



**OFFICIAL REPORT**

**OF THE**

**STATES OF THE**

**ISLAND OF ALDERNEY**

**HANSARD**

**The Court House, Alderney, Wednesday, 11th September 2019**

*All published Official Reports can be found on the  
official States of Alderney website [www.alderney.gov.gg](http://www.alderney.gov.gg)*

**Volume 7, No. 8**

**Present:**

**Mr William Tate, President**

**Members**

Ms Annie Burgess  
Mr Mike Dean  
Mr James Dent  
Mr David Earl  
Mr Kevin Gentle  
Mr Christian Harris  
Mr Louis Jean  
Mr Graham McKinley  
Mr Steve Roberts  
Mr Alexander Snowdon

**The Greffier of the Court**

Mr Jonathan Anderson

**Business transacted**

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## States of Alderney

*The States met at 5.30 p.m. in the presence of  
Lieutenant G T Workman RN (Rtd),  
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:** Sir, all 10 Members are present.

**The President:** Thank you, Mr Greffier.

### Convener's Report of the People's Meeting held on 4th September 2019

5 **The President:** First could we deal, please, with the Convener's Report.

**Mr Dent:** Mr President, thank you.

10 I confirm that I was the Convener. I was assisted by the Executive Assistant and five States Members, excluding myself. There was the minutes secretary, there were 17 members of the public and five members of the press. Apologies were given for Messrs Roberts, Snowdon and Earl, the Chief Executive and yourself, sir.

## Billet d'État for Wednesday, 11th September 2019

### I. Chief Pleas – Chief Plea from Mr Winder re GCSE results

*Item I.*

*Persons whose names are included on the Register of Voters and who have given due notice will address the States on matters of public interest.*

**The President:** Mr Greffier, might we please move to Item I on the Billet?

**The Greffier:** Yes, sir. Item I this evening is Chief Pleas. One Chief Plea has been received, a copy of which you should have before you.

15

**The President:** Thank you, and that Chief Plea is from Mr Winder.

Would you care, Mr Winder, to come forward, please? Before you start, would you just allow me to quickly explain to people who are not familiar with this procedure that historically the Chief Plea is an opportunity for members of the community to address their States Members on a matter of interest – and historically at a time when they were not necessarily able to do that by way of writing in that Proposition. It is still that opportunity for members of our community and that opportunity is being taken advantage of tonight.

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I have to warn you, Mr Winder, in the nicest possible way, that the law requires me to tell you that nothing in the section of the legislation which deals with Chief Pleas confers upon a person who addresses the States any other right, privilege or immunity. What that means in simple terms is that if you were to make a statement and someone felt aggrieved by it, then you would not be able to rely on any protection of this Chamber. It is simply a warning to ensure you understand that.

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Thank you very much indeed. Would you please now proceed.

30

**Mr Winder:** Yes, sir. The draft you have before you is not quite what I have to say but it is substantially the same. I hope that is acceptable. I will supply what I am going to say this evening afterwards, if you want it.

35

**The President:** That would be very helpful, thank you.

**Mr Winder:** I wish to speak about GCSE results. The indicator used to judge the system's general health at the median level – that is five or more good passes, C or above, including mathematics and English – has fallen this year. Alderney's performance is particularly disappointing but it forms part of a Bailiwick-wide problem in the middle range of abilities. Grammar school performance on this indicator fell from 97.6% to 88.6%. Beaucamps held up very well, but Bailiwick-wide figures fell from 68.4% to 63.9%. The ESC Vice-President admitted that these results were disappointing.

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I believe the reason for this disappointment is that staff morale is low and staff retention has been poor across the Bailiwick. Larger schools can move staff around much more easily than small ones, so we should not be too surprised that Alderney's results are poorer than most, but we should be worried that they are even worse, at 18.8% this year, than the disastrous year of 2016 when it fell to 25%.

45

Many of you will remember that inspectors wrote a damning report in 2015 that diagnosed the problem as a combination of a disengaged cohort with weak quality management. The quality management problem was down to the managerial incompetence at the top, but the students – and, I may say, their parents – must accept some responsibility for the problem of disengagement. Anyway, the head teacher quit and we allowed ourselves to hope that St Anne's would once again become a school where everyone was inspired to learn and supported to succeed. Sadly, that principle did not apply to staff. Instead of inspiring our staff to learn how to do better and supporting them to succeed, we let morale collapse. It must be said 2017 was a better year than 2016: 54% here compared to a Bailiwick average of 66%. It is not written here, but I should say it is understandable that our figures are lower than the Bailiwick's because the 11-plus creams people off, so there is nothing wrong at all with 54% as against 66%, but the teachers who prepared these pupils were being driven away, so there were some concerns in the community.

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The last students who started their GCSE preparations under the old regime took their exams in 2018 and 50% got five good grades including maths and English, compared to 68% across the

65 Bailiwick, but I felt that by this stage the cracks were beginning to show. In early 2019 I wrote a policy brief about early years provision and economic recovery that contained the words:

Relations between the school and the community are strained. The staff retention is probably poorer in the school than it is in the early years sector. For us ...

– that is the early years sector in Alderney –

to be seen as part of a struggling school might compromise our efforts to maintain open lines of communication between carers and multi-agency support systems.

70 I truly did not think I was saying anything controversial. I was not repeating unsubstantiated allegations or pointing fingers, merely hinting that thoughtful observers believed our failure to retain key personnel would drive academic standards down. Sadly, the Education Committee went into attack mode. I am not going to waste your time with details, it is enough to know that if you try to give them a heads-up they will try to shoot the messenger, but the figures are out there and I stand by that statement. Failure to retain key personnel is undermining educational standards. I am not just speaking here about Alderney, sir; I am speaking about the whole Bailiwick.

75 There have been allegations of bullying and harassment against the Chair of Policy and Resources in Guernsey, there have been calls to the Chair of ESC to resign over alleged recruitment irregularities and the Director of Education, Laura Baker, decided to quit almost before she took up her post. We need to look closely at what the States of Guernsey is trying to do and why it is so reluctant to tolerate dissent.

80 Deputy Matt Fallaize tells us his policies are designed to provide educational excellence and equality of opportunity for all, but the purpose of a policy is what it does and these policies consolidate secondary education on two large sites to free up valuable real estate for future development. This asset-stripping exercise is unlikely to have any beneficial impact on the educational offer. There is some evidence of a similar asset strip in the pipeline for Community Health and Social Services and we may soon have overworked health visitors and social workers hot-desking in crowded offices so more public assets can be handed over to developers. This is damaging morale across the Bailiwick in ways that will have knock-on effects for Alderney downstream.

90 To maintain and enhance devolved services in Alderney we must make the States of Guernsey more receptive to critical feedback from their own personnel and the community and work with them to improve staff morale. Let's ask our Guernsey Representatives to approach the Scrutiny Management Committee (SMC) with two concrete policy recommendations. SMC is already working on the problem of retaining key personnel, so let's ask them to undertake a staff satisfaction survey right across the education sector. I am not just talking about teaching staff here – classroom assistants, auxiliary workers, administrators and especially civil servants working in education should be invited to participate. And while we are at it, let's see if we can make contact with personnel who have worked in education over the last three years but have moved on. Let's hear what they have to say.

100 My second recommendation is to ask SMC to create an ombud's office with a well-designed webpage that gives direct links to the latest policy documents and laws on workplace inclusivity, bullying, harassment, discrimination, health and safety and so on. These could be used as resources for a streamlined complaints procedure that would cover all States Departments and Committees. The States of Alderney has already committed to working with Guernsey on these issues, so we are entitled to make suggestions. Ideally there would be an ordinance that  
105 authorised the ombud's office to mediate between the States and complainants in the first instance and to recommend retraining or disciplinary action when things go wrong. It would

need statutory teeth to ensure compliance and a measure of independence to prevent wrongdoers colonising SMC and subverting the process.

Thank you for your kind attention.

110

**The President:** And thank you very much for your very eloquent address. The process now is that the States Members will carefully consider the matters that you have raised and they will respond to you in writing, if you so wish.

115

**Mr Winder:** That is very kind. Should I leave a copy of this?

**The President:** It would be very helpful, thank you.

120

**Mr Winder:** It might be appropriate since my first draft is slightly different. Thank you, Mr President.

**The President:** Thank you, Mr Winder.

## II. Implications of a no-deal Brexit – Item approved

*Item II.*

*The States is asked:*

*To request the President to convey the concerns of the States of Alderney to the Parliamentary Under-Secretary of State and to seek a meeting with him to ensure these concerns are fully understood and taken into account by the UK Government.*

**The President:** Mr Greffier, could we now move on, please, to Item II on the Billet.

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**Mr Greffier:** Thank you, sir.

Item II this evening is the Implications of a no-deal Brexit. A letter has been received from Mr Dent in his capacity as Chairman of the Policy and Finance Committee and the States of Alderney request that the President convey the concerns of the States of Alderney to the Parliamentary Under-Secretary of State and to seek a meeting with him to ensure these concerns are fully understood and taken into account by the UK Government.

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**The President:** Thank you, Mr Greffier.

Mr Dent, were there any observations made at the People's Meeting in relation to this Item?

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**Mr Dent:** Mr President, there were indeed. It was noted that over the last six to eight months there have been occasional difficulties with some medical supplies, and with our ageing population the timely supply of medicine is of course vitally important. It was noted the problem could get worse with a no-deal Brexit. The Convener – myself – advised that this is one of the issues relevant to tonight's discussion.

140

**The President:** Thank you. You may stay on your feet, if you wish, because I think you intend to propose this.

145

**Mr Dent:** I will be very pleased to keep on my feet.

**The President:** Thank you.

150 **Mr Dent:** Mr President, when Policy and Finance first suggested the need for this debate, little did we know of the shambles that the UK is now finding itself in. I fear the current chaos could actually get worse, and with the Prime Minister threatening to ignore the law there is now even a possibility of civil strife in the UK adding to the logistics difficulties we already knew we could face.

155 Mr President, colleagues, I think I need to kick off this debate with a little background information. We have all been listening to the UK news and we all have our views, but a little local context is important. The potential for a no-deal Brexit clearly carries with it a number of risks for the UK, the European Union and ourselves. The current potential for a very disorderly no-deal Brexit clearly adds to those risks. The Crown Dependencies need to take particular account of the situation for two reasons: because we are small and because we rely on others. Conceivably on 31st October, or maybe some time afterwards, our arrangements under Protocol 3 will come to an abrupt end and we will be relying on others to ensure minimum disruption in our lives. It is therefore important that we understand these risks, how they are being dealt with and what levers we have under our own control to influence things.

160 The first thing to note is that preparations for Brexit have been underway for some time. I do, however, have to say that until recently the preparations focused on the assumption of a deal and orderly preparations. Anyway, Alderney takes part in the joint arrangements across the Bailiwick through the Guernsey Local Resilience Forum. Alderney feeds information into the Local Resilience Forum for it to go to the Tactical Co-ordination Group and the Strategic Co-ordination Group. It is also worth pointing out that this work is also co-ordinated with the Jersey Resilience Forum so that the concerns of the Channel Islands as a whole are understood in the UK.

170 We have some joint aims across the Channel Islands in relation to a no-deal or disorderly Brexit: preventing or mitigating any negative effects; working together to support business continuity in the Channel Islands; achieving a new normality as soon as possible after Brexit and reassuring our communities and treating people who may be affected with dignity and respect.

175 Underneath these high-level aims there has been a considerable amount of work done to look at specific areas of risk. The specific areas of risk to services in the Bailiwick include, as I have just noted, medicines and medical supplies, food supplies, fuel supplies, some staffing where we are dependent on workers from other countries, and the potential for surges in demand and other disruptions to the supply chain – for example, difficulties in sourcing spare parts. For each of these areas, subject specialists have been working to ensure that potential problems are either avoided or that additional supplies are stocked to get over any transitional disruption. For example, it includes special arrangements, where needed, in UK ports to ensure that supplies bound for the Channel Islands are fast tracked to avoid being caught up in border queues. There are other areas that require our attention – for example, the potential for disruption to travel, delays for travellers at borders, the impact on EU citizens, disruption in areas of data sharing, and the potential for community tension or disorder and business continuity – or discontinuity. All of these receive attention through the current Local Resilience Forum arrangements.

180 It is important to stress that we are not alone in this work. The Crown Dependencies, in common with the British Overseas Territories, have channels for direct access into the UK's Brexit planning processes, channels that should ensure that our concerns and risks are fed directly into Cabinet Office discussions. All of this is good partnership work across the Bailiwick. However, in common with other issues, there are some specific concerns which are different for Alderney and it is important that we can draw attention to these as and when it is necessary, bringing them directly to the attention of the UK government. There are three examples I would like to make.

195 Firstly, Alderney is right at the end of the supply chain for many things, so we do carry some additional risks. For example, many medical supplies reach us via Guernsey and for this reason

we need to constantly highlight the extra link in the supply chain and the additional delays that might result.

200 This of course links into the ongoing challenges in terms of transport and connectivity that we face. Our direct freight connection with Poole is critical and if ever there was a moment to understand just how vital the direct air link with Southampton is, Brexit is that moment.

205 Thirdly our nearest neighbours are just across the water in the Cotentin Peninsula. Fishermen from our waters land fish there. Many people from here visit Diélette and Cherbourg and we have many visitors to Alderney from France. There must be working arrangements in place with our nearest neighbours, so that our present close ties can continue without disruption.

210 Particular concerns like these are critical for Alderney. It is therefore important that we can and do make representations directly to the UK. That is why I have written to James Duddridge, the new Parliamentary Under-Secretary of State at the Department for Exiting the European Union, who recently visited Guernsey. It is also why last year we had talks with Robin Walker, who was Minister at the Department for Exiting the European Union under Theresa May. We need to keep the direct channels of communication open to ensure that all of these issues are understood.

215 Mr President, I hope that this has reassured the States and the public that we are all working hard to try and minimise any disruption caused by a no-deal or disorderly Brexit. If the UK leaves without a deal and if it leaves in a disorderly, chaotic fashion, it will of course be a step into the unknown, but with the planning and preparation we are doing I hope we can avoid the most difficult consequences.

220 I will now come to tonight's Proposition. Mr President, colleagues, the Proposition before you tonight takes us a step beyond mere reassurance. I have tonight invited my colleagues, with a marker on the specific issues facing Alderney, to make it clear that simple acceptance of the work being undertaken on our behalf by Guernsey may not always be enough and, in the words of the Boy Scouts, we need to be prepared. It is a simple Proposition. If you pass it, as I hope you will, we will be better able to take any matters you raise tonight, or indeed might be raised during the next two or three months, to the appropriate authorities in the UK. The situation we now face is far from clear and the greater clarity that we appeared to have when it seemed we were likely to be leaving with a deal has largely evaporated.

225 During the last discussions we had with Guernsey, which incidentally were before the latest confusion, they made it clear that nothing was certain, and only one thing is now sure and that is that it is certainly less certain that it was then.

230 I finally want to say to the one Member who opposed us having this debate and who doubted the usefulness of a public discussion: yes, we could have had it in P&F, but I think it is far better to debate these things in public and in this Chamber.

235 Thank you very much, Mr President.

**The President:** Thank you, Mr Dent.

Mr Gentle, I understand you wish to second the motion.

**Mr Gentle:** Yes, please, sir. Thank you.

240 Mr President, colleagues, Mr Dent has tried to focus on the positive steps that have been taken, so I think my comments will be a bit more negative.

245 If the UK leaves the EU without a deal it will automatically fall back on the World Trade Organisation rules for conducting trade. It is likely that very soon Guernsey and Alderney would become part of a much narrower customs union encompassing just the UK and Crown Dependencies, not something we have chosen but something that we will have to live with and make the best of.

The WTO has 164 members and has a list of tariffs – that is taxes on the import of goods – and quota limits on the number of goods that they apply to other countries. Usefully, the WTO does allow preferential tariffs for what are called 'most favoured nations'. We need to know,

250 however, that under the WTO most favoured nations rules the UK could not just lower the tariffs for the EU or a specific country unless it had agreed a trade deal. There are also what are known as non-tariff barriers which must be adhered to, and these include such things as product standards, safety regulations and even sanitary checks. These non-tariff barriers apply particularly to food and animals.

255 On day one of Brexit there might not be a huge problem, nothing might change, simply because the EU and the UK will be just reconnecting their relationship, but come day 30, day 60, things could be rather different. If the EU changes its standards or regulations and the UK does not follow, or the UK changes its standards and the EU does not follow, then we start to have a problem. In summary, under a no-deal Brexit both sides need not only to reconcile their tariff regimes but also to find ways to work with each other's standards, regulations and other checks, something that is unlikely to happen immediately – we are now back at day 60 – and a problem made progressively worse if agreements are not rapidly reached.

260 Mr Dent has mentioned France. For many years we have had close ties with parts of France that are just across the water and we are in the process of developing new ties, not least as a result of the news last week of our common interest in tidal energy but also on a cultural level. Traditionally we have had access to the small ports across there, principally Diélette. If no deal is allowed to happen we might not get there. We could be obliged to apply WTO tariffs on imports from France, and on dairy products they average about 35%. That sounds rather penalistic but it illustrates the problems we might face, not just because it will make importing products expensive but also because of the bureaucratic impedances that the new system will require.

270 The UK may abolish tariffs – in fact let's hope it does, but I see no guarantees, and if it does happen the revenue loss will have to be found elsewhere. A bigger problem might be stuff we want to export to France: crab and lobster, just for one example. The EU have substantial tariffs. Will this be good for us? I do not think so.

275 Freedom of movement: I doubt we will need visas for an Alderney visit but it is also unlikely we will have residence rights or the right to work in the EU, unless the UK reciprocates. The Bailiwick's and many of our own rules might have to be rethought.

And lastly, there is already the question of who is allowed to own property in Alderney. While researching this, I spoke to the Chairman of P&F and he reminded me of some legislative queries that were raised in April 2017 and which it seems have still not been resolved. Excuse my French: the 1906 *Loi Relative à l'Acquisition de Propriété Immobilière en cette Île par des Étrangers ou par des Sociétés Étrangères* restricts the ownership of real property on Alderney to subjects of Her Majesty. Although in 1977 the law was amended, the amendment was only to revise the definition of an alien so that it no longer included citizens of the EU. While the 1906 law usefully specifies a bureaucratic process to allow aliens to own property, which is cumbersome and surely time to do away with such restrictions, it leaves me tempted to ask what other pieces of archaic legislation exist that simply have not been brought to our attention.

285 In summary, let me give you some statements. Fresh food prices rising as less food becomes available. Fuel becomes scarcer if the UK government sets petrol import duty at 0%. UK patients having to wait longer for medicines, a point raised at the People's Meeting, including one particularly pertinent to our own democratic, the flu vaccine. Passengers being delayed at EU airports, which I suppose would be nice if we could get to one. Freight disruption at ports as a result of customs changes that could take upwards of three months to iron out. This is not some made-up Project Fear but part of a policy brief, leaked to *The Sunday Times* last month, if and when a no-deal happens. I tend to believe very little of what is written in the press, as modern journalism these days tends to be more about the art of filling space, but on this occasion I am going to assume that the text is worth reading.

290 Only yesterday Jersey took the first steps to enforcing curfews and putting tanks in Royal Square by passing their Emergency Powers Act in readiness for no deal. If this is purported to happen 70 miles north of here, then it is a pretty logical assumption that we will suffer here too.

300

I would have liked to have stood up and said, 'Brexit: make it stop now', but Mr Duddridge – no, I had not heard of him either and I am not even sure if he has got a job today – has to be made fully aware of the ramifications of a no deal.

Mr President, sir, it is over to you.

305

**The President:** Thank you very much indeed, Mr Gentle.

Would any Member like to speak on this Item? Mr Roberts, please.

310

**Mr Roberts:** No deal implications, a no-deal Brexit: the truth is not even our friends the British know what will happen, do they?

You may be relieved that my speech is a short one on this subject. I do not want to take up your time with such an emotive subject.

315

The Boy Scouts' motto is Be Prepared – and I had written that. Medicine supply could be a worry, but surely the EU would not allow that situation to arise on humanitarian grounds alone. But was that worry put up by the Remain or Leave lobby? Whatever way you see it, leave or remain, no one can read the future. If I could, I would tell you the winner of the 7.45 at Wolverhampton tonight and we would all be rich.

320

What has been the cost so far to Alderney? Well, it looks like this one is going to cost even more, even if you read the Billet wording, but it will make not a ha'p'orth of difference to the end result because we simply do not know.

It is nice to see Alderney acting as a separate jurisdiction. I applaud that; I love that.

The Cotentin Peninsula – why don't we just call it France?

Time will tell and it is no good worrying. I do not worry, because worrying is bad for you.

I wonder if there will be an alcohol shortage in Alderney. Nobody has asked the question yet.

325

**The President:** Does any other Member wish to speak? Mr McKinley, please.

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

330

Very briefly, while we have outlined the problems and the possible impact of a no-deal exit, or a deal Brexit, we have not considered the possibility of an election. One of the possible pluses might be that if the election goes the wrong way and if we have a no-deal, we might get more people looking for houses here – that, I believe, has already started in Guernsey – so we may even find that Mr Boris Johnson comes to live here. Who knows! *(Laughter)*

335

**The President:** I will refrain from saying anything!

Does any other Member wish to speak on this topic? Mr Jean.

**Mr Jean:** Thank you, sir.

340

I am going to concentrate on people and help and the States as a facilitator to help people, so the first thing I am going to say ... We have raised various points and I am going to say it would be wise to ask Guernsey Sea Fisheries to work on a backup plan, should it be necessary, for our fishermen, so we might know how best we would be able to assist them, although quite a lot of the catches from our fishermen I believe now do go to Brixham.

345

For me as well, regarding medication for elderly residents and for the whole population, I believe that we should contact the IMC, the chemist, and we should also liaise with Guernsey with regard to what backup plan we could put in place for medication to ensure continued treatment for our population here.

350

Some thought should be given to working families with children and those older people whose income is limited. We should look at ways of assisting them and protecting them from the higher than normal increase in costs that might occur owing to Brexit.

We do not know what is going to happen, that is a fact, but one of the things I think that will happen when we come away from the EU – and that is surely going to happen: we are coming

away from the EU – is that possibly links will be re-established with the Commonwealth, and it is probable that they should not have been broken in the first place. One of the things I would say  
355 about that is that I remember, as quite a young boy, General de Gaulle coming on the old black and white TV, and when he was asked if the people of Britain could join the Common Market, which is what it was called in those days, he said the words – and excuse my French – ‘*Non pour les anglais.*’ Perhaps, if Britain had accepted that, it might have been better to remain with the Commonwealth because Britain has kicked up a lot as a member of the EU.

360 Those are some of the things that occur to me and that I believe we could be looking at now and we could be preparing for to help our population and our people get through this if it does get difficult. I am not saying by any means that it will get difficult – it might not. I am optimistic, but words of care.

Thank you, sir.

365

**The President:** Thank you for that very thoughtful contribution, Mr Jean. Any other Member wish to speak on this topic? Mr Snowden.

**Mr Snowden:** Thank you, Mr President, fellow colleagues.

370 I will be very brief on this one. I think I agree with what is listed on the Billet Item on this matter. However, I would just like to emphasise that for people who are working here and may not have retired here I think it is very important that they still understand that they are welcome and we give reassurances. I believe there is a form that must be submitted and returned to the States and then they get some feedback saying it is fine to stay, but I think we may need to push  
375 that a little bit more to say that service is available and there is a process that comes back with some sort of verification. So I would like to push that a little bit more.

Mr Dent touched on a few items about work in Guernsey and Jersey. I believe there is a contingency plan which is under Policy and Resources, which Gavin St Pier is working with because that did come up in the States of Deliberation last week. I just wonder what input we  
380 have into that contingency plan, because that is a very important one, obviously, and I am not quite sure how we are inputting into that at the moment.

Another point I would just like to touch on, which I think is quite important for us on the financial side of it, is just that we keep monitoring and checking with the Gambling Commission that they are happy with things as they are developing, and if they need anything from us that  
385 could aid them in any way we consider that, and that there is a strong relationship with the Gambling Commission because the last thing we want is any issue with that going forward.

I think actually Mr McKinley is right – we also need to concentrate on what the benefits may be. There may be doors that start opening up, whether financial services or people moving here or something, or job creations or new companies. So we do need to look at potentially –  
390 hopefully – some benefits from Brexit if it does happen.

I just wanted to add those into the mix. Thank you.

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

Ms Burgess.

395

**Ms Burgess:** Thank you, Mr President, fellow States Members.

I do not really have an awful lot to add. Knowing that this was a conversation we were having today, I did log on to the internet and was interested to see what the States of Guernsey were actually saying about Brexit officially on their site. I had noticed that the last statements were at  
400 the beginning of this year and they were saying in their articles that it is an ongoing thing and they were going to start updating in September. I wanted to see exactly what they were saying to the general public at this point, as we are doing the same, and it made me realise that they are literally just taking a breather as well before they really look into it.

405 It makes you realise that there is an awful lot going to be happening and some of it actually  
might end up being positive, as has been suggested by fellow colleagues, but I also think there is  
going to be some confusion and I think the punch line is that we are just going to have to be  
literally on our toes. We know we are a separate Island, we know we have things that we have  
really got to look out for, for our population, and make sure we realise the differences between  
us and Guernsey and everywhere else, but I think it is just a case of keeping on our toes because  
410 changes will be happening, but it might not be as bad as people are worried about it being.

Thank you.

**The President:** Thank you.

Does any other Member wish to speak on this Item? No.

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

**Mr Dent:** Thank you, I shall do it very briefly.

I would just like to say to Mr Jean that with regard to sea fisheries and medication etc. we are  
liaising with the people he spoke about and I have spoken to the chemists and I think the  
420 medical centres have been spoken to elsewhere.

With regard to what Alex said, there are civil contingency plans that we are engaged in, and I  
just go back to the Local Resilience Forum, mainly a Civil Service unit to keep us all up to speed.

I would just finally like to remind people that the motion before us tonight is really one of  
trying to maintain our access not just to Guernsey but beyond Guernsey to the UK, which is  
425 obviously where the big decisions are being made, and if we need to we can keep that access  
open.

Thank you very much.

**The President:** Thank, Mr Dent.

430 Mr Greffier, may we move to the vote, please.

**The Greffier:** Thank you, sir. The States of Alderney are asked to request the President to  
convey the concerns of the States of Alderney to the Parliamentary Under-Secretary of State and  
to seek a meeting with him to ensure these concerns are fully understood and taken into  
435 account by the UK Government.

*A vote was taken and the results were as follows:*

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Mr Jean	None	None
Mr Roberts		
Mr McKinley		
Mr Dent		
Mr Snowdon		
Mr Dean		
Mr Gentle		
Ms Burgess		
Mr Harris		
Mr Earl		

**The Greffier:** That is 10 votes in favour.

**The President:** Thank you, Mr Greffier.

440 Before we move on, as the Proposition does request that I contact Mr Duddridge at the  
Department for Exiting the EU, I will be more than happy to do that. I know that we have a good  
working relationship with the UK government and I will be more than happy to go over there  
and put our case, assisted by the politicians, so that they are quite clear that Alderney is a

separate jurisdiction and there are issues which are unique to us which we deserve to have dealt with in a way that protects our future.

**III. Change to the Rules of Procedure for States Committees –  
Item approved**

*Item III.*

*The States is asked to approve:*

*That Rule 11 in the Rules of Procedure for States Committees be replaced with the following:*

*11. Minutes shall be approved by the Committee at its next full meeting and shall be circulated to all States Members. Minutes should only be set out in confidential annexures where they accord with the criteria set out in the Protocol for access to information and confidentiality which have been determined by the Policy and Finance Committee.*

445 **The President:** Mr Greffier, would you please now move on to Item III.

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

Item III is a change to the Rules of Procedure of the States Committees. A letter has been received from Mr Dent as Chairman of the Policy and Finance Committee and the States of Alderney are asked to approve that Rule 11 of those Rules of Procedure for States Committees be replaced with the following: '11. Minutes shall be approved by the Committee at its next full meeting and shall be circulated to all States Members. Minutes should only be set out in confidential annexures where they accord with the criteria set out in the Protocol for access to information and confidentiality which have been determined by the Policy and Finance Committee.'

**The President:** Thank you, Mr Greffier.

Were there any comments on this Item at the People's Meeting, Mr Dent?

460 **Mr Dent:** Mr President, there was one comment. In response to a question from a member of the press, I advised that the practical timescale for the publication of the minutes for committee meetings would not change as a result of this.

465 **The President:** I think I can afford you the same invitation to remain standing, as you are going to propose this motion.

**Mr Dent:** Thank you.

Mr President, colleagues, these changes will remove an anomaly in the way we do business. All States Members, even when not Members of a specific committee, have the right to observe proceedings. It is consequently strange that all Members cannot see the confidential annexes to the minutes of those meetings. The change to the Rules proposed tonight will remove that anomaly. Having said this, we do recognise that there may be exceptional circumstances where information may justifiably need to be restricted – for example, and it is an extreme one, if we have information about security threats. If this resolution is carried, the Policy and Finance Committee will therefore draft and maintain a protocol that sets out the rules for access to information, including minutes, and the rules which govern confidentiality.

475  
480 Colleagues, we live in a fairly open society and while it is undoubtedly right that this change to our Rules of Procedure is made, it is also right that the rules of confidentiality are adhered to. We need confidentiality where we are engaged in commercial negotiations, where we are negotiating with other jurisdictions and where we are dealing with personnel matters. We do

not have political parties, so we do not have the discipline that party membership brings with it. It is not okay to leak information simply because we individually do not agree with the majority view.

Thank you.

485

**The President:** Thank you, Mr Dent.

Again, Mr Gentle, I understand that you are going to second this motion.

**Mr Gentle:** Thank you, sir.

490

Mr President, fellow colleagues, a couple of States meetings ago, I asked a question in this House of the Chairman of the Finance Committee and I do not think he was too impressed at the time, as he obviously knew the Rules of Procedure better than I did then in relation to this matter. He gave the answer that I needed to hear. I would like to take the chance to actually publicly apologise to Mr Earl, not for asking the initial question but for forcing him to stand as a result and fuelling the ensuing slew of supplementary questions that appeared to repeat themselves. I was not aware at the time that I was igniting a debate, but here we are.

495

In order to put more States Members in the picture at times, particularly when pertinent to them, this has to happen. I fully support this and I am very happy to second the motion.

Thank you.

500

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

Would any Member like to speak in respect of this Item? Mr Jean.

**Mr Jean:** Thank you.

505

This all kicked off because of a set of minutes from Finance in which a lot of the items were confidential – one could say overuse of the term ‘confidentiality’ – and it caused concern. Members spoke and said that they wanted to see more of the minutes. Literally every second item was confidential, including things like – I will just give one example; I will not go fully into it – the situation with the ambulance and the grant for the ambulance. That was considered confidential and yet it had all been thoroughly aired out in the media and in the *Press* and *The Journal* long ago what the actual situation was.

510

One of my main concerns – and I want to hear more assurance because I am concerned about this – is that the minutes in draft form will still be published within two to three days after the meeting. I think that is important because what I am finding difficult with our States is there is a tendency to be introvert and not be as open as we once were. I want to be part of a States that is open and is working clearly in a way that the public can see the wheels of our government turning and how it is processing information and what it is trying to do.

515

In that, what I am saying is that if I am to support this legislation I need that kind of assurance because that is how I work myself. That is what I believe in. I will make the statement and it might be an old statement and a statement that has been made many times in Alderney, but it is good to say it and it is good to say it every now and again, and it is an important statement. We all take part in open and honest government for the people. That is what I want to see coming out of this.

520

**The President:** Mr Jean, I am very reluctant to interrupt your speech, but the Item is in relation to confidentiality and the changes of the Rules, so perhaps if you could just focus on that element of it.

525

**Mr Jean:** Why would that be? That is exactly what I am doing.

530

**The President:** No, you are talking about open government and other issues about the States. This is simply about –

**Mr Jean:** Yes, but this is what it relates to. It relates to government.

535 **The President:** If you would just allow me to finish, Mr Jean, thank you – this simply relates to the disclosure of information which was formerly considered confidential and which will now be made available to Members of the States. That is the Proposition, so any additional talk of wider issues is perhaps for another day.

540 **Mr Jean:** That is interesting, because I cannot agree with that.

**The President:** Well, you may not, Mr Jean, but that is the decision I make.

545 **Mr Jean:** That is fine, but I do not agree. Anyway, the point is my feelings are that I need that assurance so that I know that things will remain as they are and that people will be able to see the minutes as soon after the meetings as possible.

If I have caused you any offense, sir, you have my apology.

550 **The President:** You have caused me no offence at all, Mr Jean.

**Mr Jean:** My thanks for that, Mr President, very much.

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

Does any other Member wish to speak? Mr Snowdon.

555

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

I just want to be brief on this one. I think it is a step in the right direction totally, because it gives us the chance to scrutinise those other committees – apart from P&F, which we all sit on – because, before, we could not see those items. ‘Abuse’ is not the right word but things were going private and confidential, and I think it was under goodwill but the rest of us did not seem to know what was going on. This lets us know what is going on, which is good.

560 Mr Dent referred to political parties and we would have some sort of control if we had political parties, but we do have the Code of Conduct, if anything was leaked to outside parties, which could be used if needed, so that mechanism is there already, as you know .

565 I would just like to, if I can raise it ... I think the next step going forward after this one would really be a Freedom of Information Act so the public can actually request information and then we would be a lot more open. That is quite a big process, I understand, but I think that might be a good step so the public can also find out what they would like to know as well.

Thank you.

570

**The President:** Thank you, Mr Snowdon.

Any other Member? Mr Harris.

**Mr Harris:** Thank you, Mr President, fellow States Members.

575 I would be surprised if anybody in this Chamber here tonight would oppose this Item, as improved transparency and scrutiny is something we would all, hopefully, encourage.

580 Basically, it is of huge importance that, where possible, all Members are party to all relevant details of all matters that we are all likely to be voting on. Of course some matters have to remain confidential and we can all understand that, for the obvious reasons stated by Mr Dent earlier, but otherwise we must be informed as much as we can, and if that requires a change to the Rules of Procedure I am more than happy with that.

Thank you.

585 **The President:** Thank you very much, Mr Harris.  
Ms Burgess.

**Ms Burgess:** Thank you, Mr President, fellow States Members.

590 I think we are all in agreement with this because it is something that was beginning to be a bit of a problem. I think the punch line is we are all in it together. If something has been discussed in a committee, it quite often has an effect on something you are going to discuss in another committee, so it seems a bit ridiculous that we do not then share the information and make things go quicker to make it more a sort of a sense that we are all working together to do this. I do not think there is anything that you can say that would make this not a good thing for the States and the way we run it.

595 Thank you.

**The President:** Thank you.

Does any other Member wish to speak?

600 That being the case, would you like to exercise your right to reply, Mr Dent?

**Mr Dent:** I would just like to say to Mr Jean that I hope that I made it clear when I was giving the Convener's Report that the minutes in draft form would be published in the way that they are presently published, and I thank the Member.

605 **The President:** Mr Greffier, would you move, please, to the vote.

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

610 The States of Alderney are asked to approve that Rule 11 in the Rules of Procedure for States Committees be replaced with the following: '11. Minutes shall be approved by the Committee at its next full meeting and shall be circulated to all States Members. Minutes should only be set out in confidential annexures where they accord with the criteria set out in the Protocol for access to information and confidentiality which have been determined by the Policy and Finance Committee.'

*A vote was taken and the results were as follows:*

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Mr Jean	None	None
Mr Roberts		
Mr McKinley		
Mr Dent		
Mr Snowdon		
Mr Dean		
Mr Gentle		
Ms Burgess		
Mr Harris		
Mr Earl		

615 **The Greffier:** Sir, all 10 Members in favour.

**The President:** Thank you.

**IV. Questions and Reports –  
Six questions for verbal reply**

*Item III.*

*The following questions had been received:*

1. Question from Mr Snowdon for the Chairman of the Policy and Finance Committee, Mr James Dent:

*What progress has been made with the second PSO?*

2. Question from Mr Snowdon for the Chairman of the Policy and Finance Committee, Mr James Dent:

*Do we have any updates with the runway upgrade?*

3. Question from Mr Snowdon for the Chairman of the Policy and Finance Committee, Mr James Dent:

*Should Policy and Finance be looking for a direct boat service to Cherbourg?*

4. Question from Mr Snowdon for the Chairman of the Policy and Finance Committee, Mr James Dent:

*Following the press release from AEL/ Atlantis can you explain any more about the project?*

5. Question from Mr Snowdon for the Chairman of the Policy and Finance Committee, Mr James Dent:

*Do the States have any news regarding Fort Tourgis?*

6. Question from Mr Dent for the Alderney Representatives to the States of Guernsey:

*Would the Alderney Representatives each briefly update the States on: (i) matters of importance to Alderney that were discussed recently in Guernsey and (ii) of any discussion with officers and politicians outside the formal States of Guernsey relevant to Alderney they have had. If you could comment on the education debates I would be particularly pleased.*

**The President:** Might we now move, please, to Item IV.

620 **The Greffier:** Yes, sir. Item IV this evening is Questions and Reports. I understand you received a total of six Questions for verbal reply.

**The President:** I did. Were there any observations, Mr Dent, at the People's Meeting?

625 **Mr Dent:** Mr President, yes, there were.

It was queried why States Members' questions were not provided on the Billet so that they could be discussed at the People's Meeting. It was also noted the questions should be publicised before the People's Meeting so the public know what is coming. The Convener advised that the present Rules allow subjects raised by the people at the People's Meeting to be put at Questions at the States Meeting. States Members of course also have the option of submitting questions earlier and having the item put on the Billet. It was also advised that the public could request a States Member to put forward a question to another States Member at a States Meeting.

630

635 A question was raised regarding the GCSE results for 2019. The Convener – myself – advised that education is a transferred service, therefore the question might be best asked in the States of Guernsey through the Alderney Representatives. It was suggested that Chief Pleas was a method for the public to put their case in public and that this might be appropriate for this item.

The question was asked when the children will receive their D-Day commemorative coin. Mr Harris agreed to pose the question to the Finance Committee Chairman, Mr Earl. However, a written answer will now be supplied.

640 Thank you.

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

Mr Greffier, I think in terms of time the first questions that were received were from Mr Snowdon.

645

**The Greffier:** That is correct, sir.

**The President:** For simplicity's sake, can we take them one at a time, please.

650

**The Greffier:** Mr Snowdon.

**Mr Snowdon:** Thank you, Mr President. Would you like me to read out Question 1?

**The President:** Yes, please.

655

**Mr Snowdon:** Sir, this question is to Mr Dent, Chairman of P&F. What progress has been made with the second PSO?

Thank you.

660

**The President:** Mr Dent.

**Mr Dent:** Mr President, colleagues there are a lot of rumours going round, so I need to make a few things clear.

665

On Wednesday, 7th August the President of the Committee for Economic Development in Guernsey, Mr Charles Parkinson, invited members of the Air Transport Action Group to an informal and confidential discussion of first conclusions from the evaluation of the Public Sector Obligation tenders. It was clear that the evaluation process was incomplete and that further work was needed with the bidders in order to better understand and assess their offers. I understand that this work is now underway. Also, it has recently become clear that for some of the bids there are Civil Aviation Authority licensing problems associated with the Southampton route. These are problems no one here or in Guernsey was aware of until about two weeks ago. There has, however, been no suggestion by the Committee for Economic Development that the Southampton route should be abandoned.

670

The Committee for Economic Development is unlikely to meet until the end of September to complete the further work required, this with a view to concluding their deliberations before the end of October and a debate in the States of Deliberation in Guernsey in November.

675

Let me now quote Charles Parkinson on the radio on Tuesday, 3rd September. Firstly, he said, in regard to the concept of Southampton-Alderney as a lifeline:

As a general matter I would support it, but not at any cost.

680

Although he put a rider on his statement, this does not sound like a man who does not wish to come to an agreement with us.

Secondly, he said, in regard to the bids:

I have not seen the bids.

And if I might just add here, neither have I.

Thirdly, he said, in regard to where we are now:

We have had a number of bids in. PSO2 has produced a better outcome, better than PSO1, but I think it is fair to say that none of the bids are exactly perfect. At the moment, the staff have gone back to the bidders to ask for clarification on certain points and perhaps they are asking them to improve their bids in certain respects. I am expecting the result of that to come in to the Committee in the next two to three weeks.

685 I can say no more than what Charles Parkinson has said. Clearly the Committee for Economic Development have come to no conclusions.

690 In the meantime, I want to urge measured responses. We need to work with Guernsey and show them that we are responsible and that we can help ourselves. The issues involving air transport things are complex. Before rushing headlong in, we need to establish and have everyone understand any positions we have in common with the Committee for Economic Development and indeed with others in Guernsey. Please, everyone, note our priority, which is to continue working constructively with Guernsey to find the best solution.

695 So, although we cannot tonight say precisely what we are doing in preparation, the public need to know that we are all working extremely hard with experts and with civil servants both here and in Guernsey. The States recognise and understand the levels of concern being expressed and this makes us even more determined to achieve the best possible outcome for our future prosperity.

Let me finish by now quoting from a letter hot off the press from Charles Parkinson. He said:

Our respective officers will continue to work closely on this matter with a view to finding a mutually satisfactory and mutually sustainable solution for Alderney's air links going forward.

Thank you, Mr President.

700 **The President:** Thank you, Mr Dent.  
Mr Snowdon, do you have a supplementary question?

**Mr Snowdon:** No, sir, thank you.

705 **The President:** Thank you.  
Ms Burgess.

710 **Ms Burgess:** Thank you, Mr President, fellow States Members.  
Can I ask Mr Dent if he can assure the States that we are doing all that we can to protect our legal position?

715 **Mr Dent:** Ms Burgess, I thank you. I think you have raised a very important matter. In fact, our legal position is incredibly important and we do not want to do anything that prejudices that position as we go forward.  
Thank you.

**The President:** Thank you, Mr Dent.  
Mr Gentle.

720 **Mr Gentle:** Thank you, Mr President, colleagues.  
Mr Dent, I understand from your reply that the Air Transport Action Group are at the forefront of driving this forward. Would you agree that this is the proper and correct way to go in the near future?

725 **Mr Dent:** Mr Gentle, the Policy and Finance Committee at the beginning of the year entrusted these matters to the Air Transport Action Group; and yes, I would agree that it is proper that they should be the driving force for this matter.

Thank you.

730 **The President:** Thank you.  
Mr McKinley.

**Mr McKinley:** Thank you.  
Mr President, fellow States Members, we all agree that the Southampton route is a lifeline and critical. Judging from the email exchanges over the past few weeks, indeed months, not just from Guernsey Deputies but between Guernsey Deputies and in fact Alderney States Members and others, they are well aware of our views. And just if I may congratulate our team for all they have done to –

740 **The President:** Mr McKinley, is there going to be a question at some point?

**Mr McKinley:** There is a question coming now, sir.

**The President:** Thank you.

745 **Mr McKinley:** Would the Chairman of P&F not agree that some additional important messages for Guernsey to hear are the green shoots of revival in our economy – I say ‘green shoots’; they have not really started yet but they are beginning – and that those casting doubt on these important projects are not helping? We have a new boutique hotel opening soon; there is a real possibility of Fort Tourgis opening, hopefully, supported by the Dutch government; and we just had some really good news from AEL and Atlantis. The first two of these require air links. They will not come here without them.

755 **The President:** Your question was ...? You started it and now we have gone into another speech, so –

**Mr McKinley:** Would you not agree, sir, that these are additional measures that we need to put out to support the PSO and revive the Southampton route?

760 **The President:** Mr Dent.

**Mr Dent:** Mr McKinley, I have always thought that putting out the good news messages is vitally important. We need to convince those in Guernsey that there are good things happening in Alderney and that for this reason they need to support us. I am sure that will be the focus of many things to come in the next couple of months.

765 Thank you very much.

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

770 **Mr Jean:** Thank you, sir.  
Could I ask the Chairman of P&F: would he agree with me that the remaining eight Members of the States who are not members of the Air Action Group should be involved in this very important debate on our future and the PSO bids? ‘Should there be a debate in the States of Alderney?’ would be my second question.

775 **The President:** You only get one.

**Mr Jean:** Well, I managed to get in two – sorry!

**The President:** You can answer them both, if you like. Very subtle, Mr Jean!

780

**Mr Dent:** Mr Jean, I think you have said to me on earlier occasions in the last couple of weeks that it would really be good if we had a debate on air transport links here tonight. My simple answer to you is it is very difficult, because at the moment there is nothing really to debate tonight. We are continuing to assemble our evidence. The PSO process is continuing and it is, of course, not in our interest to harm that process. Very possibly next month it will be appropriate to have that debate, but not today. It would be a much better debate next month than if we had had it tonight.

785

Your first question, I think committees of 10 do not work. We have a group that was appointed by P&F. We have kept you fully informed. I know you find it hard to believe sometimes, but we have genuinely kept you fully informed of what is going on. We have to keep the group a fairly tight group for a number of reasons. I think you will remember Mr Ferbrache, when he came to talk to us, said he was happy to talk to groups of two or three on things like this but he really did not like talking to the whole States at once. When he came over he talked to the States, I agree, as a whole on a more general subject but when talking about specific issues like this he saw the need for keeping it tight.

795

Thank you.

**The President:** Thank you.

Mr Harris.

800

**Mr Harris:** Thank you, Mr President, fellow Members.

My question might have already been answered, but would the Chairman agree that the States are fully up to date, as much as we can be, with all current details of the PSO process and you are confident that we are doing all of the right things at this stage that we can be doing?

805

Thank you.

**Mr Dent:** Mr Harris, I think I can answer that very quickly with just one word: yes, I am confident. That was more than one word!

810

**The President:** Very erudite, Mr Dent.

Does any other Member wish to speak? Mr Earl.

**Mr Earl:** Mr President, fellow States Members, I would like to ask the Chairman of Policy and Finance, or at least remind him that last week the Air Transport Action Group gave a confidential and very detailed briefing to all States Members, but given the sensitivity of the PSO negotiations, what does he feel we can do to reassure the people of Alderney that we are doing everything possible to ensure the continuity of our air links?

815

**The President:** Thank you, Mr Earl.

820

Mr Dent.

**Mr Dent:** I think the short answer is we have got to have possibly more frequent press statements and the like and we have got to use these, but I have got to say that they may not give the detail that maybe some people would instinctively feel that they should be having. There are very sound reasons – including, as Ms Burgess has pointed out, legalistic reasons – why we cannot always do that. Thank you for your question.

825

**The President:** Thank you.

Any other Member wish to ask a question? Mr Dean.

830 **Mr Dean:** Mr Dent, would you not agree that now is the time to formally request that the accounts are seen for Aurigny? After all, it was bought with taxpayers' money, all of our money, and we were informed last week that the losses have almost doubled. Thankfully they cannot blame all of that on the Alderney route and now is the time for us to have those accounts opened up, so everybody knows, and then we can formally get round the table and discuss it as  
835 a group, and with Guernsey and with Aurigny, and actually get something that works. And if it requires a subsidy, at least people can buy into that and they will understand what is going on.

**The President:** Thank you.

Mr Dent.

840 **Mr Dent:** Mr Dean, yes, the subject has been aired many times, and to tell the truth I think we have formally asked for this on a number of occasions but it does not get anywhere. It has been formally asked for in the States of Guernsey, I believe; it has been formally asked for here; it was certainly formally asked for when I served on the Aurigny review. So that is at least three  
845 instances I can recall, but we are always rebuffed on the grounds that it is commercially sensitive and they will not release it. I think, if you remember, when Mr Ferbrache came he said exactly the same thing a week ago.

Thank you.

850 **The President:** Thank you.

Mr Roberts? (**Mr Roberts:** No, sir.) Thank you very much. I think that deals with the first question.

Could you now please put, Mr Snowdon, your second question.

855 **Mr Snowdon:** Mr President, fellow colleagues, this is again to Mr Dent. Do we have any updates with the runway upgrade? Thank you.

**Mr Dent:** Mr Snowdon, I have asked my colleagues in the Civil Service exactly where we stand and their statement is this:

The Airport Runway Rehabilitation Project is on track with design and supervision contracts awarded, which is currently within the agreed budget for design.

860 **The President:** Do you have a supplementary? This time you do.

**Mr Snowdon:** Thank you, Mr President, yes. I would just like to ask when an actual spade will go in the ground, Mr Dent. Thank you.

865 **Mr Dent:** Mr Snowdon, sadly I do not have my complete files with me today, but I believe I gave you an answer to that question a couple of meetings ago and I have no reason to make any changes, so please take as read what I said last time. I will refer back. I will find out for you next week some time.

870 **The President:** Does any other Member have a question arising out of the statement from Mr Dent?

We will move on then, please, to Question 3.

875 **Mr Snowdon:** Thank you, Mr President. Should Policy and Finance be looking for a direct boat service to Cherbourg?

880 **Mr Dent:** Mr Snowdon, as you are aware, Mr Benjamin Bon, who is the Managing Director of Vedettes du Cotentin, emailed me on 13th August. His email was CC'd to you and to States Member Ms Burgess – you probably know that. Mr Bon noted that Brexit might have some consequences on the prices of the goods in the Channel Islands and especially in the Bailiwick and that therefore a direct link to France might have a new level of relevance. We have of course just debated it. Mr Bon noted that the service will need to be scheduled, reliable and cost effective. He outlined a potential freight service that would carry six passengers as well, but clearly wanted more information on demand and the welcome such service might be given in  
885 Alderney. In order that he might be better informed as to likely volumes of traffic, I passed his email on to our Surface Transport Action Group and on to the Chamber of Commerce. I believe you also passed it on to the Surface Transport Action Group.

890 Mr President, colleagues, as you know, P&F has not debated this, so I can only express my own view, which is of course full support, particularly as there has been no talk of a need for financial assistance. I note that we already have a small boat service from the *Lady Maris*, but I welcome all additional private sector initiatives.

895 Mr Snowdon, as you are aware, we do have a Surface Transport Action Group, so I am just a little surprised your question has been put to me tonight. I agree with your own email comment to me on 13th August. If I can quote you, it said it was for the Surface Transport Action Group, as they had the mandate, and not for you. It is lying elsewhere at the moment. I consequently look forward to a reaction from the Surface Transport Action Group so that the matter can be progressed.

Thank you.

900 **The President:** Thank you, Mr Dent.  
Do you have a supplementary question?

**Mr Snowdon:** Thank you, Mr President.

905 Mr Dent, I was not actually referring to a specific individual company or person – Mr Bon, which is fantastic if it goes ahead; I was actually trying to more specifically tease out of you if you actually wanted a direct link there. If you look at the little ferry, how good that is doing, if we had the same sort of thing going to Cherbourg on a regular basis would we see the same sort of results? Or even a bigger ferry? I just wondered and I think that is something that we should be looking at and discussing if we feel that more links are better going forward.

910 **The President:** Thank you.

**Mr Dent:** Pardon me for misinterpreting your question. I suggest still, though, that this is a matter for the Surface Transport Action Group and for them to bring it to P&F.

915 Thank you.

**The President:** Thank you, Mr Dent.

Does any other Member have a question arising out of Mr Dent's reply?  
Question 4.

920 **Mr Snowdon:** Mr President, we are getting there. Following a press release from AEL and Atlantis, can you explain more about the project? That is to Mr Dent. Thank you.

**The President:** Mr Dent.

925 **Mr Dent:** Thank you.

The press release, as I believe you know, refers to a power purchase and infrastructure development agreement between AEL and SIMEC Atlantis. As you know, the States themselves are not involved – at the moment, anyway. Personally I welcome the development. It looks as if the agreement will do much to ensure we have a resilient supply of power no longer linked to the vagaries of oil prices and a project that will be a win-win for all involved. I am hoping that all States Members, including yourself, will work as necessary to ensure that the Island benefits. It is, of course, early days and many details will have to be agreed.

930 I would like to thank Mr James Lancaster at AEL for his efforts in getting us this far and I would like to thank Mr Tim Cornelius from SIMEC Atlantis for his presentation to the public last Thursday. During that presentation members of the public were able to ask questions and I believe Mr Cornelius gave honest and frank answers.

935 In short, a question such as the one you are putting to me today should really be put to either AEL or SIMEC Atlantis. I know you were in Guernsey on the day of the SIMEC Atlantis presentation, but as a Member of the Tidal Energy Group you are perhaps just as qualified as I am, and in this case possibly even more qualified, to answer your own question.

940 Thank you.

**The President:** Do you want to ask yourself a supplementary question, then?

945 **Mr Snowdon:** Maybe just one question. But thank you to Atlantis and AEL; unfortunately I did miss the presentation. Mr Lancaster has very kindly shared with us the heads of terms agreement today. I was just wondering do we know – because I do not know the answer – when that will go into the public domain? Maybe it was said at the presentation, but I just wondered whether that heads of terms was going to publication.

950 Thank you.

**Mr Dent:** I do not know when it will go into the public domain, but I do know it is the intention of SIMEC Atlantis and AEL to have it in the public domain in the not too distant future.

Thank you.

955 **The President:** Thank you, Mr Dent.  
Mr Jean.

**Mr Jean:** Thank you, sir.

960 I would like to ask the Chairman of P&F: do you feel, as I do, that we may have missed something out in not ... and I am not in any way being critical of the project itself or of SIMEC Atlantis or of Mr Lancaster, but what I am asking is does he feel that the States should have been involved and this should have been placed on a Billet for debate so that the public could comment further on this very important item at the People's Meeting?

965 Thank you, sir.

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

970 **Mr Dent:** Mr Jean, this is a commercial deal, a power purchase agreement between two commercial companies. The States of Alderney I believe own 80% of Alderney Electricity and therefore it will no doubt go to a shareholders' meeting at some point. There is no legally binding agreement signed. Before that is reached I am sure the shareholder, ourselves, will have a chance to scrutinise this in whatever detail is necessary.

Thank you. (*Interjection by Mr Jean*)

975 **The President:** Thank you, Mr Jean, you have had your question.

Does any other Member have a question of Mr Dent? Mr Dean.

980 **Mr Dean:** Mr Dent, if I could just recap before I actually get to my question, obviously with everything that went on in the previous years, electricity and tidal energy is a hot topic on the Island. I have just pulled out a couple of press releases, one from 8th June 2018 from Mr Lancaster:

Most people on the island seem content with what is happening on a basic level, which is a good thing. People would like cheaper electricity, but they understand the constraints.

But as a community we now need to be more engaged with what we want to happen in future. We need to decide who has the mandate to decide where we get our energy from – is it the public? Is it the States? Is it the AEL shareholders? Then we need to take a view on where we go next. Where we get our energy from is one of the most important elements of the island's future. The first opportunity that the community should have to make their views known will be as part of a consultation on the island's new Energy Policy, which I hope will be published in draft form in the near future.

**The President:** That is context, Mr Dean. Could you now move, please, to the question?

985 **Mr Dean:** I will. That is a quote. I am getting to the point.

**The President:** I appreciate that, but you have set the context.

990 **Mr Dean:** Okay, I will get to the question in a minute.  
On 30th October we had a renewable energy presentation from SIMEC Atlantis:

A renewable energy company wants to develop a large tidal project in the stretch of water between Alderney and France.

SIMEC Atlantis Energy says it could generate up to 3GW of power using underwater turbines along the Alderney Race.

The company says it has not yet started any commercial negotiations with the Alderney Commission but it wants to discuss the possibilities of using their waters.

It also says that, if the States give permission for the plans to go ahead, construction could start in 2021.

**The President:** I think, with respect, Mr Dean, you are answering Mr Snowdon's question; you are not putting a question to Mr Dent. Entertaining and interesting though it is –

995 **Mr Dean:** No, it is not entertaining and interesting, it is a serious subject and I will –

**The President:** – it should be a question to Mr Dent following his statement. So please –

1000 **Mr Dean:** Okay. Following on from that, the Alderney Tidal Energy Group was formed with set mandates and objectives of what they should actually be doing, and information gathering. So I would go back to the last point, the fact that Alderney Tidal Energy Group were mandated to go out and speak to third parties. They were not authorised to negotiate with a third party. They were then to come back and speak to Policy and Finance.

1005 So my question to Mr Dent is: how much involvement the Alderney Tidal Energy Group had and why haven't we been kept informed; and where is the policy document that is required? These are basic building blocks we need first before we move forward. It seems to be an ongoing thing that we do not actually have the policies in place but that we then go out and do deals.

Thank you.

1010 **The President:** Mr Dent.

**Mr Dent:** Right, a very short answer. The Alderney Tidal Energy Group has not negotiated with anyone. The only person negotiating has been Alderney Electricity.

1015 I think your other comments, more comments than questions, are maybe things you would like to be putting to another meeting, possibly with Mr Lancaster, and I know you will have an opportunity tomorrow to do so. I cannot tonight go into those details.  
Thank you.

1020 **The President:** Thank you. Does any other Member wish to ask a question arising out of Mr Dent's reply? No.  
Over to you, Mr Snowdon.

**Mr Snowdon:** Another question, Mr President, thank you. Do the States have any news regarding Fort Tourgis? To Mr Dent, thank you.

1025 **Mr Dent:** Mr Snowdon, it has been the holidays and it seems everyone in Holland is on holiday, but we are informed that we should have a formal progress report from the Dutch developers moved by the end of September.  
Thank you.

1030 **The President:** A supplementary question.

**Mr Snowdon:** Yes, please, Mr President.  
Could I just clarify, Mr Dent: have we actually received a letter from the Dutch government saying that those guarantees are in place for that project? Thank you.

1035 **Mr Dent:** I have not seen such a letter.  
Thank you.

1040 **The President:** Does any other Member have a question for Mr Dent? No.  
Okay, well, just for the avoidance of doubt, could I just gently remind Members of the provisions of the Rules of Procedure in which it states:

The President may allow a supplementary question to be put by any Member.

So it is a question. It is not a statement, it is not a speech; it is a direct question to the person who has been asked it, so that therefore it does not cause any confusion. Thank you.

1045 I think that finishes with your list, Mr Snowdon.

**Mr Snowdon:** Yes, thanks.

**The President:** Thank you very much indeed.  
Mr Dent, I think you have some questions for our Guernsey representatives.

1050 **Mr Dent:** Thank you, Mr President. I am continuing the tradition of the last 12 months.  
Would the Alderney Representatives each briefly update the States on, firstly, matters of importance to Alderney that were discussed recently in Guernsey; and secondly, on any discussion with officers and politicians outside the formal States of Guernsey relevant to Alderney that they have had? If you could please comment on the education debates, I would be particularly pleased. And I do not mind who goes first.

**The President:** I understand, Mr Roberts, you will be.

1060 **Mr Roberts:** I do not mind, sir.

**The President:** Give Mr Snowdon a breather!

1065 **Mr Roberts:** There was a fine and moving tribute to the Colonel at the start of the meeting with the Bailiff recounting his military background and times as Alderney Representative, and it was very well received. A minute's silence followed the tribute.

1070 Three Statements then followed, one on the financial position, which showed a healthy outlook on the tax take of 8%, £11 million up, in Guernsey. However, overspends by HSC of £5 million and Aurigny's projected £7.6 million diluted the overall fiscal outlook. Other Deputies expressed concern on Aurigny losses and one called for a single debate on this matter, which drew support from other Members loudly.

1075 Economic Development made the last of the three Statements. I asked the Chairman, Deputy Parkinson, considering nearly 50% of our passengers come from Southampton, to please recognise the importance of the Southampton lifeline route as vital in the PSO process and to assure Alderney that this is under consideration when decisions are made.

1080 Elections and legislation followed before the main event, the new two-school model. We both spoke to several Deputies and expressed our concern that our children had been without a pool for nearly five years now and it was something that was unacceptable to us. Alderney will now gain through this new school model on digital communication between the schools, and teacher supply I am assured will improve. For that reason, taking all things into consideration, we decided to vote for it. Alderney will benefit. The debate went on and on with a late night Thursday night, and on Friday it went on until 7.30 p.m., causing us to miss our flights home. We got back on Saturday morning. We had many thanks from the winning side for staying over, as the vote was going to be a close one. As it was, it was 22-15. It was a hard and complicated meeting with sometimes very contentious exchanges on codes of conduct – and it is in our interests to keep out when friendly colleagues fall out.

1085 The rest of the meeting was abandoned and will carry over until the next meeting on 25th September.

1090 We had regular private meetings with Deputy Parkinson and another, and now have a regular one with Gavin St Pier on Thursday. Both sides see these meetings as important and we have invited Deputy Parkinson up to talk with P&F soon. He intimated he will. I believe the Alderney Representatives are making good progress and finding support in the Guernsey States, which may be vital to a vote on our Southampton route.

1095 **The President:** Thank you, Mr Roberts.  
Do you have anything to add, Mr Snowdon?

**Mr Snowdon:** I do, sir, but I do not know if you want to ask anyone if they have got any questions for Mr Roberts.

1100 **The President:** Sorry, yes, thank you.

**Mr Roberts:** Oh, yes, fine.

1105 **The President:** Does anyone have any questions of Mr Roberts? Thank you anyway.

**Mr Snowdon:** Thank you, Mr President.

I will try not to repeat what Mr Roberts has kindly updated us on already. Just to start with, Ms Benfield gave out a petition, signed by over 600 people, I believe, which is fantastic.

1110 Going on to the update from Mr St Pier, I have got the bits here which I have extracted from the statements – this is a statement update from Policy and Resources to the whole committee – and as Mr Roberts has said, that is saying that the loss is now £7.6 million and they are trying to ... On this item they are not actually blaming Alderney. They are trying to say it is the

increased competition on the other routes. Obviously we do not have any competition on our routes. That is actually quite an important item now because you have got the Guernsey Deputies raising very strong concerns about that and I think Alderney has got to be careful that we do not get pulled into the firing line, because this is not actually our fault, these losses. It keeps going up and up and it looks worse and worse for the Alderney routes, but this is not our fault. If we go back to 2014, as we know, the losses were substantially smaller than they are now. I am going to send that to you, the Statement, afterwards.

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Then I move on to the Statement from Economic Development, which is handling our PSO, and I have just taken bits out of the Statement which the President, Charles Parkinson, gave to the whole Assembly. I thank Mr Dent earlier for this evening referring to articles and press releases that you were saying Mr Parkinson was raising. What does concern me in this Statement is that Mr Parkinson refers to the PSO for Guernsey to Alderney and then he says he is pleased with how it is going. But I cannot see in the Statement that he has given any referral to Southampton, so that does concern me a little bit, that he should have included that really in his Statement. So that is something I am going to send to you all afterwards as well. Maybe we can ask him for a bit more detail about that.

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Just touching on Mr Parkinson, Mr Roberts is right, we did have meetings with Mr Parkinson and I am hoping he is going to come over and actually talk to us. So you are quite right, the Air Transport Action Group is dealing with it, but I am hoping he is going to talk to all the Members and get some feedback before anything is decided or anything goes forward, that we all make our views known. We told that to Mr Parkinson and he seemed to be accepting that that might hopefully be a way forward, so I am very keen for that ... And what he also did say is hopefully in two weeks' time, once the scoring has been done with the Civil Service, we will know what position the PSO is in, so hopefully that will be good.

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Going on to other bits, there were questions from Mr John Gollop about protection of cats, and traffic, which took up quite a bit of time, actually.

The economic statistics went through quite easily in the full States, which the States of Alderney were supportive of, that legislation. There were concerns that this may be a bit intrusive on to businesses, but there were reassurances to the Deputy who asked that question that it would not be too bad.

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Mr Roberts touched on the education debate. Myself and Mr Roberts worked quite closely with Mr Gentle, who I believe worked with St Anne's School and the management committee, and we took the view from the school and Mr Gentle as an education man about how to go forward on that. It seems there are quite good opportunities on this. This is £157 million. It is a two-schools model and it is going to help our children when they go on for further education, going to Guernsey. What it also offers is hopefully more support for St Anne's with staffing, I am told in the policy letter, which is fantastic. It has also got the digital roadmap, so that is going to assist with online teaching and resources, hopefully making St Anne's pupils not feel isolated and more connected to Guernsey through the digital way forward, which is good.

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Touching on the swimming pool, we were hoping that the swimming pool was going to be included somehow in this policy letter and that they would make some sort of resolution that would say all children in the Bailiwick have to have the right to be able to learn to swim in a swimming pool, which would mean that St Anne's would have to have something. That has not happened yet. However, there is a referral on to the policy that is passed. Hopefully that will happen. So, fingers crossed that the Education representative with ourselves can push that to try and get something done with the swimming pool going forwards.

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You said about what meetings we have had, and everything. We did have Peter Ferbrache come over – I think it was about two weeks ago – and meet with all of the States Members. I think it was a good meeting, but I think he did offer – and I do not think he is going to mind me saying this – that they could ... Just to give some clarity on who Peter Ferbrache is, he is President of the States Trading Board that is basically in charge of Aurigny, trying to put Aurigny on track. He basically said to us at that meeting he would be happy to hold a People's Meeting. I

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1165 do not know how we can do that. I do not know how we can do that – if we can do that through P&F or if we can ask him maybe to hold some sort People’s Meeting so that everyone can ask Deputy Ferbrache those questions about Aurigny. I think that is something that we need to push, so I just want to emphasise that in wrapping up.

1170 We did meet with Gavin St Pier and we touched on a few things, but that was a more casual meeting and we did not go into details. And I think as you know, I just sent that email that forthcoming, in a few weeks’ time, I just want to go and see what the policy thing is happening with Guernsey PwC, and what the policy presentation is that they will be doing, and see how the alignment is with our energy policy and how Guernsey’s energy policy is.

1175 I think I have covered everything, but I am happy to answer questions if I have missed bits and pieces.

Thank you.

**The President:** Thank you.

Ms Burgess.

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**Ms Burgess:** Thank you, Mr President, fellow States Members.

1185 Mr Snowdon, can I just ask: what do you feel, when you are talking about Aurigny and it has now been put out that it has over £7 million of losses? As a whole, are you picking up that the Deputies are actually questioning the idea of looking at the books as well? We, as an Island, have been saying quite openly ‘Let’s see the books so we can see these £3 million losses given to us.’ Do you think the Deputies are beginning to have those sorts of same doubts and questions, now that is actually out there about this massive loss they are making, so that they are wanting to look at the books and see the running decisions of Aurigny? Do you think that is the sort of feeling you are getting from the other Deputies?

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**Mr Snowdon:** Thank you, Mr President, and thank you, Ms Burgess.

1195 Sorry, I should have actually said it. My understanding is you have got the PSO going forward and then, whatever the outcome of the PSO, whether you get someone or you do not get someone, with these Aurigny losses there will be something coming from Policy and Resources in the Budget trying to reduce the losses or how the States of Deliberation wants to go forward.

What is concerning us very much is that on the Southampton route you have got £1.8 million and I do not want it – we do not want it – going to the States of Deliberation and saying yes or no on that. We need to get to the accounts and how that cost is costed out and the economic impact of anything if anything did happen.

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We are not there yet, but I think the Deputies are very much wanting to get to the detail, which will hopefully be beneficial for us. But I am just worried that a question might arise and it is very important that we have our ammunition ready if that situation happens, which may not happen.

Thank you.

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**The President:** Thank you.

Mr Jean.

**Mr Jean:** Thank you, sir.

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1215 I would like to ask Mr Snowdon if he would agree with me, regarding the lack of mention of Alderney as regards the deficit in Guernsey, that because the situation has been changing on the Southampton route and the figures have actually been growing – probably through projects like the blonde hedgehog – the lack of mention of Alderney in those figures might be construed as an encouraging sign that the deficit itself was actually dropping and that it is time for an update on that deficit figure because it could now be a lot less than it was previously.

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

1220 **Mr Snowdon:** Thank you, Mr President.

You have got a very valid point and I hope that information will be released soon. I think they are going to be under a lot of pressure. I also go back to if we can invite Deputy Ferbrache over – he did say he was willing to come up and have a People’s Meeting – those conversations can hopefully happen and we can try and get some official response. I think that might be the best way forward rather than trying to get it officially. So, I will go back and invite him and hopefully come back with something.

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**The President:** Thank you very much indeed.  
Mr Dent.

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**Mr Dent:** Just briefly, Mr Snowdon, are you aware of the Aurigny efficiency review which is currently ongoing? It is a piece of work commissioned, I believe, by the Committee for Economic Development with the support of the Scrutiny Committee in Guernsey. I believe it is due to report at the end of September, but have you had any impressions while you were in Guernsey about it? I think it would be quite interesting to know what our own Member’s view is on what the likely outcome could be and what the impact could be when it is finally published.

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**The President:** Thank you, Mr Dent.  
Mr Snowdon.

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**Mr Snowdon:** Thank you, Mr President, and thank you, Mr Dent.

I hope that we are inputting into that somehow. I am not quite sure I know how we are, but I, no? No we are not, ok., or maybe if we can try and find a way to input into that would be good.

The answer to your question is no, we very much concentrated on trying to make a connection with Mr Parkinson about the PSO thing. You are right, but I think there are different levers and mechanisms that we can use depending on what the outcome is. I must emphasise that we do not yet know the outcome, but we need to prepare for lots of outcomes. So yes, let’s have that conversation and I am more than happy, and I know Mr Roberts will be too, to ask questions or have meetings. As I say to all Members, come down with us if you really want to talk to someone. I know some of you have taken it up, but if we can have those meetings with Deputies then you can ask those questions directly because there is time for that during the course of the day.

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Thank you.

1255 **The President:** Thank you both, gentlemen, for such an extensive summary of the events of the last few weeks.

### Statement by the President

**The President:** Before I formally ask the Greffier to close the meeting, I think that I should say something about the events which took place prior to the States Meeting tonight.

1260 Mr Snowdon has already mentioned a letter which was submitted by Ms Benfield to the States of Guernsey and she has tonight submitted a similar letter to each of us asking us to consider the points that she has set out in there. If I can paraphrase her concern, it was simply wanting reassurance that the States as a body were working as one to prepare our case to

advance to Guernsey to defend our routes and to ensure that our Island is protected going forward.

1265 I hope that what you have heard tonight gives that sense of comfort, but I would like to add that, in my role as the President, I have also been involved to some extent in what has taken place within the States and I can say that I am satisfied that the States, together with the Civil Service and the experts who are advising the States on our approach, are working extremely hard. They are focused, they have their eyes on the prize and they will, when the time is right, deliver up to us a strategy which is going to allow us to really fight our corner when it comes to the events which are going to unfold over the next few months. Of course more information would be helpful, but information which might damage our negotiating position is something really which would not do the Island any benefit.

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1275 So, in summary, can I simply invite the community to trust our politicians, that they are working hard, they will continue to work hard and they will secure an outcome which will ensure the future of our community. Thank you.

Perhaps now, Mr Greffier, you could close the meeting.

**PRAYERS**

*The Greffier*

*The Assembly adjourned at 7.10 p.m.*