



OFFICIAL REPORT

OF THE

STATES OF THE

ISLAND OF ALDERNEY

HANSARD

The Court House, Alderney, Wednesday, 17th March 2021

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

Volume 9, No. 3

Present:

Mr William Tate, President

Members

Mr Bill Abel
Ms Annie Burgess
Mr Ian Carter
Mr Kevin Gentle
Mr Christian Harris
Mr Rhys Jenkins
Mr Boyd Kelly
Mr Graham McKinley, OBE
Mr Steve Roberts
Mr Alexander Snowdon

The Greffier of the Court

Mrs Sarah Kelly

Business transacted

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The Assembly adjourned at 4.19 p.m.34

States of Alderney

*The States met at 2.30 p.m. in the presence of
Lieutenant G T Workman RN (Rtd), a representative of
His Excellency the Lieutenant-Governor of the Bailiwick of Guernsey*

[THE PRESIDENT *in the Chair*]

PRAYERS

The Greffier

ROLL CALL

The Greffier

Procedural

5 **The President:** Before we move on, I would just like to welcome everybody to this new time of the meeting, and I thought it might be helpful if I simply read out the media release that was published a week or so ago, so that we have a record in *Hansard* of the thinking behind why the decision was made to bring the meeting forward to 2.30.

The media release reads as follows:

Following discussions with States Members, the Greffier, and the Civil Service, and also the Station Manager at Quay FM, it has been agreed that, in future, the States meetings will commence at 2.30 p.m. This will allow more time for proper debate about any proposed new laws and the current issues facing the Island. In addition, it follows the States of Alderney's drive to deliver public spending reductions whilst maintaining and, where possible, improving the quality of our service. In addition, it would assist Quay FM in broadcasting the meeting to the community.

10 I should also tell you this afternoon that His Excellency the Lieutenant-Governor will be listening to the meeting via Quay FM, so he will be aware of the proceedings.

Convenor's Report of the People's Meeting held on 10th March 2021

15 **The President:** That being the case, Madam Greffier, I think we can now go to the report of the Convenor.

The Greffier: Thank you, sir.

20 **Mr Carter:** Mr President, at the People's Meeting on 10th March, 7.p.m., in the Island Hall, 10 States Members were present, the President, 20 members of the public, and four members of the press.

Initially, two questions were asked before the main body of the Billet: one relating to the time change, which you have now addressed; and the second, the availability of the Billet, regarding it being in paper form when offices were shut due to COVID.

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

Billet d'État for Wednesday, 17th March 2021

I. Chief Pleas Chief Plea of Mrs Norma Paris on the Alderney Bird Observatory

The President: We can now move, Madam Greffier, to Item I on the Agenda, Chief Pleas.

30 **The Greffier:** Sir, we have received one Chief Plea, from Mrs Norma Paris. Mrs Paris, would you like to come forward, please? Regarding the Alderney Bird Observatory and its economic value to the Island.

Mrs Paris: Good afternoon.

35 Mr President, sir, States Members, I am very grateful for this opportunity to be able to draw your attention to the sterling work, both scientific and economic, that the Alderney Bird Observatory (ABO) is achieving on behalf of the Island, and I would like to take this opportunity also to thank the States for the support that you have given us to date.

I am a director of Alderney Bird Observatory Ltd, an Alderney-registered company which is registered as a Guernsey charity. We are the only bird observatory in the Channel Islands.

40 As we all know, the natural world has never been under more threat or more in need of scientific research to support and inform conservation decisions. Alderney punches above its weight with all the excellent work done here, by both the Alderney Wildlife Trust (AWT) and the ABO. From the inception of the ABO in 2016, it has become increasingly clear that our tiny island of Alderney is one of Europe's busiest bird migration flyways. As a well-known ornithologist said at the time, 'Why hasn't the birding world heard about you before? It is as if this migration hotspot has just risen up out of the sea.'

45 As the newest and most southerly of the bird observatories in the British Isles, our spring and autumn migration search is now a significant contributor to European ornithological databases. These annual records help to establish important bird population dynamics and changes in the seasonal movements of species, some of which appear to be strongly linked to climate change. The tens of thousands of birds moving through Alderney via this East Atlantic Flyway keep both the warden and the assistant warden very busy indeed.

50 That is all very well, you may say, but times are hard, and the Island will now have to regain its standing in the tourism market post-COVID. The Bird Observatory is the very definition of a niche tourism market. We offer a clearly defined and unique product and are operating to a very targeted audience. The RSPB alone have over one million members—or as we prefer to refer to them, 'potential visitors'. The photogenic appearance of our plentiful subject matter is tailor-made to attract publicity; please do look at warden John's stunning pictures on our website, Facebook, and Twitter pages.

60 The coverage we have achieved for Alderney includes BBC's *Countryfile*; Channel 4's *Little British Isles*; Fox News; numerous interviews on the Channel News and BBC News, and on the

radio, and in the national press, particularly *The Sunday Times* and in the *Guernsey Press*. John's blog page, as Channel Islands ambassador for Zeiss Optics Ltd., reaches thousands of people from all walks of life – such is the attraction of birdwatching—and this is before you even start on our social media. At a conservative estimate, the value of 2020's coverage alone was the equivalent of Visit Alderney's annual advertising budget for that same year, but all just for the cost of the warden's time—and please remember, he worked without any pay at all for the first two years.

Apart from the visitors who stay in our modest four rooms at the Nunnery, there are others who prefer more luxurious accommodation. Naturetrek, who are a very long-established and highly-regarded provider of guided tours in 85 countries worldwide, prefer other on-Island accommodation for their guests. John has nurtured this relationship, helping to guide the early tours with the manager of the Living Islands Project, who first brought Naturetrek to the Island. He has become a very well-established tour leader for them. An estimate of the income they have brought to the Island, pre-COVID-19, was just under half a million pounds. Several tours were lost in 2020; more are available for the 2021 season, some are fully booked, and we must hope that the COVID regulations do not interfere with those this year, as it caused the complete loss of the tour programme for 2020.

John is highly regarded by Naturetrek and in Guernsey, as well as internationally, all the places our visitors come from. In his very specialist field of expertise, he is qualified to a level achieved by only a few others in the British Isles. He fulfils the role of bird warden and official Island bird recorder, and he is a committee member of the Channel Islands Bird Ringing Scheme and the only Alderney resident to sit on the Bailiwick Rare Birds Identification Panel.

We are, as you know, currently negotiating our ongoing relationship with yourselves. We have been disheartened, of course, by the report that is on this afternoon's Billet. To first learn that you have been sacked by Billet must be a novel, if not a unique, experience. It is indeed one of life's ironies that this is on the same Billet as new employment laws for the protection of employees.

Be that as it may, the ABO has very positive plans for the future. With the recent relaxations in the COVID regulations, we anticipate the arrival of our new assistant warden as soon as possible and, when the Bailiwick Bubble is re-established, the arrival of some much-needed assistance for the spring migration from our contacts in Guernsey. We are also beginning to attract international requests to join our team. We are working, obviously, with Visit Guernsey, so that we can make the most of the Bailiwick Bubble when it starts.

We have just received—and this is very good news—a very generous donation specifically for the purchase of recording equipment to monitor nocturnal migration. This is state-of-the-art and much sought after by other observatories. It puts the Channel Islands ahead of the game and will result in a great deal of publicity for us. We anticipate, also, some very positive coverage in the *New Scientist* magazine soon.

Our scientific research has brought the identification of rare birds by DNA sampling to Alderney for the first time and, as I speak, similar testing is underway to look at the potential of a local subspecies of a resident bird species which might be unique to Alderney. The end of April will see our second Bailiwick Big Garden Birdwatch – please, do join in – and we are hoping to host the annual conference of the British Isles Bird Observatory Council in Alderney in 2021.

Therefore, in conclusion, I am making this plea for continued support from the States, and to also suggest that we should be central to your tourism strategy, so that we can all capitalise economically on Alderney's unique place in the birding world.

Mr President, States Members, thank you for your time.

The President: Thank you very much indeed, Mrs Paris.

**II. Appointment of Chief Executive —
Kathryn Jones appointed**

Item II.

The States of Alderney is asked to confirm the appointment of Kathryn Jones as Chief Executive of the States of Alderney.

The President: Item II on the agenda, please.

115 **The Greffier:** Sir, Item II is the appointment of a Chief Executive. The States of Alderney is asked to confirm the appointment of Kathryn Jones as Chief Executive of the States of Alderney.

The President: Mr Carter, were there any observations at the People's Meeting?

120 **Mr Carter:** Just one: why there was not a photograph available of the new Chief Executive, and a question as to what her previous appointment over the last two years has been.

The President: Thank you very much indeed.

Mr Abel, I understand you are going to propose this Item?

125

Mr Abel: That is correct, Mr President.

Mr President, I would like to propose Item II, the appointment of the Chief Executive. In accordance with Section 52 of the Government of Alderney Law, 2004, as amended, the States shall, with the approval of the Lieutenant Governor, appoint a person to act generally as the Chief Executive of the States of Alderney to carry out, under the general direction of the States, the functions assigned to the Chief Executive by law and by Standing Order or Resolution of the States.

130

As a small bit of background, the previous Chief Executive stepped down from the position in mid-November. We were supported by Mr Lewis over that period up until the end of December, and since January of this year, we have been supported by Mr Nash in that position.

135

I would like to take this opportunity, if I may, Mr President, to thank both Mr Lewis and Mr Nash for their support over that period; it has been most useful and it has helped us a great deal.

It will be noted in the Billet document that an extensive open process was followed by the Chief Executive Appointment Board, which was appointed by the Policy & Finance Committee in its capacity as the States Employment Board.

140

The result of the process was that the Chief Executive Appointment Board was minded to appoint Kathryn Jones as the next Chief Executive of the States of Alderney. This decision was shared with Policy & Finance in its capacity as the States Employment Board on 10th February. The President secured the necessary approval of the appointment from His Excellency the Lieutenant-Governor on 18th February.

145

Mr President, I would like to propose that the States of Alderney is asked to confirm the appointment of Kathryn Jones as the Chief Executive of the States of Alderney.

150

The President: Thank you very much indeed, Mr Abel.

Mr Carter, I think you are going to second this?

Mr Carter: Yes, I will second this, and just to confirm that the appointment of Mrs Kathryn Jones as Chief Executive of the States of Alderney—she was a candidate who through interview, psychometric testing, references, and His Excellency's vetting procedures, displayed those key qualities of a Chief Executive who will lead the Island's Civil Service and provide advice and guidance for the rest of us in this community.

155

The President: Thank you, Mr Carter.
Would any Member like to speak on this Proposition?
160 Mr Snowdon.

Mr Snowdon: Just briefly, thank you, President. I think it has already been pointed out but I will point it out again, that his Excellency has approved this, and thank you for your work for that, and that is an important step, that his Excellency has given his seal of approval, if that is
165 alright to say.
Thank you.

The President: Thank you very much indeed.
Does anybody else wish to speak on this particular matter?
170 Can we take it, therefore, that this passes, unless anybody wishes to say differently? I think that silence demonstrates that that passes unanimously.

III. Appointment of States Treasurer – Elizabeth Maurice appointed

Item III.

The States of Alderney is asked to confirm the appointment of Elizabeth Maurice as Treasurer to the States of Alderney.

The Greffier: I think we are on to Item III, which is the appointment of a States Treasurer and the States of Alderney is asked to confirm the appointment of Elizabeth Maurice as Treasurer to
175 the States of Alderney.

The President: Thank you very much indeed. Were there any comments at the People's Meeting, Mr Carter?

180 **Mr Carter:** No, no comments, sir.

The President: Thank you very much indeed.
Again, Mr Abel, I think you are going to propose this one.

185 **Mr Abel:** Thank you, Mr President. I think I will be jumping up and down all afternoon, by the looks of it.

With regard to Item III, the appointment of the States Treasurer, Mr President, I would like to propose the appointment of the States Treasurer. In accordance with Section 54 of the Government of Alderney Law, 2004, as amended, the States shall, on the approval of the
190 Lieutenant Governor, appoint a person to act generally as Treasurer for the States of Alderney.

Following the retirement of the previous Treasurer at the end of 2018, Mrs Elizabeth Maurice was appointed Acting Head of Finance while consideration was given as to whether further staffing restructuring should take place in the Treasury Department. The result of that review, and in conjunction with senior officers of the States of Guernsey, it has been concluded that Mrs
195 Elizabeth Maurice should be confirmed in the post as Head of Finance and Treasurer of the States of Alderney. The Policy & Finance Committee, in its capacity as the States Employment Board, approved the appointment of Mrs Maurice as Head of Finance and the Treasury of the States of Alderney at the meeting held on 18th November. His Excellency the Lieutenant Governor approved the appointment on 26th November.

200 Mr President, I would like to propose that the States of Alderney is asked to confirm the appointment of Mrs Elizabeth Maurice as the Treasurer to the States of Alderney.
Thank you.

The President: Thank you very much indeed.
205 Mr Harris, you are going to second this one?

Mr Harris: I am, thank you, sir, fellow Members.
I am not going to repeat what Mr Abel has just said, so I wish to simply offer Mrs Maurice my congratulations and thank her for all the sterling hard work she has done over the years.
210 Thank you.

The President: Thank you very much indeed.
Would anybody else like to speak about this appointment?
Mr Snowdon.

215 **Mr Snowdon:** Thank you, President.
Just a little bit about the process—I think Mrs Maurice is absolutely fantastic and really do approve this, but I am a little bit concerned it has taken so long to get to this stage. But thank you to the Treasury for all the hard work they do for us.
220 Thank you.

The President: Does anybody else wish to speak?
Ms Burgess.

225 **Ms Burgess:** Thank you, Mr President.
Very simple, hardly worth me standing, but I just want to acknowledge how well-deserved this appointment is.

The President: Thank you very much indeed.
230 Anybody else? Mr Abel, do you wish to exercise your right of reply?

Mr Abel: I think, just a simple matter with regard to Mr Snowdon's point: yes, it has taken a bit of time. Unfortunately, it got lost in the box, I think, at a particular time in the past, but with the changing of the States over the year end, it obviously has only now come to be officially
235 agreed in this gathering.
Thank you.

The President: Thank you very much indeed.
I suspect that we can all take this as read.
240 Thank you, Madam Greffier.

**IV. Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey)
(No.2) Regulations, 2021**

**Item V. Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.2)
(Amendment) Regulations, 2021**

**Item VI. Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability)
(Bailiwick of Guernsey) (No.2) Regulations, 2021 –
Approved**

Item IV.

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.2) Regulations, 2021”

Item V.

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.2) (Amendment) Regulations, 2021”

Item VI.

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (Bailiwick of Guernsey) (No.2) Regulations, 2021”

The Greffier: Thank you, sir.

245 We are on to Item IV which is the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.2) Regulations, 2021. The States of Alderney is asked not to annul those provisions.

The President: Thank you.

250 Mr Carter, anything from the People’s Meeting?

Mr Carter: These were tabled as three Items together, and a comment was made about all three Items—IV, V, and VI.

255 Firstly, a concern from one contributor that retrospective legislation could be a violation of the European Convention on Human Rights, and which, if approved, could open up a challenge in that court, the European Court of Human Rights.

260 The second area was the way in which the Island is told about an issue such as lockdown, in terms of those members of the community who have no access to radio and no access to the internet, how that could be done most efficiently to enable everybody on the Island to be aware of an issues of this nature.

The President: Thank you very much indeed.

Again, Mr Abel, you are proposing this Item?

Mr Abel: Yes, that is correct, Mr President.

265 I would just ask your indulgence, if I could, these three Items are Items that we have traditionally dealt with over the last year, and I wish to know whether you wish me to go through each of the Items separately and repeat a lot of what I have here, or actually deal with them all as one, highlighting the difference between the three Items that are being tabled?

270 **The President:** I shall be guided by Madam Greffier, but my sense is that they are individual Items on the Billet, and should therefore be dealt with—

Madam Greffier: I was going to say, sir, that I can read out all the Items and then they can be dealt with as one, and if there are any queries, we can take individual votes?

275 **The President:** That sounds eminently sensible.

Mr Abel: Thank you. Can I sit down in the interim? *(Laughter)*.

280 **The Greffier:** In which case then, sir, I think it was Item IV that I referred to, so Item V is the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.2) (Amendment) Regulations and Item VI is the Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (Bailiwick of Guernsey) (No.2) Regulations, 2021, and the States is asked not to annul any of those Regulations.

285 **The President:** Mr Abel.

Mr Abel: Thank you, Mr President.

290 Just to add a little bit more information. The first of the Items, Item IV, is really a reinstatement of the Regulations which are presently in place. They obviously have a time period applied to them, and they have been restated.

The second Item is more with regard to face masks and some of the legal requirements to wear them during the process of the lockdown, and then also the various powers that the Police have to enforce the wearing of masks, so that is the amendment.

295 The third Item, really, is around, again, the vaccine and the rollover of the Regulations in terms of the CCA's authority in terms of those vaccines which are not 100% approved by the Medical Health Association in the UK.

In terms of those three particular Items, Mr President, I would like to ask the States not to annul these three Items, at Item IV, Item V, and Item V, in terms of the Emergency Powers (Coronavirus) (Bailiwick of Guernsey) (No. 2) Regulations, Mr President.

300 Thank you.

The President: Thank you very much indeed, Mr Abel.
Mr Snowden, you are seconding all three of these Items?

305 **Mr Snowden:** Yes, I am, thank you, and thank you to Mr Abel.
I do not think I have got anything else to add, thank you.

The President: Thank you very much indeed.

310 Would anybody like to speak on any of these three Items? In that event, I think they can be unanimously agreed.

VII. The Conditions of Employment (Alderney) Law, 2021 – Approved

Item VII.

The States of Alderney is asked to approve "The Conditions of Employment (Alderney) Law, 2021" and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

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

315 **The Greffier:** Sir, Item VII is the Conditions of Employment (Alderney) Law, 2021, the States is asked to approve that law and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

The President: Thank you very much indeed, Mr Carter, anything to report?

Mr Carter: Two concerns, sir.

320 One was a concern raised regarding drafting of the law and, in particular, reference to the definitions, and likewise, enforcement powers being given to the civil service, which appears to be excessive and they appear to exceed the powers of the Police.

The second issue was with regard to the problems that information requested under this law might not be possible due to the Data Protection Act.

325

The President: Thank you very much indeed.
Over to you, again, Mr Abel.

Mr Abel: Thank you, Mr President.

330 I would like to propose Item VII, the Conditions of Employment (Alderney) Law, 2021.

Alderney currently has only a limited range of employment legislation covering employment permits and employee's liability. Guernsey and other jurisdictions typically have a wider range of laws, covering areas such as contracts of employment, working hours, minimum wage levels, dispute resolution, and so on.

335 The States to date can be ... I do not know if the word would be 'criticised', the States have been slow to deal with employment legislation due to a lack of clarity on what legislation is appropriate for Alderney, and neither has the States engaged with Guernsey to understand how the Bailiwick's laws could be appropriate for our economic situation.

340 Over the last few years, a number of States Policy & Finance Committees have discussed these issues. For example, following a debate in the States in 2017, it was reported that there was unanimous support for employees having the basic right to have a written contract setting out the terms of their employment. In May 2019, the Policy and Finance Committee was minded to reconsider both the States' previously stated position and the wider issues that were now perceived as problematic inconsistencies in Guernsey, and the Committee agreed at that time to further debate the introduction of legislation in the States. In June 2019, this matter was further debated, and the States resolved to develop basic employment legislation.

345 The Conditions of Employment (Alderney) Law, 2021, being placed before the States is the first phase of having appropriate employment legislation which recognises Alderney's economic constraints and the rights of both employee and employer. The legislation can be considered to be promoting good practice and, in many cases, confirmed what is in place, and allows for the adoption of further appropriate legislation, such as contract of employment and minimum wages, in the future.

350 In summary, the legislation requires a written statement providing particulars of terms of employment, covering items such as remuneration, weekly or monthly periods of pay, working hours, holidays, sickness and injury, pensions, terms of employment, notice periods, and other provisions. A statement of pay with applicable detail is also required; its application is not required if there is already an equivalent contract of employment in place.

355 The legislation being placed before the States also covers change in terms of employment, its non-applicability in terms of employment outside Alderney, for mariners and for other areas. It also covers the powers of enforcement and the period for provision of the statement of particulars to be drawn up in conjunction with the employee. This legislation does not prescribe minimal or maximal levels, but only that a written statement of terms of employment is provided.

360 The States of Alderney commit to continue to work with both employers and employees from the various sectors of the business community to develop and agree appropriate legislation which will enhance the working relationship and promote Alderney as being a premier place to live and work. Without appropriate employment legislation in place, I doubt that Alderney can attract value-adding businesses and the skills that the economy needs to grow and flourish.

370 Mr President, I would like to propose that the States of Alderney is asked to approve the
Conditions of Employment (Alderney) Law, 2021, and to authorise the Bailiff to present a most
humble petition to Her Majesty praying for her Royal Sanction thereto.

Thank you.

The President: Thank you, Mr Abel.

375 Mr Gentle, you are going to second this Proposition?

Mr Gentle: Thank you, sir, colleagues.

380 I must start by apologising, sir, colleagues, members of the public, that you are going hear
little bits of that again, 'Protection of the employee and the employer is something that we must
have. If we want people to move here, let us make it more attractive to those contemplating it.'
The first couple of lines from my manifesto in November, so it gives me immense pleasure to
second this Item. Most, if not all of you, will be aware that I have been talking about this for
what seems a very long time.

385 On the whole, people generally behave decently to each other, and we do not rely overtly on
rules and regulations. But that is not always the case. Giving people very basic employment
rights in 2021 will only serve to enhance our reputation as we look to encourage people to move
here. We want those who decide to choose to live here, especially when the Revive and Thrive
mantra is in full force, to be able to feel that they have the same legal protection as they would
just about anywhere else in the western world in the 21st century.

390 As my colleague, Mr Abel, has already stated, but to reinforce the point, this is the most basic
form: notice of when paid, and a pay slip to go with it; whether there is an entitlement to sick
and/or holiday pay; how many days holidays you might be able to expect; whether a pension
scheme is incorporated or not; the actual job; the rules for changes; whether a parent can return
to work having had a child; and finally, what may well be seen as the most important part, the
395 notice period needed on either side for termination of employment.

Basic legislation is essential. It offers security. It gives employers and employees protection.
The clarity that this will provide in any working relationship is very important. You cannot ride
roughshod over an employee, just as you cannot give your employer bad value for the wage
earned, and this should be set in stone for the good of all in the 21st century. This is purely a
400 reference document, and the law certainly does not preclude mediation, but this legislation will
serve as the bedrock for anything that comes afterwards.

It is a very simple start and a statement of employment terms. It is there to protect both
sides. Introducing this piece of legislation just requires employers to give their employees
written particulars of the main terms and conditions of their employment and to prescribe the
405 minimum periods of notice to terminate the employment on both sides. Dispute resolution is
not needed, as there is nothing to resolve. You either have a piece of paper, or you do not.
When there is an oral agreement, then all that is being asked is that you put it in writing.
Provided that the relevant document is kept up to date, then both employers and employees
will know exactly where they stand.

410 Whilst the provision of this is to provide the employee a clear understanding of their
expected duties and their rights, there are also undoubted benefits to the employer. Any dispute
will arise, if at all, usually well after employment has commenced, and will encompass certain
things like holiday entitlement, the notice period, overtime rates, and payment for work on bank
holidays. They can all be avoided by putting it in writing on day one.

415 If an employee has no entitlement to any of the items highlighted in the law, for example,
holiday pay, the statement should confirm that. It should be noted that there are no statutes in
Alderney compelling employers to provide employees with annual leave, paid sick leave, paid
maternity leave, redundancy pay, or access to a pension scheme. In practice, many employers
do provide such benefits to employees pursuant to their employment, although this provision is
420 very flexible, as there is no formal statutory guidance on the amount of any such entitlement. An

employer is not, and I repeat *not*, being asked to pay something tomorrow that they do not ordinarily pay today as a result of this legislation. If an employer only wants to be able to give a day's notice, then write it down.

425 However, progressive moves such as this will always encounter trenchant opposition. An anonymous article in Issue 12(12) of the *Alderney Journal*, dated 22nd January—and it is the one with yourself, sir, jumping for charity in a puddle –

The President: Thank you for that, Mr Gentle. (*Laughter*)

430 **Mr Gentle:** – stated, when talking about Government—and I shall precis, 'Fiddle ineffectively, engaging with highly-damaging, overtly-socialist control-freakery, such as introducing a wholly-unnecessary employment law.'

I am not going to stand here and apologise to the unknown and their cheerleaders for us as a government considering reform that might put building blocks in place.

435 As a counter to that, it was very pleasing to note the letter of 6th March, 2020, from the Chamber of Commerce, a body that has never hidden behind anonymity, and I quote:

The Chamber agrees that there should be written terms of employment that would offer protection to both employer and employee.

As we have already heard, this was first debated in this Chamber in September 2017, and it has been coursing its way down the Law Offices river since debate here in June 2019, when it was resolved unanimously to approve legislation drafting. It went to P&F in July 2019, again in
440 January 2020, and again in November. It is finally here. This has not just been sprung upon anybody and certainly is not an advocacy of a UK-style employment law. This is the current politicians of this Island being given the chance to finally put in place the necessary legislation to start the very long-overdue process of protecting all our employees and employers, both current and future.

445 This proposed legislation recognises that certain expected terms of employment are important to harmonious working relationships and it places a duty of care on the employer to give the employee written particulars of all or any terms applicable. Building on top of this, in the future, will necessitate a lot of public consultation when we look at incorporating a universal requirement for contracts of employment and the minimum wage, as I am not sure how any
450 other concepts could be enforced without them, or for those to be considered without this. That is the work that needs to start tomorrow, as we attempt to get the next steps very quickly.

Sir, 2021 sees us enter the 36th year since Guernsey introduced their law. Alderney has been lacking for far too long. This is the first step in the quest to go about improving quality of working life for those who both live here and who may want to live here, and it is not before
455 time.

Sir, thank you.

The President: Thank you, Mr Gentle.

Would anybody like to speak on this matter?

460 Mr Harris.

Mr Harris: Thank you, sir, fellow Members.

I just want to say, well said, Mr Gentle, actually, good stuff.

I work, my wife works, and our children will, no doubt, work as well, as do many people on
465 the Island. I do not live the charmed life alluded to by those who have made comment on this issue in the press or online.

If anybody is going to spend more than half of their life working to make money for someone else, you can guarantee that they want and deserve a simple bit of paper that tells them what

470 that work is and what the reward is for that work. This is a simple human right. This is about
terms of employment and a payslip; simply that. The employer is welcome to set whatever those
terms are, as long as the employee is aware and agrees. If we wish to keep younger people on
Island, we better start treating them a little better, and if we want to attract business to the
Island, we need to stop acting in such a Dickensian fashion.

Thank you.

475

The President: Thank you very much indeed.

Would anybody else like to speak?

Mr Carter.

480

Mr Carter: Thank you.

I think employment rights are, obviously, a many and varied area, and I reflect on my own
experience of this: working in a turkey factory for cash-in-hand, simply shifting the detritus of
turkeys day in, day out, and my mother then hosing me down at the end of the day; likewise, I
sat on a production line in an electronics factory, with a brown, little envelope at the end of the
485 week with a payslip, tax-deducted. In professional life, I have worked in public service in the UK
in highly unionised areas, where I have seen that, perhaps, unequal view of what is expected of
an employee and what the employer is trying to do.

I have to admit, I come late to the debate here in Alderney, having only been elected to the
post of a States Member in January. But I look back at the history of what I have seen, and I
490 make these observations. The principle of employment law I see as a key aspect of a developed
community which respects each other, itself, and wants to be seen in an international context.
And we are in an international context; we do want people to come here, we want to attract
inward investment, and we do want to attract new people.

The second observation I have is that the process by which we got to the law that is in front
495 of us today has not, it would appear, been smooth, neither has it been inclusive, nor particularly
efficient. And I think we have a great deal to learn for the future from what has taken place in
the way that this legislation has been developed: how it has been consulted upon, reviewed,
revised and, more importantly, critically appraised. This is not the forum to discuss those issues,
but I would ask P&F, irrespective of the outcome of this vote, to take a view on how legislation
500 of this nature is consulted upon and how it is reviewed.

The third point I would like to make is that there is a lack of clarity currently between and
amongst employers and employees about the existing laws as some would see them. At last
week's open meeting, several people talked about the Guernsey laws that apply here; they do
not. Hence, it is unclear in terms of the start point, as to where we are starting. Mr Gentle has
505 obviously made very clear the point, we start from a position of nothing.

The proposal for us to debate today is a start, a small start, just dipping our toes into those
employment legislation areas, so that both the employer and the employee will know where
they stand if a question is raised. I support wholeheartedly this concept and would like to see it
go much further.

510 But I am afraid there is a but, and the but is this: through the drafting process reference is
made to contract, which somewhat muddies the water and potentially may lead to confusion as
to the status of that terms of employment document, which does not have, as a result, absolute
clarity. I would also like to have seen some guidance for employers and employees to know what
to expect practically, in terms of what one of these documents looks like.

515 I am also concerned that enforcement, as detailed, will not be practically possible, so that
what is produced in front of us would, in fact, be a bad law, in terms of putting in place
regulation that cannot be enforced appropriately, and hence is meaningless and becomes
irrelevant.

520 Having been lobbied by employers and employees, there is obviously a diverse range of views
on the Island that I have been given before coming to my judgment. I find it interesting—and

perhaps, a little patronising—that some employers judge that, apparently, I am not able to make any judgment on this matter, because I have never employed anybody on this Island; I wholly reject that argument. What I do understand, from employing people, hundreds of people, in my professional life, in the diverse range of jobs they have had, is that you have to be simply decent and treat people as you want them to treat you, i.e., with respect, and that produces engaged, productive employees. Part of that mutual respect can be derived from having a simple contract of employment.

In conclusion, I have always followed the maxim that delay is preferable to error. So I am not going to vote for this proposal in its present form. I do not believe it can be amended easily to reflect the intended outcomes, and it does not go far enough as a first step. I will thus urge P&F to use the lessons learnt from this process of development of legislation over the last year to review the scope of this legislation and work to see a much more ambitious piece of legislation put forward by the end of this year.

So I urge you not to vote for this.

The President: Thank you, Mr Carter.
Who else would like to speak?
Mr Roberts.

Mr Roberts: We are an odd lot, collectively, but we used to be a lot more individual a few years ago, and people loved us for it. Quirky, bubbly, unexposed to the outside world and to all the rules that it demands, a centre of freedom called ‘Alderney’. Seatbelts, crash hats, no MOT, opening hours, or bangers—all our own. A nice, relaxed society away from health and safety bureaucratic nonsense from the rest of the world. Fences started to appear where fences were not needed, put there for negative and imported reason.

Albert Einstein once said, ‘Beware of negative people. They have a problem for every solution.’

Our economy is a very fragile egg, and we must go forward with caution not to damage it, for it is our economy. Our business community are very concerned, and we have to heed that warning, and not ignore it. Not enough consultation has been undertaken before such a big move, and a report could have been forwarded before we came to this position of adoption.

However, we do remain in fiscal union with Guernsey, our friends, and some low wages mean a social security top-up, a problem that we have been asked to resolve. In other words, people on very low wages are having to go to social security to keep the families going.

That is what concerns me. If we want Guernsey to invest in Alderney, they say, we must put our house in order, and you have to admit, they have kept this Island afloat with the COVID crisis, when people could not work and had no work income or business support. At least that is one thing I agree with, Guernsey holds a strong influence as our monetary mates. Whether you like that or not, that is how it is.

We need an Alderney-tailored law that suits all in Alderney, our own employment law that protects as we remain fragile. We need a new consultation with the general public—a waltz, and not a quickstep, please. Equality, fairness, and protection for all, in all places, on both sides. So let’s sit down and achieve an Alderney reason to protect an Alderney charter.

I am not going to sit on the fence on this important issue, as that would be, in my view, wrong. I will vote one way or another, but if I am convinced in the sum-up that this will be an Alderney version of Bournemouth exploration and consultation then that may sway me.

The builders here do pay a decent wage anyway, and that is fair pay for a hard-training career. Some wages are below and qualify for social top-up, and that is the area that concerns me, as our fiscal partners are concerned. And you cannot blame them; it is fair.

A minimum wage is not too much to ask for anyone, and I notice in 3)

The legislation does not prescribe minimum or maximum levels but only that a written statement of particulars is provided.

So this is not about a minimum payment, this does not go the way Mr Carter says; I can understand there is holes in it.

I also used to work. The best part of my work was my holidays; the boss said he could never find me anyway. It is an emotive issue, this one, so let us see in principle ... and tribunals, I would like to ask about tribunals. What we do about tribunals? If there is a dispute, who pays for it? Has it been set up?

Thank you very much.

The President: Thank you, Mr Roberts.

Would anybody else like to speak? Mr Burgess.

Ms Burgess: Thank you, Mr President, fellow colleagues.

I had written a detailed summary of what we are discussing now, but I have realised, when listening to Mr Gentle and Mr Abel, I am just repeating, so I am going to keep it simple, to literally the end of my comment. However, Mr Carter's comments have actually affected me, because this is a debate, obviously, and we are to listen to what is being said.

I think how I feel is this is the first step, and it is such an important step, and the reason why I will be supporting this is because we talk about attracting young families and keeping young families on the Island. We talk about attracting business and keeping business on the Island. In this reference, we have to actually talk about protecting and looking after people, and some of that is within the workplace, both for employees and employers.

Looking at my notes, I just want to say, to me it seems a logical step in this conversation to introduce an employment law. What is being proposed here today is actually quite a basic employment regulation and is really here just to serve to clarify contractual matters for both employers and employees.

A comment in the press recently, and I am referring to the same comment as Mr Gentle, about it as an 'unnecessary employment law' seems very disingenuous to me when we are considering the future prosperity and reputation of the Island, when we are wanting to attract people and businesses here. To be honest, most other jurisdictions have a lot heavier employment law than we are actually proposing today. For me, not to have one in this day and age just does not sit well with me. I really accept this as a starting point and as a first step, and I am hoping it is going to be a continued conversation. I have taken on board everything that has been said, but for me, I will still be supporting this.

Thank you.

The President: Thank you, Ms Burgess.

Does any other Member wish to make a contribution to the debate?

Mr Snowdon.

Mr Snowdon: Thank you, President, fellow colleagues. It is quite an interesting debate so far, I think.

I am concerned about the consultation. Firstly, I would just like to say thank you very much to Mr Gentle, who has been pushing this very hard and Mr Abel and Mr Dent, who obviously is not a States Member at the moment. But I think we have been approached with quite a few concerns about the consultation so far. I have got a feeling that they want to move forward, but it is just how we move forward together, and I thank Mr Carter for his speech earlier, that we need to get this right. So I think I am going to be looking at, when the summing-up comes from Mr Abel, have we got this right? Is this the best thing to implement? Or does there need to be

620 tweaks and more consultation and more guidance then presented back to the States soon, or not?

This is an important subject, and I thank everyone for debating so far. But what also does concern me regarding businesses – and we definitely do need to look after people that are being employed; it is absolutely fundamentally important – but what really concerns me is our demographics, that our working population seems to be getting smaller and smaller and smaller, and we have got such an older population at the moment, and the working population is the one that has got to pay for the older population.

This brings me onto some of the concerns that we have heard already: that we need to start establishing those new businesses, those new industries, we need entrepreneurs to relocate to the Island to create that employment and, therefore, move forward with, hopefully, a more working group, between the 20 to 45 age group. I would really ask the question to the people that have been pushing this quite a lot: are we sure that we have had those conversations? Are we happy with the conversations that we have had, that we consult? Then we can start enabling, hopefully, more of a sector moving forward, rather than the demographics which are concerning, that we in with the situation at the moment. I understand, obviously, that the condition of employment is very important, but I really want to get this right, because I do not want to implement something that is not right, and then we get taken up by other stuff that comes to the States and the wrong thing is implemented and it has not been amended or corrected, and before we know it, it has not gone the right way down the line. If we have got to bring something in, we have got to make sure that it does work properly.

640 I think we do actually have to hold our hands up and say thank you to the businesses on Island, because the majority of the businesses do follow good practice already, and they are looking after their employees and they value their employees, so I think we have got to say thank you to those as well.

But then it goes on to the next step, regarding, let us say, for example, an plumber or an electrician that has got one employee with them: if we make too much red tape I am just concerned that they might go back to being a self-employed person, rather than have that extra person to help them. When you look at, maybe, a trust company, that may have 10 people employed, there needs to be some sort of help for the ones that maybe cannot quite do all the paperwork, or make it a streamlined process, because what I am hearing quite a lot is that we are not like the UK, and they do not want to sit down the whole time, doing all this endless paperwork and actually not out in their job, making money, getting the jobs done. We just need to work out how we actually progress this in the correct manner.

Also, with regard to bringing in laws and enforcement, I will give you an example now: the accommodation sector—it is a bit of a touchy subject for some of us – they have to get a permit to be an accommodation provider. However, we get reports quite a lot of the time that people are using accommodation and they have not got a permit. There is a £2,000 fine there, but I do not think anyone has ever been fined for it. What I would just like to highlight as well is if you bring in the laws, where is the enforcement coming from? Who is doing those checks? Who is going to make sure that they are implemented and running the law correctly? Would that be done by Alderney, I presume, not by Guernsey? Or is this the next step?

Regarding the next steps, we really do need to have that consultation with the public, workshops, understanding what the community wants to implement and what is best for the wellbeing of the Island as well.

665 I know this is just the first step, and I thank those for bringing it, but I would just like clarification: are we happy with this first step, or does there need to be tweaks to it? And what is the next process with regard to this going forward? What is the vision of the other stuff that may be implemented? Maybe it is too early to say, but I think we do need to start on that conversation with the community and public, so everyone, hopefully, is onboard with it, because communication is key, and unfortunately—I know everyone has tried really hard—but

670 unfortunately, I think you just have not quite got there with this one with regard to the whole community.

Thank you.

The President: Thank you, Mr Snowdon.

675 Does anybody else wish to make a contribution?

In that case, Mr Abel, would you like to exercise your right of reply?

Mr Abel: Yes, thank you, Mr President.

680 There have obviously been a number of questions put in the course of the debate, and I will try and see if I remember the questions, to see if I can answer them.

Mr Roberts asked a question with regard to tribunals. With this low level of legislation that we are trying to put in place tribunals really do not come into the discussion at the current time. I do agree with Mr Roberts that if we advance the employment law through its next steps, as is perceived, tribunals will have to be considered, and again, when we look at Alderney, we are a bit small for a tribunal; the end of the Island may sink, depending on how many people are on it! The discussion we have had in the past was around utilising the very effective system of employment relations management—if you look at the Guernsey process—through to the employment tribunal, so there is an avenue that we have discussed and which we will explore going forward.

690 In terms of consultation, this is a very difficult one. Our consultation on this one has been limited, as I highlighted, the big question with this being a very simple one, what I call a ‘good practice law’. The amount of consultation needed is probably limited, as I say, and it has been. Realistically, this is just a single piece of paper. The legislation that we have with this piece of paper is not about imposing the state on employees or employers, but is about openness and improving the working relationship, and it supports and promotes good practice.

695 The other question raised in the debate was around where we go to next if this legislation is approved. I mentioned in my opening speech that the States of Alderney commit to continue to work with both employers and employees from the various sectors of the business community to develop an agreed appropriate legislation, which will enhance the working relationship and promote Alderney. I think, taking that away, I would like to table at the next States meeting a small report on how we intend to do that, which Mr Gentle will lead, because this, as have we discussed, is very much initial toes in the water, and really we have to progress this to a point where we have more comprehensive legislation in place.

700 In addition, I would certainly like to understand the Guernsey laws and how they would apply, not necessarily directly to ourselves, how we can utilise that legislation, plus also the experience of the Guernsey officials in how we would develop appropriate rules for an Island such as ourselves. I cannot believe that Guernsey does not have small businesses or small start-ups or minimalistic-type companies. I cannot understand why, to date, we have never engaged with Guernsey on the process of utilising their experience in applying and building on legislation here for the Island. I have already had e-mail exchanges with Deputy Roffey, on the other side, and he has indicated that we will have a meeting shortly to discuss the process going forward.

705 On that particular area, and as Mr Gentle alluded, when Guernsey tries to calculate the top-up for any unemployment or short-term employment contracts, they have no reference for minimum levels of pay here on Alderney. Also, in the whole scheme of the furlough in the lockdown, they have nothing to refer to. We are very fortunate that they are ethical people and they use what is in place for Guernsey to do those calculations. They could—and fortunately, they do not—turn round and say, ‘Well, you have not got any minimum employment laws or minimum wage law, easy we do not pay anything.’ But they are an ethical group and they have been very supportive over the years, so we do need to engage with them going forward.

715
720 I could also look at why people are hesitant about this legislation. One could say, what is difficult with a single piece of paper which states the terms of employment between the

employer and employee? I find it quite difficult to understand why you would not do that; it is so simple and it is very good practice.

725 All I can conclude when I hear people telling me we do not want this sort of paper, is they have got something to hide. If you have not got something to hide, this piece of paper is easy, it really is. We are not asking for a contract, we are not asking for a statement of intent, we are just asking employees to share with employees what they understand, as far as their employment is concerned.

730 As mentioned by a number of the Members, there are a lot of companies here on the Island who do the right thing. Some people have full contracts of employment in place. Some people believe they have to sit under the Bailiwick of Guernsey laws. But there is progress there. There are a lot of employers who, as Mr Roberts pointed out, would like to stay back in what I call the 'old days', and there are advantages to that, it adds to the ambience, if I can call it that, on Alderney. But to me, we have to progress, we have to be seen as somewhere where you want to come and work, somewhere where you can feel confident to come and work, and we need to have legislation in place.

735 This one has been an experience for me, Mr President, Members. It has been my first step of this journey. I do acknowledge Mr Carter's comments that possibly, we would need to look at this. But really, what would be better for us is to put this small step in place, and then commit, literally over the next few months, to move through to the next stage and engage extensively with the public and the employers and employees in general, and look at the next strategies that we need to adopt in bringing the correct and appropriate levels of employment legislation here on the Island.

740 One of the things I had from yesterday, after a call, I was actually a bit stunned ... as Mr Carter and a number of people have highlighted, I also have worked in many countries, both developing and developed, around the world, this is the first place in the world I have actually got to where people believe in a feudal system. It really did sadden me. Although this first step of our law is not as extensive as it may be, I do believe it is a good step in the right direction, but it forces us to move to the next step fairly quickly. Hence, I will continue to support my proposal, as highlighted earlier on in this debate, Mr President, that this legislation is approved by the States and it is passed through the processes as required.

750 Thank you.

The President: Thank you very much indeed, Mr Abel.
755 Could we move to a vote, now, please?

There was a recorded vote.

Carried – For 9, Against 1, 0 abstentions

FOR	AGAINST	DID NOT VOTE	ABSENT
Mr Abel	Mr Carter	None	None
Ms Burgess			
Mr Gentle			
Mr Harris			
Mr Jenkins			
Mr Kelly			
Mr McKinley			
Mr Roberts			
Mr Snowdon			

The Greffier: Sir, that is carried.

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

**VIII. Questions and Reports –
One report,
Seven questions for verbal reply**

Item VIII

The following report was delivered by Mr Boyd Kelly, Chairman of the General Services Committee: the Nunnery and Alderney Bird Observatory and the Harbour Crane.

Five questions from Mr Alex Snowdon for the Chairman of the Policy & Finance Committee:

(1) Could you explain any updates with Fort Tourgis and Marina projects?

(2) Following comments made by Matthew Offord, Conservative Party MP, about Alderney World War II matters, can the Chairman share any information about who has been briefing the MP from the States of Alderney, as declared in local media recently?

(3) In 2019, AEL signed Heads of Terms with Atlantis regarding the supply of electricity to the island from the Raz Blanchard project, could the Chairman outline any progress made so far?

(4) Does the Chairman have any updates or insight regarding COVID restrictions into the island from Guernsey and further afield?

(5) Could the Chairman explain the process for appointing non-elected members to committees and working groups, are the members non-voting?

Two questions from Mr Alex Snowdon or the Chairman of the General Services Committee:

(1) Do the Committee have any views about the future of ‘Whitegates’, which appears rather run down at the moment?

(2) Can the Chairman give any updates regarding recent press releases about servicing moorings and expressions of interest for operating boat storage for the States of Alderney?

The President: Finally, we move to Item VIII, please.

765 **The Greffier:** Sir, Item VIII is Questions and Reports, and we have both. We have a report from Mr Kelly, as Chairman of General Services, and then there are sets of questions from Mr Snowdon to the Chairman of P&F and the Chairman of General Services, so I do not know if you want me to read out the questions when Mr Kelly has finished his report, or if we will leave that to Mr Snowdon?

770 **Mr Snowdon:** Sorry, President, could I just ask for clarification? After the report, can we ask questions on that report or clarification on Mr Kelly’s report, at all?

The President: Yes, you can ask questions.

775 **The Greffier:** Perhaps if we deal with reports then and we move onto questions –

The President: Before you give your report, Mr Kelly—sorry to jump in. *(Laughter)*

780 **Mr Kelly:** Not a problem, sir. You are in charge.

The President: Mr Carter, observations at the People's Meeting, please.

Mr Carter: There were questions on what was happening to the old crane: is the new crane to be kept under a cover, and is there to be a dedicated, full-trained mechanic and maintenance records kept regarding said new crane?
785

The President: Thank you very much indeed, Mr Carter.
Now, Mr Kelly, over to you.

790 **Mr Kelly:** Thank you, sir.

Mr President, fellow Members, in my first report to this Assembly as Chairman of the General Services Committee, I will be referring to two matters, the Nunnery and Alderney Bird Observatory, and the Harbour Crane. I have referred to these owing to the public interest in both matters.

795 The Alderney Bird Observatory, or if I may abbreviate it, the ABO, and the Nunnery, first. The General Services Committee discussed the demolition, or not, of what is known as the 'sunroom', this being the building purported to have been built by a former occupier—we think in about the 1930s, but date unknown—but of no historic or cultural importance. It is located on the upper corner of the site, less than 1 metre from both corner boundary walls, in close
800 proximity to the Southern Roman wall. The latter is exhibiting signs of cracking and displacement, which are more likely than not to be partially caused by the sunroom structure.

The room itself has been inspected by a structural engineer who describes the condition as being 'quite poor' and 'unlikely that it would be considered safe in the long term for public access'. The room is presently used by the ABO as a viewing room and bird ringing room. The proposition considered by the General Services Committee was whether or not to make a
805 request to the Building and Development Control Committee for the removal of this building.

Following a substantive discussion by Members, a vote took place, with States Members McKinley and Roberts opposing the demolition, and myself and States Member Burgess voting for demolition. Unfortunately, our colleague, States Member Jenkins, was unavoidably detained
810 because of work. I therefore used my casting vote to demolish this room. The Manager of Estates, Environment, and Infrastructure was therefore instructed to make an application to the Building and Development Control Committee for permission to demolish the room. This application has been made and a decision is awaited.

The meeting was subsequently adjourned, and at the adjourned meeting, a week later, the temporary Deputy Chief Executive, Mr Nash, submitted a report on the Alderney Bird
815 Observatory, its use of the Nunnery, and States funding to that organisation.

Following a lengthy discussion in which all five Members were involved, in some cases, a majority decision was obtained, in other cases, a unanimous one. It was agreed to: agree to a time-limited period of discussion with the ABO to seek to establish a new relationship with the
820 States and such financial and other support that is necessary to create a three-year agreement to enable it to continue in operation; consider and agree the policy framework that it wishes to adopt in relation to support for the future work of the observatory; and that the opportunity for further discussions is offered to the ABO with regard to the future relationship and based on the framework adopted; the Committee to be represented by a designated Committee member,
825 and my colleagues nominated myself to be a representative, together with the Chief Executive or a member of the Chief Executive's Office. That was a unanimous decision, and I am grateful to Messrs McKinley and Roberts, who decided that, because they felt that I would take an objective view, that I was going to be the nominated member of the Committee.

Finally, sir, if I may move on to the crane. As Members and the public will be aware, the new crane arrived just over three weeks ago, but due to the travel arrangements of the fitters being
830 by sea, adverse weather conditions delayed their arrival, and therefore the assembly of the machine. Four fitters did arrive, were isolated both at work and at rest, with meals provided and

835 supplied in a COVID-safe manner. The vehicle that was used was shipped over from the
mainland in advance, and hence, no concern was raised regarding transport from the harbour to
their temporary accommodation.

We are then left with the old crane. There are four options. First, to send it back to the UK in
an attempt to sell, or sell on-island. Secondly, to consider refurbishing it to sufficient standard that
it could be used as a substitute crane when the new one is being serviced or should, heaven
840 forbid, it break down. Thirdly, to retain it without refurbishment, and fourthly—again, courtesy
of Mr Roberts, his suggestion – was to purchase a very basic crane to operate as a standby.

A request for expressions of interest has been sent out, but we have asked for it to be
broadened to see if there is a market both on- and off-island for someone to purchase the old
crane. The supplier of the new crane, Hassells, will be asked for an estimate of refurbishment. It
was hoped that that would be undertaken when they were over here, but for reasons I will not
845 go into, it was not. Finally, the Harbour Master has researched the cost and availability of a more
basic crane to act as a reserve.

If I may add, at yesterday's meeting of the General Services Committee, no decision was
made as we await the outcome of costings and expressions of interest, but we have asked the
Harbour Master to research harbour logs over the last four years to ascertain how many days
850 were actually lost due to the old crane not working.

That is my report on those two matters, sir.

The President: Thank you very much indeed.

Just for the purposes of clarification, Rule 19(3) of the Rules of Procedure provides:

855 After a report under paragraph (1) is presented, any member may offer a personal opinion on the report and may
ask a question relating to the content of that report.

I think that resolves your issue, Mr Snowdon.

Would you like to ask a question?

860 **Mr Snowdon:** Thank you to Mr Kelly for presenting that report. My personal opinion is I think
it was very good.

Just a bit of clarification, if I could regarding the crane, have we now got a bit of reassurance,
or maybe it is still being looked into, about the aggregate that can be unloaded? Obviously, we
have got quite a major project coming up with the runway upgrade, which will be quite a
865 massive amount of tonnage coming into the Island. I am not quite sure if the new crane or the
old crane—or if there will be another crane that will be used to unload that material—I do not
know if there is any talk or any clarification, but regarding that, I would just like to know if there
is, but do not worry if there is not.

Talking about the Nunnery: the Economic Development Committee, we will be having a
870 meeting with our accommodation sector sometime soon—and I am going back to these
minutes, now, in 2017, P&F minutes that refer to the criteria to stay at the Nunnery, which—I
thanked the P&F Committee back then, because I actually put it onto the accommodation
meeting the next day, and I wanted to give a bit of clarification to the accommodation
meeting—which is to confirm that hostel accommodation—this is with regard to the Nunnery—
875 is for birds, wildlife, and heritage-related use. That was the resolution that was passed by that
P&F Committee, as I said, in 2017. I would just like some clarification, if the Chairman can,
obviously, if he has got to look into it, fair enough, on whether that resolution is still in force, or
is, actually, in the General Services Committee resolution regarding the Nunnery? Because what
happens is, we go to the meetings with the accommodation sector and it is a very heated
880 meeting about the Nunnery where—I think the work that is going on is fantastic, but I think
there does need to be some barriers about what the accommodation is that is being provided

down there, so therefore, I would really like that criteria still to be in place, so it is fair for the other accommodation providers.

885 That brings me on to the next point that I would just like to raise, regarding a recent social media tweet by Visit Guernsey that refers to self-catering accommodation at the Nunnery, which I thought was a hostel. So I would just like a bit more clarification, as I say, because the problem is that our Committee, our Economic Development Committee, seem to get told off every time, and I understand it, but it is really down to General Services to set that criteria, is my understanding, so I would just like, if there is any clarification—or if there is not, do not worry, 890 but please look into it—but if there is, I would appreciate it.

Thank you.

The President: Mr Kelly, can you assist?

895 **Mr Kelly:** I will do my very best, sir; I will try not to worry too much. My only worry is if I have got the answers in the right order.

If I can deal with the crane first—or the oyster grab, the grab mechanism, whatever it is called – the current one, which is quite heavy and well-built, was the subject of a little bit of disrepair. We have asked that that disrepair be corrected, in order that the chronic shortage of aggregate that we were informed of last week, two weeks ago, can be rectified by a boat. A boat 900 has been ordered, the aggregate has been ordered, and I am assured by the Harbour Master, that the grab will be capable of lifting it.

In relation to the hopeful work on the runway and the aggregate that will be required for that, we have asked the Harbour Master to look at pricing up a new one, totally refurbishing the current one, and other methods of offloading aggregate onto the quay, so that matter is in hand 905 and was discussed yesterday. That is the grab out of the way.

Now we refer to the ABO and the Nunnery. You are absolutely right, GSC have stewardship of the Nunnery. I will look to you, sir, because I would hate to breach, as you are well aware, data protection regulations. In relation to the Nunnery and the lease, can I, in public forum, explain 910 what the lease currently says, or am I breaching the lessee's human rights or whatever? I would hate to do that, as you know.

The President: It would perhaps be safer to deal with that issue outside this Chamber.

915 **Mr Kelly:** Very good, sir. I will take your advice on that matter.

In relation to the Nunnery and its use, I can give my personal view as to what it should be used for, and if a lease is going to be prepared, I will be arguing in General Services for it to be heritage, wildlife, and birds—no culture. I have the view that the States should not be in the business of offering accommodation in competition with the hospitality industry on the Island; 920 that is a personal view.

Does that satisfy you, sir?

Mr Snowdon: Thank you, yes.

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

Does anybody else wish to offer a personal opinion on the report or ask a question relating to the content of it?

Mr Roberts.

930 **Mr Roberts:** I would just like to thank Mr Kelly for his very concise report—we are on the same Committee and I think you have done a very good job.

Given the potential of the Alderney Bird Observatory and the tourism that this brings to Alderney, would the Chairman not agree there is a distinct need for support following our very

large investment, given that the ABO was the very reason for that upgrade, and hurdle after hurdle just seems to be placed in their way?

935

The President: Mr Kelly.

940

Mr Kelly: I am not sure whether—and I shall respect Mr Roberts’ view, clearly—that the Nunnery was refurbished specifically for the Bird Observatory. Our responsibility in General Services is for the stewardship of all buildings, and a lot of money, an awful lot of money, has been spent on the building; whatever we use the building for, a lot of money was spent on it. What we, I would respectfully suggest, have to consider and balance up is the economic benefit that the Bird Observatory may bring to the Island, and whether that economic benefit is increased by use of the Nunnery, and oppose that with the cost of the grant, the indirect loss of revenue from rent from both the assistant warden’s flat and for the hostel itself, and question whether or not that money could be better obtained into the coffers of the States, if we rented that out. That is another personal view.

945

Does that answer your question, sir?

950

Mr Roberts: Yes, sir, Mr Kelly—

The President: Just the one question, Mr Roberts.

955

Mr Roberts: Sorry, sir.

The President: Thank you.
Does anybody else—Mr Abel.

960

Mr Abel: If I may just ask a question, probably that will clarify something, both in my own mind and maybe in terms of this debate: in terms of the next steps in your role as the General Services Committee you will assess the use of the States assets going forward, but any further discussion with the ABO on broader support I understood would possibly go further up, into the Policy & Finance Committee. Could you clarify your understanding of that?

Thank you, sir.

965

Mr Kelly: My understanding is that, historically, the grant, whatever, in relation to the ABO and the building was thrust into the pocket of General Services, and that was the wrong decision. Our role—I have said it twice so forgive repetition—is custodian of the building, and we should be making best use of that building. How much, how, and where from, and whatever money is given to the ABO to support it in its activities should not be General Services; it should be the Finance Committee and P&F in general—it should not be General Services.

970

The President: Thank you.

Does anybody else have a comment or a question? No, I think that concludes that matter.

Update on Fort Tourgis and Marina projects

975

The President: We now move to Mr Snowdon’s question. Mr Snowdon, you have had a kind offer that the Greffier would be prepared to read your question.

Mr Snowdon: Thank you, President. I like you doing it, actually but ... *(Laughter and Interjections)*

980

The President: I do apologise, Greffier, but I suspect you are not too concerned!

Now the questions will start, Mr Snowdon, these are for Mr Abel, in his role as the Chairman of Policy & Finance, and the first question is, to Mr Abel, Could you explain any updates with Fort Tourgis and Marina projects?

985

Mr Abel.

Mr Abel: Yes, thank you, Mr President.

I was wondering whether I should add a little levity to this question, or the answer to this question, Mr President, so bear with me.

990

This States has only been in place for, I think, just over two months, and during that particular period, we obviously have had the lockdown, so it has been a very difficult time for everybody in the States. What I was going to comment ... I was wondering whether I needed to get my Superman suit back from the wash so we can deal with the problem, (*Laughter*) but excuse me on that comment.

995

In terms of trying to deal with this on a more serious level, Mr President, the Tourgis and Marina projects are most important to this States and to the Island. Certainly, the Tourgis project has become almost a historical event that has taken as long as the Tourgis was to build, and at the present time, it is still not resolved. In terms of Tourgis, this States is due to have a meeting, or the proposal is to have a meeting which would include a presentation, discussion, and potentially resolution with a way forward with regard to Fort Tourgis, and that meeting is planned for the coming week.

1000

In terms of the marina, in a similar vein, this States is not up to date with the situation, because of the COVID incidents over the last few weeks—and again, this will form part of an ongoing meeting in the next week or so—but again, it is important to both the States and the Island to progress this. From my side, I would like to see it progressed, and not left in space, as it appears to have been done over some weeks, months, or years, in some cases, here.

1005

Thank you, Mr President.

The President: Thank you.

1010

Do you have a question arising out of that answer, Mr Snowdon?

Mr Snowdon: Thank you, President.

Just to say, yes, obviously, COVID has been going on, but I think with the Teams stuff this works quite well. Following on from that: can we try to get to a stage—earlier, we highlighted about communication—where there is some sort of public presentation on these two quite big projects, sometime in the near future? It is just because I think we need to make sure that we take the community along with us.

1015

The President: Thank you.

1020

Mr Abel, do you wish to respond?

Mr Abel: I think that is a reasonable request, Mr President, and I think at the upcoming P&F Committee, that will be discussed, and we will be able to understand what the two projects are, the shortcomings and advantage of those, and then how we take this forward and inform the public of what has happened. That is a commitment to actually take it forward and do that, and the timing should be, in my opinion, probably a three-month period at the most, because this has taken some time to get to this point already, Mr President.

1025

The President: Thank you very much indeed.

1030

Does any other Member have a question arising out of the response given by Mr Abel?

Briefing to Matthew Offord MP

The President: Then I will move on to question two, following comments made by Mr Matthew Offord, Conservative Party MP, about Alderney World War II matters, can the
1035 Chairman share any information about who has been briefing the MP from the States of Alderney, as declared in local media recently?

Mr Abel.

Mr Abel: Mr President, again, this was a little bit of a difficult one, and also sensitive, because
1040 the various communications with various groups, both here in the Bailiwick in the Channel Islands and also much broader, through into the UK, those communications have been going on for ... I do not know, I think Mr McKinley reminded me—maybe six or seven years of communications, so exactly who, where, and what happened, it is not clear.

But really, the question and the discussions that I will put forward to P&F shortly is: we have
1045 seen this, we have seen the concerns. To go and find out who did what and what did who is not productive. From my point of view, I think we have to take a more productive approach, and I think we are probably looking at sending a letter through to Mr Offord to understand his queries and look to see what relationship we need to build there to assist us in some of these very difficult items that have been tabled across the Island and across a larger part of the British Isles
1050 over the last few months. That, Mr President, would be my approach, to actually engage with Mr Offord, which, unfortunately, we did not have the opportunity to do in the last few weeks.

Thank you.

The President: Thank you very much indeed.
1055 Mr Snowdon.

Mr Snowdon: Thank you, President.

Just, really, to highlight—and I appreciate it is very hard new in the role, and everything – the
1060 UK Government, through the MP, is basically talking with the States of Alderney. I am just a little bit concerned about who in the States of Alderney is talking with that MP, as he has declared on local media in the Channel Islands. That is really what the question is. We do need to talk about it, I do not know if Mr McKinley can add anything, but who is he even talking to?

Thank you.

Mr Abel: Mr President, I note the comment that I failed to answer that one. One of the items
1065 that we need to do as ourselves is actually discuss with the civil service what it is. But I suspect, from what I understand of the history of these various discussions, various people from the civil service and the States over *many* years who have been in discussion with various people, and really, it is most confusing.

I think the simplest process is actually to write to MP Offord and actually understand his
1070 concerns, and actually work forward with this, not backwards. Although I do appreciate Mr Snowdon's comments and requests, because I think it is important for us to understand where Mr Offord sits, if I can use that, in these matters.

The President: Thank you.
1075 Now, Mr McKinley, can you frame what you want to say as a question?

Mr McKinley: yes, can I answer the question, please?

The President: Yes.
1080

1085 **Mr McKinley:** Some States Members will recall the visit by Lord Pickles, Gill Carr, and others in July 2019, when they spent a couple of days in Alderney, trying to learn more about what actually happened during the period of German occupation in the Channel Islands. Lord Pickles, in his capacity as the UK Representative of the International Holocaust Remembrance Alliance.

My question, really—I can add a bit more, actually—I would like to add a bit more, if I may, sir, please—we have got plenty of time. *(Laughter and Interjections)* We are not going for wine after this unfortunately so I would prefer to ask a question than drink a cup of tea.

1090 **The President:** Well yes, as long as there is a question.

Mr McKinley: There will be at the end, sir. *(Laughter)*

1095 The States has done very little since Lord Pickles' visit to learn more about the Island's wartime history and to encourage visitors who have a special interest in what happened in the Channel Islands during the War. But an unofficial Island heritage group of non-States Members has been in communication with Lord Pickles and Matthew Offord, a Conservative Member of the UK Parliament. Mr Robert McDowall, a former States Member and a member of Conservatives Abroad, contacted Matthew Offord, who consequently spoke about Alderney in the UK Parliament's Holocaust debate, when he made specific reference to the graves on Longis Common. He informed the *Alderney Journal* and the *Alderney Press* about his communications with Mr Offord.

1100 In January this year, Mr David Nash wrote to Lord Pickles to enlist his support for early release of the classified secret documents and reports of what happened in Alderney during World War II, documents which officially remain secret until 2045. As a matter of interest, it is also alleged by some there are some classified secret documents on the same subject in our Alderney Museum—

1105 **The President:** Mr McKinley, reluctant though I am, **(Mr McKinley:** Finally, sir, a question.) I think it is time for a question.

1110 **Mr McKinley:** What I can say, though, is that no States Member has formally contacted Mr Offord.

Sir, would the Chairman agree with what I have just said? *(Laughter)*

1115 **Mr Abel:** How can I argue, Mr President! *(Laughter)* Thank you, Mr McKinley.

The President: I think that was a yes.

1120 **Mr McKinley:** Thank you, sir.

The President: Anybody else?

A Member: Can't follow that!

1125 **The President:** No, I think it is probably time we moved on.

Progress on SIMEC Atlantis

The President: Question three, Mr Snowdon, again, to Mr Abel, in 2019, Alderney Electricity Ltd signed Heads of Terms with Atlantis regarding the supply of electricity to the Island from the Raz Blanchard project, could the Chairman outline any progress made so far?

Mr Abel.

1130

Mr Abel: Yes, Mr President, Members.

1135

As we understand it – and again there has been some discussion but no formal communication – the Chief Executive Officer for SIMEC Atlantis has changed from the previous person we met to a Mr Graham Reid, who is now more a technocrat and has been charged, as we understand it, with implementing this project, rather than selling the project; Mr Cornelius was the previous Chief Executive that comes to mind.

1140

Obviously, we have been indirectly informed that the potential exists that that cable connection may not be economically feasible, however, that has not been clarified. In terms of that, the States, through the Civil Service, Mr Nash, has written a letter to AEL asking for clarity on this particular issue, as well as on other issues that the States, through the civil service, have concerns about, and we are hoping, in due course, to obviously get a reply to our letter; that letter has only been sent down in the last couple of days, and Mr Snowdon's reminder was very useful, Mr President.

1145

Thank you.

The President: Thank you.

Mr Snowdon, anything from—

1150

Mr Snowdon: Nothing to add, but thank you to Mr Abel for answering.

The President: Thank you very much.

Does anybody else wish to ask about this agreement?

Update on COVID restrictions

1155

The President: In that case, we will move to number four, does the Chairman have any updates or insight regarding COVID restrictions into the Island from Guernsey and further afield?

Mr Abel.

1160

Mr Abel: Yes, if I can exercise my legs yet again.

For those who listened to the broadcast by Deputy Ferbrache today in terms of the report back from the CCA, the CCA has confirmed—subject to obviously any hiccups between now and Monday—that Guernsey will move to Stage 3. As Guernsey moves to Stage 3, the Bailiwick Bubble is re-established and travel restrictions between islands falls away, as of Monday. However, in terms of travel restrictions into the Bailiwick, those remain in place, and again, they require, at the current time, 14 days isolation, test on entry, test after 13 days, plus border control, they will check and see what you are doing.

1165

In addition to that, what came out of today's briefing, which you will pick up on I am fairly sure, is that they are concerned about gatherings of more than 100 people. If you look back to, I think, some of the sources of the pandemic, or the latest outbreak we had in Guernsey, that was linked to a large gathering, I think – I can never pronounce it – at Beau Sejour, and they are concerned, at this very early stage of coming out of lockdown, that that may prove to be a risk to them, so they are looking at possibly implementing, not restrictions on large gatherings, but a responsibility on people who organise large gatherings to ensure that the risk is minimised as best you can in that situation. So that is an item that came up today, in terms of restrictions.

1170

1175

The second one is around travel. They reminded everybody that you will still be required to wear face masks when travelling into Island and out of Island on the planes, so those restrictions will be in place—plus, obviously, the wider guidelines they put in place: that if you feel that you

are in a confined space and you cannot get far away from people and you are uncomfortable, there is no reason why you should not wear a face mask. The bank may not like you anymore, but those things are in place—and again, the CCA, obviously, considered this in light of the risks.

1180 Plus, you will also see the discussion today, if I may add, Mr President, on the concerns people have on the current AstraZeneca vaccine. Dr Brink has assured Members, and on that broadcast, that obviously she is looking at the data, as Dr Brink always does, but the feedback, basically, is that they do not believe it is a major concern in that item. So in terms of progressing our vaccination strategy on the Bailiwick, which will help, obviously, the move to a wider travel allowance going forward, that is still being pushed ahead.

1185 Thank you.

The President: Thank you.
Mr Snowdon, anything from that?

1190 **Mr Snowdon:** No, but thank you for the detail and clarification, Mr Abel.

The President: Thank you very much.
Anybody else wish to ask anything about ... No.

Process for appointing non-elected Members

1195 **The President:** In that event, we will move to your last question, Mr Snowdon, could the Chairman explain the process for appointing non-elected Members to Committees and working groups? Are the Members non-voting?

1200 **Mr Abel:** On this particular issue, Mr President, Mr Carter has drawn up a guideline in terms of this and the clarity around it, and that has been tabled and worked on, and we are now, as States Members, starting to become a little bit more au fait with it.

But in terms of this particular question, when appointing external members to a panel or to a Committee, the Committee follows a fairly open process. They get an advert out to ask for people to express their interest in joining these Committees. When they get those in, the States Members that could be on that Committee sit with those applications and determine the appropriateness of applicants' skill sets that support the item that they have been asked to come in and assist with. That is an open process, and basically, the Committee itself, following that open process, makes a selection of those people.

1205 At the moment, those external people are actually non-voting in terms of that. The discussion around that was that you have elected Members, put there by the community, and an external person is really not an elected Member, so at the moment, obviously their advice and guidance will be accepted by the Members, but ultimately, the Members of that Committee will make that decision, so they are non-voting, the external members.

1215 **The President:** Just as a point of information, Mr Abel, that provision does not apply to Policy & Finance.

Mr Abel: At the moment, it is not there; it is in the working committees, if you can call it that.

1220 **The President:** But the law prescribes that non-elected members cannot form part of Policy & Finance.

Mr Abel: Understood, thank you for that clarification.

The President: Mr Snowdon?

1225 **Mr Snowdon:** No, thank you to both of you for answering.

The President: Anybody else? No, thank you.
That is you finished with, Mr Abel.

1230 **Mr Abel:** Thank you, Mr President.

Future of Whitegates

The President: We now move on to Mr Kelly, and I think Mr Snowdon has two questions for Mr Kelly. The first one is this, do the Committee have any views about the future of Whitegates, which appears rather run down at the moment?

Mr Kelly.

1235

Mr Kelly: Thank you, sir.

At the risk of seeming facetious, yes, we do have a view. I presume you wish me to expand on it.

1240 We did a site visit at both Whitegates and other properties, we being the four Members of the General Services Committee. We share your concern about its condition. It was handed back from the housing association, back to the States of Alderney, because they felt it was beyond repair, cost-effective repair, and it did not fit in with social housing—too far from town for either elderly people or families with children.

1245 We are concerned about it. We instructed Mr Phelan to contact the local estate agency to get valuations in relation to the properties themselves in their condition, and also to give us an estimate if we wish to demolish or repair, so a full set of opinions.

The President: Thank you.

Mr Snowdon.

1250

Mr Snowdon: Just one point—I have just got to say, obviously, the appearance of the property is going downhill rather rapidly, with the tiles slipping and everything, so if you did want to save it, there might be some small work that was required, but I think it does look like it is rapidly going down.

1255 Thank you.

The President: I am sure Mr Kelly would agree with that question.

Mr Kelly: I do agree with the question, sir, yes, thank you.

1260

The President: Mr Roberts, do you have a question?

Mr Roberts: Yes, please, sir.

1265 Whitegates has been stalled on the hard shoulder for many years now, it sits and then we cannot decide, and we go off and go and do something else—we have got lots of other things to do, and I understand why that happens.

But could these houses be sold to young families to give them a first chance to get on the housing ladder, on long leasehold terms—so they would remain in the States of Alderney on a long lease—in these times of out-of-reach ownership? It would take young people off the

1270 housing ladder and save on our building land in the future, as well. And could we, perhaps, consult the public on this proposition, or other propositions that we come up with? That was just one of them I was thinking of.

The President: Thank you.

1275

Mr Kelly: In relation to the properties being used by, given to or sold to younger families, I do not happen to deal with that in principle, other than, given the advice of the AHA, the cost of repairing them to make them habitable would not be worth it, and they are best to be demolished, which is why they gave them back to the States of Alderney, because they did not feel it was a profitable proposition. Also, they did not think the location was suitable for young families, because it is away from the school and away from the town.

1280

In relation to if the property was sold, I would suggest that that would enable us to buy land or utilise land that we currently own that is nearer the school for the houses to be built for young families. But whatever process we take, no doubt you, sir, a Member of General Services, will be pressing for that to go to consultation.

1285

The President: Does anybody else have a ...? Mr Gentle.

Mr Gentle: Sir, Mr Kelly has already alluded to this, but being as Whitegates is currently zoned for social housing, does the Chairman agree that until the new land use plan is dealt with, that any decisions might be best left until such time as the General Services Committee know where it actually sits in the future?

1290

The President: Mr Kelly.

1295

Mr Kelly: A valid question, an interesting question. We have taken that into account, and one of the options we will be looking at is whether we, to put it in car terms, whether we sell it 'sold as seen' so if somebody wishes to buy it as it is and take the hit or not on the demolishing process—and in the hope that the building inspector, when we have the new plan, says it can be taken out of social housing—that is a matter for them, but it is one of the considerations that is employed, yes, sir.

1300

The President: Thank you, Mr Kelly.

Before we go on to the next question, I should have said, in relation to Mr Snowdon's supplementary question: had it been a question, would you agree with it?

1305

Mr Kelly: Yes, sir, I would.

The President: Thank you—just to be sure.

Update on servicing moorings and boat storage

1310

The President: Next question, and final question, for Mr Kelly, can the Chairman give any updates regarding recent press releases about servicing moorings and expressions of interest for operating boat storage for the States of Alderney?

1315

Mr Kelly: Yes, I can. We spoke to the Harbour Master concerning the mooring buoys. He informed us yesterday that he was unable to find local divers, or local divers were not available

to work on the moorings, because we asked him the month before if he could expedite the servicing of those.

1320 They were serviced less than 12 months ago, so they are still in date, so to speak, but he is seeking quotes from off-Island divers to come in. Clearly, if they were from the UK mainland, they would have to go through the same regime that the crane fitters did; it is not beyond the wit of even General Services to work that out, but that is what we have to do. *(Laughter)*

1325 In relation to the boat storage: following a conversation between the Harbour Master, myself, and the Deputy Chief Executive, that expression of interest was removed. We are no longer seeking expressions of interest for that.

The President: Mr Snowdon.

1330 **Mr Snowdon:** Thank you to Mr Kelly for answering. I know it is very hard because we are in COVID stuff and with everything else going on, but it would be good just to get some guidance, because with the Bailiwick Bubble, we are going to get Guernsey boats that want to come up to Alderney (**Mr Kelly:** Absolutely.) And then last year we had the issue where the moorings were not serviced for – I know the issues – quite some time. If you have not got any clarification of data, I am sure you are working on it. It is a bit of a shame that the local divers could not be
1335 utilised, but anyway, thank you.

Mr Kelly: Was that a question, sir?

1340 **Mr Snowdon:** Yes. *(Laughter)*

The President: I think ‘were you working on it?’ was the question. *(Laughter)*

1345 **Mr Kelly:** Yes, we are working on it. We are mindful of it and we pressed them yesterday about it, and like you, I am disappointed that the local divers were not available; at three in one family is working in Southeast Asia, so they cannot be used.

The President: Thank you very much.
Does anybody else—Mr Roberts.

1350 **Mr Roberts:** Thank you, sir.

Will the Chairman investigate the possibility of opening the harbour gates up out of working hours and at weekends, as this is a public utility that was closed without Committee consultation, to access boats?

1355 **The President:** Mr Kelly.

Mr Kelly: The question being, sir?

1360 **Mr Roberts:** Will the Chairman investigate the possibility of opening up the harbour gates the public out of working hours and at weekends, as this is a public utility that was closed without Committee consultation, to access boats?

The President: I think that does not arise out of the response that—

1365 **Mr Roberts:** I take your point, sir.

The President: It is the Rules of Procedure.

1370 **Mr Kelly:** Absolutely, sir. I was about to ask Mr Roberts if he could ask the Harbour Master the same question himself, but I will deal with that in Committee, sir.

The President: Does anybody else have a question?

I think that, Greffier, concludes the Items on the Billet, so if we could now please move to closing the meeting.

PRAYERS

The Greffier

The Assembly adjourned at 4.19 p.m.