



OFFICIAL REPORT

OF THE

STATES OF THE

ISLAND OF ALDERNEY

HANSARD

The Court House, Alderney, Wednesday, 8th July 2020

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

Volume 8, No. 5

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) representing
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 President: Good evening, everybody. Welcome back.
Mr Greffier, could you please take the roll call?

5 **The Greffier:** Thank you, sir. All present, Mr President.

The President: Thank you very much indeed.

Convener's Report of the People's Meeting held on 8th January 2020

The President: Mr McKinley, you convened the People's Meeting on Wednesday. Would you
like to give us your report, please?

10

Mr McKinley: Well, I can first tell you, before we go into detail about –

The President: Just the Members, thank you.

15

Mr McKinley: I convened it, assisted by the Acting Head of Finance and the Executive
Assistant. There were several States Members present, excluding myself, so a total of eight. The
two missing were the Alderney Representatives, who were at a meeting down in Guernsey. The
President attended, obviously, and the Minute Secretary. There were 18 Members of the public,
which was disappointing – there should have been more – and there were four members of the
press, sir.

20

The President: Thank you very much indeed.

Billet d'État No. 1 for Wednesday, 8th July 2020

I. The Speed Trials (Alderney) Ordinance, 2020 – Proposition carried

Item I.

The States of Alderney are asked:

To approve the Speed Trials (Alderney) Ordinance, 2020.

25 **The President:** We will now move on to Billet No. 1, Mr Greffier – if we could deal with Item I, please.

The Greffier: Thank you, sir. Item I this evening is the Speed Trials (Alderney) Ordinance 2020. A letter has been received from Mr McKinley in his capacity as Chairman of the General Services Committee, and the States of Alderney are asked to approve the Speed Trials (Alderney) Ordinance, 2020.

The President: Mr McKinley, I believe you are going to propose this Item.

35 **Mr McKinley:** If I may, sir.

The Greffier: The Convener's report, sir?

The President: Before that, if you could just give us the People's report, please.

40 **Mr McKinley:** It is very simple: there were no comments on this Item, so I shall not be very long either. The annual speed trials will take place again this year between 17th and 19th September. They will be going, as always, on the road extending from Whitegates to Mannez Lighthouse and Route des Mielles to Hammond Memorial and they will also be going from Le Grand Val to Tourgis Hill on the final day.

45 That is all, sir.

The President: Thank you.

Mr Dean, I think you are going to second this Item.

50 **Mr Dean:** Thank you, sir, yes. Nothing much further to add to that from Mr McKinley – just that it will be a welcome addition for us in September and this is the 30th year that we have passed legislation to allow them to race. In the first years it was just a hill climb, then it extended to the hill climb and sprint, and then it also extended to a time trial up by the Airport. It will be a much welcome addition since COVID-19 to welcome everybody back. Because they have not been able to race in Guernsey, Jersey or the United Kingdom, there might be a lot more people coming than usual and it will be good for the hospitality sector.

The President: That is excellent news to hear, Mr Dean.

60 I am going to ask, this evening, that when Members wish to speak on a particular item, rather than me having to keep asking the question, if you could just make it clear by an indication then hopefully I will be able to get to everybody who wants to speak.

We will start now. I am guessing everybody, then, is happy. Okay. That being the case, Mr Greffier, that passes.

65

The Greffier: Thank you, sir.

**II. The Public Holiday ('Homecoming Day') (Alderney) Ordinance, 2005 –
Item debated without resolution**

The President: Item II.

70 **The Greffier:** Item II this evening, sir, is The Public Holiday ('Homecoming Day') (Alderney) Ordinance, 2005. A letter has been received from Mr Dent, as Chairman of the Policy and Finance Committee, and the matter is before the States for debate without resolution.

The President: The People's Meeting, Mr McKinley.

75 **Mr McKinley:** It was advised that an amendment to this Item is being placed tomorrow to clarify the possible options for debate. It was stated by a member of the public that as this Item is a debate without resolution, no decision will be made for a further six months.

80 **The President:** Thank you very much indeed.
Mr Dent, you will propose this Item – is that right?

Mr Dent: Mr President, I would like to propose it and I would first like to propose the amendment.

85 **The President:** If we can just confirm that you are going to propose the main Item and, Ms Burgess, you are going to second the main Item?

Ms Burgess: Yes, sir.

90 **The President:** So, that Item is now in play. Mr Dent, before we enter into that debate, I think you have an amendment.

Mr Dent: Indeed, I do. I would like to make the following amendment:

To add the following resolution:

- 1. to abolish the Monday holiday if it occurs on a weekend, and confine celebrations to the 15th December irrespective of the day of the week this falls on; and if this fails*
- 2. to celebrate always and only on the Monday following 15th December; and if this fails*
- 3. to celebrate always and only on the Monday preceding 15th December; and if this fails*
- 4. to continue as current practice.*

95 Mr President, we need a clear format for working, so that a rational choice amongst the four options can be had. I think without a structure such as this the debate could end rather inconclusively.

Thank you, sir.

100 **The President:** I have given this one a lot of thought, Mr Dent – and I think, Mr Harris, you will be seconding this amendment – and I just want to go over a little bit of the history with you,

Mr Dent, so that the people who are here and listening can actually understand how this comes about. This matter, as I understand it, was before Policy and Finance in January. There was no debate at that stage and the resolution there was that the Policy and Finance Committee resolve to debate this matter at a meeting of the full States. Is that correct?

105

Mr Dent: Mr President, that is correct. There was a background paper, though, that went with it and the background paper basically referred to possible changes from the present arrangements and particularly referred to celebrating only on 15th December.

110

The President: When this matter came to be on the Billet you were asking for, still, a debate without resolution.

Mr Dent: Mr President, I do not think the P&F resolution stated a debate without resolution.

115

The President: No, I am talking about when it comes to the Billet – the document which you submitted for inclusion on the Billet said:

I should be obliged if you would place this matter before the States at its next meeting for debate without resolution.

Mr Dent: Mr President, I am now proposing an amendment to that.

120

The President: Yes, I am simply trying to get the timeline here so that we can all understand how it comes about that you are now seeking to change what was in the Billet and what was said at the People's Meeting.

So, you are now wanting to amend this Item so that it is not simply a debate without resolution but you actually want a resolution of it itself?

125

Mr Dent: That is correct.

The President: And what you are doing is now putting forward the various options. (Mr Dent: Indeed.) Were those options mentioned at the People's Meeting?

130

Mr Dent: I do not precisely remember, but I think the Convener did refer to the fact that an amendment would be put forward stating what the options were, and this I believe is the full gamut of options that are really available.

The President: But those options were not shared at the People's Meeting. Is that right?

135

Mr Dent: I think that is correct, yes.

The President: So, the public did not have the opportunity of making a contribution to the four options that were going to be available to the States tonight.

140

Mr Dent: A public consultation was held – and I will be referring to it in the main part of the debate – in which the public were asked to comment on the options for celebrating this holiday, and we got eight responses to that.

145

The President: But the question I am putting to you is that they were not shared with the people who attended the People's Meeting.

Mr Dent: No, they were not shared.

150 **The President:** So, the people who attended the meeting did not have the opportunity to challenge those four propositions.

Mr Dent: Yes, I agree, but we have the four propositions currently.

155 **The President:** And that is my problem, frankly, Mr Dent, because Rule 13 of the Rules of Procedure gives me a discretion whereby I can rule the amendment out of order if it goes further than the original proposition, and frankly I think in this instance it does because you are changing the nature of the decision-making process, which was not shared with the public. You did not tell the public on Wednesday that there would be a resolution to be considered, but simply that there would be an amendment and it would have four parts to it. I do this reluctantly because I know that a decision needs to be made about this. However, I am bound by the Rules of Procedure which you, as Members, passed, and if I do not interpret them in accordance with the Rules then I am failing in my responsibility. So, I am afraid –

165 **Mr Dent:** May I add now –?

The President: Yes, you may, please do.

170 **Mr Dent:** I have just had a message from somebody who was present, the Executive Officer, who confirms that I did in fact mention all four resolutions in the People’s Meeting.

Ms Burgess: Sorry, can I interject? I do apologise.

The President: No – well, is it a point of information?

175 **Ms Burgess:** It is a point of order.

The President: Yes.

180 **Ms Burgess:** Apologies. We received emails that were commenting on this before from the public. My apologies – I thought all four resolutions had been mentioned in previous emails, but Sue has just confirmed it was three.

185 **The President:** But I am talking about what was actually said at the People’s Meeting. That is the issue for me. I think people have to have the opportunity of challenging. That is the whole purpose of the People’s Meeting. If the amendment is a small matter which is not going to particularly affect the outcome, then that is one thing, but when you are telling the public you are going to do it in one way and then you come to me and say, ‘Actually, we would like to do it in a different way,’ and the public do not get a say in that, then I do not think that is a proper way of dealing with it.

190 In any event, this issue is not going to be live until 2024, if I am correct. That is the first time that Homecoming will fall on a Saturday or a Sunday, so there is not a massive urgency about this.

195 I think you are going to have to, I am afraid, debate your original Proposition and then take it back to P&F and reach a decision, and then, if you think that decision needs to be brought back to the States, that is what you will do. But it is a political decision and you can make that within the Policy and Finance Committee, so the public will get the opportunity then, if they wish, to contact you now that they have heard what the options are, and put any additional submissions.

200 I think in those circumstances, Mr Dent, I am afraid I am going to exercise my discretion under Rule 13 and I am not going to allow this amendment. In those circumstances, do you wish to continue with the original Proposition, which is a debate without resolution?

Mr Dent: Mr President, in those circumstances I would continue with the original Proposition.

The President: Thank you.

205

Mr Dent: I think, in the circumstances, it is probably best that we hear the written responses that we got before we launch into this debate without resolution. There were eight. The first one was:

As a self-employed consultant it is not an issue that will affect me, but as a piece of destructive public relations and a way of upsetting the majority of the working population of the Island I can think of nothing more likely to cause an uproar and outcry and general grumbling about the States of Alderney than this proposal – more precisely, the loss of a public holiday if the Homecoming Day is on the Saturday or Sunday rather than having a public holiday on a weekday. This can be annoying.

Regarding the start-stop nature of the working week, though working practices may have moved a long way from the working week and a weekend, a three-day weekend is an attractive approach as it doesn't cause stop-start issues with the day taken in the working week, nor issues of childcare.

There is also the simple parity argument with Guernsey that can also be highlighted, where Liberation Day is celebrated on the same basis as the current Homecoming Day in Alderney, i.e. if on a Sunday or Saturday a weekday is used. Hence, would it be fair that in a year where Homecoming Day is on a Saturday or a Sunday those who live and work in Alderney would have one less public holiday than those in Guernsey? On a similar basis it could then be perceived that Alderney takes its remembrance of the final chapter of World War II less seriously than Guernsey, a status that I am sure would not be true.

That was the longest one.

210

The President: I am saying nothing!

Mr Dent: The second one was:

Homecoming Day is 15th December and should be celebrated on that date regardless of what day it falls on.

The third one was:

Whilst it would be nice to keep the actual Homecoming Day in December as a bank holiday, it is at a really bad time of year, being so close to Christmas. I do not believe that it is necessary to celebrate the actual date. It is more important that it is the event itself that is celebrated. I would like to see Homecoming bank holiday celebrated on the late summer bank holiday at the end of August as Alderney Day. By moving the celebration and by making it part of the summer's festivities, more people will be on Island to either enjoy it or participate in any events that take place, plus using an existing bank holiday for the rest of the UK it would not create any disruption.

215

The fourth one:

Homecoming Day, 15th December, is a very significant day in the social history of the Island and is rightly designated as a public holiday for remembrance and celebration. I see no reason to designate another day, if the 15th falls on a weekend, as a public holiday. This other day has no significance and detracts from 15th December. We do not move the 25th December public holiday around if it falls on a weekend.

The fifth one:

I strongly believe that Homecoming Day should be commemorated on 15th December and there should be a bank holiday, but only on 15th December. There should not be a bank holiday on the Monday before if the 15th is at the weekend.

Number six:

I feel that 15th December should be commemorated whatever day of the week it falls, as is the current situation. However, if the bank holiday falls on the weekend, the following Monday should be taken in lieu, not the previous Monday. This will then correspond with all other bank holidays throughout the year.

Number seven:

I feel that as the whole point of this celebration is that of the Islanders coming home, it should be celebrated on that day, 15th December, every year, whatever day that falls on.

Number eight:

I can't see any valid reason to change the current situation whereby if Homecoming Day falls at the weekend the preceding Monday is designated a public holiday. Given that employees here have precious few legal rights, removing this entitlement for a weekday public holiday is detrimental and would set a dangerous precedent. The next logical step would be to remove the weekday public holiday for Christmas Day, Boxing Day and New Year's Day when they fall at the weekend. This would clearly be unacceptable, so why should we accept it for Homecoming Day? Given that we want to encourage people to move and work on Alderney, what kind of a message would this send? That their rights are constantly under threat? It would, of course, be a devaluation of Homecoming. Given that we have a falling number of residents who were involved in it, it is more important than ever that we remember the effort that they put into rebuilding our Island. The proposed change would be an insult to their memory and to those that are no longer with us.

220 Besides these eight views, a number of people have expressed a verbal opinion. Most who spoke to me wanted the status quo to remain, some wanted the 15th and only the 15th, and a few were keen on the options that give a guaranteed longer weekend. No doubt other States Members have been approached by members of the public and they may put a different perspective on things.

225 And finally, my own views: I respect the views of those who want some version complying with the 15th. The evacuation and subsequent return is not something that should be taken lightly and the views of those who lived through the trauma should clearly be given extra weight. However, I am not sure why, some 75 years on, it has now become an issue. I also respect the views of those who think differently and are in favour of an extended weekend and of those who
230 do not think it should be so close to Christmas, but unless anyone can tonight persuade me differently I am inclined to support the status quo.

Thank you very much.

The President: Thank you very much indeed.

235 Ms Burgess.

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

I am really just going to almost echo the sort of emails received from the public. It is just my heartfelt feeling on this. I have had quite a few conversations with the more elderly part of our
240 population. My previous work as a home help means that I have had many conversations on this, but this is actually just how I feel about it. I do want to say it out loud that the holiday was awarded to commemorate the Homecoming and it is an important day in our history. If it was not for the returnees coming back and facing the devastation of their Island home, we would not have what we have today: 15th December gives us a chance to remember their bravery and
245 determination. It is a day of respect as well as remembrance.

If we were to keep to the actual day of return it would of course mean that if it fell on a weekend we would lose the bank holiday for those working Monday to Friday. However, I do think, like Liberation Day, it should be remembered on the exact day of the historical event. In the case of liberation it is on 9th May, and of course for us it is 15th December. This means the

250 Monday prior to the date is rather disjointed as it is quite a few days between the holiday and
the Homecoming, and if we placed it afterwards it would also mean getting rather close to
Christmas. So, personally, I think it should be marked on the actual day. It is a time to remember
their bravery, determination and hard work, which gave us such a strong foundation which we
continue to benefit from.

255

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

Mr Gentle: Mr President, fellow colleagues, to debate that resolution I will stand up, say a
260 few words and sit down. I apologise for the repetition for some of you here again when it finally
gets to the States in its proper form, some of which has been said by Mr Dent in his summation,
some of which has been said by Ms Burgess.

I am able to stand here today, you are able to sit there and those people are able to sit there
due in no small part to the actions taken by a group of homecomers in 1945 when they were the
265 first Islanders to return. We have to remember the past and we have to celebrate on
15th December because the day will come when there is nobody from the homecomers left to
celebrate with and it will only leave the families of the returnees for whom the day will be a
special day to remember.

It is not to be seen as taking away a bank holiday but more a case of giving people who work
270 the choice to celebrate on the actual day. In 2005, in preparation for the 60th anniversary, it was
decided at very short notice to mark the anniversary with a formal public holiday and the then
States passed the Ordinance in front of us. It was also stated at the time that despite the
majority of Members being happy to introduce a holiday, the intention was always to relook at
when the holiday should be celebrated.

275 This year is a particularly big celebration in that it is 75 years, and I sincerely hope that we as
a States do not fail as dramatically as we did last year in failing to remember those from this
Island who fought on D-Day. We must be celebrating this year and every other year on the day
in question and not on any other day. I hope that someone in the States is putting some form of
commemorative package together. The date means something.

280 Thank you.

The President: Thank you, Mr Gentle.

As far as this debate without resolution is concerned, I just want to make it clear that it is the
Policy and Finance Committee that asked for this. I say no more.

285 Does anybody else wish to speak? Mr Harris.

Mr Harris: Mr President, fellow States Members, I am a proud Islander, I make no bones
about that, and I completely understand and appreciate the cultural and historical significance of
Homecoming Day on our calendar. It is a day that must be celebrated and remembered so that
290 future generations never forget the importance of the events from the occupation, evacuation
and eventual homecoming of our evacuees.

I am a little confused as to why this issue has now arisen after many years, but that is really
an argument for another time. What I will say, though, is that whatever the outcome of any
eventual Homecoming debate might be, the biggest tribute that any one of us in Alderney could
295 give to those whose lives were so terribly affected by the occupation is to simply never forget.

Thank you.

The President: Thank you very much, Mr Harris.
Any other contributions? Mr Jean.

300 **Mr Jean:** Thank you, sir. I just want to say for me it is the people that count and the day that counts, and I think that is the date we should have the holiday. In a way, today I am grateful that we are having this as a debate without resolution. I know a few people feel it is unusual to do that, sir, but it is good because it gives proper time.

I think what I am picking up is that the homecomers themselves, the few who are left, are very much wanting this to be on the day itself, on 15th December, and I really think that is what we should go with. That is the right thing to do. It is the right day and any other day actually 'irrelevants' the day itself, if you know what I mean, and that is what I feel is the most significant, not the holiday. The day itself is the most significant, not the holiday.

310 **The President:** Thank you very much for that, Mr Jean.
Any more contributions? Mr Roberts.

Mr Roberts: Thank you, just a short thing on this debate.

315 Mr Jean and I had great-grandparents, grandparents and parents on that boat, sir, and we will still be celebrating this day in 50 years' time. We really will. It means so much to us, so it should be on the day.

Thank you.

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

325 **Mr McKinley:** Just very briefly, sir, it is quite clear from what people have said what they want and I cannot understand why we are having a debate without resolution. It has made it quite clear what people want and if we went for a vote I think the vote would be on the actual day it happened. It is a shame we cannot do that.

The President: Mr McKinley, it was the Policy and Finance Committee that framed this debate. Whatever people's views are, that is how it is, and so you can now take this matter back to Policy and Finance and you can make that decision.

330 **Mr McKinley:** And then we have to formalise it back in the States.

335 **The President:** Well, I hesitate to say it but it is your responsibility. It is for the Policy and Finance Committee to make sure that the submissions that you put in for inclusion on the Billet properly reflect what you want to happen, and on this occasion that has not been the case. If you had put this on for resolution, then that would have been a different debate, but it was not – it was put on for a debate without resolution and I am not prepared at this late stage to add a resolution, because that would be unfair. I hesitate to use the expression, but it is on you.

340 **Mr McKinley:** Thank you very much, sir.

The President: Mr Snowdon.

345 **Mr Snowdon:** Thank you, sir.

I think we have got in a bit of a muddle tonight, which is a bit unfortunate. Just to echo fellow colleagues, I think 15th December is important, that it is on the day and it is not any other day. It is vital that in another 75 years' time this is still remembered. I think the States and the community does a lot, and there is a lot that goes on in the community, but I think, as has been highlighted in this debate already, the States can do more to celebrate that day and I think we should be thinking of ways to do that. I know, sir, that you have your own views and ideas of things that might be happening, but I think we should really get behind that and make sure that

it is never forgotten. It is just unfortunate that Policy and Resources seem to have got themselves in a muddle tonight.

355 **The President:** A Freudian slip there, Mr Snowdon – Policy and Finance. *(Laughter)*

Mr Snowdon: Sorry – Guernsey!

360 **The President:** I was present when this debate was going on and what I said at that time was that I would welcome any suggestions from States Members about ways in which we can improve the delivery of the Homecoming event. But please rest assured that my office, ably assisted by Ms Benfield, will ensure that this year is one to remember. We have some very interesting ideas, which of course we have had to put on hold pending being in a position to be able to do it, but we are now going to move ahead. It will never be forgotten, not least by those
365 of us who have the privilege of living here who were not born here. We do recognise it and we will continue to carry that torch.

Thank you. Mr Greffier.

The Greffier: Sorry, Mr Dean ...

370

The President: Sorry, Mr Dean, I got a bit carried away there. I apologise.

Mr Dean: I will speak, yes. It is like the first day back at school!

375 Obviously at Policy and Finance we did agree that it was going to be debated. I am sure I can speak for the other Members: we were expecting it to be right on the Billet, but what we have actually got on the Billet is what we have already got in law. So, the 15th is a bank holiday, is a public holiday, except when it falls at the weekend. I do not think anybody will not understand that the 15th is an important day, but it just seems to me we are trying to reinvent the wheel when there are other things that we should be doing.

380

The President: I think I have probably said enough.

Mr Earl ... Has everybody finished? Thank you very much indeed. We can now move on, please, to –

385 **Mr Dent:** Mr President, do I get a chance to sum up?

The President: For what? Have you got some really important stuff?

390 **Mr Dent:** No, Mr President, I would just like to say that obviously it will go back to P&F and I think you can expect to see it back at some point, hopefully in the not-too-distant future.

The President: I think we could probably have taken that as read, but thank you anyway – in the correct form next time perhaps?

395 **Mr Dent:** Yes.

**III. The Emergency Powers (Coronavirus) (General Provision)
(Bailiwick of Guernsey) (No.3) Regulations, 2020 –
Proposition carried**

The States of Alderney are asked:

Not to annul 'The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.3) Regulations, 2020'.

The President: Mr Greffier, can we move on now, please, to Item III?

400 **The Greffier:** Thank you, sir. Item III deals with the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.3) Regulations, 2020. The States of Alderney are asked not to annul the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.3) Regulations, 2020.

The President: Thank you.

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

Mr McKinley: There was one brief comment, sir. Mr Dent clarified the legislation process. It was noted that under Part 1 – screening, assessment and powers to detain etc. – the facility used in this rare case would be the police station with assistance from the Guernsey Border Agency and there would be no cost to the States of Alderney.

410

The President: Thank you.

Mr Dent, you are going to propose this Item.

Mr Dent: Mr President, thank you.

415 I would start by simply summarising the points that I made at our last meeting. These are all regulations made by the Civil Contingencies Authority. They are required to be placed before the States of Alderney in order that they be not annulled. There will, in fact, be a similar requirement each month until the crisis is over. This is because the regulations only last for 30 days. As occurred in May and June, you will note the extensive list of headings and the subject matter covered, again not something I intend to go into this afternoon but I was minded to do it. The full texts are on the States of Guernsey Law Officers' website. There are some 85 pages; in May, there were 124 pages. As lockdown eases, the need for many of the regulations is falling away.

420

425 As I hope you have noted, these regulations were made on 13th June by the CCA and therefore expire in just 18 days' time. As you may also have noted, on 18th June a number of the regulations were revoked. This was of course coincidental with the introduction of phase 5 of the lockdown. The revocation of these regulations and the not-to-be-annulling will be dealt with as part of Billet No. 2. Having said this, not annulling is an important safeguard. All regulations that are passed outside this Chamber must eventually come to this Assembly for approval – or, in the legalese, not to be annulled. Most of the regulations that come before us do not of course have the sell-by or expiration date that comes with regulations from the CCA that causes the not-to-be-annulling seem perhaps a little strange. However, although it may seem a little quixotic, I would urge you to exercise your right not to annul. We need to signal to all those who worked for us during the worst parts of the crisis that we have appreciated and supported their work.

430

435

Thank you very much.

The President: Thank you, Mr Dent.

440 Mr Snowdon, I think you are going to second this.

Mr Snowdon: Am I, sir? Okay, yes, seconded, thank you.

The President: Thank you.

Anybody have any observations they want to make? No? You are happy with that, Mr Dent?

445 **Mr Dent:** I am.

The President: Thank you. Can we take that one as read then, Mr Greffier?

The Greffier: Yes, sir.

**IV. The Alderney Property Tax (Enabling Provisions) Law, 2020 –
Proposition carried**

The States of Alderney are asked:

To approve the draft Projet de Loi entitled ‘The Alderney Property Tax (Enabling Provisions) Law, 2020’, and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

450 **The President:** Item IV, please.

The Greffier: Item IV this evening is the Alderney Property Tax (Enabling Provisions) Law, 2020. 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 the draft Projet de Loi entitled ‘The Alderney Property Tax (Enabling Provisions) Law, 2020’, and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

The President: Mr McKinley, were there any comments on this at the People’s Meeting?

460 **Mr McKinley:** There were, sir, yes. Mr Dent clarified the law. It was noted that the current measurements for TRP and occupiers’ rates will still be used, and this process will be administered by the States of Guernsey, as is the Cadastre. The rates of charge will be determined at a later date by the States of Alderney through a budget process. Concerns were raised that residents should not have to pay more in order to support the businesses that have received a discount/exemption in order to balance the finances. It was noted that it was not the intention for charities to be disadvantaged by this. A suggestion was made that a referendum should be required for significant variations in the charging structure. That is it, sir.

470 **The President:** Thank you.
Mr Dent, you are going to propose this Item.

475 **Mr Dent:** Sir, colleagues, this is the next stage in the long-running moves to introduce a single Alderney property tax by combining TRP with occupiers’ rates. If I may remind you, the intention here is to give us more freedom, to give us flexibility, to give us control and to give us independence. It will allow Alderney to set rates and categorise properties in a manner that reflects the needs of our own economy and our situation rather than that of Guernsey. It will, of course, also make the collection of taxes on property simpler and more efficient.

480 It is noteworthy, to me at least, that to date Bailiwick wide – that is to say in Guernsey – the approach has been to charge the highest TRP rates on business properties particularly on those business types, and in the wider Bailiwick – again, that is to say in Guernsey – they have been able to afford to pay to take franchises. Alderney might want a different approach and set rates and categorise properties in a manner that encourages new businesses into the Island, perhaps even poaching some of the business from Guernsey. It can do that – if it wanted – by adjusting the rates on different business categories. Alderney might, on the other hand, want to lessen the

485 overall tax burden on all its businesses or have businesses pay more in order to benefit residents, or indeed it might want to maintain the status quo. All of these will be options.

I would prefer, however, not to speculate tonight in regard to changes we might make. This is a matter to consider at Budget time. Tonight it is enough to vote the new freedoms for influencing our own destiny that these changes will bring and then to bring the new regime one step further forward. Mr President, I think to reject this move tonight would be tantamount to saying we abrogate our responsibility to govern and let others govern in our stead. I do not think that is a very good idea. I would, however, like to emphasise that in the initial year we expect many people to see little difference other than one bill instead of two.

I need now to dispel some myths that have been put about by Spartacus and one or two Guernsey Deputies. The proposals for the Alderney property tax do not eliminate the future possibility of future support for the States of Guernsey to meet shortfalls in our revenue account, something which you probably know has its basis in the 1948 agreement. Firstly, for 2021, if the forecast yield from the TRP and other duty we are taking responsibility for is below what we would have received in a normal grant for 2021 then there is, in the policy letter on the fuel and document duty recently considered by Guernsey, a commensurate reduction clause. This commensurate reduction agreed with Guernsey at Budget time within the States of Alderney would receive a small grant to ensure no financial detriment. However, the current forecasts suggest that there will be no requirement to exercise this condition from 2022 onwards. The States of Alderney should set its single property tax and duty levels so as to meet budget requirements, and so the regular grant provision should fall away. It is understandably set out in this manner in order to discourage irresponsible political decisions or poor financial management with an expectation that this will be covered by the States of Guernsey. Secondly, in the event of exceptional events affecting income – such as COVID – there is a mechanism for going to Guernsey for support from the revenue reserve. All of this was agreed with Guernsey's Treasury and Resources at the outset of the discussions about the single property tax and I repeat there would be a contingency in the event of exceptional issues. I am pleased to note that all this was reconfirmed last week. It is a welcome element of the new agreement, particularly whilst the States of Alderney builds its own reserves to provide for future contingencies.

Now let me go back to the first point: why do the figures suggest support for the commensurate reduction mechanism will not be needed? First of all, the grant currently received from Guernsey is £1.88 million. Using 2020 figures, the TRP raised in Alderney is estimated to be £1,108,000, rather higher than the older figure of £960,000 projected by Spartacus. The revenue estimated from document and fuel duties will add, in fact, another £760,000 to the total, so overall the new issue is likely to neatly balance the previous grant. I acknowledge that the latter income group is variable and demand led. We will therefore continue to monitor it closely before agreeing to our Budget.

Thank you very much, Mr President.

525 **The President:** Thank you.

Mr Earl, you are going to second this Proposition.

530 **Mr Earl:** I am indeed. Mr President, fellow States Members, I shall keep this very brief. This is a sum zero proposal which gives the States of Alderney greater control over its finances. I commend it to you all.

The President: Very succinctly put, Mr Earl.

I am looking round to see if anybody wants ... Ms Burgess.

535 **Ms Burgess:** Thank you, Mr President and fellow States Members. I have written a piece on this because I have heard some questions and some comments made by my fellow States

Members, so I just wanted to address it because I wondered if this was echoing how people are feeling.

540 My thought on this is the main difference is that the Alderney Property Tax will be paid to the States of Alderney rather than Guernsey and I think that is a statement that sits well with me. It is a control of our spend, and this has to be a good thing. And it is not a rushed process. This is something else that somebody felt we were rushing towards but it could not be further from the truth. I am just going to do a very small history on it so that we understand where we are and why we are here now.

545 In late 2014 a review into the financial relationship between both islands was agreed following a brief which had been prepared by both Civil Services for the Alderney Liaison Group. There was a detailed review carried out then, in 2015, and a final report considered by both States in February 2016, and all recommendations were accepted. There was a public meeting in Alderney at the same time, with an initial target due date set at January 2008. Both Civil Services
550 agreed the change process through 2016 and early 2017. September 2017 saw the States agree to introduce a new single property tax by 2019 but then fail to agree to instruct the Law Officers to prepare for this legislation, so the States revisited it again in July 2018 and finally accepted the introduction of a single property tax in the legislation plan. The target date was then January 2020. In late 2018 and 2019 it became clear that Brexit priorities would delay the legislation, so
555 it was then agreed to shift the start date to January 2021. So, we are now back on track.

As it says in the Billet paper – and I like this word – it ‘empowers’ the States of Alderney to, by ordinance, make provision in relation to the taxation of real property in Alderney. I am happy to vote for the enabling legislation as we are going to get control of our own spend. We get more transparency with proper purpose in relation to the taxation of real property in Alderney.
560 There will be no requirement to revert back to Guernsey for permission and there will be an opportunity to pay in monthly instalments so it can be more manageable. There will be leaflets delivered into households in Alderney during this month to help clarify. The TRP and occupiers’ rates equate to near enough the same as the new single bill. The main difference is the Alderney Property Tax will be paid to the States of Alderney rather than Guernsey. Income from property
565 tax will be used to pay for the local services delivered in Alderney which are the responsibility of the States of Alderney. Landlords and tenants can come to an agreement on how to combine this bill, and so it will basically cost the same.

Having said all this today, it is actually just about the enabling legislation to go through – just later than we had originally expected. In an earlier meeting Mr Dent said that this is about more
570 control of our own destiny and he said this is surely a good thing, and I actually agree with that statement, Mr Dent, so thank you.

The President: Thank you very much indeed.
Mr Snowdon.

575 **Mr Snowdon:** Thank you, sir. I think I just need to declare an interest in that I do I own commercial and residential property.

I just want to go through a few points with this because it does concern me. We received a presentation this week with some numbers, so I will just go through a few bits in the
580 presentation that we received.

On page 15 of the report it states 300 units, property tax, which will be the combined tax, and what it is now is £1,137 per year, and I was told that that was for a three-bedroom property. I think what we need to take into consideration is that there has already been a 10% increase in TRP from Guernsey, and more on bigger properties. We also agreed a 5% increase by the States
585 of Alderney. I do hear this rumour that goes around quite a lot that our rates are so much cheaper than the UK and that we really should be putting our rates up quite considerably, so I would like to take you back to that number: £1,137 for a three-bedroom property. I know myself a cottage in the UK, in Sussex, is £1,400, and if you are a single person you get a discount on that

590 yearly rate. What I am trying to emphasise is your rates are actually getting near the UK as it is
now. And then we did have the press release from the States of Alderney – and it does say it in
the press release, and I think it was debated and it probably will be another time – that the
ambulance fee may likely be added to this as well. I think we need to be up front with the public
about what could potentially happen with this when it does come into force. I was not at the last
People’s Meeting but apparently second-home owners were discussed as well, so there seem to
595 be a lot of different items being added the whole time which have not been endorsed by P&F to
my knowledge but they seem to be getting out into the public domain.

I know Mr Dent said we did not want to talk about this in debate, but it is actually quite
critical that we do take it into consideration. So, I do ask the question: what other increases are
going to be put on to this? I am going to be quite hard on this because I think we do not quite
600 know what the next six months is going to hold. We have got the COVID-19 economic crisis –
that is the financial crisis that we will be unfortunately heading into, and we really need to brace
ourselves and help the community as much as possible

When we compare this to the cost of living, if we look at the electric costs you have got UK
15.2 p, Guernsey 14.74 p, Alderney 44.5 p. Water rates have increased quite considerably. Then
605 you go to the food costs. I have been talking to a local family – quite a lot of local families – two
adults with two little children, and they told me that they spend £200 a week on groceries. That
is £10,000 a year, so I think we do need to take this into consideration. I also talked to someone
who is a pensioner, who said that they were spending £60 a week on grocery costs. Then you
put maybe travel costs into it and also they may have a mortgage or rent to pay, and I really
610 think the States of Alderney has to be quite careful about jumping at something where we think,
‘This is a taxation and we can get some money in from here.’ I am going to try and find my words
correctly for this and I do not want to be too harsh, but I do worry as a States of Alderney that
we are not coming up with new revenue streams and potentially we will be looking at this
because there are no ideas coming on to the table. I do hope that there are going to be ideas
615 coming on to the table and things are actually progressing, but we need to look at new revenue
streams – because if not, this is what is basically going to go up and up to raise that revenue. I
am concerned about that and I think we need to be upfront with the public because the worst
thing is we do not want to lose young families who are struggling to pay all of these things I have
just outlined and then the States of Alderney just makes it harder and harder. I think we have
620 really got to be very cautious with any tax rises in the next six months to a year, until we know
where this COVID-19 crisis is going to end up.

The report also talks about other revenue streams – coins and stamps and other income –
and I think it actually highlights that we need to make a lot more income from other sectors, and
I did actually highlight that in the Guernsey debate. So, though I will be supporting this tonight, I
625 hope the future States is very careful in increasing this revenue at the moment while we have
got a struggling economy. I think we have got to realise that potentially it will be a lot worse in
six months’ time. We currently have all the Guernsey support, which is absolutely fantastic for
the businesses and self-employed, but I am not quite sure the level of support that will be there.

I think you will remember that I raised the question in the presentation last week. At the
630 moment, the staycation promotion – free moorings, free water taxi, free boat lifts – all sounds
fantastic, but who is paying for it at the end of the day? I do wonder that we might not balance
our books and have to basically go on to taxation on this, and I do not think the public can
actually take it at the moment. We are balancing and I would be very cautious with this. As we
know and as Mr Dent has highlighted, unfortunately the gambling income is going down and we
635 have not got these revenue streams coming in at all.

So, to sum it up, I think we need to encourage young people to the Island. We have got to
make Alderney look attractive, and unfortunately there may be too many things that make it
look unattractive financially and I think we have got to be really careful we do not add to that. I
know Mr Dent said in his opening statement that we could poach businesses from Guernsey.
640 Okay, so let’s say that we put the business rates down, if that is what you are proposing, but

someone else is going to have to pay for that because it has to balance at the end of it. So I think we have got to be upfront with the whole situation.

As I say, this will be for a future States. I do support this Item but I think it needs to be a very cautious approach and I hope I have outlined that things are not as cheap as some may feel in Alderney.

645

Thank you.

The President: Thank you very much.

Mr Gentle.

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Mr Gentle: Sir, thank you, fellow colleagues, this Item is purely about enabling legislation to be drafted. The new single property tax where occupiers' rates becomes a thing of the past – it gets abolished – will give us the ability in the future to alter and adjust any changes in a manner best suited to our own needs. We will have the responsibility of managing the balance between how much we raise and the continuing maintenance of the standard of service that the money is to pay for – it is something that Mr Snowdon alluded to – and that will be an omnipresent, ongoing challenge for any future States.

655

TRP is a tax on property by its very title, and a tax on property is known as rates. Under the aforementioned 1948 agreement, rates collected in Alderney are supposed to remain in Alderney and not disappear down in Guernsey's bank account, so finally getting the money to stay here is to be applauded but we have to have the option of being able to set our own rates based on local conditions and not being reliant on whatever Guernsey decides is the one-size-fits-all solution of the day. I fully support the premise of being responsible for our own money and can see this being nothing but a good thing for the Island moving forward.

660

Thank you.

665

The President: Thank you.

I think, Mr Jean, you were just beaten to the post. The floor is yours.

670

Mr Jean: Thank you very much, sir.

It is well known that I have got an interest in this, and I do declare interests straight away. I am not happy about this and I remain not happy. I will vote against it. Here, basically, when you look at this it is the Alderney tax enabling provision and it is basically the last chance to vote this out, and I believe it should be voted out. My reasons for feeling that way are that one could look and say that it drew very little comment at the People's Meeting. Well, let's face it, there was not a great deal on the Billet, but my goodness, on the following Monday there was plenty on the table for us to discuss at a special meeting that was called with a financial consultant and at that meeting the package was discussed. I am not going to go over the figures that Mr Snowdon quoted to you, but one of my disappointments is that I feel it was not exactly ethical not to include some of the financial package in the Billet to give the people a chance to comment properly on what is coming. That, in my view, is wrong – that is sort of slipping it round by the back door. What happened was the People's Meeting ... and it also was a sign of, to me, ill-preparedness, not ready for this. We have not had the final discussion, so I am pretty unhappy about that.

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I have said plenty in the past, so I am going to leave it at that, but I am going to vote against it and I am going to tell the States this is your last opportunity to vote this out and in my opinion you should. The reason that you should is because unfortunately, for me, to have this in our hands here ... I am afraid. I am quite worried, I really am, about what the future will hold for people here as regards their costs and how this will be used, and I am sincerely worried about that.

685

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Thank you, sir.

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

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Mr Dean: Thank you, sir, fellow Members. I think some Members here tonight have actually missed the point. As has already been raised, this is enabling legislation and it actually brings control back for ourselves. There are going to be no increases. Whatever you paid with occupiers' rates and TRP this year is what you will be paying next year – let's make that absolutely crystal clear – but it gives us the power later on to revise those rates. As Mr Dent said, it would be wrong for us to speculate tonight on this, and in his opening lines he did speculate.

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I am voting for this, not for any increase. I am voting for it so we have got some control and we know what the rates are going to be. Last year, as Mr Snowdon pointed out, we raised the rates by 5% and then Guernsey raised them by 10%, so it was a 15% increase. If we had had control then, there would have been only one increase from us. So the future is in our hands, and isn't that what we want? I do not want somebody else dictating what we are going to pay. Everybody on this Island should have the opportunity to input, and with this being a new tax – TRP is going to be effectively zero, the occupiers' rate is going to go and it is going to be this new Alderney tax – it does actually put it in our hands, so for it to go up at all it would have to come back into this Chamber and everybody on the Island would have an opportunity to input. Isn't that what we want? It is certainly what I want. I do not want somebody who does not live here saying Alderney can pay another 10%.

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But at the end of the day the books do actually have to be balanced, so, as Mr Dent says, yes we could encourage other businesses to come. The only way I see we can encourage other businesses to come is if we could give them a deferral on their rates and then actually claim it back. We cannot reduce their rates, because if we reduce the rates, as Mr Snowdon has already pointed out, it puts it up for everybody else. I am not standing here tonight and going to vote for this because I want the rates to go up. I want them to stay the same and I want Alderney to balance its books, and it is for us now and future States to be able to do that. We are actually getting back control.

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I know Mr Jean and I will disagree, but it is much better for us to be in control than somebody else, Mr Jean, it really is, so I commend this to be passed in the States.
Thank you.

725

The President: Thank you, Mr Dean.
Mr Roberts.

Mr Roberts: Yes, please, sir.

With respect to Mr Dean, we certainly have not missed the point. Guernsey used to set the TRP and Alderney set the occupiers' rate. This is now going to be regulated as one tax by Alderney. In 2021 document duties and fuel tax will also return here for Alderney to manage, as we are told, and I welcome Alderney managing its own affairs but beware: any unpopular hikes or changes will involve a blame change. Blame will shift. The public, already under challenge to make ends meet here, will stop blaming Guernsey for huge rises in TRP: they will be pointing the barrel at us standing right here for whatever rate is arrived at. Now the landlord pays all and then he passes the charges on. I am not really sure that is really right or just, but that is what it is now. I am not really sure on that.

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We have just had a huge rise in TRP from Guernsey and we will inherit that rate, and I feel it is an unreasonable hidden rise for many based on the size of their dwellings. Some who had big houses went up 30%-50%. That was wrong, all decided before the COVID crisis that engulfed us all.

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Ten instalments starting in March 2021 or a one-off payment – I have been assured that a 10-instalment plan will not incur any administration charges. If that happens, I for one will quote

745 what I was told at that recent meeting, so anybody paying over 10 instalments should not be charged one penny more than if they were paying it as a whole charge.

Do not fiddle with it, spend it or adjust the rates until the stagger unwinds, when we see a full picture of where we are. It is the only fair way. We have that obligation to the public on financial solvency. We live in a very fragile economy and we simply have to get it right.

750 Talks of charging the new ambulance to the tax is both premature and wrong and a case of it burning a hole in our pockets. Do not think rises, think efficiency savings in government and not out of people's pockets, think of savings within our own organisation. I asked for a breakdown on Government spending rises in the last few years and I did not get a reply, sir. This is all relevant to book balancing, how we achieve a fairer and more sustainable platform for Alderney to progress and our Island's well-being.

755 Was this new tax rushed in? No. Rush to judgement? Also no. Be careful what we wish for. We need new income streams and business desperately and we have failed to attract that, so it is time to start thinking outside the box and concentrate on that one effort and think radical.

Mr President, will you allow me to thank Steven Taylor for all his work in this, please?

760 **The President:** Of course you may.

Mr Roberts: He has conveyed and explained detail in such a manner that we can all digest and he has been invaluable.

765 I support the repatriation taxes, TRP, document and fuel duty. The one I want home is alcohol and tobacco duty. That may prove much more contentious but it can be done and should be done. Many barriers are quoted but barriers can be overcome. We have good business brains in the community, so let's use some of those business brains in the community outside our own Civil Service, and they, I am sure, would get advice for nothing.

770 Alderney paid its way before the Lloyd's crash. Lots of people forget that very fact, that we were solvent and we relied little. I fully support getting our hands on the reins, Mr President. Let us not become the runaway horse that damages the local economy, though. I support this small step towards running our own affairs, I support the coming opportunity for Alderney to run its own affairs, but even more I support fairness to the public after huge hikes in TRP that many are struggling to keep up with this year. Looking inward for government saving in tandem with progressing the rate, I however support and I welcome running our own affairs.

775 **The President:** Thank you, Mr Roberts. I think that just leaves Mr McKinley and Mr Harris. Do either of you ...? Yes, Mr Harris.

780 **Mr Harris:** Mr President, fellow States Members, I simply see this proposed legislation as a streamlining of the current process, making it easier and clearer for the bill payer whilst giving Alderney a piece of the pie that has previously been unavailable to us, together with the control of what we might want to do with that piece of pie, which is very important indeed. At the moment, I see no real negatives with this Item and anything else is speculation.

785 **The President:** Thank you.
No, Mr McKinley?

Mr McKinley: No, thank you.

790 **The President:** Mr Dent, would you like to sum up? Could I invite you, Mr Dent, in dealing with your summing up, just to explain to us what this presentation was that Mr Snowdon has referred to? He has got a very impressive-looking document there, very colourful he tells me, but it might just be helpful for us all to understand what the background to that was and to get

795 just a flavour, and maybe you might want to consider whether that document could be published.

Mr Dent: Mr President, the presentation was on Monday and the States produced a financial adviser who took us through the history of the present process from its first gestation in 2016 and emphasised, I think, most of the points that were made tonight by most of the Members. I think certainly there is nothing in that document that I can see that would be considered [inaudible].

Mr Snowdon: A point of order? A point of correction?

The President: Yes, please.

Mr Snowdon: I did ask at the time and I think we were allowed to quote from the document and were not to share it. That is not me saying it, I would like to share it, but –

Mr Dent: Thank you for reminding me. We did ask the author if it would be okay and he said he would be happy for us to quote certain sections but he did not think it was wise at the time to put it out. I will check with the author again because I actually think it could be a useful document. That is my own view. I am not saying ... If I can now just go on to a couple of points that were made?

The President: Yes, please do, and I apologise for –

Mr Dent: I would just like to start with Mr Roberts, who referred to new businesses. I was not going to talk about rebalancing and I am not really going to talk about rebalancing, but I just want to point out the rates for three types of office accommodation for legal services, accounting services and non-regulated financial services, which are eye-wateringly high and may well be sensible for Guernsey but the estimated 2020 sums the combined TRP and occupiers' rates in Alderney will bring are precisely zero, £12,700 and zero again. We are frankly mad if we think these rates are a useful policy. Here we are trying to attract back-office support businesses to move from Guernsey and Jersey, and this is what we charge – or maybe I should say try to charge because it seems no one is taking us up on the offer.

My last thought is just to reiterate that you can only vote against this Item if you believe Alderney will be irresponsible and I do not think that is a nice thought. I think we are responsible.

To Mr Jean ... Sorry, I was going to say something. I think he was debating some hypothetical budget in the future, but that is for another day.

Thank you.

The President: Thank you very much indeed.

Mr Dean: Sort of a point of clarification? You are probably not going to allow it.

The President: Well, go on then, persuade me.

Mr Dean: Just the fact that this month there is a detailed pamphlet going out that explains everything to everybody, and I think that is important.

Mr Dent: Yes, I will second that.

845 **The President:** Thank you very much indeed, and just for a point of information from me in
relation to a matter that Mr Snowden raised about the ambulance and putting the cost of the
ambulance on to the rates, the resolution at the last meeting was that the States would look at
different funding methods. So, as I understand it, no decisions have yet been made. All the
options will go to Policy and Finance and then there will be a date and then it will come here. I
850 know a number of people have said to me the decision has already been made but I just wanted
to clarify that that was not in accordance with the resolution.

Mr Dent: In this case you are absolutely right. You are always right, Mr President! But yes, it
is a very good point to have made and I think this is one of the problems – as soon as something
855 is mentioned it goes out into the public and it has been a decision even if it is mentioned in the
context of a possibility, and I think this should be regarded as just one of the options.

Mr Snowden: Just a point of correction. It was actually in a States of Alderney press release
that came out – that sort of indicated it quite strongly, I thought when I read it – but not in the
860 resolutions –

The President: Well, we will go by the resolutions and not by the statements that are put out
into the public domain.

Mr Greffier, can we take the vote, please?
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The Greffier: Thank you, sir. The States of Alderney are asked to approve the draft Projet de
Loi entitled 'The Alderney Property Tax (Enabling Provisions) Law, 2020', and to authorise the
Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

A vote was taken and the results were as follows:

FOR	AGAINST	ABSTAINED
Mr Roberts	Mr Jean	None
Mr McKinley		
Mr Dent		
Mr Snowden		
Mr Dean		
Mr Gentle		
Ms Burgess		
Mr Harris		
Mr Earl		

The Greffier: Sir, 9 votes in favour and 1 against.
870

The President: Thank you very much indeed.

V. Appointment of States Auditors – Grant Thornton Limited (Channel Islands) appointed

The States of Alderney are asked:

*To agree to the appointment of Grant Thornton Limited (Channel Islands) as the auditor of the
States of Alderney and the States of Alderney Water Board for five years with effect from the
2020 accounts.*

The President: The next Item, Mr Greffier, is Item V.

875 **The Greffier:** Thank you, sir. Item V this evening is the appointment of the States Auditors. A letter has been received from Mr Dent as Chairman of the Policy and Finance Committee and the States of Alderney are asked to agree to the appointment of Grant Thornton Limited (Channel Islands) as the auditor of the States of Alderney and the States of Alderney Water Board for a period of five years with effect from the 2020 accounts.

880 **The President:** Thank you.
Mr McKinley, I think you might have something to add.

Mr McKinley: Not very much. An enquiry was made with regard to the number of tenderers and was there more than one.

885 **The President:** Thank you.
Over to you again, Mr Dent.

Mr Dent: Thank you, Mr President.
890 For a number of years, KPMG have been the States' appointed external auditors. Their appointment has been agreed, in accordance with the Government of Alderney Law, 2004, at each first meeting of the States every year. Periodically, a full tender process has been carried out, the last time actually in 2010. The current contract expires this year and the P&F Committee agreed to test the market by inviting tenders from audit providers. At the conclusion of the
895 process, and following a presentation by the company, the Finance Committee recommended the appointment of Grant Thornton. Their proposal gives us significant financial savings. It also demonstrates a commitment to delivering high-quality audits. The full Policy and Finance Committee subsequently agreed the Grant Thornton proposal.

Thank you. I would commend this to be endorsed tonight.

900 **The President:** Thank you.
Mr Earl, I think you are going to second this.

Mr Earl: Mr President, fellow States Members, this will not be quite as succinct as my last
905 reply but it will still be quite succinct.

When we were talking about the Alderney Property Tax I described it as a sum zero proposal. This is not a sum zero proposal. This saves the States of Alderney some £20,000 a year. It is quite interesting because having sat through the debate from day one it was quite clear that KPMG were not particularly interested in picking up our business and that Grant Thornton were. I
910 would also like to point out that they are the auditors for the States of Guernsey, which I think is a positive point, and they have considerable experience in the UK as auditors for many of the local government authorities.

Thank you.

915 **The President:** Thank you very much indeed.
Do I see any hands? No, then I think that Messrs Grant Thornton will be duly appointed.

VI. Questions and Reports – Six questions for verbal reply

Four questions from Mr Alexander Snowden for the Chairman of the Policy and Finance Committee:

(1) Could the Chairman of Policy and Finance Committee update Members with the progress being made by the Good Governance Group?

(2) Discussions took place at the last Policy and Finance Meeting with a need to increase revenue streams as we see the gambling funds decreasing. Can the Chairman explain the different areas Tourism and Economic Development Committee and Finance Committee are exploring to create new revenue streams for the States of Alderney?

(3) Following the transfer of a lease on the French side to develop a 12MW tidal power project in Raz Blanchard, could the Chairman explain what progress the project is making with Alderney, as the Island may connect into the Atlantis/Normandie Hydroliennes project?

(4) Can the Chairman outline any updates with air and sea transport links and his thoughts about the Aurigny 2019 accounts stating £9.7 million losses with apparently £2.8 million lost on Alderney routes?

One question from Mr Alexander Snowdon for the Chairman of the General Services Committee:

(1) Could the Chairman of General Services Committee confirm when a public presentation will take place with the Marina proposal?

One question from Mr James Dent for Alderney Representatives in the States of Deliberation:

(1) Would our two Alderney Representatives briefly summarise their activities in the States of Guernsey since the last meeting of the States of Alderney?

The President: That concludes the Items on the Billet with the exception of Item VI, Mr Greffier.

920 **The Greffier:** Thank you, sir. Item VI this evening is Questions and Reports. I understand you have received a number of questions from Mr Snowdon and Mr Dent.

The President: I have.

Progress by Good Governance Group

925 **The President:** Questions from Mr Snowdon, to start with, for Mr Dent as Chair of Policy and Finance. The first question is: could the Chairman of Policy and Finance Committee update Members with the progress being made by the Good Governance Group?

Mr Dent: Mr President, I would first like to thank the Good Governance Group for providing me with an update on their activities.

930 Prior to the COVID-19 lockdown, the Good Governance Group had identified three different options which could meet the needs of the Island as well as providing separation between the legislature and the executive. Subsequently one of these was dropped as it had no support, leaving two possibilities. However, at this point the lockdown kicked in and it was not possible to convene any official meetings of the Good Governance Group; the CEO was otherwise engaged.

935 To maintain continuity during the lockdown the political Members of the Good Governance Group met on an informal basis. Their aim was to maintain momentum and discuss the impact

that the lockdown was having in terms of governance. One outcome of these discussions was a simple plan designed to improve the present system of governance without having to change the Government of Alderney Law. At this point, and in order to outline the plan to the CEO, a formal meeting of the Good Governance Group was convened using MS Teams. The outcome of the meeting was that it was agreed that the CEO would formally seek the opinion of the Law Officers. While the Law Officers agreed that it would be possible to make the proposed changes without having to change the Government of Alderney Law, their advice was it was better to do it with changes to that Law.

945 Since receiving the advice of the Law Officers it has not been possible to convene a formal meeting of the Good Governance Group with the CEO. However, as soon as the Good Governance Group is able to convene a formal meeting they intend to review the advice of the Law Officers and take a further look at the other options they have been considering with a view to proceeding to the next stage, which would be public consultation.

950 The Good Governance Group has a final message to the public, which is this: that throughout their formal and more recent informal meetings they continue to act as a united and positive voice for reform.

Thank you.

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

Mr Snowdon: Thank you, sir, and thank you to Mr Dent for highlighting that statement. I have got a question. Alderney Choices, September 2016 – I would just like to know ... I think you said that Good Governance has come up with two options. Will that be coming to the States, not for resolution but for debate? I know you are saying about public consultation. And why was the third option taken away? I think you said three options and then it was back to two options. When are the rest of the Members going to have some input on that?

Thank you.

965 **Mr Dent:** Mr Snowdon, I shall have to explain your question to the Good Governance Group and provide an answer some time after this.

The President: You have two there, but I am not going to ... I exercise my discretion.
970 Does anybody else have a question for Mr Dent arising out of the answer he has given?

Creation of new revenue streams

The President: Very well, we will now move to the second question from Mr Snowdon. Discussions took place at the last Policy and Finance Meeting with a need to increase revenue streams as we see the gambling funds decreasing, can the Chairman explain the different areas Tourism and Economic Development Committee and Finance Committee are exploring to create new revenue streams for the States of Alderney?

975 Mr Dent.

Mr Dent: Mr President, my colleagues in the Committee for Tourism and Economic Development have all indeed noted that there was a significant drop in terms of the revenue the States of Alderney received from the AGCC last year. This was due to circumstances beyond the control of the AGCC, namely consolidation in the e-gaming industry and uncertainty over Brexit. We now have the added uncertainty of coronavirus, which could either accelerate consolidation

or could have a rather more positive impact on e-gaming due to the closure of casinos and high-street betting shops.

985 Since well before COVID-19 appeared on the scene the Committee for Tourism and Economic Development has been considering ways to boost the Island's economy and in particular create a sustainable economic future for the Island. I will talk about three of these, the three important ones.

990 The first of these is the cultivation and processing of cannabis for the extraction of CBD oil. From the Island's point of view this offers a high-value, low-footprint cash crop. However, a way has to be found to generate income for the States of Alderney as income tax, including company tax at 20%, and social security payments are collected by Guernsey. One option would be to increase the new Property Tax for companies involved in the cultivation and processing of cannabis. The members of the Committee for Tourism and Economic Development also believe
995 that the regulation of cannabis based on the AGCC model could generate significant income for the States.

The second opportunity, as you suggested at a recent P&F meeting, is cultivation, harvesting and processing of seaweed, especially as Alderney controls its own seabed. In many ways the harvesting of seaweed biomass has a lot in common with the cultivation and processing of
1000 cannabis. The global market for seaweed biomass is estimated to be worth about US\$8 billion per annum with some Asian countries producing tens of millions of tonnes a year already. However, this is not sufficient to meet the rapidly increasing demands of seaweed biomass, particularly for high-value food and health applications – I believe these are called 'nutraceutical'; I hope my pronunciation is correct – cosmetics and animal feed markets.
1005 However, perhaps the most exciting opportunity is the research currently going on to develop new forms of biodegradable plastic made from seaweed.

The third opportunity involves exploiting the potential of a power cable with embedded optical fibre connecting Alderney with mainland France. With both cannabis and seaweed biomass the drying process requires power while the optical fibre would provide businesses with
1010 high-speed connectivity to the global internet backbone. Added to this, Alderney would make an ideal living lab to showcase sustainable energy micro-grid technologies and energy storage systems.

Mr Snowden, I believe that the role of Government is to facilitate business and not to operate business. I would therefore like to reiterate or add a couple of fundamentals particularly
1015 pertinent to the last of the options the Committee for Tourism and Economic Development have described, but also fundamental to any manner of other enterprises that may consider Alderney as a centre for business.

1020 Firstly, before anyone sets up in business we need to identify sites for those businesses and enterprises, sites that are already properly served with utilities and available without long lead-ins. The idea is not well provided for in terms of ready, developable commercial land, and requiring new businesses to meet the monetary and time costs of infrastructure improvements is perhaps unrealistic and naive.

Secondly, I have a favourite quote from the World Bank which I may have bored you with already, but it is very pertinent and it goes a bit like this:

requiring bureaucrats to oversee businesses better handled by private entrepreneurs places a heavy toll on ... bureaucracies, diverting attention from problems that only governments can address. Bureaucrats typically perform poorly in business not because they are incompetent (they aren't) but because they face contradictory goals and perverse incentives that can distract and discourage even very able and dedicated public servants. The problem is not the people but the system, not bureaucrats per se but the situations they find themselves in as bureaucrats in business.

1025 I think that Alderney needs to heed the wise words of the World Bank.

Having identified and equipped some sites it could also, however, assist on the softer side of the problem by, for example, setting up – [inaudible], I might add – a proper development

1030 company, a one-stop-shop for entrepreneurs to provide and indeed assist them in finding housing, explain education, explain the healthcare systems and entitlements, explain banking, employment law and work permits for staff and be able to advise on the availability of complementary skills that our resident workforce is able to provide. We need to create the right impression with respect to entrepreneurs. This means we need a proper welcome pack and a welcome team that can make things happen.

1035 Before I sit down I would like to thank the Committee for Tourism and Economic Development for their assistance in putting this response together and for their diligent work in a very difficult time.

The President: One question, Mr Snowdon.

1040 **Mr Snowdon:** Thank you, sir. I have got it, don't worry. We had a meeting this afternoon that was very concerning with the update that we have had with regard to the ... It seemed to be unable to export hemp produce out of the Bailiwick. I think that is something we need to sort out straightaway. Would you agree that we need to get on the phone to the Committee for Health and Social Care ASAP to make sure that that is resolved as soon as possible, as Guernsey get 20% corporation tax from this and companies as well, so it is in their interest?

1045 Thank you.

Mr Dent: I think the answer is, quite simply, yes and I am sure it is in Guernsey's interest to talk about it. Thank you very much.

1050

The President: Does anybody else have a question? Mr Roberts.

1055 **Mr Roberts:** Regarding the new income streams, would we not agree that we have failed to source these in the last few years, and could we not use voluntary local help? We have got good brains on the Island outside the Civil Service that could perhaps come up with some new ideas to generate new income streams. There are some retired businessmen with some very good brains in our community and would we not welcome help from that quarter?

1060 **The President:** Another sneaky two.

Mr Roberts: Sorry, sir.

The President: Mr Dent.

1065 **Mr Dent:** I shall answer them as one.

The President: It is quite all right, Mr Roberts.

1070 **Mr Dent:** We would always welcome help from any quarter. Thank you very much. If that help went as far as actually setting up those solutions it would be invaluable.

Progress re tidal power project

The President: Thank you very much indeed.

I will move on to the next question, again Mr Snowdon. Following the transfer of a lease on the French side to develop a 12MW tidal power project in Raz Blanchard, could the Chairman

1075 explain what progress the project is making with Alderney, as the Island may connect into the Atlantis/Normandie Hydroliennes project?

Mr Dent.

1080 **Mr Dent:** Yes. Alderney Electricity has advised that discussions with SIMEC Atlantis are progressing well. The most recent conversation between James Lancaster of AEL and Tim Cornelius of Atlantis took place on Thursday, 2nd July. As restrictions relating to COVID-19 have been easing they have been revising the agenda for the coming months.

1085 I am advised that one or both of two conditions need to be satisfied for the cable connection to be economically viable from the community's perspective, thus allowing an agreement to be finally concluded. The first would require that the forecast price of diesel rises to a level whereby the cost of generation rises above the strike price in the agreement, currently set at 20p per unit. The second would require that the overall consumption of the electricity in Alderney rises to a level where the overall price of electricity would fall irrespective of the price of fuel.

1090 Alderney cannot continue to be wholly reliant on fossil fuels for an indefinite future. The price of fuels is expected to have an upward trend over coming years but is volatile and beyond either of the parties' control. Electricity conduction on the Island, on the other hand, has fallen steadily over the last decade and continues to fall in line with fluctuations in the local economy and improvements in the efficiency of electrical devices.

1095 Recent events, including the fall in global pricing and a drop in energy consumption due to restrictions imposed to combat the pandemic, have made an agreement more challenging than was originally believed, but the parties remain optimistic.

1100 Four primary work packages are being jointly progressed: first, systems architecture, which includes a cable, tidal array and land-based connections; secondly, the economic model; thirdly, the form of the agreement; and fourthly, the investment opportunity to reverse the declining trend in electricity consumption. AEL are actually progressing a fifth work package looking at alternatives – for example, the impact of introducing on-Island renewables. Critical amongst the considerations is reversing the decline in electricity consumption and work package 4 is currently taking priority. There are a number of opportunities being considered, including the introduction of advanced electrical heating systems and increasing the penetration of electric vehicles.

1105 A participation group was set up at the end of last year to give the community a direct insight into the process and discussions as they develop. After a brief hiatus the Participation Group has now been reactivated. AEL have made a firm commitment to transparency and will keep both States and community informed as the project continues.

Thank you.

1110 **The President:** Thank you.

Mr Snowdon.

1115 **Mr Snowdon:** Thank you, sir. Could Mr Dent just explain what is happening with the energy policy in relation to that and what was agreed at the last P&F meeting?

Thank you.

Mr Dent: Mr President, I believe that is a different subject.

1120 **Mr Snowdon:** Well, it is connected.

Mr Dent: By the way of electricity?

1125 **Mr Snowdon:** No, in that we will have to take into consideration anything that happens with Atlantis and therefore I think you should be giving some reassurance to the public that we will

be having an energy policy coming to the States of Alderney at some time in the future. At the moment it is being delayed. Would you agree?

Mr Dent: I will agree.

Air and sea transport links; Aurigny losses on Alderney routes

1130 **The President:** I think you managed that very well, Mr Snowdon, if I may say so. Your final question now to Mr Dent is: can the Chairman outline any updates with air and sea transport links and his thoughts about the Aurigny 2019 accounts stating £9.7 million losses with apparently £2.8 million lost on Alderney routes?

Mr Dent.

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Mr Dent: I updated you at our last meeting but it is a few weeks ago. I have had no information since then from our Surface Transport Action Group, though I believe they are keen to convene a meeting. The Air Transport Action Group has, however, met twice. Discussions on 14th June centred on the interface between sea and air transport and how the two might be combined to best serve the Island's needs. Members called for an integrated transport strategy and the possible merging of the Air Transport Action Group with the Surface Transport Action Group. This has, however, not been discussed further, though it was informally raised at P&F, where there was, I think you will remember, general support. It is the Air Transport Action Group's opinion that there is, however, little point in attempting this without early liaison and the possibility of an agreement with Guernsey.

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The second meeting was on 22nd June and it centred on the current services being offered by Aurigny. The focus was on the post-COVID recovery services, which we should be lobbying for to cater for the staycation market and to better serve those traveling from Alderney to Guernsey for medical reasons. This was some time ago, 22nd June, and things have moved on. We have, since then, been in regular communication with the States of Guernsey Supervisory Board and Aurigny, who are, I believe, clearly listening to our concerns. Through our increased rotations in a number of areas where we were concerned that there were insufficient services we have achieved an increased number of rotations. If I can just get the news which is hot off the press, which is that we should very shortly – in the next couple of days, I believe – start to see three rotations a day Monday to Friday, two rotations on Saturday, two morning rotations, and three Sunday rotations, and there will be additional ad hoc rotations on and around bank holiday weekend. Much of this depended on our ability to progress further extensions to the opening hours of our airports. I would like to say that Aurigny and the STSB are also liaising with the COVID-19 air cell, not just with myself and ATAG. The COVID-19 air cell is an operation that we set up to ensure that during the crisis we obtained the flights we needed, particularly for medical transfers, but more recently they have been combining this with their own advice on the need for the staycation market, so in fact we are getting advice from a number of [inaudible]. ATAG has also considered the most appropriate way to lobby Guernsey for dialogue about more permanent post-COVID services. It was considered important that connectivity should feature in the post-COVID all-Bailiwick Strive and Thrive Recovery Plan and we are now seeking to have our situation incorporated into these all-Bailiwick initiatives.

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I make no comment on the Aurigny offer, just to say to say that I imagine there are those in Guernsey who will be considering the most appropriate future for Aurigny. Clearly we need to know Guernsey's thinking in order that the plans we have been making and the contacts we have established prior to COVID-19 can be put to good use and adapted to any changing circumstances. In fact, Mr Snowdon, you may be in a better position than I to inform the

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Chamber on the Aurigny offer when responding in a moment to my own question. I look forward to benefiting from your own research. I hope you have been putting the case.

Thank you very much.

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The President: Mr Snowdon.

Mr Snowdon: Thank you, Mr President.

1180 Thank you for outlining aviation, but could you just explain if there is enough capacity by sea? With the staycation and lots of people wanting to come up, have we got enough space on that transfer with the Little Ferry Company?

Thank you.

The President: Mr Dent.

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Mr Dent: I cannot predict the future, my crystal ball is closed for the moment, but I believe that additional services will be put on as and when necessary by the Little Ferry Company. They have provision for putting more services on when at capacity and when their existing services are reached.

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Thank you.

The President: Thank you.

Anybody else want to ask Mr Dent? Mr Jean?

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Mr Jean: You can go first, if you like.

Mr Roberts: Alderney has failed over the years to address air link problems. Going forward, that simply cannot continue. Will the Chairman support new rising initiatives that are very promising?

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Mr Dent: Mr Roberts, I will support any initiative that is promising.
Thank you.

The President: Thank you.

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Mr Jean.

Mr Jean: Would the Chairman care to assist me to call a meeting of staff in the Sea Transport Action Group, which I have been trying to call now for a couple of months, two and a half months? I would like some help. I know he promised me. I need a meeting organised and I cannot get one organised.

1210

Thank you.

Mr Dent: Mr Jean, I believe I did try to help and I will try to help again.

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Mr Jean: Thank you.

Public presentation re marina proposal

The President: We will move on now. Mr Snowdon, it is you again and this time it is to Mr McKinley as Chair of General Services. The question is: could the Chairman of the General

Services Committee confirm when a public presentation will take place with the Marina proposal?

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Mr McKinley: We are making plans at the moment. Mr Gordon Owen and Mr Derek Elliott, the two key members of Bray Harbour Developments, are quite happy to do this presentation. It will be done remotely, as we have seen before. Hopefully it will held in the Island Hall. I have tried to book the date of the 22nd and actually I did have acceptance for that but unfortunately it clashed with the annual meeting of the Chamber of Commerce, so we are now looking at Tuesday, 21st July, two weeks' time, or 13 days' time from today. A large screen will be produced by Mr Ronnie Cairnduff as he will also do the microphone for the speakers. It will be well advertised, hopefully, and hopefully we will have a good attendance. It would help, actually, if those who do attend would perhaps pre-submit their questions so that we can get proper answers – and we will get proper answers, but we will get more proper answers if we have the questions in advance. So, we are working on it.

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Thank you, sir.

The President: Mr Snowdon.

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Mr Snowdon: No question, but thank you, Mr McKinley.

The President: Mr Roberts?

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Mr Roberts: Just one question, sir. Could the Chairman of GSC please tell me if there is any timeline of the quay opening to the public, please?

Mr McKinley: I cannot tell you that, Mr President. I do not think that can be connected to the question.

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The President: I think, with respect, that does not arise out of the answer Mr McKinley gave.

Mr Roberts: All right, I concede that point.

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Mr McKinley: I can tell you that Mr John Taylor, the Harbour Master, is back out of quarantine.

Mr Roberts: All right, thank you.

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The President: I would not want people to think I am trying to stand in the way here, but I have to work with the Rules that you present me and if your Rules say one question then it is one question and it has to arise out of the answer that has been given by the chairman of the relevant committee. So, much as I would like to promote more debate, my hands are tied by these Rules, and if you feel that there is a different way of doing it please change the Rules and I will deal with them in accordance with your instructions.

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Mr Roberts: Mr President, I do apologise.

The President: There is no need to apologise, they are cumbersome on occasion. I think all I can say is if you wish the debate to be conducted in a different way then it is in your hands.

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Updates from Alderney Representatives to Guernsey States of Deliberation

The President: Now, Mr Dent, your monthly question to our two Representatives in Guernsey. Would the two Alderney Representatives briefly summarise their activities in the States of Guernsey since the last meeting of the States of Alderney?

Mr Roberts, are you going first this month?

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Mr Roberts: Is it my turn? I don't mind. It was a mixed Billet. We had general housing law and the future dairy products. Revive and Thrive was our big thing, actually, and it was that that really affects Alderney so I will speak on Revive and Thrive.

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We both had quite long speeches in Guernsey States because it affects us all. I said what I would like to see is a review of connectivity to Alderney to rejuvenate and attract new income streams, so ending the long last few years of stagnating, costly losses to the Bailiwick in airline provision and lost tax take. We will need to change that to Revive and Thrive and undoubtedly it cannot go on and solutions and conversations have to be made to improve Alderney. Alderney wants to help itself too, so a formula for change needs to be negotiated for the good of both islands and use entrepreneurial advisers to achieve that end. We have a marvellous opportunity, I told them, with Harrison Aviation in the interim using islanders to taxi around all the islands, supplementary travel for Alderney and eventually putting the Bailiwick at the forefront of electric travel as a world green leader. Other airlines will return to Guernsey and when they do Aurigny may become the elephant in the room, as much as we are really grateful to have them at this time.

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I asked them to please support and invest in our Island part of the Bailiwick so we can generate up to the great potential that Aurigny really holds for all. I told them you would see a great return on this investment. Plug the hole in the bucket and you stem the loss. It will pay dividends but it needs investment. In every downturn there exists opportunity, in every downturn there exist winners, but only when those opportunities are sourced and carried forward with political will, will they succeed. I have always been an optimistic man and I believe the Bailiwick is well placed to accommodate and be in a far better place than before. Like I said before, we used to pay our way before the Lloyd's crash, so include Alderney in these plans and turn us into a paying economy. It is time for change and it shouts plain common sense. Let us not forget the environmental issues as these are the future for our Island. The lockdown has underscored these areas undoubtedly. Please think of green economy opportunities as in green, cheaper, environmentally friendly travel.

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Alderney's policy on Revive and Thrive has been welcomed by Alderney, by us all. I said there is only one comment on that goal and that is the single word 'Guernsey'. We would like to have seen the phrase 'the Bailiwick of Guernsey', as in fact it is used in other places in the document – although, I might add, not on the front page. We are assuming this is an oversight but we would like the reassurance – an error perhaps? I did not get a comment back on that.

1300

I indicated P&F support for the plan. I requested that Alderney's officers and politicians collaborated more with opposite numbers in Guernsey and suggested our own Economic Committee brought forward recommendations so our priorities could be incorporated into the wider Bailiwick plan. Income streams plus affordable sea and air connectivity go together. One will follow the other.

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It was a good meeting and luckily we missed some unfortunate infighting on the Friday because we had to return early, which actually suited us – we did not want to get involved in it.

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I would just like to commend my fellow Island Rep Alex Snowdon on his very good speech. I will not call him my 'partner' because Louis and Graham used to object to that term.

Thank you.

The President: Mr Dent, do you have any question of Mr Roberts before Mr Snowdon gives us his contribution?

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Mr Dent: No, thank you.

The President: Mr Snowdon.

1320 **Mr Snowdon:** Thank you, sir. I think as Mr Roberts has said, the recovery plan was the biggest
thing in the States for us and I think it was very important we thanked CCA, Social Care and
Dr Brink, for dealing with the awful COVID-19 crisis. I think one thing that it has really shown ... It
has been an awful event but it has brought the Bailiwick together and I know you, sir, have
worked very hard in that role as well. I think we can take that forward, that teamwork, those
1325 relationships that we have built over this crisis.

The staycation has been wonderful for Alderney and lots of Alderney people going down to
Guernsey. I think it was important that we emphasised that the money spent in Alderney goes
into the Guernsey coffers with our fiscal union and I think it sometimes gets forgotten that if
Alderney was doing better the return would be better. I really emphasised rather than seeing
1330 Alderney as a burden see it as an opportunity and I am glad that Mr Dent gave the update from
Economic Development because things hopefully are turning now with back offices, which I
highlighted during the debate – essentially back offices and PwC's Centre of Excellence an
excellent example of that. And, just to quote from the document, the need for close working
relationships between the States of Guernsey, Alderney and Chief Pleas in Sark – and it has
1335 actually said it in the document – is absolutely essential as we move forward.

I did highlight the amazing work of the Alderney Gambling Commission and that we need to
look at new regulators and other sectors to raise revenue. I think that is really the only problem.
Raising the revenue is what we need to explore. We need to explore those ways so Alderney can
make money and potentially Guernsey can make money as well. I think we have really got to
1340 work together with our relationships. That reset button I think is taking place now and I think if
we work together we can do things better. I think there is real support from the Deputies down
there and I hope there is a lot of support from the States of Alderney Members as well for
getting those relationships greater, which is potentially hopefully going to happen.

During the debate I also highlighted the electorate, islanders and green, the Raz Blanchard
1345 project, plastic-free and also St Anne's, and also how we could tap maybe the green finance,
which is what Guernsey is really trying to look at, a new market, and I think there may be
opportunities for Alderney as well with the green finance.

I think we need to go back, though, to transport and the importance of transport, and I think
that was understood when I was updating our colleagues in Guernsey, that we need to have a
1350 transport strategy for air and sea. That does not need to be tomorrow, it needs to be for the
next 15 or 20 years, so going back to Mr Dent's comment about the Aurigny losses, the losses
have got to a ridiculous amount but it is essential we have that UK link and it is essential that we
are connected to Guernsey, and I would also say Jersey. I think if we have a fresh approach with
a fresh vision of where we want to go in the strategy we can achieve that. If you reduce the
1355 service now it is only going to cost Alderney, so I think it is absolutely essential we look at new
ways. There have been a number of reports done by the States of Guernsey where it is actually
taking those forward. I am not an aviation expert. Is it the wrong planes or the wrong runway? I
do not know, but there have got to be answers. I think rather than us complaining the whole
time we need to work together and come up with those solutions and then we can move
1360 forward together as two islands.

Just touching on the hemp, which is a good thing if Alderney can export it, it is 20% into the
Guernsey coffers. In summary, with regard to the recovery plan I think the motto really is 'build
back the Bailiwick better' and together we can start achieving things. I did highlight that to the
States of Guernsey Deputies and I got a very warm reception from that, and I know Mr Roberts
1365 also did when he did his speech.

Just touching on a few other points down there, the election, as you know, is taking place in
October. We had the Sexual Offences (Bailiwick) Law, 2020 and some of you may have been

1370 listening to the debate when Deputy Gavin St Pier gave a very hard-hitting and emotional speech
with his amendment which was passed. We had the Guernsey airport baggage screening system
upgrade, modernisation of the Abortion Law, 1997. Mr Roberts and I actually supported the
1375 sursi motion, which wanted more public engagement. I know this is a very hard thing for faith
leaders and we did support the public engagement, but unfortunately that lost. I would just say
that Health and Social Care have outlined a very good presentation, which I hope they will be
giving to the States of Alderney, about the need for good abortion law and ways to deal with it.
1380 It is a very sensitive subject, understandably, and it was a very sensitive debate with a lot of
amendments but I think hopefully we will have some presentations on that sometime soon. I
think Mr Roberts highlighted the Home Affairs matter.

Just to touch on next week, we have got the Committee for Health and Social Security
1385 proposals for a new Discrimination Ordinance and, as you know, I seconded an amendment for
that, which is going to be quite an important one, so that will be an interesting debate next
week which hopefully gets support from the Guernsey colleagues down there for that
amendment.

I could go on – Mr Dent might have some questions for me – but thank you, sir.

1385 **The President:** A question, Mr Dent.

Mr Dent: A single question?

1390 **The President:** Oh, yes!

Mr Dent: I hope you do not mind this question, Mr Snowdon, but can you assure this
1395 Chamber that you hold the presidents of the various committees in the States of Deliberation in
Guernsey to account by close questioning in the same manner that you hold the chairmen to
account in this Chamber? *(Laughter)*

The President: That is a rhetorical question, I suspect.

Mr Snowdon: Oh, was it? Mr Dent knows that some time ago now we submitted quite a lot
1400 of questions about the Aurigny situation. I think COVID-19 has changed that situation a little bit.
I think rather than attacking it is working together and I think we really have an opportunity, as
long as we are working together, to actually build bridges because unfortunately I think we have
basically lost some bridges before.

But yes, in answer to your question, we have a lot of conversations as well, that are not in the
1405 Chamber, with different stakeholders and presidents. I think we get on with everyone down
there – and I literally say everyone down there – and I think actually the Members should try ...
With your different roles and your different Committees you should team up more, and I think
that is going to be more essential as we move forward. So, in answer to your question I will
always ask questions.

1410 **The President:** Thank you.

Does anybody else have a question? Mr Earl, your question to Mr Snowdon.

Mr Earl: Would Mr Snowdon agree with me that we should give urgent consideration to
1415 harnessing the expertise of the AGCC to the much needed regulation of the production and
processing of cannabis?

The President: Just!

1420 **Mr Snowdon:** Yes, absolutely. I think actually your Committee is on the ball with that and potentially you could be – touch wood – a world leader, in that if you are in right place at the right time. I look forward to you guys working to achieve that and I think we have actually got the template from AGCC about how to do that. If we take that forward there is expertise and great new revenue streams. Well done, Mr Earl.

1425 **The President:** Anybody else? On that very positive note I think that concludes the questions.

Billet d'État No. 1 for Wednesday, 8th July 2020

I. The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.3) (Amendment) Regulations, 2020 – Proposition carried

Item 1.
The States of Alderney are asked:
Not to annul 'The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.3) (Amendment) Regulations, 2020'.

The President: We now move to Billet No. 2. *(Interjection by Mr McKinley)* Mr McKinley, please, sotto voce might be appropriate.
1430 Mr Greffier, can we move to Billet No. 2, please.

The Greffier: Sir, Billet No. 2, Item 1, is the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.3) (Amendment) Regulations, 2020. A letter has been received from Mr Dent as Chairman of the Policy and Finance Committee and the States of Alderney are asked not to annul the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.3) (Amendment) Regulations, 2020.
1435

The President: Mr Dent, you are going to propose this – having read the Rules, I am sure.

1440 **Mr Dent:** Mr President, I know that in May it was in fact these Regulations that were, amongst other things, allowing that meeting to take place remotely.

The Greffier: Sorry, sir, to interrupt Mr Dent – you may wish to hear the Convener's Report on this matter.
1445

Mr Dent: My apologies.

Mr McKinley: Oh, sorry.

1450 **The President:** Mr McKinley, my fault.

Mr McKinley: I was nodding off, sir.

The President: I haven't got that excuse!

1455 **Mr McKinley:** Mr Dent clarified the amendment to the Regulations. It was noted that both legislations have rights to annul for check and balancing. That was it.

The President: Thank you very much. Thank you, Mr Greffier.
Mr Dent.

1460 **Mr Dent:** Mr President, I noted in May that it was in fact these Regulations that were, amongst other things, allowing that meeting to take place remotely. This is no longer necessary. In fact, these were amongst the regulations that expired about two weeks ago. The other principal regulations now being revoked are those relating to the control of premises and
1465 gatherings, the registration of deaths and stillbirths and legislation relating to cremations. I would commend these not to be annulled remotely to the House.

The President: Thank you.
Mr Dean, I think you are going to second this one.

1470 **Mr Dean:** Yes, sir. Mr Dent has summed it up. I have nothing further to add.

The President: Thank you very much indeed.
Does anybody else have anything they would like to add to this one? Okay, that one,
1475 Mr Greffier, passes.

II. The Government of Alderney (Amendment) Law, 2020 – Item deferred

Item II.

The States of Alderney are asked:

To approve the Projet de Loi entitled 'The Government of Alderney (Amendment) Law, 2020' and to request the President to seek the Sanction of Her Most Excellent Majesty in Council for it to have the force of Law in the Island of Alderney.

1480 **The President:** We move to Item II now, please.

The Greffier: Thank you, sir. And just for noting Item II and Item III requiring enhanced quorate number of nine Members and at least 10 Members present and anything needs voting with seven Members in favour should it reach that stage.

1485 Item II on the Billet is the Government of Alderney (Amendment) Law, 2020. 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 the Projet de Loi entitled 'The Government of Alderney (Amendment) Law, 2020' and to request you, sir, to seek the Sanction of Her Most Excellent Majesty in Council for it to have the force of Law in the Island of Alderney.

1490 **The President:** Thank you.
Mr McKinley, anything said?

Mr McKinley: It was noted that a deferral of the Item was going to be requested at the States Meeting.

1495 **The President:** Thank you.
Let's start with Mr Dent. You are going to propose the main Item.

Mr Dent: Mr President, I am going to propose that it is deferred first, if I may.

1500 **The President:** Well, you have put it in by way of an amendment, so we need to just open the debate and then you can put your amendment, which will be to defer it.

Mr Dent: Okay, then, I would just very formally like to propose the Item.

1505 **The President:** Thank you, and this will be seconded by, I think, Ms Burgess.

Ms Burgess: Thank you, and I have nothing further to add.

1510 **The President:** Okay, so again the debate now is in the House but you have an amendment to that, Mr Dent.

Mr Dent: That is correct, Mr President, I am asking that this Item is deferred.

1515 Following the P&F meeting on the 25th it was agreed that an additional clause or section might be inserted in the emergency section that would allow an election to be deferred if an emergency occurred and be declared as such by the CCA, and this has yet to be done. It was also agreed that there could be a provision for compulsory postal ballots. These would both, of course, be measures to be applied only *in extremis*. Because these measures would require Privy Council approval and would be unlikely to be on the statute book in time for this year's election, it was agreed that the submission of the consolidated text later this year would be most appropriate and probably more appropriate.

1520

The President: Thank you, and who is going to second the amendment? Mr Snowdon.

1525 **Mr Snowdon:** I do not mind ...

Mr Harris: Sir, I believe it is me.

The President: Thank you, Mr Harris.

1530 Would any Member like to speak on the amendment, which is to alter the Proposition to defer this to a later date? In that event, that amendment passes and so we can say, Mr Greffier, I suspect, that the matter is now deferred.

The Greffier: Yes, sir.

1535 **The President:** Thank you.

III. The Government of Alderney Law, 2004 (Amendment) Ordinance, 2020 – Proposition carried

Item III.

The States of Alderney are asked:

To approve the Government of Alderney Law, 2004 (Amendment) Ordinance, 2020.

The President: If we can move on, finally, to Item III.

1540 **The Greffier:** Item III this evening is the Government of Alderney Law 2004 (Amendment) Ordinance, 2020. Again, 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 the Government of Alderney Law, 2004 (Amendment) Ordinance, 2020.

The President: Mr McKinley.

1545

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

The President: Thank you very much indeed.
Once again, Mr Dent.

1550

Mr Dent: Mr President, this Ordinance will allow all those who wish to vote by post to have that option. This will bring us into line with the arrangements in Guernsey. It would not, however, make postal voting compulsory, which is the matter I referred to under the last Item. Unlike with withdrawn Item II, we can achieve this reform by Ordinance; we do not require to amend the Law itself. Consequently, if we take this Item tonight it should be a tool available for this year's elections, and should we still be self-isolating or should we be still nervous to congregate in groups, anyone who wishes it will have the opportunity to vote by post.

1555

Thank you.

1560

The President: Thank you.
Mr Gentle, you are going to second this one.

Mr Gentle: Yes, thank you, sir, colleagues, I have not really got anything else to add. I am more than happy to second this. Giving the people an option, particularly in the current climate, is a good thing.

1565

The President: Thank you very much indeed.

Anybody wish to speak? That one passes then, Mr Greffier, and on that note I think that concludes this evening, so thank you to everybody for their contributions and hopefully we will see you again in this Chamber in September.

1570

Thank you very much indeed. If you will close the meeting now, please.

PRAYERS

The Greffier

The Assembly adjourned at 7.33 p.m.