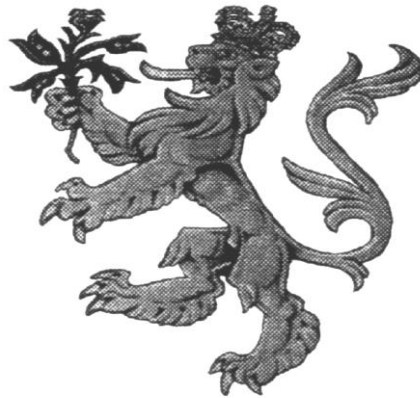


# **States of Alderney**



## **DELIBERATIONS**

WEDNESDAY 13<sup>TH</sup> JANUARY 2016

**STATES OF ALDERNEY**  
**DELIBERATIONS FOR THE MEETING**  
**ON WEDNESDAY 13<sup>TH</sup> JANUARY 2016 AT 17:30**

Present: Mr Stuart Trought, President  
Mr Ian Tugby  
Mr Matt Birmingham  
Mr Louis Jean  
Mr Neil Harvey  
Mr Francis Simonet  
Mr Robert McDowall  
Mr Chris Rowley  
Mr Steve Roberts  
Mrs Norma Paris  
Mr Graham McKinley

Colonel Colin Mason represented His Excellency The Lieutenant-Governor of the Bailiwick of Guernsey.

**Item I**      **Opening of the States.**

**The Greffier opened the Annual January Meeting**

**Item II**      **Election Procedure**

**Following Rule 20 of the Rules of Procedure of the States of Alderney, the States resolved that the subsequent elections take place by verbal vote.**

*Approved unanimously*

**Item III**      **Vice President**

**Mr Ian Tugby was elected Vice President for 2016.**

*Proposed by Mr Simonet and seconded by Mr Roberts  
Approved unanimously*

**Item IV**      **Appointment Of Auditors**

**The States resolved to appoint KPMG Channel Islands Limited to be the Auditors for the States of Alderney for 2016.**

*Approved unanimously*

**Item V**      **Policy and Finance Committee Mandate**

**The States resolved to approve the mandate of the Policy and Finance Committee as follows:-**

*Proposed by Mr Harvey and seconded by Mr McDowall*

*Approved unanimously*

*“To formulate and make recommendations to the States on all policy matters.*

*To be accountable for the financial management of the States.*

*To discharge its business within the policies, guidelines and resolutions of the States.*

*To negotiate and discharge all matters relating to the provision of transferred services and finance with the States of Guernsey.*

*To ensure that the General Services Committee and the Building and Development Control Committee operate with good corporate and financial governance in relation to their budgetary and legislative requirements.*

*To perform the following functions:-*

**Finance:**

*To present to the States the annual budget and audited accounts and, where necessary, report to the States thereon.*

*To monitor the income and expenditure of the States, its Committees and Trust Funds, and where appropriate, to add comment and recommendation to all applications to the States for money, votes and/or submissions to the States where public income and expenditure is involved.*

*To discharge business related to all borrowings as authorised by the States, loans and the administration of all monies accruing to the States for specific purposes under the terms of various Trusts and Funds.*

*To provide recommendations to the States, whether by Ordinance or otherwise, the fees, regarding dues and charges levied by the States for the provision of any service required to be provided under legislation and to approve the rents payable for States' land and properties.*

*To provide recommendations to the States of Alderney on the level of Occupier's Rates.*

*To provide recommendations on the rents, premiums (if any) and duration of leases to be granted by the General Services Committee for all other States properties.*

*To submit leases to the States for approval in accordance with the Budget Rules and Procedures.*

*To discharge business:-*

- a. *States borrowings authorised by the States for specific purposes*
- b. *All States insurances*
- c. *Postage stamp and coin issues and design approvals*
- d. *Dealing with grants*
- e. *Dealing with Hawkers Licences.*

**The Economy:**

*To discharge and report to the States on all matters relating to the economy of the Island, including immigration, population, social services (financial aspects only), the development of an economic plan, employment, industry and e-commerce.*

*To discharge business with external authorities in fiscal and commercial matters.*

*To discharge business relating to public relations and the promotion of the Tourist Industry.*

*To monitor the economic policy of the States and to report on the performance of the economy and make recommendations for such amendments as deemed necessary.*

*To discharge any business and matters with the Commerce and Employment Department on economic planning.*

**Constitution and Legal Matters:**

*To discharge all matters affecting the Constitution and all legislation (other than legislation falling specifically within the responsibility of the General Services and the Building and Development Control Committee).*

*To discharge all matters relating to International Conventions, Treaties, Agreements, EU Directives and extended legislation from the United Kingdom.*

*To discharge business as necessary with the Court of Alderney.*

*To approve or recommend the leasing and use of all States-owned Forts.*

*To discharge matters affecting:-*

- *Elections*
- *Census*
- *Import and Export Control*
- *Telecommunications*
- *Postal Services, Philately and Currency;*
- *Gambling*
- *Emergency Fuel Control (The Energy (Bailiwick of Guernsey) Law, 1978)*
- *Dangerous Weapons*
- *Civil Aviation*
- *Youth Training and Adult Education*
- *Youth Services and activities*

*To discharge business relating to welfare.*

*To discharge business not falling within the mandate of the General Services Committee and the Building and Development Control Committee.*

**Staff and Offices:**

*To operate as the State's Employment Board with responsibility for all matters relating to the employment of Established Staff and Public Service Employees (PSE's); and the management of office accommodation; to be the Civil Service Board referred to in the Terms and Conditions of Service for Civil Servants and the Terms and Conditions of Employment for Public Service Employees as agreed between the Board and Unite, the Union.*

*In particular to approve the appointment of staff and the preparation and review of the Terms and Conditions of Service of all salaried staff (subject to the relevant provisions of the Government of Alderney Law) and to liaise with the Association of Guernsey Civil Servants.*

*To monitor and control establishment numbers.*

*To be responsible for staff pensions.*

*To conduct appropriate business and negotiations, liaise with Trade Unions on matters relating to the Terms and Conditions of Employment for Public Service Employees."*

**Item VI**      **General Services Committee Mandate**

**The States resolved to approve the mandate of the General Services Committee as follows:-**

*Proposed by Mr Tugby and seconded by Mrs Paris  
Approved unanimously*

*"To be accountable to the States for the provision and implementation of all Government services provided and/or required by legislation, resolution or policy of the States within agreed budgets.*

*To liaise with the Policy and Finance Committee in relation to budgetary and legislative requirements.*

*To operate within the policies, guidelines and resolutions of the States.*

*In particular, to perform the following functions:-*

*To be accountable for the administration of the harbour and its functions and to make recommendations to the Policy and Finance Committee on all fees, dues and charges required to be levied by legislation.*

*To deal with shipping and all matters relating to the sea.*

*To be responsible for the continuing investigations into a marina in Alderney.*

*To deal with all matters relating to the railway.*

*To administer and maintain all States' buildings including offices; to be accountable for all public works; to place contracts for public works; to be responsible for refuse collection and its disposal.*

*To be responsible for the Fire Brigade; for emergency services; for sewage disposal; and for traffic control.*

*To be accountable for all States' properties which are not the responsibility of the Policy and Finance Committee.*

*To be responsible for recreation and sports activities.*

*To be responsible for the Saye Beach Camp site.*

*To be responsible for all matters relating to the allocation of States housing.*

*To be accountable as the Water Board for the provision of water supplies on the Island in accordance with the legislation applicable thereto.*

*To be responsible for the leasing of all States Properties, other than Forts, in the ownership of the States; to deal with all matters relating to agriculture,*

*livestock, other animals, birds and vermin; to administer the Island of Burhou; to be responsible for forestation and fencing and management of all States land including the consolidation of parcels and not to reduce the area of such land without the authority of the States; and be responsible for the slaughterhouse.*

*To be responsible for all matters relating to sea fisheries.*

*To be responsible for environmental monitoring and for the co-ordination of public services in the event of a civil emergency.*

*To be responsible for the establishment of a working party to be known as the Civil Emergency Working Party which shall include amongst its members the following people:-*

*The President of the States, the States Analyst, the Chief Fire Officer, the Manager of the Water Board, the States Engineer, the General Manager of Alderney Electricity Limited, the resident Sergeant of the Police in Alderney, the Harbour Officer, a Medical Practitioner; a representative of St. John Ambulance (unless otherwise represented); a Communications adviser(s); the person appointed as Co-ordinator of the emergency services, and if in existence the Officer Commanding the Junior Militia.*

*The Working Party shall appoint a Chairman from amongst its members.”*

## **Item VII Building and Development Control Committee Mandate**

**The States resolved to approve the mandate of the Building and Development Control Committee as follows:-**

*Proposed by Mr Birmingham and seconded by Mr Rowley  
Approved unanimously*

“

- *To be the Authority for approving plans in both the public and private sector.*
- *To administer The Building & Development Control (Alderney) Law, 2002, as amended.*
- *To be the Committee to make recommendations to the States on the maximum number of dwellings to be permitted in any given period in accordance with Section 15 of The Building & Development Control (Alderney) Law, 2002.*
- *To administer Building Regulations made under the provisions of The Building & Development Control (Alderney) Law, 2002, and any other law or laws by which they may be replaced.*

- *To be responsible for the preparation of a policy and strategy for environmental conservation and ecology on the Island.”*

**Item VIII**     **Committee Chairmen**

**The States resolved to appoint the Chairmen of the following Committees:-**

**Mr Robert McDowall as Chairman of the Policy and Finance Committee**

Mr Harvey proposed by Mr Birmingham and seconded by Mr Rowley

Mr McDowall proposed by Mr Roberts and seconded by Mr Simonet

*Mr McDowall appointed by a majority, all in favour except for Messrs Rowley, Harvey and Birmingham and Mrs Paris who voted for Mr Harvey*

**Mr Ian Tugby as Chairman of the General Services Committee**

*Proposed by Mr Simonet and seconded by Mr Rowley*

*Approved unanimously*

**Mr Matt Birmingham as Chairman of the Building and Development Control Committee.**

*Proposed by Mr Simonet and seconded by Mr Harvey*

*Approved unanimously*

**Item IX**     **Members of the Policy and Finance Committee**

**The States resolved to appoint all ten Members to be members of the Policy & Finance Committee**

*Proposed by Mr Rowley and seconded by Mr Roberts*

*Approved unanimously*

**Item X**     **Committee Members of other Committees**

**The States resolved to appoint the members of the following Committees:-**

**1. Four members to the General Services Committee:-**

**Mr Chris Rowley** – proposed by Mrs Paris and seconded by Mr Tugby

**Mr Steve Roberts** – proposed by Mr Tugby and seconded by Mr McDowall

**Mrs Norma Paris** – proposed by Mr Tugby and seconded by Mr Rowley

**Mr Graham McKinley** – proposed by Mr Tugby and seconded by Mr Birmingham

**2. Four members to the Building and Development Control Committee**

**Mr Simonet** – proposed by Mr Birmingham and seconded by Mr Tugby

**Mr McDowall** – proposed by Mr Birmingham and seconded by Mr Tugby

**Mr Chris Rowley** – proposed by Mr Birmingham and seconded by Mr Tugby

**Mr Steve Roberts** - proposed by Mr Birmingham and seconded by Mr Tugby

*All the above Approved unanimously*

**Item XI**      **Other Appointments – Commonwealth Parliamentary Association**

The States resolved to elect the following three members to sit on the Management Committee in the affairs of the Alderney Branch of the Commonwealth Parliamentary Association (the President being Ex-officio Chairman):-

**Mrs Norma Paris** – proposed by Mr Harvey and seconded by Mr Birmingham  
**Mr Chris Rowley** - proposed by Mr Harvey and seconded by Mr Birmingham  
**Mr Graham McKinley** - proposed by Mr Harvey and seconded by Mr Birmingham

*All the above approved unanimously*

**Item XII**      **Other Appointments: Code of Conduct Panel Members**

The States of Alderney resolved to approve that the five persons listed below be reconfirmed as Members of the States Members Code of Conduct Review Panel until the next Annual January Meeting of the States of Alderney.

**Mrs Rosemary Hanbury**  
**Mr John Russell**  
**Mrs Helen McGregor**  
**Mrs Pamela Pearson and**  
**Mr Peter Cunningham.**

*Approved unanimously*

**Item XIII**      **The States Bank Accounts**

The States resolved to make the following arrangements relating to the operation of the States of Alderney Bank Accounts:-

1. To empower the States Treasurer or Assistant States Treasurer (or a nominated Treasury deputy), together with the Chief Executive or a nominated member of his senior staff, to operate the States of Alderney Bank Accounts.
2. To empower the States Treasurer or Assistant States Treasurer (or a nominated Treasury deputy), together with the Chief Executive or a nominated member of his senior staff, to operate the States of Alderney Water Board Bank Accounts.
3. To continue with the above arrangements until such time as amended by Policy & Finance Committee resolution.

*Proposed by Mr McDowall and seconded by Mr Roberts*  
*Approved unanimously*



**Item XIV**    **Election of Alderney Representatives to sit in the Guernsey States of Deliberation**

Following the procedure as laid out in the Resolution of The States of Alderney dated 18<sup>th</sup> October 2006 and the Plebiscite election of 1<sup>st</sup> December 2012, the States resolved:-

- (a) To elect the following two members to sit in the Guernsey States of Deliberation for 2015:-

Mr Louis Jean  
Mr Graham McKinley

and

- (b) To elect the following two members to sit in the Guernsey States of Deliberation as Alternative Representatives for 2015:-

Mr Matt Birmingham  
Mr Chris Rowley

**Item XV**    **Burundi (Restrictive Measures) (Alderney) Ordinance, 2015**

The States of Alderney resolved to approve “The Burundi (Restrictive Measures) (Alderney) Ordinance, 2016”.

*Proposed by Mr Harvey and seconded by Mr Rowley  
Approved by a majority, all in favour except Messrs McDowall and Roberts who voted against*

**Item XVI**    **Questions and Reports**

The following report was presented by Mr McDowall and was subject to debate and consultation thereafter:-

*“The proposals that have emerged from the review of the Financial Relationship between Alderney and Guernsey are on the States of Guernsey Billet for February 2016.*

*As part of the review of the financial relationship the costs of the transferred services have been published. For the first time ever the approximate costs of running the Island of Alderney have been assembled and are published below. For the first time for about 25 year the costs of the remaining transferred services between Guernsey and Alderney have also been published. Each Department of State in Guernsey compiles and maintains its own data and analysis. The granularity and quality of analysis and data may, therefore, vary in its integrity from Department to Department.*

*Against this background the gross costs of providing public services on Alderney averaged over the past 1-3 years are as follows:*

<b>ALDERNEY REVENUE COSTS</b>		
Health	£2491,000	14.0%
Education	£2406,150	13.7%
Welfare	£6,329,000	36.0%
Police	£377,290	2.2%
Border Agency	£160,000	0.9%
Existing States of Alderney Services	£3,859,694	22.1%
Airport Revenue deficit	£807,000	4.7%
Aurigny Subsidy	937,000	5.4%
Other costs – admin support	£201,600	1.0%
<b>Alderney Revenue Costs</b>	<b>£17,568,734</b>	<b>100%</b>

### Notes

The following services are provided by the States of Guernsey:

Health	£2,491,000
Education	£2,406,150
Welfare (Social Security)	£6,329,000 ***
Home Department (Police & Border Agency)	£537,000
Other admin support costs (law officers / legal aid)	£201,600
<b>Total</b>	<b>£11,964,750</b>

\*\*\* This figure includes the Guernsey Old Age Pension - £2,834,000 in 2014 (Social Security Fund) which is not strictly a transferred service

- Existing States of Alderney Services : the Annual Revenue Account
- The Airport Revenue Deficit and the Aurigny subsidy are allocation and attribution figures provided by the Guernsey Public Services Department and Aurigny respectively, which the States of Alderney is unable to independently verify or substantiate.

Once the revenues arising from taxes, property charges and other income streams are taken into account, the net cost of providing public services on Alderney is in the region of £5-7M annually.

Additionally an analysis has been done of the revenue benefits which the presence of a gaming regulator, and hence of the e-Gambling industry, brings to the Bailiwick of Guernsey. This indicates that the annual benefits to the Bailiwick economy are as follows:

Contribution	Alderney	Guernsey	Total
<b>Direct</b>	£6,800,000	£18,240,000	£25,040,000
<b>Indirect</b>	£3,400,000	£9,060,000	£12,450,000
<b>Induced</b>	£2,950,000	£10,890,000	£13,840,000
<b>Total</b>	£13,140,000	£38,190,000	£51,340,000

- **direct contribution** – this relates to the economic activity directly relating to eGambling, which we consider to be activity of eGambling operators and the AGCC;
- **indirect contribution** – this captures supply chain (intermediate) impacts, for example via eGambling operators' purchases from telecoms and IT service providers in the Bailiwick; and
- **induced contribution** – this captures consumption impacts resulting from income that the sector generates, as employees of the sector or supply chain businesses buy goods and services.

*Note that statistically there is greater confidence in the direct contribution analysis than the indirect and induced, which are based on projected multiplier analysis.*

*You will note that the motion on the States of Guernsey Billet on the Financial Relationship includes provision for an annual update of the contribution to the Bailiwick from e-Gambling.”*

**Meeting Closed: 1810hrs**

**Issued: 15<sup>th</sup> January 2016**