



**OFFICIAL REPORT**

**OF THE**

**STATES OF THE**

**ISLAND OF ALDERNEY**

**HANSARD**

**The Court House, Alderney, Wednesday, 13th January 2021**

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

**Volume 9, No. 2**

**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  
Mr Steve Roberts  
Mr Alexander Snowdon

**The Greffier of the Court**

Mr David Knight

**Business transacted**

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## States of Alderney

*The States met at 5.30 p.m. in the presence of  
Lieutenant G T Workman RN (Rtd) representing  
His Excellency the Lieutenant-Governor of the Bailiwick of Guernsey*

[THE PRESIDENT *in the Chair*]

### PRAYERS

*The Greffier*

### ROLL CALL

*The Greffier*

**The Greffier:** I confirm we are quorate and properly assembled.  
Item II, if I may.

### Procedural

5 **The President:** Might we just confirm for the record, Mr Greffier, that this is the resumption of  
the adjourned meeting on Monday of this week?

**The Greffier:** It is, sir; it is resumed from Monday, adjourned until today for the rest of the  
business.

10 **The President:** Thank you.

### Convenor's Report of the People's Meeting held on 6th January 2021

**The President:** Before we go to Item number II, Mr Gentle, could you give us, please, your  
Convenor's Report?

15 **Mr Gentle:** Yes, sir.

I was the Convenor at the People's Meeting on 6th January, assisted by the Deputy Chief  
Executive. There were eight States Members, excluding myself, and apologies from Mr Roberts,  
the Minute Secretary, 12 members of the public, four members of the press, and yourself, sir.

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

## Billet d'État for Wednesday, 13th January 2021

### II. Election Procedure – Approved

*Item II.*

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

**The President:** Now, Item II, please, Mr Greffier.

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

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

Now, the election process is governed by Rule 20. I have had the opportunity of discussing the application of this Rule with the Members, and they have very kindly advised me that they would wish to have written ballots in respect of the appointments of the three principal Committees: Policy and Finance; General Services Committee; and the Building and Development Control Committee. I have discussed that with the Greffier, and we are of the mind that that is permissible within the Rule. So there will be three written votes, and the rest will be oral.

Does that accord with the views of all the Members?

**Mr Gentle:** Sir?

**The President:** Mr Gentle.

**Mr Gentle:** Mr President, sir, colleagues: not with me, no.

**The President:** Well, then, perhaps, by all means—

**Mr Gentle:** We all bang on about transparency, and the first chance we get, we write on a bit of paper so no one knows, so I would be against voting in a secret ballot.

**The President:** Thank you.

Ms Burgess.

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

I have exactly the same thought; we understand what we are here to do. I do not think it is a problem to actually be transparent about what we are doing today, and I would like to not see it as a written ballot.

**The President:** Thank you.

Would anybody else...? Mr Harris.

**Mr Harris:** Thank you, sir, fellow colleagues.

60 I would like to echo the thoughts of my colleagues, Ms Burgess and Mr Gentle. We have to be transparent with each other as much as we have to be transparent with the people, so I would prefer an open vote, personally.

Thank you.

65 **The President:** Would anybody else like to make a contribution?

Yes, Mr McKinley, please.

**Mr McKinley:** Mr President, only to say that I do agree with the thoughts of the previous three speakers.

70

**The President:** Then we will have to move to a vote.

Mr Greffier, can the vote be either all verbal votes, or three written ballots and the rest verbal?

75 **The Greffier:** I think if we first take a vote, sir, on oral votes, and if we have an agreement on all those, then we can just proceed.

**The President:** Thank you.

So if you would like to take the vote, please.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Ms Burgess	None	Mr Abel
Mr Gentle		Mr Carter
Mr Harris		
Mr Jenkins		
Mr Kelly		
Mr McKinley		
Mr Roberts		
Mr Snowdon		

80 **The Greffier:** That is 8 for; 2 abstentions, sir.

### **III. Election of Vice President – Mr McKinley elected**

*Item III.*

*The States of Alderney is asked to elect a Vice President for 2021.*

**The Greffier:** If we may, sir, Item III, it is the election of Vice President, the States of Alderney is asked to elect a Vice President for 2021.

85 **The President:** Now, Mr Gentle, you were, again, the Convenor, and I understand that there were no comments made at the People's Meeting.

**Mr Gentle:** No, sir.

**The President:** Thank you.

90 Now, I understand we have one candidate for the vice presidency. Could I ask somebody formally to nominate that candidate, which is Mr McKinley?

**Mr Snowdon:** I would be happy to, sir.

**The President:** And would anybody, please, second? Mr Carter, thank you.

95

**Mr Carter:** Yes.

**The President:** Well, Mr McKinley, are we all agreed that Mr McKinley should be the Vice President of the States of Alderney for the next year?

100

**Members:** Agreed.

**Mr McKinley:** No.

105

**The President:** No, you can't say no, Graham! *(Laughter)* Forgive me.

**Mr McKinley:** Mr President, fellow States Members, I am greatly honoured by this. At the informal meeting that we had I did not actually put my name forward and the majority of you put my name forward for me. Thank you very much. I am enormously privileged and honoured, and I look forward to carrying out the role, if I have to in either running the States meetings – but please do not do it next week; give me a chance, please, to get used to the idea.

110

I particularly look forward to the idea of representing the Alderney States at social events, *(Laughter)* be they in the Channel Islands, in the UK or elsewhere. But seriously, I have actually represented this Island on behalf of Mr Stuart Trought some years ago for the funeral of the ... I am not sure what the boss of Sark is called, actually **(The President:** The Seigneur) the Seigneur of Sark, and it was a long weekend of celebrations and other things.

115

Thank you very much, all of you, and I accept it with great humility.

**The President:** Thank you very much, Mr McKinley.

#### IV. Appointment of Auditors – Approved

*Item IV.*

*The States of Alderney is asked to appoint Grant Thornton Limited (Channel Islands) to be the States' Auditors for 2021.*

120

**The President:** Now, can we move to Item IV, please, Mr Greffier?

**The Greffier:** Item IV, sir, is the appointment of auditors. The States of Alderney is asked to appoint Grant Thornton Limited (Channel Islands) to be the States' Auditors for 2021.

125

**The President:** And again, looking at my various pieces of paper, there were no comments, Mr Gentle, on this Item?

**Mr Gentle:** No, sir.

130

**The President:** I am just looking at who will formally propose this Item? Again, Mr Snowdon.

**Mr Snowdon:** Again, I am happy to propose this Item, if needed, sir.

135 **The President:** Thank you.

**Ms Burgess:** I will second it.

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

Anybody wish to speak? Then that can be taken, I think, as carried Mr Greffier.

#### **V. Appointment of Committee Chairmen – Chairmen appointed**

*Item V*

*The States of Alderney is asked to elect the Chairmen of the following Committees:*

- 1. Policy and Finance Committee;*
- 2. General Services Committee;*
- 3. Building and Development Control Committee*

140 **The President:** And now we come to Item V.

**The Greffier:** We do, sir. That is the appointment of Committee Chairmen. The States of Alderney is asked to elect the Chairmen of the following Committees: Policy and Finance Committee, General Services Committee and Building and Development Control Committee.

145 Mr President, if it pleases you, we will take it as numerically listed, so first matter would be the Policy and Finance Committee.

**The President:** Thank you.

Mr Gentle, any comments at the People's Meeting?

150 **Mr Gentle:** Yes, sir: it was noted that members of the Committees are appointed after the appointment of the Chairman.

#### **1. Policy and Finance Committee – Mr Abel appointed Chairman**

155 **The President:** Thank you.

So now, we move to the appointment of the Chair of Policy and Finance, and do we have any nominations, please?

160 **Mr McKinley:** I would like to nominate Mr Ian Carter.

**The President:** Thank you.

**Ms Burgess:** And I would like to second it.

165 **The President:** Thank you, Ms Burgess.  
Are there any other nominations?

170 **Mr Snowdon:** Yes, I would like to nominate Mr Abel, if that is alright, sir. Are we doing a little why we are proposing at all?

**The President:** If you just, at this stage...

175 **Mr Snowdon:** Okay, thank you, sir.

**The President:** And who is seconding? Anybody for Mr Abel, as seconder? Mr Roberts.

**Mr Roberts:** Yes, please, sir.

180 **The President:** So, we have proposers and seconders; do the proposers wish to make any observations in support of the candidate they have just put forward?

Mr McKinley.

**Mr McKinley:** Yes, please, sir.

185 Ian Carter moved permanently to Alderney in 2013 with his wife and daughter, because they loved the Island and saw it as a community where they all wanted to live. Throughout his career in education, he developed insight into leadership, administration, and governance of large institutions, particularly during his 10 years as head teacher of a secondary school of 1,200 pupils. Furthermore, he has experience of achieving real change through effective committee work, on a  
190 government board of Bournemouth University, and as a member of the Cambridgeshire County Council's Education Scrutiny Committee.

During his time in Alderney, Mr Ian Carter has been a director of the Alderney Wildlife Trust and a council member of the Alderney Society. He is a team maker and player who has time for people and can compromise to enable progress. He will make up his arguments and debate with  
195 passion, but not obstruct a well-made decision. A strategic thinker who is analytical and can read a financial balance sheet, self-critical and acts with integrity, is used to being held to account for his actions, and holding others to account for their responsibilities. He is not afraid to make and stick with difficult or unpopular decisions when based on clear evidence.

He has a long experience of living and working in several close-knit communities, where he is answerable to the people whose interests he serves. He has commercial experience dealing with  
200 multi-million pound infrastructure projects. He is confident, articulate, and approachable, with a consultative style that gets things done and builds consensus, and he has a sense of humour.

It is for these reasons that I am very pleased to nominate Mr Ian Carter as Chairman of the all-important Policy and Finance Committee.

205 Thank you, sir

**The President:** And the seconder?

210 **Ms Burgess:** I am happy with what Mr McKinley just said, and I am in agreement.

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

Mr Snowdon.

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

215 I would like to propose Mr Abel for the Chairmanship. I have actually worked with Mr Abel, and I have known him for quite some time. He moved to the Island something like 10 years ago. He is very active in the community, always ready to help, and actually, when I was a States Member for the first two years, he was very happy to guide me and help with anything that he felt he was able to do. I think he has tried to do that with Members of the old States, and I know  
220 that he will do that with Members of the new States.

I think what Mr Abel also brings to the appointment is teamwork, which is so important for the States of Alderney, it has never been so important that we actually start achieving things. So I think Mr Abel would be looking at sub-groups, how they would work, if he was the Chairman, and the working groups and how they have played back into Policy and Finance, because at the moment, as we know, things have been a little bit fractured between working groups and sub-groups if that information does not make it back.

Mr Abel has got a vast amount of experience, he has got a vast amount of knowledge and, to be honest, I think he is probably the most successful businessman in the States at the moment.

I think I have highlighted before the key is that we need to raise revenue streams, and I think Mr Abel is able to offer ways that we can maybe look at revenue streams, and ways to look at new income that the States of Alderney needs to focus on, and that comes back to business development and new ideas. I also think Mr Abel would be excellent with Guernsey Deputies, talking to them about such matters as the 1948 Agreement and transport links.

But I think, what I hope – and I wish both candidates the very best of luck, whoever does get the Chairmanship – Mr Abel will be able to do, and I am sure he will be able to do, is bring us closer together and actually deliver as a States on behalf of the community.

Thank you.

**The President:** Thank you very much indeed, Mr Snowdon.  
Mr Roberts, anything to add?

**Mr Roberts:** Nothing to add to Mr Snowdon's excellent speech, sir.  
Thank you.

**The President:** Thank you.  
So, Mr Abel.

**Mr Abel:** I think we have decided that Ian would go first –

**The President:** Mr Carter.

**Mr Abel:** Sorry, yes – and myself second.

**The President:** Mr Carter.

**Mr Carter:** Thank you.

Members, I am standing, as you know, as Chair of the P&F Committee. Prior to this, obviously, I stood as a States of Alderney Member, with only the vaguest of job descriptions, so now I am before the nine of you to try to convince you that I should chair the Policy and Finance Committee, a role that does not appear to have a job description, other than to issue an agenda, prepare an agenda, and convene a meeting. However, when you look at the mandate for the actual Committee:

Responsible for the leadership and co-ordination of work of the States, including developing and promoting the States' overall policy objectives and leading the policy planning process.

That is quite a job. I do wonder, given the in tray that is there, whether it is entirely achievable given there is only 24 hours in a day and seven days in a week. It is a full-time job, and I am prepared to give that full-time commitment to it.

All I can do is to outline what I feel will be the quick wins, the short-term effects or impacts that we, as a Committee, and I leading it, would have in this coming year, and the skills that I have to hopefully make that happen. Firstly, re-establish those clear lines of accountability between

270 the President, civil service, Chief Executive, and the Committee itself. Strong leadership is being  
clear in what is required and calmly gaining support and progressing your views on it together,  
developing an effective Policy and Finance team. Active listening is the key at that point, which  
establishes and prioritises, most importantly, the tasks ahead, making best use of very scarce  
resources of people and expertise that we have on the Island, and given the opportunities that  
will be presented to us by the partnership with Guernsey I think this small opportunity, this  
275 window of opportunity that we have now, I feel that is something that I can add to.

Developing a priority plan: if we do not know where we are going, we do not know when we  
are there, and nor do we know the stages that we need to go down in order that we actually  
achieve something. Prioritisation, I think, is the key. Everyone will have their priority, as a team  
we will need to make sure that we actually know the precise areas that we go towards.

280 Of immediate concern is the appointment of a Chief Executive and that the process is robust,  
it reflects the Committee's priorities for the Island, and puts in place a person who will add value  
and make sure that the Island Recovery Plan is effective.

We need to review the various groups that feed into the Committee, to ensure that they are  
fit for purpose and they do what we want, and that they have appropriate civil service support.  
285 Economic development and integrated transport are key. We need to focus on strategic use of  
time in meetings, not used for reacting to the everyday, but looking at strategic issues that affect  
people's lives. Though of course with COVID-19 and the world we live in we must be ready to act  
quickly and adeptly if we do need to use the Civil Contingencies Authority together.

Committee review is, I think, very important. As a Committee, we need to know what skills we  
290 have so that they can be used effectively. Self-accountability and knowledge is key if we are to  
work together effectively. Lastly, in terms of quick wins: effective communication, while fully  
understanding what 'confidentiality' actually means and why it may be necessary.

In the more medium term, perhaps three to six months' time, we are looking to make sure that  
the Aurigny States of Guernsey air link is established, that the Southampton route is that lifeline  
295 route, and we are starting to move that forward.

We need to use that improved relationship with Guernsey now to reorientate the 1948  
Agreement to the 21st century, otherwise that relationship and that opportunity will be lost. And  
that discussion needs to take place on an equal footing with those in Guernsey.

And lastly, in terms of this year, obviously the review and the completing of that review of  
300 governance is to be undertaken. We use our time to best effect, to make sure that we do not have  
that stop-start affair that seems to be the case with regard to governance on the Island.

The skills and experience I have: 30 years of public service on a day-to-day basis, dealing with  
people, solving problems, making their lives better; establishing clear ways of working, making  
sure that people know what they are doing, effective delegation, and giving people the chance to  
305 actually work to the best of their ability; knowing when to employ different forms of management  
technique and knowing what makes people tick.

I can tell you that dealing with 500 intelligent 18-year-olds who decide to walk out of school  
because there is a demonstration that day, you need a rather different set of techniques to a  
young, 25-year-old teacher, whose wife has just died in a car accident, techniques to make sure  
310 that we work together.

I can analyse complex organisations quickly, I can ensure that we actually act together to make  
sure that we have that effective plan. In terms of being able to quickly adapt, coming into any  
form of new organisation is something I am used to, parachuting into a failing school and within  
six months, the school was at least good. Financial acumen, I have built a school; a £25 million  
315 project, I think I can follow a balance sheet.

Developing and actioning strategic action plans are key, and if we do not do that then I think  
we fail.

In terms of looking forward, I hope I can add value to you as a group, to help you with that. The  
effective chairing and the way in which one contributes to that Committee is something also I feel  
320 that I have experience of. On the Island, helping to put together the Churches Together group,

something that I hope and I feel has been very worthwhile. Effective communication and PR skills, I am used to being stood in front of a camera or stood in front of the press and I think, probably more importantly, knowing when to keep your mouth shut and that you do not talk, and that you remain calm in the face of whatever people may throw at you, however ill-informed it may be.

325 In terms of working life, I think those soft, interpersonal skills that I have would be of benefit to the Committee in making it work. Likewise, conflict resolution and being able to creatively think about how life can go on effectively. As the person who, perhaps, worked in terms of interacting with both councils and government in trying to change a complete education system from an age of transfer from children moving at 12 to 11, with 35 schools being changed, I feel as though I can  
330 effectively help people to understand complexity and make it happen. And lastly, clear judgment, I am used to weighing up vast amounts of evidence with rigorous application of the law when sitting on various professional conduct panels, where the outcomes can be that someone never works again.

335 So in conclusion, I look for your support, with humility, knowing that I have a lot to learn, much advice to seek, in a very short space of time, potentially starting tomorrow. I leave it to your good judgement in terms of what we have heard this evening, to decide whether you want me to be the person who leads your P&F Committee.

Thank you.

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

**Mr Abel:** Thank you, Mr President, good evening to everybody.

345 Mr President, Mr Workman, States and civil service members, over the last eight years I have attended and participated in numerous people's open forums and States meetings and have gained an outsider's view of States processes, their strengths and their limitations.

Over the last few months, my strategy has been to increase my understanding of the challenges that face the Island and its community. To this end, I have spent a great deal of time talking to people about the issues and what options there are to address them.

350 I am fairly sure you all know who I am, but I am taking this opportunity to emphasise my strengths and the processes I follow to achieve results. I am an engineer with a wide range of experience of management, operations, and infrastructure developments across the globe. I have worked with a broad range of people and cultures. I am process-driven and results-focused, but results can only be achieved if the team you are a part of is successful; there  
355 is no 'I' in team, in my book.

I am passionate about my work and, at times, I can be too passionate, particularly when it relates to poor process and unfounded criticism of myself and the people with whom I work. My overall approach to achieving results is to adopt the best processes, which are based on clear visions, achievable objectives, cost-effective strategies, and implementable action plans with clear  
360 deliverables. However, I recognise that nothing can be done without everyone's involvement and support.

I am hard-working; I read everything and will always spend time researching and understanding the background and details of items and issues. I am not afraid to admit when I do not know something, and I will seek and use advice. I keep people informed and I am happy to listen to and  
365 discuss viable, focused alternatives before I adopt them.

I spend time talking and listening to people to understand their needs and how all stakeholders are affected by what the States may or may not do. I believe in working with groups to debate options and alternatives, which lead to better decisions and effective, implementable plans of action. As you are aware, I will always challenge unclear proposals, initially to improve my  
370 understanding, but ultimately to improve decision-making.

As Mr Carter raised, it is difficult to expand on the responsibilities and accountabilities of the Chair of Policy and Finance, as time really does not permit that, but I feel the following covers

375 these responsibilities fairly well: the success of the Chair of Policy and Finance is based on the  
successful provision of sustainable, functional infrastructure and the delivery of cost-effective  
services by the team consisting of the States and the civil service, supported by the community.  
The States and civil service team must divide their work with clear short, medium and long-term  
objectives and implementable strategies for the Island and its community. If these are not  
achieved, the team will fail.

380 With your indulgence, I will cover, as briefly as possible, what I consider as being the schedule  
required to progress a number of critical issues and opportunities that are now in front of us. The  
Policy and Finance and civil service team, in addition to the normal flow of business, will also need  
to progress these areas in the coming weeks and months, a significant challenge to us all.  
Immediate priorities are recruiting a Chief Executive and involvement of new Policy and Finance  
members in that process. I would like to see us calling a Policy and Finance workshop with the  
385 team to discuss issues and opportunities and agree strategies as soon as possible.

Short-term priorities, as I see them, in the next one to three months we need to deal with  
meeting with Guernsey Policy & Resources on Revive and Thrive opportunities for Alderney, and  
maybe broader than that, depending on the discussions in front of us. I would like to continue  
progressing our staycation strategy for 2021 and engaging with the Guernsey tourism industry.  
390 We need to progress an inter-island ferry service to complement our air services, for the benefit  
of the community and the tourism and accommodation sectors. Working sessions are needed with  
States Members and the civil service to determine a fit-for-purpose civil service for Alderney and  
how Guernsey can assist. We need to progress the runway refurbishment. I would like to set up  
focused policy and strategy meetings to drive that process forward. I would also like, as Mr Carter  
395 highlighted, to improve States internal and external communications, and I would like to, as my  
proposer put forward, push for opportunities for us to attract people to the Island and to improve  
income streams. For example, with reliable air and sea passenger services and robust connectivity  
infrastructure, Alderney can become a work-from-home and a satellite option for Guernsey  
businesses.

400 In the medium term, some three to six months, I would like to see us developing short and  
medium-term Island visions with time-based objectives and delivery strategies. We must progress  
our work on fit-for-purpose government structures together with effective governance processes.  
On the air services, we need to progress the PSO agreement with respect to through ticketing and  
coordinated hub schedules.

405 In the longer term, six months plus, the marina project, renewables, in particular, tidal power  
and leveraging the work that Guernsey already has progressed in these areas. We need to consider  
power connections to a possible Bailiwick grid or to mainland France. We need to minimise  
duplication of effort by adopting Bailiwick, rather than not, to annul laws, and, as Mr Carter  
mentioned, we need to progress the 1948 Agreement and try and get a few 20s in the title of that,  
410 in due course.

Together, we are a strong team and to tackle the work we have in front of us will require the  
utilisation of our Committees, advisory groups, and further working groups as needed. The Policy  
and Finance workshop mentioned needs to agree on deliverables, timelines, and resource  
allocation. However, an agreed progress-monitoring and mitigation of protocol also needs to be  
415 in place. There are still many risks, threats, and opportunities for us to deal with as a States and  
civil service team. The assessment of these and the mitigation required needs to form part of our  
ongoing work as the Policy and Finance Committee and the civil service.

The time available this evening does not allow for detailed discussions on the way forward for  
the Policy and Finance Committee, but no matter what the outcome of the vote, I look forward to  
420 working with you all and progressing these much-needed outcomes. I would also like to thank  
States Members for the privilege of being considered for the Chair of Policy and Finance.

States Members, between Ian and myself you will be able to assess our strengths, weaknesses,  
and suitability for the Chair of Policy and Finance. However, if I am not selected, I will commit, as

425 I should do, to working with Ian and States Members for the benefit of the Island, its community,  
and the Bailiwick for a sustainable future.

Thank you all.

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

430 So, Mr Greffier, can we take a vote, please?

**The Greffier:** Yes, sir.

435 As I understand it, as the Members have agreed and voted to have an oral vote, it is new for  
the States of Alderney, therefore I propose, if it is agreeable to everyone, we deal with the  
nominations individually in order of the nominations, and I will go through the roll as usual, and  
Members, in accordance to their conscience, can vote for, against, or to abstain.

**The President:** Thank you.

440 **The Greffier:** If we can deal, sir, then, with Mr Carter, as he was the first to be nominated.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Ms Burgess	Mr Abel	None
Mr Carter	Mr Gentle	
Mr McKinley	Mr Harris	
	Mr Jenkins	
	Mr Kelly	
	Mr Roberts	
	Mr Snowdon	

**The Greffier:** And sir, if we can move to the second nomination, of Mr Abel.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Mr Abel	Ms Burgess	None
Mr Gentle	Mr Carter	
Mr Harris	Mr McKinley	
Mr Jenkins		
Mr Kelly		
Mr Roberts		
Mr Snowdon		

**The Greffier:** 7 for; 3 against, sir, so Mr Abel has it.

445 **Mr Abel:** Mr President, may I have a moment to say something at this particular stage?

**The President:** Briefly, I hope.

450 **Mr Abel:** It will be. All I wanted to do was thank everybody who has voted for me, and also I  
look forward to working with everybody and enveloping everybody within the team that we can  
to deliver the results we need going forward.

Thank you, and thank you all.

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

**2. General Services Committee –  
Mr Kelly appointed Chairman**

455 **The President:** Now, Mr Greffier, we move to the Chair of the General Services Committee.  
Do we have nominations, please?

**Mr Roberts:** I would like to propose Mr Kelly, please.

460 **The President:** Mr Kelly. Would anybody second that proposal?

**Mr Snowdon:** I am happy to second Mr Kelly, sir.  
Thank you.

465 **The President:** Thank you very much indeed.  
Do we have any more? Mr Gentle.

**Mr Gentle:** Sir, I would like to propose Mr McKinley.

470 **The President:** And do we have a seconder?

**Mr Carter:** Yes, I will second.

**The President:** Mr Carter.  
475 Do we have any other nominations? So we have two.  
Mr Roberts, you proposed; would you like to say a few words?

**Mr Roberts:** Just a few brief words, sir.  
I have known Mr Kelly for many years. He is a previous GSC Committee member, he has got  
480 much experience on States matters from before, they include the difficult harbour issues, which  
are ongoing, and States work issues. I really feel that he has got a strong say from what he has  
achieved. I believe all of this needs redressing, and I do believe he will do that.  
Thank you, sir.

485 **The President:** Thank you.  
Mr Snowdon, do you wish to add anything?

**Mr Snowdon:** Just briefly to say that Mr Kelly did spend some time in this role, I believe, before,  
when he was on the States, and he actually was the Deputy and stepped into the Chairmanship  
490 for a short period, I believe he proved himself back then. And being an ex-police inspector, I think  
he will be quite detailed when he needs to be detailed.  
Thank you.

**The President:** Thank you very much indeed.  
495 Mr Gentle, would you like to say a few words on behalf—

**Mr Gentle:** I will be a lot briefer, sir.  
Mr McKinley has spent six years on the States, six years on General Services, in the last few  
years as a very good Chairman. That is all I need to say, sir, thank you.

500 **The President:** Thank you.

Mr Carter, do you have anything to add?

**Mr Carter:** I have nothing further to say.

505

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

Well, I think the first nomination was Mr Kelly, so the floor is yours.

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

510

Mr President, fellow States Members, I am seeking to serve as Chairman of the General Services Committee for two reasons. Firstly, I believe I have the background, skill set, and experiences to carry out the role. And secondly, due to my interest in the work the Committee undertakes.

515

Without wishing to diminish the equally important roles of P&F and BDCC, I believe the General Services Committee is the most public facing committee; if the water does not flow, the harbour is out of action, our emergency services are able to respond, or if we have an environmental incident, or there is an issue in any other myriad of areas this Committee is responsible for, all of the Island's populace, for whom we serve, see first-hand, or know about it very quickly.

520

General Services has, by its very nature, got the largest revenue and capital budgets of the three Committees, and given the change in financial arrangements between Guernsey and our Island, tight control of that budget without lessening the standard of service provided will be a difficult balancing act to perform, but one that must be mastered.

525

During the whole of the four years that I previously served as a States Member, I sat on the General Services Committee. I was the Deputy Chairman for the last two years and, as has been said, I deputised for the Chairman for nearly three months due to illness. I have therefore seen what the position entails, experienced and dealt with many of the issues that are still prevalent today.

530

Whilst on GSC, I was part of the working party that tackled the issue of clean water filtration and storage, and we, with the assistance of Guernsey Water, installed the current filter system, an example of Alderney being given assistance with and working together with a Guernsey authority. Together with a colleague, I was able to manage the thorny issue of the size of the quay area, and to prevent the secure port area from extending from where it is at present to where the dinghy party and car park are. That to me, ladies and gentlemen, is an example of elected Members setting policy.

535

I also formed the Harbour Users Committee in order to regularly obtain the views of all the users, and formed a Marina Advisory Group, which not only included States Members, but also non-elected Members. I still believe that a marina will be a long-term, huge, and sustainable financial benefit to the Island, but that we must be mindful to ensure that it does not overly detract from the rugged beauty of Alderney. This is why I believe the proposed developers should now be left to place their proposals to the States – obviously, consulting with the Island's populace – in the agreed timeframe that has been given, without undue governmental involvement, as at some stage, both BDCC and the General Services Committee will have to approve or not the developer's proposals and place the matter before P&F and the States, a somewhat difficult position if we, the elected Members and civil servants, have been part of the development of those proposals.

545

I have a collegiate approach to chairing the Committee and would wish to involve all Committee members in discussions, both within the Committee and with outside bodies. If, in my position as Chairman, I was called upon to undertake the latter, representing the Committee, this would be with the full knowledge of my colleagues, to whom I would report back to.

550

I am not afraid to make decisions where necessary and would robustly defend the work of the Committee and the States workforce, or conversely, apologise and correct any errors. I believe my previous training and experience will equip me to carry out the role of Chairman of the General Services Committee, and whilst I recognise the work done by Mr McKinley, I believe that with the

555 new relationship with Guernsey, a fresh pair of eyes are now needed in this time of change, and I ask for your support.

Thank you, sir.

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

560

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

565 May I start with a short summary of my connection with Alderney, because there are certain States Members who would not know, and actually, many people out there who do not know. I first visited Alderney with my parents some 56 years ago. My parents bought a house here in 1967 and I bought my house in 1985. At the time that I bought my house, I was in the military, serving in the army, and was not able to live here properly ... and when I retired early from the army, I went to work as a security consultant for the United Nations, so I really did not come to live here permanently until 2005. And actually, funnily enough, even now, the United Nations World Food Programme gets in touch with me occasionally and asks me if I am ready to go to Sudan or Yemen or somewhere interesting and exciting to do some work.

570

I became a States Member six years ago. I spent the first four years of my States membership as one of the representatives of Alderney in Guernsey, and at the same time, I was a member of the General Services Committee. For the last two years, I have been Chairman of the General Services Committee. The General Services Committee is a very lively Committee which deals with a number of direct issues of interest to the community. I will highlight just a few; actually, they have already been highlighted very clearly.

575

I stress the excellent relationship that we have with the States Works Department and the States Water Board, first of all, we have to work with them quite frequently. Harbour and Fisheries is one of our responsibilities. The Harbourmaster plan: we are discussing a new plan, as Mr Kelly has mentioned—very important. We are dealing with the marina development, exactly the same way, actually, again, as Mr Kelly has said; that is a discussion now between the BDCC and the General Services Committee, and the marina development people are progressing on an 18-month exclusivity deal, which will finish sometime in early 2022.

580

The crane issue, hopefully, will be resolved soon with the arrival of a new crane at the end of this month. At the moment, we are dealing very carefully with the items that do have to be lifted by the crane and not lifting any aggregate; hopefully, that will change shortly.

585

We are also looking at the possibility of changing Alderney shipping buildings and moving them from where they are presently to a position on the commercial quay, therefore freeing up land for, perhaps, further development with respect to the harbour.

590

One of our other issues, of course, is traffic, streets, cobbles, signs and parking, and we are in a fairly regular relationship, and one of the members of the Committee is actually representing us with the Police and other interested parties. We are looking at Island road repairs, hopefully which will happen at the same time as the runway development and runway repair works, at the end of this coming year.

595

We are also looking at coastal erosion, and Fort Clonque and the road to Fort Clonque, which I think could be a slight worry in the coming years, and has actually already been quite a worry for us a couple of months ago.

600

We are trying to resolve the problems between the Alderney Wildlife Trust and the AVO, hopefully with success. Both bring a lot of very good benefit to this Island, and it would be nice to see them work together.

**The President:** I am very reluctant, Mr McKinley, to interrupt, but the purpose of this is for you to explain to the Members why you would be the appropriate person to chair this Committee.

605

**Mr McKinley:** Yes, alright, Mr President, understood.

610 Briefly, the reason that I believe that I would be the right person to chair the Committee is that I have done so for the last two years without complaints. Many of the items that Mr Kelly has already mentioned, many of which I was going to mention, are in progress at the moment, and I think it would be the wrong time to change chairmanship of that Committee, right now. In fact, our first meeting is next Tuesday, and there is a lot to learn between now and Tuesday. I would quite happily hand over to Mr Kelly, who is clearly experienced, at the end of this coming year, but I think that we would need some continuity at the moment.

615 I would like to thank, though, my fellow Committee members for their hard work and support throughout my term as Chairman of the Committee, and I would also like to thank the civil service who work for us. This is a very important Committee. I think I have the relevant experience. Please vote for me.

Thank you, sir.

620 **The President:** Thank you very much indeed, Mr McKinley.  
Mr Greffier, could we move to one vote, please?

**The Greffier:** Yes, sir. I think if I call the Members name and they can vote and name who they prefer, if everybody is in agreement, sir.

625 **Mr Snowdon:** Sorry, sir, could we just clarify that: are you going to call it and then we say either 'Mr McKinley' or 'Mr Kelly'?

**The President:** Yes, it will be one vote, and you vote for whoever is your preferred candidate.

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

<b>Mr KELLY</b>	<b>Mr McKINLEY</b>	<b>ABSTAINED</b>
Mr Abel	Mr Carter	None
Ms Burgess	Mr Gentle	
Mr Harris	Mr McKinley	
Mr Jenkins		
Mr Kelly		
Mr Roberts		
Mr Snowdon		

630 **The Greffier:** Mr Kelly has 7 votes, sir, Mr McKinley, 3.

**The President:** Mr Kelly, would you like to take the same opportunity I afforded to Mr Abel?

635 **Mr Kelly:** Very briefly, sir, to thank those who voted for me, and hopefully, I will convince those who did not that I am worthy, but I would appreciate Mr McKinley's assistance when I take over, and I thank him for the work he has done over the last two years.

**Mr McKinley:** Thank you, Mr Kelly. May I just say one thing?

640 **The President:** Well, Mr McKinley, yes, I think we can grant you that indulgence.

645 **Mr McKinley:** I thank those who voted for me. I am sorry not to have been accepted as Committee leader at this moment, but it will certainly give me less sleepless nights. I would very much like to be on the Committee though, particularly when covering items such as harbour development, the marina, and other such issues.

Thank you very much, sir.

**3. Building and Development Control Committee –  
Mr Gentle appointed Chairman**

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

650 Now, Mr Greffier, we move to the Chair of the Building and Development Control Committee.  
Do we have any nominations, please?

**Mr Snowdon:** I would like to nominate Mr Gentle, if that is alright, President, thank you.

**The President:** Thank you.

655 And would anybody second that proposal? Mr Jenkins.  
Do we have any other proposals for Chair of the BDCC? I understood that we might.  
No, so we only have the one nomination, therefore, if everybody is agreed—

660 **Mr Snowdon:** It is up to you, sir. Do you want me to make any comments and for Mr Gentle to  
make his speech, or me to not make any comments and he can do his speech?

**The President:** Well, there is nobody else in the race, so I think it is Mr Gentle's if that accords  
with the view of the membership, unless I am advised... *(Interjection by the Greffier)* So, Mr Gentle,  
would you like the opportunity of saying a few words?

665

**Mr Gentle:** Thank you.

I have written much, expecting someone to stand against me, but I have got a lot more talking  
to do this evening so I would just like to say thank you very much, thank you for putting your trust  
in me, and I will do my best.

670

Thank you.

**VI. Appointment of Members of the Policy and Finance Committee –  
Ms Burgess, Mr Carter, Mr Gentle, Mr Harris, Mr Jenkins, Mr Kelly,  
Mr McKinley, Mr Roberts and Mr Snowdon**

*Item VI*

*The States of Alderney is asked to elect a minimum of two Members in addition to the  
Chairman, to the Policy and Finance Committee.*

**The Greffier:** Item VI, if I may, sir.

**The President:** Yes, please.

675

**The Greffier:** Appointment of Members for the Policy and Finance Committee.

**The President:** Anything from the People's Meeting, Mr Gentle?

680

**Mr Gentle:** Sir, it was queried why only a minimum of two members are required to sit on any  
Committee, as this number is too low to cover illness, general absence or conflict of interest, which  
could result in a Committee not being quorate. The issue was noted by myself and it was clarified  
that this has always been the wording set out in the Billet, and the minimum of two members  
requirement is set in the law.

Thank you.

685

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

We will deal firstly with the Policy and Finance Committee. Now the members have been very kind to give me some guidance on this issue, and I understand that, Mr Abel, the new Chair of the Policy and Finance Committee, that you would wish to propose all nine members.

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**Mr Abel:** That is correct, Mr President; I propose that all nine members serve on the Policy and Finance Committee.

**The President:** Thank you.

695

Would anybody like to second that? Mr Kelly.

**Mr Kelly:** If I may, sir.

**The President:** And that, again, seems to be fairly clear, so those Members will be elected to Policy and Finance.

700

## **VII. Appointment of Committee Members to other Committees – Members appointed**

### *Item VII*

*The States of Alderney is asked to elect the members of the following Committees, in addition to the Chairmen:-*

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

**The Greffier:** Item VII, sir, appointment of Committee Members to other Committees. The States of Alderney is asked to elect the members of the following Committees, in addition to the Chairmen: 1. a minimum of two Members for the General Services Committee and 2. a minimum of two Members to the Building and Development Control Committee.

705

So starting with 1. sir, a minimum of two Members to the General Services Committee.

### **1. General Services Committee – Ms Burgess, Mr Jenkins, Mr McKinley and Mr Roberts appointed Members**

**The Greffier:** So starting with 1. sir, a minimum of two Members to the General Services Committee.

710

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

Now again, I have been given helpful guidance—

**Mr Gentle:** Sir?

**The President:** Oh, sorry, the People's Meeting.

715

**Mr Gentle:** Yes, sorry, I do not want to interrupt you too much. The same comment was made as for the Item before, sir.

**The President:** Thank you.

720

Mr Kelly, I believe you wish to make some nominations.

**Mr Kelly:** I would, sir, if I may. I would like to propose Mr Jenkins, Mr McKinley, Mr Roberts, and Ms Burgess.

725 **The President:** Would anybody like to second those nominations? Mr Abel.  
And again, I understand that is with the agreement of all the members. So there; you now have your Committee, Mr Kelly.

**Mr Kelly:** I am obliged, sir.  
730 Thank you.

**2. Building and Development Control Committee –  
Mr Carter, Ms Burgess, Mr Snowdon, and Mr Harris elected Members**

**The Greffier:** Moving to item 2., sir, that is a minimum of two Members to the Building and Development Control Committee.

735 **The President:** Mr Gentle, you would like to propose the Members?

**Mr Gentle:** Yes, please, sir, thank you.  
I would like to propose Mr Carter, Ms Burgess, Mr Snowdon, and Mr Harris.  
Thank you.

740 **The President:** Who would like to second that?

**Mr Harris:** I am happy to second, sir.

745 **The President:** Thank you, Mr Harris.  
Again, I understand that that accords with the views of the membership. In that event, that is your Committee, Mr Gentle.

**VIII. Election of Alderney Representatives to sit in the Guernsey States of Deliberation –  
Mr Snowdon and Mr Roberts; Mr Gentle and Ms Burgess appointed respectively**

*Item VIII*

*Following the procedure as laid out in the Resolution of The States of Alderney dated 18th October 2006, and the Plebiscite election of 12th December 2020, the States of Alderney is asked:-*

- (a) To elect two members to sit in the Guernsey States of Deliberation for 2021, and*
- (b) To elect two other members to sit in the Guernsey States of Deliberation as Alternative Representatives for 2021.*

**The Greffier:** Next, sir, is Item VII, that is the election of Alderney Representatives to sit in the Guernsey States of Deliberations, Following the procedure as laid out in the Resolution of The States of Alderney dated 18th October 2006, and the Plebiscite election of 12th December 2020, the States of Alderney is asked (a) to elect two members to sit in the Guernsey States of

750

Deliberation for 2021, and (b) to elect two other members to sit in the Guernsey States of Deliberation as Alternative Representatives for this year.

Taking (a), then, sir—that is to elect two Members to sit in the States of Guernsey for this year.

755

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

Now, we have had the plebiscite in respect of this issue, and Mr Snowdon and Mr Roberts were duly elected to that role, but it does need to be confirmed in this Chamber.

760

Does anybody want to nominate anybody else, or are you all content that Mr Snowdon and Mr Roberts retain the vote of the community? Yes, thank you.

And now, we move to the election of alternatives. Again, Mr Gentle, you were also third in the election, and I think the tradition is that Mr Gentle, therefore, would be our first alternate. Because we only had three in the election, we now need to elect another one.

765

Mr Snowdon is chomping at the bit.

**Mr Snowdon:** Could I propose Ms Burgess as number four? Thank you.

**The President:** Would anybody like to propose Ms Burgess as the second alternate? Mr McKinley. Is that the view of you all?

770

**Members:** Agreed.

**The President:** Thank you.

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**The Greffier:** That has been carried, sir.

#### **IX. Other Appointments: Commonwealth Parliamentary Association – Mr Carter, Mr McKinley, and Ms Burgess appointed**

##### *Item IX*

*The States of Alderney is asked to elect three members to sit on the Management Committee in the affairs of the Alderney Branch of the Commonwealth Parliamentary Association (the President being Ex-officio Chairman) for 2021.*

**The Greffier:** Item IX, other appointments: Commonwealth Parliamentary Association, the States of Alderney is asked to elect three members to sit on the Management Committee in the affairs of the Alderney Branch of the Commonwealth Parliamentary Association, the President being Ex-officio Chairman, for 2021.

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**The President:** Thank you.

No comments from the People's Meeting, Mr Gentle?

**Mr Gentle:** No, sir.

785

**The President:** Thank you.

And again, you very helpfully gave me prior notice that we have three nominations: Mr Carter, Mr McKinley, and Ms Burgess. Would somebody like to formally nominate those three? Mr Gentle.

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Would anybody like to formally second those? Mr Harris.

Any other nominations? Then you are our representatives on that association.

**X. Other Appointments: St Anne's School Management Committee –  
Mr Jenkins appointed**

*Item X*

*The States of Alderney is asked to resolve to appoint, for a period of one year, renewable at the next Annual January Meeting, one member as a Representative on the Management Committee of St Anne's School.*

**The Greffier:** Item X, other appointments: St Anne's School Management Committee, the States of Alderney is asked to resolve to appoint, for a period of one year, renewable at the next Annual January Meeting, one member as a Representative on the Management Committee of St Anne's School.

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

Again, no comments, Mr Gentle?

795 I understand we have only one nominee for this position. Could we have, please, somebody to  
nominate?

**Mr Snowdon:** I am happy to oppose Mr Jenkins.

800 **The President:** *Oppose?*

**Mr Snowdon:** Propose. *(Laughter)* Sorry.

**The President:** And do we have a seconder for that? Mr Gentle.

805 **Mr Gentle:** More than happy to second, sir.

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

No further proposals? In that case, Mr Jenkins, you are now the representative on the St.  
810 Anne's Management School Committee.

**Mr Jenkins:** Thank you.

**XI. The Damages (Assumed Rate of Return and Related Matters) (Enabling Provisions)  
(Guernsey and Alderney) Law, 2020 –  
Approved**

*Item XI*

*The States of Alderney is asked to give their approval to the Projet de Loi entitled “The Damages (Assumed Rate of Return and Related Matters) (Enabling Provisions) (Guernsey and Alderney) Law, 2020”, and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.*

815 **The Greffier:** Sir, this is Item XI, the Damages (Assumed Rate of Return and Related Matters) (Enabling Provisions) (Guernsey and Alderney) Law, 2020. There is a letter from the Bailiwick of Guernsey, dated 14th December which was received by the President. The States of Alderney is asked to give their approval to the Projet de Loi entitled “The Damages (Assumed Rate of Return and Related Matters) (Enabling Provisions) (Guernsey and Alderney) Law, 2020”, and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

820 **The President:** Thank you.

I will be guided by you, Mr Greffier, as to whether we need a proposer and seconder, or whether we just simply are able to approve this Item.

825 **The Greffier:** I think, sir, for completeness, if we had it proposed and seconded.

**The President:** Very well. Could we have a proposer, please? Mr Carter. Second? Mr Gentle. Is everybody happy to approve that Proposition? Thank you.

**XII. The Emergency Powers (Coronavirus) (General Provision)  
(Bailiwick of Guernsey) (No.9) Regulations, 2020 –  
Not annulled**

*Item XII*

*The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.9) Regulations, 2020”*

830 **The Greffier:** The next, sir, is Item XII, the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.9) Regulations, 2020, the States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.9) Regulations, 2020”

835 **The President:** Thank you.

No comments from the People’s Meeting? Mr Gentle.

**Mr Gentle:** Sir, colleagues, I will be brief on this one, because I will speak a little bit more on the next Item.

840 This is an ongoing theme, we have to not annul. The main parts concerned with this regulation were screening, assessment of police powers of enforcement, and the creation of criminal offences. They came into force on 27th November, expired on 27th December, and as for all

regulations brought in under the Emergency Powers Coronavirus (Bailiwick of Guernsey) Regulations, 2020, they only remain valid until either annulled or on expiration.

Thank you, sir.

845

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

850

**Mr Snowden:** I am happy to second, sir, and I do not need to add anything.  
Thank you.

**The President:** Thank you.  
Would anybody like to speak on this Item?  
Then, may we take a vote, please?

855

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Mr Abel	None	None
Ms Burgess		
Mr Carter		
Mr Gentle		
Mr Harris		
Mr Jenkins		
Mr Kelly		
Mr McKinley		
Mr Roberts		
Mr Snowden		

**The President:** Thank you.

**The Greffier:** Carried, then, sir.

**XIII. Emergency Powers (Coronavirus) (General Provision)  
(Bailiwick of Guernsey) (No.10) Regulations, 2020 –  
Not annulled**

*Item XIII*

*The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.10) Regulations, 2020”*

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**The Greffier:** Item XIII, The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.10) Regulations, 2020, The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.10) Regulations, 2020”. Proposed by Mr Gentle and seconded by Mr Snowden.

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**The President:** And there were no comments at the People’s Meeting, Mr Gentle?

**Mr Gentle:** No.

**The President:** Then, would you like to propose this Item?

870

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

875 Regulations No. 10 came in on 15th December and will expire in a couple of days. These also had the additional requirements and exceptions in the self-isolation rules and the Day 13 test eligibility, and the rules for those not undertaking testing capability. They also dealt with mental health, the GFSC's ability to hold meetings remotely, and the Court of Appeal's ability to do the same.

880 This whole process of regulations, sometimes already expired, coming before us is laid down in the CCA Law of 2012, which I imagine was not designed for its current use. This has been going on for about 11 months now, and there is no way that this was envisaged by those who drafted the law eight or nine years ago, but without changing the law, it would not be possible to make it a simpler process.

885 The 'not to annul' is a safeguard within our own system. Ordinarily, regulations come before us and we then get time to understand them. However, in the case of CCA Regulations, we have to go through what appears to be a tedious process, but it is a very important one that we must continue with as the spectre of COVID continues to hang over us.

Thank you.

**The President:** Thank you.

Mr Snowdon, anything to add?

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**Mr Snowdon:** No, I am happy to second the Item, thank you.

**The President:** Thank you.

Anybody wish to make a contribution on this Item?

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

FOR	AGAINST	ABSTAINED
Mr Abel	None	None
Ms Burgess		
Mr Carter		
Mr Gentle		
Mr Harris		
Mr Jenkins		
Mr Kelly		
Mr McKinley		
Mr Roberts		
Mr Snowdon		

895 **The Greffier:** Full house again, sir, that is carried.

**XV. The Acquisition of Immovable Property by Aliens  
(Brexit) (Repeal) (Alderney) Regulations, 2020 –  
Not annulled**

*Item XV*

*The States of Alderney is asked not to annul "The Acquisition of Immovable Property by Aliens (Brexit) (Repeal) (Alderney) Regulations, 2020"*

**The Greffier:** If we may, sir, Item XV, The Acquisition of Immovable Property by Aliens (Brexit) (Repeal) (Alderney) Regulations, 2020, the States of Alderney is asked not to annul "The Acquisition of Immovable Property by Aliens (Brexit) (Repeal) (Alderney) Regulations, 2020". Proposed by Mr Gentle, seconded by Mr McKinley.

900 **The President:** Before I ask Mr Gentle, could we just for the record, Mr Greffier, confirm that Item XIV was dealt with on Monday of this week?

**Mr Greffier:** It was, yes.

905 **The President:** Thank you.  
People's Meeting, no comments, Mr Gentle?

**Mr Gentle:** Yes, there were, sir, thank you.

910 **The President:** Oh, there were.

**Mr Gentle:** The specification or *la requisition* and 'acquisition' were queried, until it was then realised that there was a mistake in the wording within the Billet.

915 The Deputy Chief Executive clarified that the two laws relate to the same process of purchasing property on Alderney. There were comments made regarding the author of the paper that had been taken to P&F; what the requirements are to remove the law now, that it should be checked with the Privy Council, not just the Law Officers; and that it went through P&F by a casting vote.

**The President:** Thank you.  
920 Mr McKinley you are seconding this?

**Mr McKinley:** Yes I am, sir.

**The President:** Do you wish to—

925

**Mr Gentle:** No, that was not my proposal speech; that was from the People's Meeting, sir.

**The President:** Sorry, yes, forgive me ... I will take a deep breath.  
Mr Gentle.

930

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

935 Sir, colleagues—forgive my French—the 1906 law *Loi relative la requisition de Propriete Immobiliere en cette Ile par des Etrangers ou par des Societe Etrangeres* required certain procedures to be met before individuals, other than British nationals or other individuals who are subject to the Queen i.e., some Commonwealth nationals and certain foreign entities, including companies or other corporations can buy real property or an interest in real property on Alderney. Such procedures require the person or company to send a declaration to the Greffier in Alderney; the Greffier then prepares a request to the court in relation to the property acquisition which has to be approved by the Lieutenant Governor before it is sent to the Court of Alderney for decision.

940 In 1973, when the UK joined the EEC, the law had been amended to allow EEC, now EU, citizens the same status as British nationals. It certainly makes sense to be in step with Guernsey in adopting a common position throughout the Bailiwick.

945 Sir, if Policy and Finance had not used special powers introduced across the Bailiwick to deal with any urgent legislative issues relating to Brexit, only being able to do so with confirmation from Law Officers confirming this was the appropriate course of action, and had not repealed the law before the end of the Brexit transition period on December 31st, the Acquisition of Immovable Property by Aliens Law would have left the Island in a position of potentially discriminating on grounds of nationality. This could have excluded Alderney from World Trade Organization agreements, leaving the Island unable to trade—even, potentially, with the other Channel Islands—without having complex import and export tariffs. Safeguards remain, in that background

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checks on those wanting to buy property in Alderney can, if necessary, be made including scrutiny within the financial sector concerning money-laundering.

955 The matter of checks is down to the local regulatory environment. All parties in the Bailiwick acting for others in respect of large transactions have a legal duty, under the oversight of the GFSC, to ensure they know their client and that the funds for the transaction have been earned or gained by legitimate means. Failure to conduct these checks or to report anything untoward can result in heavy financial penalties and being struck off. If an unsavoury character is determined to buy a property in Alderney there are ways and means, not least to own it through a company. But the greater question is whether it automatically follows that unsavoury people only come from  
960 foreign lands. It has been known for a long time that the Aliens Law was no longer appropriate, and representations were occasionally received from those who were barred from buying property, but it was not a top priority.

And then we had Brexit. It became apparent to the UK authorities and those in Guernsey that Alderney legislation, which specifically discriminated on grounds of a person's nationality, had the potential to be disproportionately problematic as the UK sought international trade deals. It probably would not stop the UK entering World Trade Agreement deals with other countries, but might mean Alderney had to be cut out to avoid any tainting. This could have left Alderney in trade  
965 isolation in respect of those countries or having to devise its own bespoke trade agreements, which would be totally impractical.

970 There have been some red herrings floating around about people coming here and buying houses and then, through age or ill health, becoming a burden on the social security system. This does not stack up, because entitlement to benefits is not linked to property ownership, i.e. those same people could equally rent a property in Alderney and be totally unaffected by the Aliens Law.

975 The laws have had limited practical application in recent years because of the exemptions relating to EU nationals and corporations, and thus, the 1906 law does not apply to Commonwealth citizens who are subjects of the Queen. There was also a consequential repeal of a related 1965 Ordinance. These Regulations came into force on exit day within the meaning of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018. Any changes to legislation here  
980 will also apply to other Crown Dependencies and many UK overseas territories. The legislation is in response to and in the context of the UK doing a tidy-up of legislation as a result of Brexit. I would think that overall, the answer is that such decisions to repeal the legislation are a question of a balance of risk, and despite the risk of undesirable aliens acquiring property, the benefits will probably far outweigh those conceived from—which is perfectly normal—xenophobia.

985 When this initially went through P&F in August, the Policy and Finance Committee resolved unanimously to approve that officers work with St James Chambers to repeal the Acquisition of Immovable Property by Aliens of Foreign Companies (Alderney) Law, 1973, as soon as practically possible and to amend or repeal any other legislation relating to this matter which would conflict with future EU exit or OECD guidelines and principles. This Item was always coming here, either  
990 for repeal or to annul the repeal. It is in place, but the opportunity exists, particularly for those Members who voted in August in favour of repealing but changed their minds in December, to explain why waiting until now would have helped. We would have been behind the times if we had waited until now. However, we can annul with no prejudice; remember, that Brexit law with Law Officer advice allows us to.

995 I urge all Members to vote in favour of this Proposition.  
Thank you.

**The President:** Thank you.

Mr McKinley, do you wish to say anything to second the proposal?

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**Mr McKinley:** Yes, please, Mr President, if I may.

1005 Mr President, fellow States Members, I am this evening, seconding the repeal of the Aliens Law. We as a Government now have the comfort and protection of the letter from the Law Officers of the Crown, which I, for one, am pleased to have read. The letter was not available to us at the time when this issue was first raised in August last year. Having read it, I now feel comfortable to second the proposed change to our law.

1010 I do, however, wish to highlight some reservations to endorsing this motion and put them on record. I am, like several of my fellow States Members, slightly nervous of changing a law that has protected this Island well and may have deterred undesirables from investing or purchasing property on Alderney. We are now relying on the ability of local financial intermediaries, estate agents, and others to ascertain a person's worthiness to be joining our wonderful community. We have seen as recently as last week that a firm called Safehaven, in Guernsey, was fined £120,000 by Guernsey Law Officers for not administering their fiduciary responsibilities correctly.

1015 I am agreeing to support this motion because it was recognised by the Crown, but I pose this question: what if we see high numbers of drug growers trying to buy property with money derived from heaven knows where? What happens if money from the Russian mafia starts turning up again on the Island, as it did publicly in the 1990s? I am highlighting my reservations, whilst trusting the wisdom of the good officers of the Crown and the Greffier to keep this Island safe from harm. After all, who are we in this Chamber to argue with the wise decisions of the Crown?

1020 Thus, I support this motion.

**The President:** Thank you, Mr McKinley.  
Now, would anybody like to speak on this Item?  
Mr Abel.

1025

**Mr Abel:** If I may, Mr President.

1030 This, obviously, can be quite an emotive issue to a number of people across the Island. However, I think Mr McKinley and Mr Gentle highlighted the positives and negatives with regard to this law, and in particular, the fact that we actually need to pass it to make sure we stay within the Brexit guidelines and to make sure we are not marginalised in terms of if we were not to annul it. Certainly, Mr Jenkins has highlighted the protections that are already in place. Mr McKinley has highlighted there is some reservation, as I pointed out earlier, and I would propose that this be approved at this particular stage and that we take this back to P&F to have a look and see if the real risks, rather than perceived risks, are what is tabled, and that P&F assesses and decides whether further safeguards are needed.

1035

Thank you, Mr President.

**The President:** Thank you, Mr Abel.  
Does anybody else wish to speak?

1040

Mr Carter.

1045 **Mr Carter:** I would just like to say that I am in that odd position; I was not on the P&F Committee, so I am looking at this completely new. Looking at a document that was tabled without any source or providence I find quite difficult, in terms of accepting its validity. Hence, I looked at that and felt that was something to be considered but placed little weight on it.

One thing that I would say is reading the laws that are in place here, they were written at a different time and I do not think that in the 21st century a law that is effectively a discrimination law and is immoral is something that should be on the books of this particular jurisdiction.

1050 So in terms of correspondence I have received from Islanders about the potential entry of Russian oligarchs: if I was a Russian oligarch of any substance, I would have gone to one of the EU countries where you can buy your £2 million or \$2 million passport, and then I would have been alright to come. So I do not think that that is actually—this law did not protect us against that type of person. Likewise, at the People's Meeting, someone raised the issue that in Japan it is

impossible to buy a property if you are foreign. I investigated that further; that is not the case.  
1055 What is the case is that they have very strong financial service control.

I would certainly, sir, urge that we pass this Bill's repeal and that we look very carefully at how, in terms of legislation, we go forward in our recovery plan to protect us, but in terms of attracting new people into the Island who we have probed and who we can judge if that probe is actually correct.

1060 So I urge you to repeal this law. Thank you.

**The President:** Thank you.

Does anybody else wish to speak?

Mr Harris.

1065 **Mr Harris:** Thank you, sir, fellow colleagues

Just a quick comment, really, more than anything: this is a contentious issue, obviously, for a lot of people, and a lot of people in the population have a concern, and they have relayed that to, probably, each and every one of us sat around this room.

1070 However, I am a proud Alderney native. I understand that people are worried that this may affect our way of life as a small community, and following the challenges that 2020 presented to us, that outside world often seems very far away. However, the ultimate question that we really need to consider is, what is best for Alderney and our way of life? And that should really be the only thing we consider on this matter.

1075 Thank you.

**The President:** Mr Snowdon.

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

1080 This matter seems to have gone on for quite some time, and I am not quite sure ... I think Mr Abel actually highlighted the issue that some of us do have. Those safeguards really should have been discussed at P&F before we got to this situation and sort of got pushed into the situation where we are now, where it is very much a push and, 'You have got to pass this straight away.'

1085 I am concerned about this but I think, unfortunately, we do need to pass this tonight, because of the situation, but I really do think we need to bring in some safeguards.

Just touching on Mr Gentle's point in the proposing speech, if you look at Guernsey, you have got population management. In Alderney, it is almost too easy for anyone to come into Alderney as it is now, and I think someone did highlight in debate that you can start up a company and come in under the company's name. I think we do need some sort of checks and balances with who is investing in the Island. What I do get worried about is if an investor suddenly comes to Alderney and actually just sees Alderney as a place to put some money, maybe buying 30, 40 properties, locks the door, and then goes away. I just get a bit concerned about Alderney being a bit vulnerable in this situation. And I think we do really need to have a discussion in P&F about how we deal with this going forward.

1095 I think we do have very good estate agents on the Island, but we are almost putting too much pressure on estate agents to do all those background checks to make sure that everything is okay. So I think we do need to see if we can actually talk with Guernsey, if there is something that we can adopt. It was interesting with the population management in Guernsey that they did not say there was any issue with population management in Guernsey.

1100 But what does really worry me is that Alderney is very much on the map and we have got a very good community here. However, being on the map and being offshore, we are looked at, maybe, by people to come here, whether it be money laundering or corruption or other things. I am not saying that is happening, but I am just saying for outside sources, I think the problem we have got is that we need to have barriers so that does not happen, and I am really concerned that  
1105 by taking this away without the safeguards, that we have not got those barriers in place. So I would

welcome Mr Abel's comfort, I would say, that hopefully, this will be discussed quite soon, if P&F members agree to, and we can see what safeguards can work for the community and the Island. We have got a reputation to uphold as well. I think that is where I am at the moment.

Thank you.

1110

**The President:** Mr Roberts.

**Mr Roberts:** These are Brexit-related changes related to the World Trade Organization's needs so we really do need to pass this tonight, because of Brexit. We really have no choice but to pass this legislation.

1115

I wonder about the word 'aliens'. In this world, you cannot call anyone anything. I always thought that aliens came from outer space, like *Mork and Mindy*. Just make sure we do strong due diligence, as Mr Snowdon has said, to any outside settlement investments. China and Russia do not hold sole rights to being crooks; there are one or two crooks in the UK.

1120

Thank you, sir.

**The President:** Thank you, Mr Roberts. *(Laughter)*

Mr Kelly, please.

1125

**Mr Kelly:** Thank you.

I am grateful to my colleague here, because I, likewise, did a search of the internet, and you can buy property in most countries around the world; I am sure there is some you cannot, but Japan you certainly can. I was going to go on about discrimination, which is obviously abhorrent in today's society, but I really to negate, if I can, the perception of risk.

1130

Over the last couple of decades, pieces of legislation have been brought into force to protect Guernsey plc, and us being a branch of, from foreign criminals using the Bailiwick to launder money, resulting in the high reputation we have got here. We were informed at the People's Meeting something happened in 1995, that there was a Russian criminal; but guess what that Russian criminal used? An English-British—with respect, sir – barrister. *(Laughter)*

1135

**The President:** No offence taken! *(Laughter)*

**Mr Kelly:** I therefore feel that the perception of risk is hugely greater than the reality. The perceived value of the law is likewise exaggerated, and I will support the Proposition not to annul, sir.

1140

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

Any other contributions? Would you like to exercise your right of reply, Mr Gentle?

1145

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

I will just go down the list I have got here. Russian mafia money: he had a copper plate, PO Box 77, St Anne's House, he had bank accounts in London, Stockholm, Geneva, and New York—he did not have one in Victoria Street. Mr Abel said about P&F looking at it again, the European Union (Brexit)—

1150

**Mr Abel:** Point of order, Mr President? I think it is really for us to consider safeguarding properties, rather than dealing with the issue of the Aliens act itself.

**Mr Gentle:** Mr Abel, you said, 'P&F will take it away and look at it.'

1155

**Mr Abel:** In terms of safeguards.

**Mr Gentle:** Okay.

The European Union (Brexit) (Bailiwick of Guernsey) Law, 2018 (No. 11), Section 7:

Regulations made under Section 5 by the Policy & Resources Committee applying in Alderney or Sark cease to have effect:

(a) in Alderney if, within the period of four months immediately following the approval date, the States of Alderney resolve to disapprove their application to Alderney.

1160 In other words, this can be repealed up to the 17th of April.

Mr Carter mentioned about 'no source or providence'; the paper is text copied from the Communications Centre External Relations from Her Majesty's Treasury and then passed on to us, which is information given to me by the civil service.

1165 We do not want to be seen as a negative impact by some in light of Alderney wanting to be open for business and to attract new residents, particularly in light of COVID and the Island's future economic recovery. And Mr Kelly his name was Adrian Churchward.

Thank you.

**The President:** Thank you.

1170 Could we take a vote, please, on this?

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

FOR	AGAINST	ABSTAINED
Mr Abel	None	None
Ms Burgess		
Mr Carter		
Mr Gentle		
Mr Harris		
Mr Jenkins		
Mr Kelly		
Mr McKinley		
Mr Roberts		
Mr Snowdon		

**The Greffier:** That is carried, then, sir.

**The President:** Thank you.

#### **XVI. Employment Permits (Brexit) (Alderney) Regulations 2020 – Not annulled**

*Item XVI*

*The States of Alderney is asked not to annul "The Employment Permits (Brexit) (Alderney) Regulations, 2020"*

1175 **The Greffier:** Item XVI is the Employment Permits (Brexit) (Alderney) Regulations 2020 and the States of Alderney is asked not to annul the said regulations.

**The President:** Thank you.

People's Meeting, Mr Gentle?

1180

**Mr Gentle:** Sir, the Deputy Chief Executive clarified the Item.

**The President:** Thank you. Would you now like to propose the Item, please?

1185 **Mr Gentle:** Certainly.

Sir, colleagues, Policy and Finance resolved to request the Guernsey Policy & Resources Committee to implement the draft regulation using its Brexit emergency powers and to effect an urgent amendment to the Employment Permit legislation to ensure that it did not discriminate on grounds of nationality. It is ironic that our current immigration work permit system, which was designed to conform with our own and the UK's obligations to the EU, allows us to discriminate against UK nationals, but not against European Economic Area nationals. We need to ensure our employment controls focus on the availability of the skills required to deliver services on Island, as opposed to the nationality of workers.

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1195 We also supported proposed changes to immigration control measures set out by Guernsey's Committee for Home Affairs. It is intended that the Bailiwick will have provisions that match the UK's own immigration laws. For border management purposes, the Bailiwick will also be empowered to collect and process immigrant biometric data—fingerprints, facial imaging, irises, and, as appropriate, other information.

1200 These provisions are a response to the challenges which will see the end of the free movement of EEA nationals. However, the status of Irish nationals will not be affected. This actually makes it tougher, unless you are a local or one of the following, then you will need a permit, regardless of where you are from: a lighthouse keeper; employee of the bank; advocate of the Royal Court of Guernsey; doctor; dentist; vet; Aurigny staff; sales rep of a firm of wholesale suppliers; the main employee of accountants, architects, chartered engineers, or travel agents; the press, including the TV; and the crew of ships. Anybody else, sir, needs a permit.

1205 Thank you.

**The President:** Thank you.

Mr McKinley, anything to add?

1210

**Mr McKinley:** will second this proposal and have nothing to add, sir.

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

Would anybody like to speak on this Item? No, in that event, we will take a vote on that, please.

1215

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Mr Abel	None	None
Ms Burgess		
Mr Carter		
Mr Gentle		
Mr Harris		
Mr Jenkins		
Mr Kelly		
Mr McKinley		
Mr Roberts		
Mr Snowdon		

**The Greffier:** Again, sir, that is passed unanimously.

**The President:** Thank you.

**XVII. Questions and Reports –  
None**

**The Greffier:** Sir, Item XVII is Questions and Reports.

1220 **The President:** Have you received any questions or any reports, Mr Greffier?

**The Greffier:** None, sir.

1225 **The President:** In that event, that concludes the business for this evening. So would you please formally close the meeting?

**PRAYERS**

*The Greffier*

*The Assembly adjourned at 6.59 p.m.*