



OFFICIAL REPORT

OF THE

STATES OF THE

ISLAND OF ALDERNEY

HANSARD

The Court House, Alderney, Wednesday, 21st April 2021

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

Volume 9, No. 5

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

Mr David Knight

Business transacted

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States of Alderney

The States met at 2.30 p.m.

[THE PRESIDENT *in the Chair*]

PRAYERS

The Greffier

ROLL CALL

The Greffier

Convenor's Report of the People's Meeting held on 14th April 2021

The President: Mr Snowdon, you were the Convenor at the People's Meeting. Could you give us please your initial report?

Mr Snowdon: Of course, President. Thank you.

5 I was the Convenor, assisted by the Chief Executive. There were eight States Members, excluding myself; you were there, sir; 10 public; four press; and apologies from Mr Roberts. The Chief Executive was welcomed by the Convenor and gave a brief introduction.
Thank you.

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

Billet d'État for Wednesday, 21st April 2021

- I.-VI. Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.3) Regulations, 2021;
Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.3) (Amendment) Regulations, 2021;
Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.3) (Amendment) (No.2) Regulations, 2021;
Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.4) Regulations, 2021;
Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No.3) (Bailiwick of Guernsey) Regulations, 2021;
Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No.4) (Bailiwick of Guernsey) Regulations, 2021 –
Items not annulled

Item I.

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.3) Regulations, 2021”.

Item II.

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.3) (Amendment) Regulations, 2021”.

Item III.

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.3) (Amendment) (No.2) Regulations, 2021”.

Item IV.

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.4) Regulations, 2021”.

Item V.

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No.3) (Bailiwick of Guernsey) (Regulations, 2021”.

Item VI.

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No.4) (Bailiwick of Guernsey) (Regulations, 2021”.

The President: So, on to Item I, please, Mr Greffier.

The Greffier: Yes, sir.

15 Item I is the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.3) Regulations. The States of Alderney is asked not to annual the said emergency powers.

The President: Now, Mr Abel, we have got again a total of six Items on the Billet this afternoon, all of which relate to the Regulations which have been made in Guernsey, and I think that in order to deal with them in an efficient way, you would like to deal with them all at the same time?

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Mr Abel: Yes, Mr President.

There are six Items there at the moment. There is obviously one Item where there was a question raised at the People's Meeting, then obviously I will pause when I get to that Item V. But basically I would like your indulgence to talk to the principles of each of the Items in sequence, without sitting down and standing up, and in the end propose that those Items and their amendments are accepted and are not annulled by this States group, Mr President.

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The President: Thank you. Now, does that find approval with the Members?

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Members: Yes.

The President: Thank you.

Before you start, Mr Abel – and this will save Mr Snowdon having to get up repeatedly – I think there were no observations at the People's Meeting for Items I to IV, but we will deal with Item V because I think there was a comment. So we will deal with that when Mr Abel gets to it and I will give you the nod.

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Mr Snowdon: Thank you.

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The President: Thank you.
Mr Abel.

Mr Abel: Thank you, Mr President.

Items I to VI are all in terms of the Emergency Powers (Coronavirus) (General Provisions) under the Bailiwick of Guernsey Regulations, 2021.

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The President: Forgive me, Mr Abel, I am going to have to just very quickly say that you are proposing all these Items and, Mr Snowdon, you are seconding them?

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Mr Snowdon: I am. Thank you.

The President: Yes, apologies for the interruption.

Mr Abel: No, that is okay. Thank you.

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In terms of Item I, and I refer people to the documentation because the lead-in to each of the Items is similar, being everything connected with the Regulations under the emergency powers.

In terms of Item I, this particular Item, these Regulations revoke and re-enact, with minor modifications, Regulations previously made by the Civil Contingencies Authority in respect of the coronavirus pandemic and come into force on 5th May 2021 and shall have temporary effect only in accordance with the provisions of section 16, 'Duration and scrutiny of emergency regulations', of the Law. These Regulations generally apply to the period of Bailiwick lockdown and further details are covered in the supporting summary documents and can also be accessed on the Guernsey website. That is Item I, Mr President.

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In terms of Item II, again under the Emergency Powers, this is an amendment and this amendment came into force on 10th March 2021 and shall have temporary effect only in accordance with the provision of section 16, 'Duration and scrutiny of emergency regulations', of the Law. This amendment to the Regulations relates to essential travel permits in terms of the initial regulation and that is related to people of the hospitality sector taking up employment in

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Sark and Alderney. Further details, as mentioned before, are covered in the supporting documents and the documents forming part of this Billet.

Item III of the Emergency Powers and this Billet. This is an amendment again, (No.2) amendment. This amendment came into force on 22nd March 2021 and shall have temporary effect only in accordance with provisions of section 16, 'Duration and scrutiny of emergency regulations', of the Law. The amendment to the Regulations relate in this case mainly to Guernsey moving out of lockdown and further details are covered in the supporting summary and the documents forming part of this Billet.

In terms of Item IV, the Emergency Powers and this Billet, these Regulations revoke and re-enact with minor modifications Regulations previously made by the Civil Contingencies Authority in respect to the coronavirus pandemic and come into force on 2nd April 2021, and shall have temporary effect only in accordance with the provisions of section 16, 'Duration and scrutiny of emergency regulations', of the Law. These regulations generally apply to the Bailiwick bubble where access to the Bailiwick still remains restricted and isolation and testing is a requirement for persons travelling to the Bailiwick. In addition, there are modifications made with regard to mental health in the documentation and the details are covered in the supporting summary and documents forming part of this Billet.

Before moving on to Item V, Mr President, I believe there is an item in the People's Meeting that needs to be addressed?

The President: There is. Mr Snowdon, I think a member of the community had an observation to make about this one.

Mr Snowdon: Thank you, President. I will make the observation, thank you.

Concerns were raised regarding the latest positive case tested on arrival into Guernsey. It was confirmed that protocols are still in place for travel, i.e. face masks, segregated seating areas for UK passengers, testing on arrival and contact tracing. The Convenor advised that he will pass on the concerns directly to Guernsey.

Those were all the comments, sir. Thank you.

Mr President: Thank you very much indeed. Back to you, Mr Abel.

Mr Abel: Thank you, Mr President.

The next two particular Items, Item V and Item VI in terms of the Emergency Powers Regulations relate to vaccines. Item V is in terms of the Limitation of Liability (No.3) in this case, and Item VI is actually a follow-up in terms of the Regulation (No.4) for the vaccines.

With regard to Item V, these Regulations came into force on 5th March 2021 and shall have temporary effect only in accordance with the provision of section 16, 'Duration and scrutiny of emergency regulations', of this Law. These Regulations apply where a vaccine against coronavirus has been temporarily authorised and will limit the aggregate amount of damages and costs that may be awarded. Further details, as mentioned, are covered in the supporting summary and the documents forming part of the Billet.

Moving through to Item VI, this again is with regard to vaccines and is a follow-on regulation from the previous regulation read. In terms of that, these Regulations for Item VI revoke and replace the Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No.3) (Bailiwick of Guernsey) Regulations, 2021. These Regulations came into force on 2nd April 2021 and shall have temporary effect only in accordance with the provision of section 16, 'Duration and scrutiny of emergency regulations', of this Law. These Regulations apply where a vaccine against coronavirus has been temporarily authorised and will limit the aggregate amount of damages and costs that may be awarded. As before, details are covered in the supporting documentation and in the summary to this Billet.

120 That covers those particular Items. I do not know whether you would require any questions or clarifications before I move to a proposal, Mr President?

The President: Until you move to ...?

125 **Mr Abel:** Until I move to a proposal to accept these Items.

The President: No, please put your proposal.

Mr Abel: Thank you.

130 Mr President, I would like to propose that the States of Alderney is asked not to annul Items I to VI of the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey), both the Regulations and amendments in this case, and I ask for approval to proceed with that proposal, Mr President.

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

Mr Abel: Thank you.

140 **The President:** Does any Member wish to speak on any of those Items which have been taken collectively?

That being the case, are you all in favour of that proposal? Thank you. So that passes collectively, Mr Greffier.

The Greffier: It does, sir, thank you.

VII. The Speed Trials (Alderney) Ordinance, 2021 – Item approved

Item VII

The States of Alderney is asked:

To approve the Speed Trials (Alderney) Ordinance, 2021.

145 **The Greffier:** Item VII, if I may. The Speed Trials (Alderney) Ordinance, 2021. Committee Members, Mr Kelly is the Chairman. The States of Alderney is asked to approve the Speed Trials (Alderney) Ordinance, 2021 for the purpose of the Hill Climb. Proposed by Mr Kelly, seconded by Ms Burgess.

150 **The President:** Thank you.

Were there any comments at the People's Meeting, Mr Snowdon?

Mr Snowdon: There were no comments on this Item, sir. Thank you.

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

Mr Kelly, over to you.

Mr Kelly: Thank you, sir.

160 I would ask my colleagues to approve this Speed Trial Ordinance in order to facilitate the three-day speed and hill climb event from 16th to 18th September this year.

It is an annual event, it is very successful, it brings over Guernsey tourists to the Island, and it allows competitive speeding on the routes during the prescribed period, and also to facilitate the closure of roads. I would therefore ask my colleagues, please, to approve the Speed Trials Ordinance, 2021.

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The President: Thank you. Which I am assuming, Ms Burgess, you would commend to the States?

Ms Burgess: Yes, thank you.

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The President: Does any Member wish to speak in relation to this Ordinance? So again, we are all agreed that this passes.

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

Item VIII

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

- (1) Could the Chairman outline talks regarding Alderney's potential runway extension?*
- (2) A few years ago FAB Link gave a public consultation about their project, can the Chairman update any developments with the project?*
- (3) Are there any updates regarding the swimming pool?*
- (4) Does the Chairman wish to outline any Policy and Finance Committee decision recently?*

One question from Mr Steve Roberts for the Chairman of Policy & Finance Committee:

- (1) Will the Chairman please give an update on PSO progress and dates of the runway refurbishment expectations?*

Two questions from Mr Steve Roberts for the Chairman of General Services Committee:

- (1) Would the Chairman please agree that the route du sufferance should be protected as many landowners, walkers, and wildlife organizations are vulnerable if ancient laws are threatened?*
- (2) As the quay belongs to the general public, it was and should be a public amenity, will he look at opening it up at weekends at least for access to all, as this was locked off without consultation?*

The following report was delivered by Mr Boyd Kelly, Chairman of the General Services Committee:

Report on the combined Fire and Rescue and Ambulance Services.

The President: Thank you, Mr Greffier.

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The Greffier: Thank you, sir.

Item VIII is Questions and Reports. Questions have been received by Mr Snowdon to the Chairman of P&F.

The President: Thank you very much indeed.

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Mr Snowdon, your questions I think were received first, and because there are –

Mr Snowdon: Sir, could I just ask clarification, if that is all right, just on –?

The President: Please do.

185 **Mr Snowdon:** So I was just going to say they were not in the People's Meeting because they
were submitted afterwards, just for the record, and just asking a bit of clarification regarding the
supplementary questions. Obviously Mr Abel or Mr Kelly will answer the question that is posed to
him, then each Member gets an opportunity to ask a question on what they said? (**The President:**
Yes.) Yes. And that is why And the supplementary question is based on each Member actually
190 asking the question on the original statement, is my understanding.

The President: That is a very good summation of Rule 17.

Mr Snowdon: Thank you, yes, just so we are clear. Thank you.

Alderney runway extension talks

195 **The President:** So, Mr Snowdon, would you like to put your first question then, please?

Mr Snowdon: Thank you.

This is to Mr Abel. Could the Chairman outline talks regarding Alderney's potential runway
extension?

200 Thank you.

Mr Abel: Yes, Mr President, States Members.

Just to give a little bit of history up until where we are, this particular item was raised and
debated, as I understand it, in the States of Deliberation at the end of March, I think it was, where
205 it was agreed that the concept of a runway to accommodate ATRs, the larger aircraft that Aurigny
has, the runway is looked at in terms of extending it to allow those aircraft. That proposal was to
be investigated through the States of Deliberation's requirements, as I understand. However, this
was brought up in a meeting with Deputy Roffey on 29th March that was held between Members
of the States of Alderney and Peter Roffey and members of the Civil Service and his Department
210 in the STSB, the States Trading and Supervisory Board, if I get that right. In that meeting also they
brought up that this concept of extending the runway and widening it, strengthening it to
accommodate an ATR was also brought up on that, and discussed with ourselves.

The follow-up to that really was the following day, when we had a meeting with States
Members and with the Guernsey Policy & Resources group, and that was also put to the group
215 that was there. The question was posed to them, would Alderney consider an extension to the
runway and that services could be supplied using an ATR? Alderney, the States Members obviously
had some discussion around that to understand it, and then in addition to that there were
questions from ourselves with regard to the timing in relation to the present refurbishment, the
questions also around a possible schedule for the service to provide going forward with a larger
220 plane. Then the discussion also went around that Alderney would also have to probably put that
to the public and have discussions with the public to understand whether that was an option they
were willing to accept. However though, until we have information, Mr President, for Members,
on the schedule and also the timing of that particular extension, it is very difficult to take the
matter forward, and we are currently waiting for that feedback from the States of Guernsey and
225 its officers on those particular items.

The benefit I think, maybe just to add to that, is obviously if that is done and it is acceptable to
the community, we have a more clear view of the future of air services for Alderney, and also the
possibility that we can carry more passengers in and out of Alderney, which will be a big plus to

ourselves, based on obviously the challenges we have had over the last few years with some of
230 the service levels we have had.

Thank you.

The President: Thank you.

Mr Snowden, do you have a question arising out of that response?
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Mr Snowden: Yes. Just to ask Mr Abel to confirm that obviously public consultation will take
place first and there would be a timetable presented if that is a route – it might not be a route –
to go down, and that there hopefully will be some supporting officers from Guernsey when that
public presentation takes place and potentially from Aurigny ...

240 Thank you.

Mr Abel: Thank you.

I think with regard to that, that was discussed and the requirement was from ourselves there
that certainly when we have the, or that Guernsey have the details, we would certainly like a
245 presentation. And again it was put to the Guernsey officers there that we would like them to come
across and do a presentation to the community to allow the community to fully understand the
proposal and put the relative questions to improve their understanding of the benefits and the
potential disadvantages to the runway extension and the related use of ATRs.

Thank you.

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The President: Thank you.

Would anybody else like to ask Mr Abel a question arising out of his response?

Mr Gentle.

255 **Mr Gentle:** Sir, Mr President, colleagues.

With the problems of a pothole in the runway yesterday, does the Chairman agree that time is
of the essence and we need to push as hard as we can now?

Thank you.

260 **Mr Abel:** That is obviously a very pertinent question, based on the fact that we got a hole in
the runway. When we had the original discussion two/three weeks ago with the Members from
Guernsey, we had also had another incident a few days beforehand, and that was very much
discussed during the meetings and the fact that we do need to progress the refurbishment of the
runway as a priority, as opposed to the extension. The officers and the Deputies that we were
265 meeting with agreed that that was the priority and any proposals around the extension to the
runway would not delay the current refurbishment project as it stands.

The President: Thank you.

270 **Mr Gentle:** Thank you.

The President: Does anybody else have a question for Mr Abel?

Thank you.

FAB Link update

275 **The President:** Mr Snowden, your second question, please.

Mr Snowdon: Thank you, President. It is for Mr Abel again.

A few years ago FAB Link gave a public presentation about their project. Can the Chairman update any developments with this project, please?

Thank you, sir.

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Mr Abel: Mr President, States Members, this has obviously become an issue which has been raised a little bit more often as of late. It obviously, when I think back to five or six years ago, it obviously was quite a contentious issue on the Island, but as it stands at the moment, the States or the Civil Service does not have any communications with FAB Link, as I understand, at the moment, and FAB Link has not communicated with the States, as far as I can ascertain.

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With regard to FAB Link, there has been information tabled that FAB Link are working in the south-west England area, basically pursuing some of their cable work that they wish for the other end of the interconnector between Budleigh Salterton and Exeter. We are told, or it is reported that they are doing various appropriation-type things in advancing the project.

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When we look at the information available on the Transmission Investment website – and for clarity there, transmission investments is the project manager for FAB Link and is the 50% owner of FAB Link, with ARE holding the other half – in the FAB Link website, it actually states that they are now pursuing the interconnector between France and south-west UK, and in one of the documents it refers again to coming through Alderney, though another document says it does not. So the picture is not totally clear at the moment. That obviously highlights the fact that FAB Link is still, I hate to use the word alive and buzzing, in some ways, and obviously ourselves from the States need to understand some of the challenges that we are liable to face in the coming months if that now comes back to us.

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One of the fortunate things is, or the learnings we took from the interactions with FAB Link in the past, was that the Land Use Plan has been further developed and added to, and in terms of major projects there is a clear process that has to be followed if that application comes back. That is particularly where we stand at the moment, Mr President, and Mr Snowdon.

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Thank you.

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The President: Thank you, Mr Abel.

Mr Snowdon, do you have a question?

Mr Snowdon: Yes. Thank you to Mr Abel for answering the first question. It feels a bit like *déjà vu* again, because I think I asked one about Matthew Offord last time.

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Yes, my question basically is 2019, I understand, was the last communication with FAB Link officially with the States of Alderney. However, I am now concerned that on AY News it says – this is from James Dickson – that:

The FAB Link Project continue to provide regular updates to the States of Alderney.

And the BBC follow this up with a question they have submitted to FAB Link saying, ‘Have you had any conversations with anyone from the States of Alderney or Guernsey on this project in the last six months?’, with a reply from James Dickson, I believe, ‘Regular updates are made to States of Alderney.’

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Now, I do not mean to sound quite strong on this, but is anyone lying or is there a misunderstanding with this? I am just very concerned that if the conversations, and FAB Link are right, are happening with the States of Alderney, who are they happening with? That is what I would like to find out.

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Thank you.

The President: Mr Abel, can you answer that question?

325 **Mr Abel:** So far I have not managed to get my spy system working, Mr President. Certainly that question has been raised and I understand the concerns. I have put that question to the Civil Service actually today, and the answer is they have had no recent communications with FAB Link, as per the questions that have come up. Obviously there is still a requirement for the States and the Members around this table to continue to ask that question and try to understand why FAB Link believe they are talking to the States of Alderney. But in terms of my enquiries, although a very short period, I have not been able to ascertain that there have been any communications, Mr President, Mr Snowdon.

Mr Snowdon: Thank you.

335 **The President:** Thank you very much indeed.
Does anybody else have a question for Mr Abel?
Mr Gentle.

340 **Mr Gentle:** Sir, Mr President, colleagues.
Following on from the ACRE press release of 15th September 2018, *The Guernsey Press* reported on 21st September that year that ARE and ACRE had reached an out-of-court settlement over monies owed and an agreement had been reached whereby ACRE were to be paid the amount of the claim plus costs, and a States of Alderney spokesman at the time was quoted as saying:

This agreement provides clarity that the statutory licence entered into in 2008 is no longer in place ... The States of Alderney also welcomes the fact that all monies owed to Acre ... will be paid in full ...

345 Is it possible for the Chairman to explain where we are in relation to receiving the monies owed now we are 31 months on since that announcement, as time may be running out?
Thank you.

350 **The President:** It is a matter for you, Mr Abel. It does stretch, I think, the point of arising out of what you have said this afternoon. So if you do not feel in those circumstances you wish to answer that question, or you wish to do it privately later, then that is a matter for you.

355 **Mr Abel:** Mr President, I am comfortable to part-answer the question, because obviously to date that has not got to the top of my priority list in the work that I have done, but I think it is a good question and a fair one to ask at this particular time. As I understand that payment needs to be made towards the end of this year. We also need to understand the process that ACRE will follow, and also, for my own self, I would like to go back and read the law again, when time allows. But it is something that the States I think does have to start considering and discuss with the Chief Executive and the commissioners that we have inside ACRE of how this process will be managed.

360 So it is a fair question, although, as you rightly say, it is a bit of a stretch from where we started, but reasonable.
Thank you, Mr President.

365 **The President:** Does anybody else ...? Ms Burgess.

Ms Burgess: Thank you, Mr President, fellow States Members.
It is actually just going on from Mr Snowdon's point just now. I am just concerned because there is a lot of speculation going on at the moment and I am beginning to wonder if it might actually be a good idea – I ask the question to Mr Abel – if we would actually invite, because of the world of Teams and being able to do things digitally, a representative like Mr Dickson to come

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in and give us some clarification on what is happening, because it is a conversation that Alderney needs to be in on, and to understand what is actually happening.

So my question is, to help stop speculation, could we not invite a representative in to come and speak to the States of Alderney?

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The President: Mr Abel.

Mr Abel: Mr President, that is obviously a very good proposal, and I think P&F will probably debate that and we would consider that as a reasonable request.

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Thank you, Mr President, thank you, Ms Burgess.

The President: Thank you.
Anybody else?

Update on the swimming pool

The President: Then your next question, Mr Snowdon, please.

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Mr Snowdon: Thank you, President.

This is to Mr Abel. Are there any updates regarding the swimming pool?
Thank you.

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The President: Mr Abel. *(Interjection by Mr Snowdon)*

Mr Abel: Yes, I have got quite an extensive answer here, so I just want to go through it carefully.

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At the current time our Chief Executive is reviewing the situation with regard to the swimming pool and actually doing some investigation on the history and all of the complications attached to that, because that is not something that, shall I say, myself or other States Members have necessarily been that close to over the previous years that this has become an extensive Island saga, I would call it.

As it stands at the moment, the States of Alderney has provided some £250,000 towards the building of that swimming pool, and that money was supplied to the ... I can never remember what it is – ACS Trust fund, or the Alderney community swimming facility trust, and those funds have been utilised to advance the project to its current stage.

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At the moment, as everybody is aware, the pool has stalled in its current state and due to a lack of funds cannot proceed. As it stands at the particular moment there, the trust has indicated to the States of Alderney that a further half a million pounds in addition to what I understand has already been spent of some £600,000 is needed to complete the pool, taking that total expenditure of the pool to well over £1 million, against what I understand was a budget which was less than ... well, I think initially I understood it was some £350,000, then it rose to approximately £500,000.

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The States of Alderney have actually provided some assistance to the trust when they requested help to determine whether they had a problem with the structural integrity of the pool, and that help was provided and that information was provided back to the trust. That information lives with the trust, not inside the States of Alderney. I certainly, having joined the States some two months ago, have been down to the pool to visit it. I was very much surprised, if I can say that. It is quite elaborate, and I was quite surprised at the extent of the design in terms of the monies that were available, but that is where it is at the current time.

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We have also had Deputy Helyar from Guernsey come to visit before Easter and he has had a look at it. We have also had a further Deputy from the Education Committee, Deputy Andy

Cameron – is that right? (**A Member:** Yes.) – come to visit on behalf of the Education Committee. So there has been a lot of interaction currently on that particular matter. The pool is obviously of importance to the Island and to the States, but the problem that faces us is the fact that it needs a further £500,000 of funding and the States at the moment, without approval from the community, is loath to obviously offer any further funds.

The other item that we are concerned about is that the trust believes that the pool can be viable and it can support itself in an operating situation, however then I am not sure that that is the case. All of the advice we have had from various people who have been involved with pools indicate that a swimming pool on its own is not a very profitable item. So any engagement from the States going forward again would require sign off from the public, if the pool cannot make money going forward. And again, that is quite a debate that is needed, both inside the States as well as obviously with the public going forward.

In terms of the way forward, it is not easy. One of the areas that we are hopeful will bear fruit is there have been discussions with the Alderney Sports Foundation – the sports foundation I think in Guernsey – and also with some of the officers from the Education Committee in Guernsey, and they are looking at whether the swimming pool as it stands can be incorporated within the scope of the Education Committee’s mandate, and that, as I understand it, could still take some time. That has got to go through discussion in the Guernsey Committee, it has also then got to be put into their budget for potentially 2022 and then it has to be passed through the States of Deliberation. So not necessarily a sure outcome.

For ourselves, as I mention, the States here could decide they wish to fund it, and then the public would have to be consulted and see whether they are happy (a) to put up the half a million pounds to complete it, and (b) to potentially take the risk that the pool may need further subsidies going forward. Those are the sum of the areas that the States is currently assessing and it has to have further consultation amongst the P&F Members before we can resolve a way forward.

Thank you, Mr President.

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

Mr Snowdon: Thank you, President.

Just a follow-up question from Mr Abel’s very detailed response, sir, thank you.

You just touched on the problems with the pool structure. I do not know if you can actually ... do you know of any actions being taken, or is there any insurance cover that would sort these potential defects out? Are we aware of any actions or issues about how to resolve these problems with the pool that I think you stated?

Thank you.

Mr Abel: That information is obviously with the trust, and really should be discussed with them. From an outsider’s point of view is I understand, but that has to be confirmed, remedial work is required. But, as I understand, it is not a major issue going forward. But the best is the trust really informs the public of the pluses and minuses with that.

Thank you.

Mr Snowdon: Thank you.

The President: Thank you.
Would anybody else like ...? Mr Kelly.

Mr Kelly: If I may, sir, thank you.

Mr Abel, given the fact the pool is in the school grounds, replaced what was a training pool for the children, are you able to say what negotiations have been taking place with the Guernsey Education authority in relation to their financial aid?

Mr Abel: Yes, at the current time, Mr Boyd – Mr Kelly; I get it wrong, I beg your pardon. In terms of that is as I understand, and again that is some of the work that still needs to be done by the Civil Service, the pool is actually on States' land and does not form part of the school grounds. There is, or was, a lease drawn up between the States, the school, Education in Guernsey and the trust on that particular piece of property. That lease has now lapsed and any further negotiations need to strongly consider the various people in the mix. As I understand it, and again the trust can probably clarify that better, but the information they have provided to me is that they have had discussions with the Education Committee and the school, and there has been indication that if the pool is complete there will be minor subsidy, or minor funds provided to operate that pool. But they are a very small portion of a potential, larger operating cost, again, as I understand it based on the information that has been provided to.

Thank you.

The President: Any other questions?
Thank you.

Recent Policy & Finance decisions

The President: And your final question to Mr Abel, Mr Snowdon.

Mr Snowdon: Thank you, President.
Does the Chairman wish to outline any Policy & Finance Committee decisions recently?
Thank you.

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

In terms of that, I would really like to say no! But I think a couple of items. At the moment, if you look at the website, there are two particular items in the draft minutes that have been published. One is on the coins contract and the other one is on the inter-island ferry service. Both of those are termed ... I have forgot, I beg your pardon ... confidential, sorry – lost the very simple word that I needed – confidential items.

In terms of the coins contract, though, I think we will be clarifying that the coins contract will be extended, may be extended for a further year due to some of the problems around sales and coins that the Mint holds. So that it is possible it will extend for a year that particular coins contract until, and then renegotiate or bid the coins contract going forward as we did before.

With regard to the inter-island ferry service, I understand that that should be in operation in May, and I believe, if I can, Ms Burgess may be able to comment on that more, at a reverse supplementary question. I do not quite know how one would do that.

The President: With difficulty!

Mr Abel: I suspect, sir. Thank you, Mr President.

In terms of the other item on the agenda, the Tourgis project, that has been discussed and the Chief Executive is reviewing that with Law Officers in relation to due diligence on both the viability of the project and obviously the viability of the investors in that project. That is a particular item.

The other one, on a lighter note, we now have open Government. Ian, I think you proposed that we now the office –

515 **The President:** Mr Carter!

Mr Abel: I beg your pardon – Mr Carter, beg your pardon. We now have open Government –

520 **The President:** Not that open! *(Laughter)*

Mr Abel: Thank you. We have now got open Government, in that the general office is open as per the opening hours beforehand, plus the barrier has been removed to get into the Island Hall. Thank you. *(Interjection)*

525 **The President:** Thank you.
Now, selection for you there, Mr Snowdon – one question! *(Laughter)*

Mr Snowdon: I am going to leave it, but thank you, Mr Abel. Thank you. No question.

530 **The President:** Ms Burgess, with care!

Ms Burgess: Thank you, Mr President, and States Member.

535 I will say it in this ... and if it is wrong, do stop me. So can I ask Mr Abel to confirm that the contract of the Little Ferry was signed by the operator on 9th April and by the States of Alderney on 15th April, with the supporting documentation for the agreement was also submitted, and the service starts on 28th May, and does it finish on 3rd October? *(Laughter)*

The President: Well there we are. Mr Abel.

540 **Mr Abel:** I am glad to confirm that. Thank you, Mr President.

The President: Does anybody else have any questions arising out of that plethora of information?

PSO and runway refurbishment

545 **The Greffier:** There being no other questions, Mr President, if we may move on to questions received from Mr Roberts for the Chairman of P&F.

The President: Mr Roberts, you have a question?

Mr Roberts: Yes, please, sir.

550 Will the Chairman of Policy & Finance please give me an update on the PSO progress and dates of runway refurbishment expectations?

The President: Mr Abel.

555 **Mr Abel:** Mr President, Mr Roberts, thank you for the question.

560 I think as mentioned before there, we have had extensive meetings and discussions around the runway in particular, and also the potential extension of the runway. The one particular meeting we had with Deputy Roffey and colleagues was really around understanding the PSO, when it will be signed and whether the PSO was still as we understood. At that particular meeting, the PSO was confirmed as being shortly to be signed. The States of Guernsey would put some

£2 million in as a subsidy on a five-year basis to that agreement and basically Aurigny would operate within the terms of that PSO, as I understand it.

I think also as I mentioned before, with regard to the runway extension, I think we have covered that in a fair amount of detail, but again, just to reiterate there are certainly the officers on our side and also the Members who were engaged in the various conversations and meetings with the States of Guernsey's Members, reiterated that it is important there are no delays to the refurbishment of the runway, and even though we are supportive of the extension, the Island could not tolerate any further significant failures in the runway. Again, as I mentioned, we had assurances from those Members of the States of Guernsey and the officers that there would not be a delay.

Thank you.

The President: Thank you.

Mr Roberts, supplementary question, perhaps?

Mr Roberts: No, sir, the answer was in Mr Abel's answer, so I cannot ask it again.

The President: So you do not have another question arising out of his answer?

Mr Roberts: No I do not.

The President: Okay, thank you very much.

Mr Roberts: It was to do with the deterioration of the runway.

The President: Does anybody else have a question for Mr Abel?
Thank you.

Protecting the route du sufferance

The Greffier: In that case, sir, Mr Roberts has questions for the Chairman of the GSC.

The President: Mr Roberts.

Mr Roberts: Yes, sir, please.

Would the Chairman of GSC please agree that the route du sufferance should be protected, as many landowners, walkers, estates and wildlife organisations are vulnerable if ancient laws are threatened?

The President: Mr Kelly.

Mr Kelly: Thank you, sir.

Mr Roberts, in relation to that question, you and other fellow Members are aware the matter was raised by you at a GSC meeting. It was remitted to Policy & Finance Committee for their assistance, and subsequently sent to the Crown Law Officers for advice. We have been given provisional views and are awaiting further advice. The provisional views have been presented in papers for the P&F meeting tomorrow. However, the advice received so far is that the use of the word –and forgive my Black Country accent – sufferance suggests that it might not be a right as such, but merely that the owner of the land may be obliged by a court order to allow necessary access.

Historically – my family do not go back as far as yours, Mr Roberts, but – I am told this necessary access was to allow owners of land without ready access to travel across others' lands to tend their cattle and work the land. The others therefore have to suffer the trespass. The route du sufferance is recorded on the individual land registry entries for these specific parcels of land. They are not public rights of way for walkers and there is no trace of specific legislation covering the matter, merely the land registry entries and customary law. However, I do totally accept the importance of the subject, and believe that it should be protected and value the opportunity to speak on the matter, and look forward to the Law Officers' advice to the next Committee.

The President: Thank you.

Mr Roberts, do you have a question arising out of that?

Mr Roberts: Yes, just a short one, sir, please.

Does he not agree that when the land strips were divided up in the 1600s, I believe, such a law must have existed and has since been perhaps lost?

Mr Kelly: Well, I was not around then, despite my grey hairs, however I am advised, having read the history of the Island, that all the records were lost during the German occupation. Both this Greffier and Greffiers, in plural, have advised me there is no record of a statute, a written statute, but it is merely customary law, or, to use an English term, common law, which is time immemorial. There is no trace of any record of any statute being made back to the 1600s.

The President: Thank you.

Does anybody else have a question?

Mr Snowdon.

Mr Snowdon: Thank you, Mr Kelly, for explaining the matter.

Just a bit of clarification, do we know how many of these route du sufferances are on the Island and how many actually may be connected to residential properties, because obviously there may be a bit of situation if this is not resolved.

Thank you.

Mr Kelly: The succinct answer is no.

Mr Snowdon: Okay, thank you. *(Laughter)*

The President: Anybody else?

Thank you.

Weekend access to the quay

The President: Your final question, Mr Roberts.

Mr Roberts: Thank you, sir.

As the quay belongs to the general public, it was, and should be, a public amenity. Will he look at opening it up at weekends at least for access to all, as this was blocked without consultation?

The President: Mr Kelly.

Mr Kelly: Thank you, sir.

655 In relation to that question, you are aware that the policy of the General Services Committee is to allow public access to the seaward end of the quay via a signed gate and pathway on the eastern edge of the quay. It is allowed when the quay is not in operation.

I do accept that there have been occasions when this has not been left open and I have spoken to the Harbour Master about the matter on two occasions. In order to assist the public, signs have
660 been ordered to ensure that access to this pathway is clearly visible.

The part of the quay storing containers is not open to the general public as part of our international obligation on maritime security for ships and ports. I accept, whilst this does sound OTT for little old Alderney, we are obliged to honour our obligations. However, again, I agree with
665 Mr Roberts that access to the end of the quay should be made available. I apologise on behalf of the Committee where this has not been allowed, through human error and would ask that if any member of the public find that our policy is not being carried out to contact Mr Roberts who will no doubt deal with the matter. *(Laughter)*

The President: Thank you, Mr Kelly.

670

Mr Kelly: Thank you, sir.

The President: Over to you, Mr Roberts. *(Interjections)* Do you have a supplementary question?

675

Mr Roberts: Yes, sir, I do.

Will the Chairman give assurance that other areas of the Island will not be closed to the public in similar fashion relating to the new health and safety impositions that are coming?

680

Mr Kelly: I cannot give any assurance, sir, because I did not know of any new health and safety impositions. Perhaps in a private moment Mr Roberts can inform me where they are, but I have no knowledge so therefore I cannot give any assurances either way.

The President: Well, I think that answers that question.

Anybody else have a question? Mr Snowdon.

685

Mr Snowdon: I just would really like to pass on this question from the members of the public that are just a bit concerned our older generation of people that cannot walk very well that are used to just driving up to the end of the quay, doing a bit of fishing and driving away. I appreciate the access there, but for those people I think a little bit prohibited from getting that access, I just
690 wonder if there could be something that General Services look into where people that are quite hard with disabilities or something can get to the end, or the older generation, so they can do a bit of fishing which is good for their mental health and so on.

695

Mr Kelly: Absolutely, a good question, sir. I am sure that General Services will have a look. We do have a problem, as I said, people perceive Alderney, as a little Island, that we do not have international obligations, and we do unfortunately. Whilst they do sound over the top, we have to keep that part secure. But if there is some way we can assist those who do need to drive to the end of the quay, rather than walk it, then yes we will have a look at it, of course.

700

The President: Thank you.

Ms Burgess.

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

705

Sorry, just continuing from Mr Roberts' point, do you think that it is at all possible in the future to consider maybe having a way of gating off the Sep containers when the boat is not in so that

the main access onto the quay is then available for people with limited physical abilities to get there?

710 **Mr Kelly:** I think the succinct answer is yes, we can look at it.

The President: Any further questions? Then that completes your questions, Mr Roberts. Thank you.

Report on the combined Fire and Rescue and Ambulance Services

715 **The Greffier:** The next matter, Mr President, is a Report received from Mr Kelly, Chairman of the General Services Committee.

The President: Now, Mr Kelly, you submitted this Report quite properly after the Billet had been published. (**Mr Kelly:** Yes, sir.) So I think for the purposes of the people who are here and listening, and also for *Hansard*, would you please read that Report in full?

720 **Mr Kelly:** I will, sir.

The President: Thank you very much.

725 **Mr Kelly:** Mr President, fellow States Members, Members will be aware that following the dissolution of the previous Alderney Ambulance Service, the provision of this essential healthcare sector was taken over by the States of Alderney and combined under the leadership of the Fire and Rescue Service. I am now happy to report that there are now 11 volunteers, of which two are seasonal volunteers, as work and study off Island permits. Therefore there are nine regulars in addition to the clinical support officer, who is a fully qualified paramedic, engaged in ambulance
730 duties. Two of these nine are also firefighters.

A review is being conducted that may result in opportunities for members of the community to contribute to the pre-hospital emergency response on the Island, namely community first responders.

735 We have had, and we have always had, as far as I am aware, a patient-focused quality care service, throughout certainly the time I have been on the Island, which provides Island-wide ambulance service and assisting in medevac transfers – this continues. The service also provides non-emergency Patient Transfer Service upon a clinician's request.

740 I have been involved in various ways with the provision of Ambulance Service in Alderney over the last 12 years and have always been impressed by the willingness of Island residents to devote their spare time to helping others, be they ambulance personnel, firefighters, lifeboat personnel or volunteers in the caring non-medical roles.

745 As a measure of the Ambulance Service's efficiency, I would like to take this opportunity to publicly thank all those medics, firefighters and ambulance personnel who recently, through training and system efficiency, were able to save the life of a well-known local man who suffered two cardiac arrests whilst in the process of being transferred to the Princess Elizabeth Hospital in Guernsey. I report this with the full knowledge and permission of both that family and the patient. On behalf of the States I have personally thanked the volunteers, but felt it necessary to share the States' thanks to them and all volunteers publicly.

750 Finally, I would ask that all Island employers facilitate their employees' the opportunity to be involved. I am certain if the lifesaving skills were needed in the workplace they would be grateful of their staff's lifesaving training.

Thank you, sir.

The President: Thank you.

Now, just for the benefit of Members, Rule 19(3) provides that:

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.

755 So would anybody like to take advantage of that provision?

Mr Abel.

Mr Abel: If I may, then, I would like to add I think the rest of the States Members' thanks to the emergency services and to their diligence and their tremendous commitment, Mr President.

760 Thank you.

The President: Thank you very much indeed.

Any further questions?

Mr Roberts.

765

Mr Roberts: I would just like to make similar voicing, please.

The President: Well, please do.

770 **Mr Roberts:** I would just like to thank Mr Kelly for his excellent report. It is very detailed and came across very well, and for his mention of the emergency services, because the case that you actually spoke about was a member of my own family.

Thank you.

775 **The President:** That seems, Mr Greffier, to conclude the business for this afternoon.

The Greffier: Thank you, sir. I shall then close the meeting.

PRAYERS

The Greffier

The Assembly adjourned at 3.24 p.m.