, and some of the pavements could do with being improved as well. I hope that the General Services Committee will look at some of these other options because they definitely do need doing.

The President: Thank you, Mr Tugby.

Does any other ...? Mr Roberts.

1260 **Mr Roberts:** I would just like to agree with everything that Mr Tugby said, actually, particularly about the road of the back tracks. My own daughter fell badly last week. All of her side is bruised, the road is that bad. I agree with everything you have said.

Thank you.

The President: Thank you, Mr Roberts.

1265 Mr Dent.

Mr Dent: Mr President, colleagues, I think this work is rather urgent. We do not have many heavy vehicles, so thick overlays are really not necessary. Surface dressing will protect our roads from the weather, water damage and potholes developing and I would commend this work to be got on with as soon as possible.

1270

The President: Thank you, Mr Dent.

Does any other Member ...? Mr Birmingham.

1275 **Mr Birmingham:** Thank you, Mr President.

I would just first like to say I support the proposal. I think it was sensible to delay, obviously, as States Member on the board of AEL I am aware of the accelerated upgrade programme going on. My understanding from our technical guys is that our trench work on all the roads is now pretty much finished. There are a couple of minor parts that might be taking place, but looking at this list here, much of this is reinstatement of the roads where that work has taken place, so I am fully supportive.

1280

I have got ... it is not so much a query but I am willing to be corrected here. My understanding always was that we received £125,000 a year from Guernsey as a grant towards our road improvements. I believe that was the agreement that was put in place some time back. I would just ask the question that ... hence we ended up towards £250,000 every two years because we have rolled it up and we have saved money from mobilisation costs, which made sense. Just as a general question from my side to everybody: do we feel that £125,000 a year from Guernsey will be a reasonable figure for them to grant us for that work, considering the figure for fuel duty raised on Alderney is in excess of £300,000 a year? I would say that this is a very good example of a tax that needs repatriating back to Alderney.

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The President: Thank you very much, Mr Birmingham.

Does any other Member wish to speak on this Item? Mr McKinley? (**Mr McKinley:** No, sir.) Mr Jean?

1295

Mr Jean: Thank you, sir.

I think, in the first place, I remember us discussing the roads some time back and we delayed the work. That was our decision and it was delayed because of the amount of trenching and cable laying that was going on. That is the first point.

1300

One of the things I am really delighted to see in this – and I am interested in both the process and I am also delighted to hear that the pathway along from the Connaught Nursing Home is going to be done. I think it is high time it was and I gather and I hope it is going to be widened so that wheelchairs can go down there. I understand as well that there is a small problem in the middle, but I believe that you may know about that. There is a step well, so the fall will have to go both ways away from that step well. Other than that, I think it is laudable, it is time and I am glad that the trenching work is done so that it hopefully will not be disturbed again, unless of course in emergency.

1305

Thank you, sir.

1310 **The President:** Thank you, Mr Jean.

Does any other Member wish to speak on this Item? There being no other Member wishing to speak on ... Sorry, Mr Dean, please call my attention if I am going to move ahead of you.

1315

Mr Dean: Mr President, fellow States Members, I would just like to reiterate what Mr Birmingham has just said. He raises a valid point. If the duty on fuel was to abolish the road

tax, that way the user pays so the more you use your car the more wear and tear you are doing on the roads, the more money it generates for us to actually repair the roads. Obviously, these are some of the minor roads; we have still got some major roads that need doing, so it certainly needs looking into so that that can be allocated into our budget for future repairs.

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The President: Thank you, Mr Dean.

Mr McKinley, you still do not wish to speak on this? (**Mr McKinley:** No, sir.) Thank you very much.

Mrs Paris, do you wish to exercise your right to reply?

1325

Mrs Paris: Yes, please, sir, thank you.

Mr Snowdon's point about the quality of the road surface finish: it should be absolutely fine. What we are talking about is covering over roads which are in relatively good condition at the moment, and that is the important thing because we are preserving the life of what is underneath and saving ourselves from putting a big thick layer of tarmac down. I am sure we have noticed in numerous places that the roads are getting really quite high and we are going to have to address that at some point in the future by taking out all the tarmac which is there and starting again much lower down. This should give us several years of breathing space to keep the roads that we have in good condition without causing ourselves any more of those problems. He is quite right when he says there will be loose chippings. That should only be the case for a few days and then they will be locked down in the second part of the procedure.

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The budget that we have is entirely from the capital budget. It is not from the revenue budget and it is not from Guernsey. We have missed effectively a couple of years because, as we have said, we have been doing so much improvement work and trenching work and there is very little point in doing the roads and then digging them all up again straight away. So, hopefully, when this is done we shall have some excellent-looking roads for some considerable period of time.

1340

Yes, it is under the budget. That is partly being cautious, because this is a new process and it may well be that perhaps we should look at doing a little bit more, but that is for the future to decide and see how it goes. One has to be aware that in many instances in what you think is going to be your project there may be a little bit of slip when you actually get down to the nitty-gritty of doing the job.

1345

I think that to do something with the back roads is ongoing and necessary and I am sure our Technical Services Officer will be on the case with that.

The widening of the path: we are little limited because we have got walls on both sides, but having said that, it drains very badly and I know that the Technical Services Officer is on the case to make as good a job as possible of it as soon as possible; and although it strictly should not be in the roads budget, we did feel as the Committee that it is a very important pathway which a lot of people who perhaps are not too steady on their feet use to get backwards and forwards, and therefore we brought it up the priority list as much as we could.

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Obviously this is ongoing. This is the 2018 springtime chunk of doing the roads. We will be continuing to spend the budget and bring more proposals before the States to do more. It is good housekeeping; we just have to keep going, repairing them all the time.

Thank you.

1360

The President: Thank you, Mrs Paris.

Madam Greffier, would you please put Item XV to the vote.

The Greffier: The States of Alderney is asked to approve capital funding of up to £245,000 for the 2018 road resurfacing project, and to award the contract for the surfacing dressing works to Roads Maintenance Services Limited.

1365

A vote was taken and the results were as follows:

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

The Greffier: That motion is unanimously passed, Mr President.

The President: Thank you very much, Madam Greffier.

XVI. Questions and Reports

1370 **The President:** I have received no Questions and Reports under Item XVI. Could you confirm that you have received none either, Madam Greffier?

The Greffier: No, no Questions or Reports have been received.

1375 **The President:** Thank you very much, in which case it just remains for me to wish everybody a belated Happy New Year and ask you to bring this meeting to a close.
Thank you.

PRAYERS

The Greffier

The Assembly adjourned at 7 p.m.