



OFFICIAL REPORT

OF THE

STATES OF THE

ISLAND OF ALDERNEY

HANSARD

The Court House, Alderney, Thursday, 16th December 2021

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

Volume 9, No. 14

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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The Assembly adjourned at 4.04 p.m......30

States of Alderney

The States met at 2.30 p.m. in the presence of Mr Roy Burke, a representative of His Excellency the Lieutenant-Governor of the Bailiwick of Guernsey

[THE PRESIDENT *in the Chair*]

PRAYERS

The Greffier

ROLL CALL

The Greffier

Convenor's Report of the People's Meeting held on 8th December 2021

The President: We will deal firstly with the Report from Mr Jenkins of the People's Meeting last week.

5 **Mr Jenkins:** Thank you, sir.

In attendance was myself as Convenor, I was assisted by the Chief Executive and Head of Finance. There were seven States Members, with apologies received from Mr Harris and Mr Roberts, 15 members of the public, three members of the press and yourself, sir.

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

Billet d'État for Thursday, 16th December 2021

I. Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey)
(No.13) Regulations, 2021;

II. Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey)
(No.13) (Amendment) 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.13) Regulations, 2021".

Item II.

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.13) (Amendment) Regulations, 2021”.

The President: Now, let’s move to Item I on the Billet, please.

15 **The Greffier:** Item I, Mr President, to be taken alongside Item II, is the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.13) Regulations, 2021 and Item II, the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.13) (Amendment) Regulations, 2021. Both proposed by Mr Abel and seconded by Mr Snowdon. The States of Alderney is asked not to annul the said Emergency Powers (Coronavirus) (General Provision).

20

The President: Thank you very much indeed.

Mr Abel. *(Interjection)* Sorry, Mr Jenkins, the People’s Meeting, I think there were some comments on Item I; well spotted.

25

Mr Jenkins: There are, sir.

It was noted that the Medical Officer of Health is Dr Brink, who can impose restrictions or detain people if and when required. These people would be detained in prison by the Police. The length of detainment would be dependent on the issue of non-compliance. Clarification to be sought to confirm if people from Alderney would be moved to Guernsey for detainment.

30

Criminal offences – it was noted that these cover breaking isolation requirements, where individuals can be fined and/or imprisoned. These details are set out in the Law and can be found on the Government website.

And under Item II it was just noted that mask wearing is mandated under this legislation.

35

The President: Thank you very much indeed.

Now, Mr Abel.

Mr Abel: Thank you, Mr President.

40

In terms of the record, the details of the Regulations are provided in the supporting documentation in the Billet.

45

Moving forward, with regard to the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.13) and the amendment in terms of the Regulations 2021, these Regulations are Emergency Regulations made by the Civil Contingencies Authority under Part 3 of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012. They are made on the occurrence of an emergency, within the meaning of the Law, in the Bailiwick arising from the urgent need to prevent, control or mitigate the spread of the virus severe acute respiratory syndrome coronavirus 2 and the disease caused thereby, COVID-19. They are prefaced with a statement by the Civil Contingencies Authority, as required by section 12(2) of the Law. COVID-19 was made a notifiable disease for the purposes of the Public Health Ordinance, 1936 on 10th February 2020.

50

In terms of Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.13), these Regulations revoke and re-enact, with modifications, regulations previously made by the Civil Contingencies Authority in respect of the coronavirus pandemic.

These Regulations came into force on 24th November 2021 and shall have temporary effect only in accordance with the provisions of section 16 of the Law.

55

A key consideration for Part 1, which is screening, assessment and powers to detain etc. is Schedule 2 to these Regulations, which is given effect by regulation 5, provides for reduced, or no, self-isolation to be undertaken by persons who arrive from a place specified as a Green List country or a Red List country on the States of Guernsey website, and who elect to comply with the testing requirements set out therein.

60 Arrivals from Green List countries are treated differently depending on whether they have a full vaccination history within the meaning of the Regulations. It imposes a requirement on arrivals from Green List countries with a full vaccination history to take on their day of arrival a self-administered lateral flow test for COVID-19 provided to them on arrival; to report any positive test results to Public Health; and to comply with any direction given to them on so doing. It makes
65 a failure, without reasonable excuse, to comply with these requirements a criminal offence. The Regulations also impose a requirement to pay a fee for the provided tests before travel.

This Part also provides for Blue Arrivals, that is, persons, including children, arriving in the Bailiwick from within the Common Travel Area, to be free from self-isolation on arrival.

Finally, this Part provides that a person, other than a child under five, who does not wish to
70 undergo any testing on arrival has to self-isolate for 10 days on arrival.

With regard to the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.13) (Amendment) Regulations, 2021, these Regulations amend the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.13) Regulations, 2021. The amendments impose a requirement on Blue Arrivals of five years of age and over to take
75 self-administered lateral flow tests for COVID-19 provided to them on arrival, to report any positive test results to Public Health, and to comply with any direction given to them on so doing. It makes a failure, without reasonable excuse, to comply with these requirements a criminal offence. The Regulations also impose a requirement to pay a fee for the provided tests before travel.

80 The amendments also require fully vaccinated arrivals from Green List countries to take a day of arrival test, and to self-isolate until a negative result is received, and for all arrivals from Green List countries of between five and 11 years of age to take lateral flow tests, in the same way as Blue Arrivals, in addition to the existing isolation requirements in respect of such children. Finally, the amendments make the wearing of face coverings mandatory, subject to certain specified
85 exceptions, for persons of 12 years and over in shops, pharmacies, banks, and post offices, on public transport, and in parts of Government-owned premises, such as Beau Sejour and Sir Charles Frossard House, to which the public have a right of access.

These Regulations came into force on 1st December 2021 and shall have temporary effect only in accordance with the provisions of section 16 of the Law.

90 Mr President, I would be grateful if the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.13) and the Amendment Regulations, 2021 are placed before the States of Alderney.

Thank you.

95 **The President:** With a request not to annul.

Mr Abel: Yes, sir. With regard to that, the States of Alderney is asked not to annul the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.13) (Amendment) Regulations, 2021.

100

The President: Thank you very much. Anything to add, Mr Snowdon?

Mr Snowdon: No, but happy to second the Items, sir. Thank you.

105

The President: Thank you very much indeed. Would anybody like to speak on either of these two Items? That being the case, then they are approved.

**III. The Companies (Alderney) (Amendment) Ordinance, 2021;
Approved**

Item III.

The States of Alderney is asked to approve "The Companies (Alderney) (Amendment) Ordinance, 2021".

110 **The Greffier:** Item III, Mr President, I declare an interest, the Companies (Alderney) (Amendment) Ordinance, 2021. The States of Alderney is asked to approve the Companies (Alderney) (Amendment) Ordinance, 2021.

The President: Thank you.
Nothing from the People's Meeting, Mr Jenkins?

115 **Mr Jenkins:** No, sir.

The President: Thank you.
This is going to be again proposed by Mr Abel.

120 **Mr Abel:** Thank you, Mr President and colleagues.
This Ordinance will revise the annual validation requirements for Alderney companies from 2022 in two respects.

125 Firstly, the registry does not know enough about the activities of companies on the register and registry officers have to rely on their knowledge of what companies do as there is no requirement for companies to advise on this.

Secondly, of the other changes to the Guernsey framework, one more is included in the Ordinance, namely confirmation as to whether the resident agent of the company has needed to check, by the issue of a notice, whether or not a particular person actually is a beneficial owner of a company.

130 Overall, the Amendment Ordinance is reduced from what has been put in place in Guernsey. This is because the Greffier would like to make sure that developments in Alderney are manageable for all concerned. It should be easy for those administering companies to provide the registry with the additional information, it will be reasonably easy for the registry to deal with the additional data and it will significantly boost the registry's ability to emerge well from the Moneyval evaluation.

135 Mr President, I would be grateful if the Companies (Alderney) (Amendment) Ordinance, 2021 is placed before the States of Alderney for approval.

Thank you.

140 **The President:** Thank you, Mr Abel.
Mr Gentle, anything to add?

Mr Gentle: Mr President, sir, colleagues, no thank you. I just support what Mr Abel said and I am happy to second this.

145 **The President:** Thank you very much indeed.
Does anybody else wish to make a contribution? No. Well, that one then passes.

**IV. Alderney Property Tax (Amendment) Ordinance 2021 –
Approved**

Item IV.

The States of Alderney is asked to approve “The Alderney Property Tax (Amendment) Ordinance, 2021”.

The Greffier: Item IV, the Alderney Property Tax (Amendment) Ordinance, 2021. The States of Alderney is asked to approve the Alderney Property Tax (Amendment) Ordinance, 2021.

150 Proposed by Mr Abel, seconded by Mr Harris.

The President: Thank you.

There were some comments, I think, Mr Jenkins, from the People’s Meeting.

155 **Mr Jenkins:** There were, Mr President.

It was noted that the Guernsey RPIX increase is used within the Bailiwick, and that there is not separate RPIX data for Alderney.

The Head of Finance also advised that a separate exercise is being undertaken looking at the cost of living in Alderney compared to Guernsey.

160 Following a query raised, it was stated that the Property Tax income was used to fund all operational expenditure of the States of Alderney and therefore any increases were used to help fund all service areas and was not specific to the Ambulance Service.

The President: Thank you very much indeed.

165 Mr Abel.

Mr Abel: Thank you, Mr President and colleagues.

The States must, by way of Ordinance, set the level at which the Alderney Property Tax will be charged for the calendar year.

170 A 2.3% increase to all categories of Alderney Property Tax, based on the Guernsey RPIX increase as of 2021, was agreed by the States at its Meeting on 20th October 2021. The tariffs to apply from 1st January 2022 are set out in the attached Ordinance which was agreed by the Policy and Finance Committee at its meeting on 25th November 2021.

175 Mr President, I would be grateful if the Alderney Property Tax (Amendment) Ordinance, is placed before the States of Alderney for approval.

Thank you.

The President: Thank you very much indeed.

180 Mr Harris, you are seconding this one.

Mr Harris: Yes, sir. Nothing really to add, only to note that the June RPIX figure was 2.3% and the September figure for this year was 3.3%, so by going with the June figure I think we did okay there.

185 Thank you.

The President: Would anybody else like to make a contribution? In that event, that one passes.

**V. Occupier's Rate (Level for 2022) Ordinance, 2021 –
Approved**

Item V.

The States of Alderney is asked to approve "The Occupier's Rate (Level for 2022) Ordinance, 2021".

The Greffier: Item V, Mr President, the Occupier's Rate (Level for 2022) Ordinance, 2021. The States of Alderney is asked to approve the Occupier's Rate (Level for 2022) Ordinance, 2021. Proposed by Mr Abel, seconded by Mr Harris.

190

The President: And I think again, Mr Jenkins, there were some comments on this Item.

Mr Jenkins: There were, sir.

195

It was queried will this Ordinance drop away as now we have the Alderney Property Tax in place. The Head of Finance advised that the Occupier's Rate enabling legislation remains in force and in order to comply with the requirements of this, a zero rate needs to be agreed by the States.

The President: Thank you.

Mr Abel.

200

Mr Abel: Thank you, Mr President and colleagues.

The States moved to a new system of Property Tax from 2021, which replaced the Occupier's Rate. The enabling legislation for the Occupier's Rate remains in force and a zero rate has been agreed for 2022.

205

Mr President, I would be grateful if the Occupier's Rate (Level for 2022) Ordinance, 2021 is placed before the States of Alderney for approval.

Thank you.

The President: Thank you very much indeed.

210

Mr Harris.

Mr Harris: Thank you, sir; nothing to add.

The President: Would anybody else like to add any comments? That is approved.

**VI. The Investigation of Air Accidents and Incidents Legislation –
Approved**

Item VI.

The States of Alderney is asked to decide:

Whether, after consideration of the Policy Letter entitled "The Investigation of Air Accidents and Incidents" dated 28th October 2021 they are of the opinion:

(1) to agree that the legislation which currently applies to the Bailiwick of Guernsey regarding the investigation of air accidents and incidents is updated, in particular to implement:

(a) Annex 13 to the Chicago Convention as required; and

(b) Regulation (EU) 996/2010 on the investigation and prevention of accidents and incidents in civil aviation.

(2) to signify their agreement to the substance of the proposed Order in Council (set out in paragraphs 4.2 and 4.3 of the Policy Letter dated 28th October 2021) for the purposes of Article 72A of the Reform (Guernsey) Law, 1948, as amended.

(3) to direct the preparation of such legislation as may be necessary to give effect of the above decisions.

215 **The Greffier:** Item VI, the Investigation of Air Accidents and Incidents Legislation. The States of
Alderney is asked to decide whether, after consideration of the policy letter entitled ‘The
Investigation of Air Accidents and Incidents’ dated 28th October 2021 they are of the opinion:
(1) to agree that the legislation which currently applies to the Bailiwick of Guernsey regarding the
investigation of air accidents and incidents is updated, in particular to implement: (a) Annex 13 to
220 the Chicago Convention as required; and (b) Regulation (EU) 996/2010 on the investigation and
prevention of accidents and incidents in civil aviation; (2) to signify their agreement to the
substance of the proposed Order in Council, set out in paragraphs 4.2 and 4.3 of the policy letter
dated 28th October 2021, for the purposes of Article 72A of the Reform (Guernsey) Law, 1948, as
amended; (3) to direct the preparation of such legislation as may be necessary to give effect of
225 the above decisions.

Proposed by Mr Abel, seconded by Mr Carter.

The President: Thank you.

Nothing from the People’s Meeting, Mr Jenkins?

230

Mr Jenkins: No, sir.

The President: Thank you very much indeed.

Mr Abel.

235

Mr Abel: Thank you, Mr President and colleagues.

The UK has requested the Bailiwick of Guernsey to update its legislation regarding air accident investigations in advance of the International Civil Aviation Organization (ICAO) investigation taking place in mid-2022.

240 The strategy and policy function in Guernsey is working in conjunction with St James Chambers in order to achieve this. This process will necessitate: the introduction of the latest UK legislation relating to air accidents and incident investigation. It also will look at the implementation of Regulation (EU) No 996/2010 on the investigation and prevention of accidents and incidents in civil aviation, as subsequently amended by EU Regulations and as modified by the UK due to its exit from the EU. Also the implementation of requirements set out in Annex 13 to the Chicago Convention, which applies to the Bailiwick, and would be achieved by way of an Order in Council and an Ordinance made under the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994.

250 The proposed Order in Council would extend the Civil Aviation (Investigation of Air Accidents and Incidents) Regulations 2018 to the Bailiwick with modifications; and revoke and replace the previous Order in Council which extended the previous regulations.

255 The 2018 Regulations, as extended with modifications, would principally: designate the Air Accident Investigation Bureau (AAIB) as the safety investigation authority for the Bailiwick of Guernsey. It also would state that the sole objective of a safety investigation is the prevention of accidents and incidents, without the apportionment of blame or liability. Also it would give effect to the appointment of the UK Chief Inspector of Air Accidents and other inspectors in the Bailiwick for the purposes of these Regulations. It will also confer powers and duties on the Chief Inspector and other inspectors in relation to safety investigations, including providing any person whose reputation could be adversely affected by a safety investigation report with relevant information

260 to permit that person to make written representations on the report, and would also implement the relevant requirements of the Chicago Convention.

The Ordinance would implement Regulation 996/2010 for the purposes of the Bailiwick, with suitable modifications, which makes provision to ensure high-quality civil aviation safety investigations. It also includes rules concerning the timely availability of information relating to all
265 persons and dangerous goods on board an aircraft involved in an accident and aims to improve the assistance to the victims of air accidents and their relatives.

Mr President, I would be grateful if the Investigation of Air Accidents and Incidents legislation is placed before the States of Alderney for approval.

Thank you.

270

The President: Thank you very much indeed.

Mr Carter, anything to add?

Mr Carter: Nothing further to add, just to urge your support.

275

The President: Thank you very much indeed.

Does anybody else wish to contribute on this Item? No. In that event then I think, Mr Greffier, we can assume that all three of those items are passed.

280

The Greffier: I think is safe to do so, sir, yes. Thank you.

VII. Annual Reports of States Committees for 2021 – Approved

Item VII.

(i) Annual Report of the Policy and Finance Committee;

(ii) Annual Report of the Building and Development Control Committee; and

(iii) Annual Report of the General Services Committee.

The Greffier: Item VII, Annual Reports of States Committees for 2021. On 4th May 1977, the States resolved to instruct all Committees to prepare an annual report, and for that report to be debated at the December States Meeting.

The first of such reports is the Annual Report of the Policy and Finance Committee.

285

The President: Mr Abel ... Sorry, Mr Jenkins.

Mr Jenkins: Thank you, sir.

Should I do Mr Abel's first ...?

290

The President: I think that probably would be safest, if I can remember to ask for it.

Mr Jenkins: Regarding transport links, a comment was received stating an opinion that Aurigny are not providing an adequate service and how the PSO affects ferry services and other operators.
295 The Island is shackled to an airline that is not sufficient for our economy. Other operators should be encouraged, and this should not affect a potential ferry service. More public involvement is required for what the Island wants. Mr Abel advised that this is in conjunction with a clause in the PSO.

Regarding World War 2/Holocaust, it was stated that data protection and privacy laws for the
300 people who were here and their families should be kept in mind in dealing with this subject.

The President: Thank you.

(i) Annual Report of the Policy and Finance Committee

The President: Mr Abel.

Mr Abel: Thank you, Mr President and colleagues.

305 With regard to the Annual Report of the Policy and Finance Committee, this year has been the start of a new term for States Members, with the addition of three new Members and the re-election of two previous Members. Outgoing Members, Mr James Dent, Louis Jean and Mike Dean, are thanked for their hard work and many years of service.

310 Although we have had a difficult year there have still been many positives: the appointments of Ms Kathryn Jones as our Chief Executive and Mrs Liz Maurice as our States Treasurer; the continuing level of staycations; increased property sales; excellent relationships and support from the new Guernsey States Members and the civil service; the new Aurigny management; the conclusion of the PSO agreement with Aurigny; approval of funds for the Connaught extension; the Economic Development Sub-Committee position has been consolidated and non-voting members added; and also the first step in the introduction of Employment Law for Alderney.

315 This year we have continued with: managing the impacts and effects of the COVID pandemic; Brexit and free trade agreement issues and related legislation; transport links with the Little Ferry service and the reintroduction of Southampton flights; Bailiwick and Alderney legislation; developing a fit-for-purpose civil service structure; support to smaller businesses and Island events.

320 In addition, the following key issues are being progressed: housing; health and social care and the required facilities; community education and sports facilities; early years and nursery facilities; formation of working groups to progress the work; and improved communication and openness.

325 The continuing COVID pandemic: in January 2021, the Island went into lockdown again and although it was shorter than that of 2020 it still had a major impact on the community with the application of isolation requirements and travel restrictions both in and out and between the Islands of the Bailiwick. With Alderney's lower risk profile, we were able to exit this lockdown earlier than Guernsey, with travel restrictions and isolation requirements having been reduced in phases, from May onwards, such that these are now limited.

330 The continued Guernsey support to Alderney's businesses throughout that particular period to the various working people throughout the year is recognised and Guernsey are to be thanked.

335 The significant step in the fight against COVID was the introduction of the vaccination programme from January, with the majority of our over-18-year-olds having received the vaccine by the end of August. The vaccination programme continues with boosters and the vaccination of 16- and 17-year-olds and now 15- to 17-year-olds is also progressing.

340 As part of the restrictions and controls on travel, Welcome Teams have been set up at the harbour and the Airport. The role of the Welcome Teams continues as the Bailiwick travel restrictions remain in place and their responsibilities now include the issuing of lateral flow tests that are being used by the community in 'living responsibly' with COVID. The Welcome Teams are to be congratulated for their enthusiasm and patience when dealing with travellers.

345 COVID will continue to be with us well into the future and we will have to adapt in many ways to minimise its impact. Sadly, this has now been underlined by the identification of the Omicron variant and the rapid global response. Booster vaccinations are now available for everyone down to 18 years and a rollout programme is in place in the coming weeks.

With regard to legislation, extensive Bailiwick legislation has been required in terms of the Emergency Powers Regulations. Also with regard to Brexit, in particular with regard to trade agreements. Also in terms of medicines and vaccinations and other more Bailiwick-focused Laws

and Ordinances. Successfully finalising the fishing licensing legislation for vessels using Bailiwick waters is currently a priority for the Bailiwick and the more consultative process with France and Normandy should minimise any possibility of push back. However, personal interests on the French side are of concern.

For Alderney, we have finalised our first step in the introduction of employment law with the Conditions of Employment (Alderney) Law, 2021 and, after further input by the Guernsey Financial Services Commission, the States of Alderney has passed the Partnership and Limited Partnership Laws which have now been forwarded for approval to the UK's Privy Council.

In the coming year, the following legislation will be progressed: to meet our environmental commitments, single-use plastics; and employment legislation such as minimum wage and contracts of employment to align with Bailiwick and global standards and to attract and retain working people.

Transport links: as we all know, Aurigny is under new management and from our dealings with the new CEO, Mr Nico Bezuidenhout, this is a very welcome step. He is focused on the ongoing profitability of Aurigny and as part of this to maintain Alderney service levels to both Guernsey and Southampton.

The PSO between the States of Guernsey and Aurigny, on behalf of Alderney, has been concluded and is in place for five years, with a subsidy of £2 million per year. Aurigny are confident that they can maintain service levels and operate successfully within this subsidy level.

The project on both the refurbishment and lengthening of the runway has continued for longer than anticipated. The longer runway will allow Aurigny to standardise on an ATR72 fleet and contain costs such that no further subsidies are required on the Alderney routes. However, the longer runway is also seen as future-proofing transport links for Alderney and is key for critical medevac services and for the economy as it will allow access by business jets and planes.

Meetings have been held with members of the Guernsey States Trading Supervisory Board and the Ports Authority, the CEO of Aurigny, Alderney States Members and the Chamber of Commerce to discuss the refurbishment and lengthening of the runway. Although the initial economics of the longer runway are positive, the work is not completed and will have to be presented, and funding discussed and approved by Guernsey States of Deliberation. It is anticipated the work will be completed in quarter 1 of 2022, followed by a community presentation and question and answer sessions.

The Little Ferry, after a late start and with a continued subsidy from the States, again ran for the summer season and proved to be well utilised by all.

The Economic Development Committee has already invited expressions of interest for the provision of ferry services for 2022 and this, in terms of the PSO, will require discussion with Aurigny.

The economy: as per the annual financial report to the States in October, expenditure has been contained and with the continued staycations the Island's revenues have been bolstered by significant amounts from property taxes. With the ability of Alderney to now retain these duties the excess will be held in General Reserve, which would cover the States against a range of risks to its annual expenditure and income.

On the hospitality side it is reported that, although there have been many challenges, the sustained visitor numbers have achieved creditable outcomes.

Sadly, the COVID risks facing the Alderney Week team and insufficient volunteers meant that Alderney Week was cancelled. In addition, similar risks also meant that the hill climb and related events were also cancelled. The Tourist office have done an excellent job with the continued development of the visitor experience at the Nunnery, opening up the Odeon and, together with the Alderney Wildlife Trust and the Alderney Bird Observatory, have provided many themes of interest for our visitors.

Guernsey relations: we were delighted to welcome so many of our Guernsey Committees and colleagues to Alderney in the last year. In June, the Chief Minister, Deputy Peter Ferbrache, met

with Members to discuss several common goals on the political level and this was followed by a public engagement session in the Island Hall.

Guernsey Committees of Economic Development, Health & Social Care, Education, Sport & Culture and the President of the Overseas Aid & Development Commission visited the Island to get a better understanding of our Island and also to discuss areas where we can work together to progress Alderney and Bailiwick issues and to strengthen relationships between the Islands during these challenging times.

Alderney community issues: following approval of funds, work on the extension to the Connaught Care Home has commenced and it is anticipated that will be occupied in the latter half of next year.

During the year we engaged with Lord Pickles and the envoy for the International Holocaust Remembrance Alliance, Dr Gilly Carr, on World War 2 and Holocaust project issues. An Island-wide questionnaire has been circulated to assess the community's opinions on these issues.

In addition, the Alderney Sports Foundation are to be thanked for their proposal and justification for a community and education sports facility. Meetings will be held with the Guernsey Education, Sport & Culture Committee to determine the strategy to advance the project.

With regard to the Marina, following COVID delays and a poor start the States are in preliminary discussions with an interested party to advance this project.

The States continues with its campaign to improve communications and openness, such as media briefings and relevant press releases, and Member surgeries have been introduced thanks to Annie Burgess. In the coming year we intend to trial open Policy and Finance Committee meetings and also to progress changes to States Rules of Procedures to allow more questions and debate by Members.

In the civil service we welcome Ms Kathryn Jones as our new Chief Executive, who is settling in but is faced with many critical issues that need urgent attention and also needs to develop a fit-for-purpose Alderney civil service.

The Alderney and Guernsey joint working initiatives have been agreed in terms of where support for shared services can be utilised by the Alderney civil service to improve efficiencies and to avoid duplication.

The civil service is developing policy proposals for health and care to discuss with the Guernsey Health & Social Care Committee in the coming year. Early years and nursery provision, an essential service for children and for working families, is also being developed by the civil service.

To offset the limited civil service staff various States Member working groups have been set up, with delegated responsibilities, which are determined by agreed terms of reference. The group membership also includes non-States members to utilise the expertise on the Island. The amount of critical work that needs to be progressed, and the limited time to progress it, will require the States and the civil service to engage with professional service providers not only to execute projects but also to assist in the development and implementation of strategies and action plans.

In conclusion, I would like to thank the Bailiwick's Public Health and Guernsey's Civil Service, including the Police and Border Agency, and all their staff for their hard work and dedication over many months. Also staff and volunteers of the Island Medical Centre, the Mignot Hospital and in the Alderney civil service, Ambulance Service, and the Welcome Teams. I would also like to thank my colleagues for their hard work and support throughout this challenging year.

Looking ahead to next year, we need to continue to develop the Island Plan and strategies and action plans to deliver solutions for the priorities of the Island; to develop a fit-for-purpose civil service to deliver the priorities from the Island Plan; also to strengthen political and working relationships with Guernsey politicians and the civil service.

Thank you.

The President: Thank you, Mr Abel.

Would anybody like to speak about Mr Abel's Report? Mr Snowdon.

450

Mr Snowdon: Thank you, Mr President, colleagues.

Firstly, I would like to say thank you to Mr Abel for the amount of dedication and time, the extreme amount of time, he has spent being the Chairman this year: thank you, and that is probably from all of us.

455 Just touching on the report, I wanted to go into a little bit more detail, if that is okay, with a few things. I was interested to read – and obviously I do know about it, but I was interested to maybe learn a little bit more about it – ‘developing a fit-for-purpose civil service structure’, how do we feel that we will be involved in the process of achieving that? Just a little bit more detail if that is okay.

460 Members of the public and community that maybe have read this Report may be interested to see a few references to the education and sports facilities, pool and sports hall. This subject has gone on for a long time and there have been States that have said they are going to try and sort it out over a number of years, but I think if you look at the Report, and it goes on to the next page a little bit, there is quite a focus on actually trying to move this forward. Whether we will is another thing, but hopefully we will actually start the ball rolling with it. I think it has been highlighted in
465 the presentations and communications that we have had with various parties that if we want to attract a younger demographic to the Island we need to have those facilities in place to try and attract that demographic. I personally did not know the importance of a sports hall to the Island, and it seems that a sports hall is actually something that we need to develop and try and
470 implement alongside some sort of swimming pool facility as well.

So I just want to echo Mr Abel’s comments and say thank you very much to the Alderney Sports Foundation who have done a considerable amount of work in putting documentation together and also to the old trust as well for the work that they did over a certain amount of time. Hopefully in the coming months more clarification will go into the community, if that is the way forward, and fingers crossed we can progress those conversations with our Guernsey colleagues regarding that matter, because I think that is quite an important one.
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Touching on transport links, I think it was quite interesting what was highlighted at the People’s Meeting, because it might seem a bit that we are going around in circles with the runway issues, or it may feel like it watching from the outside. So just to reassure the public, the £12.2 million was approved, I think it was in 2018, by the old States of Deliberation to upgrade the runway from what it is now. However, there is the Aurigny Strategy, which is focussing basically on the ATR fleet throughout the board, and if that was going to be implemented then Alderney would need a longer runway.
480

I do understand the concerns from the public and they do need clarification about how that would work and myself and other colleagues, I know Mr Abel has asked as well, there will be public engagement with the community on how it will work with a scheduled service. But on the political level, and I think this is probably public knowledge as well, we were in a really tricky situation with the PSO. The PSO goes round and round in circles, and we had a second PSO to go out and try and get other expressions of interest and luckily Aurigny did come forward. There was an issue with
485 the amount of subsidy level that was there where I think the old P&R were saying £1 million, which would have unfortunately got rid of our Alderney-Southampton route. However, we are in a bit more of a strong situation, that with the £2 million it ensures our Alderney-Southampton route, but we must understand that service – in my opinion, and it may be shared by others – is a weak service because you do only have two planes.
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So I think the States of Alderney and the States of Guernsey do need to look at other options, and if a longer runway is the answer then we should be looking at that because the situation that we have now is that we do not have the increased capacity that if we do want to grow – hopefully when COVID eventually comes to end – the economy we do need to have. We do not have that with two planes and they will not be buying us another plane at potentially £6 million or £10 million – a Dornier plane, I should clarify.
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I think we do need to progress looking at the longer runway option. However, explaining all the options to the community and making sure that everyone is on board and that there will be a

505 scheduled service if that is implemented. So again, we are working hard with Guernsey colleagues to get clarification but I do understand the questions from the community that we do need to answer and the States of Guernsey do need to answer if we are going along those lines. But I do not think we should be negative about it. All I would ask is for people and members of community to listen to both sides and then come up with their view on the opinion of that item.

510 A few other bits and pieces; you are absolutely right, Mr Abel, relationships with Guernsey are a lot stronger and we have had a lot of visits over to the Island which has been fantastic and hopefully that will continue.

I just wanted to touch on the Energy Group. I thank Mr Carter for the Island Plan but it seemed to highlight the energy situation. I think it came back as number one, if I remember correctly. I think there is a bigger picture that we need to look at with the energy side of it because, yes, green energy, we do need to move towards it. However, what sort of energy would that be? Is the community against wind in the sea? Wind on land? Or other items? I think there needs to be a bit of balance between what is acceptable for the community and environment and what we can actually implement. So I think we probably do need to get some guidance on that.

515 I would also like to add that there is now, which I do not think there was before, actually quite a strong – or starting, fingers crossed – working relationship between Guernsey, Jersey and Alderney with the need to try and secure energy security because there cannot really be reliance on ... We have seen what has happened with France, we cannot totally rely on France, we need to be more self-sufficient. So if the Channel Islands can work together with trying to sort out their energy needs I think that would be quite beneficial hopefully moving forward.

520 So I just want to thank colleagues again for all their hard work at P&F, you had a long meeting this morning, particular thanks to Mr Abel and also special thanks to the civil service who sit through all of our meetings and do all the hard work for us that we pass as the resolutions. So thank you very much.

530 **The President:** Anybody else? Mr Harris.

Mr Harris: Thank you, sir and fellow colleagues.

I am also going to pick up on the line 'to develop a fit-for-purpose civil service', in Mr Abel's Report. I do thank Mr Abel for his comprehensive Report, it was very informative and there are a lot of positive things we can take out of that – a couple of concerns, but we will get to those as well. But, yes, to develop a fit-for-purpose civil service would suggest that we do not have a fit-for-purpose civil service, and I think that is a little unfair to the people that do the hard work in our Island, because we do have a great team on the whole and they do work hard and diligently for the Island. (**A Member:** Hear, hear.)

540 In particular, I am going to thank the Treasury Department who have been invaluable this year with the Finance Committee, of which I am the Chair, and our strategic advisor, Stephen Taylor. And finally I just want to thank the other members of the Finance Committee as well for their hard work and contribution.

Thank you.

545 **The President:** Thank you, Mr Harris.
Mr Roberts.

Mr Roberts: Yes, please, sir, thank you.

550 A lot of this echoes what Mr Snowdon said, actually. Mr Abel, thanks for your excellent explanation of where we are with air links, it was absolutely spot on, absolutely excellent, but would you agree that for the next 18 months or two years or so we are quite fragile with our two aircraft? Every time we need air meds, and we have needed a lot of them lately, it takes the aircraft out of the loop and if you have only got one aircraft running then we have serious problems of delays of at least two hours. So it is going to be a tough lead-up until that time, until we actually

555 make the decision with the public to go forward, if the business case is correct and I see no other way actually because we are not going to get another aircraft, they have made it plain.

So I thank you for your explanation. I am pointing out that over the next couple of years we may have a couple of problems and until we have got to where we need to get with the decision to bring the ATRs in I think it can bring us 40% more capacity and it is capacity we are short on.
560 And although you have less rotations those rotations do not seem as bad as what I thought. I have seen those rotations and I am quite pleasantly encouraged.

I would like to thank you for everything you have done. It is a comprehensive report. It is an excellent report, I would like to thank you very much.

Thank you.

565

The President: Anybody else? Mr Abel, would you like to exercise your right of reply?

Mr Abel: If I may, Mr President.

Addressing the question around developing a fit-for-purpose civil service, Mr Harris, you are
570 totally correct, the civil service is not broken at the moment and we have some very good and very hardworking people in there and, as you rightly say, they should be thanked for the work they have done over the past years, not only the last few weeks, shall we say.

The reference towards developing a fit-for-purpose civil service really revolves around the Island Plan and looking at the priorities within the Island Plan because we are guilty as a States of
575 promising a lot and not delivering over much, shall I say. And really the only way to advance projects is to have support from a competent, well-trained, capable civil service and also from partners who can assist us with some of that work because we need expertise. We need hands for various projects and we need to try and deliver those, otherwise the Island continues to suffer. So a fit-for-purpose civil service, a question raised by yourself and by Mr Snowdon, relates to
580 delivering the priorities of the Island Plan.

With regard to the community sports facilities, as you say, this has become epic in terms of some of the projects on the Island. I think it is now six, if not seven years, since it has almost stood and gone nowhere. We have been very fortunate to have the Alderney Sports Foundation and also the Guernsey Sports Foundation as well as some of the sports facility people on that side
585 helping come up with an option that we can now take forward.

The option that is being tabled is around having a swimming pool related to a community hall in the school grounds at the bottom end towards the railway station. The work that the Alderney Sports Foundation has done nominally highlights an expense possibly of £4 million to £5 million to do that, and again we have to discuss the funding for that between ourselves and also the
590 Education Committee in Guernsey, and that obviously is going to require quite a lot of discussion over the coming months. But, as you rightly point out, the necessity to have good if not fit-for-purpose, if I can use that word, facilities for the Island which attract people here and train people here is becoming more and more important to us and certainly a community sports hall is a key attraction, I believe, if we can actually deliver and build that.

Looking towards transport links: going around in circles, possibly so. I think if we look back probably the first item which was taken across to Guernsey in 2013, was it? After Mr Arditti passed away? I think this part of the loop goes back to 2013, if not before that. Again, we finally got a resolution from Guernsey States for the refurbishment of the runway in 2018 to a sum of
600 £12.2 million in 2018-type money, if you want. I think the view we had recently was that number is possibly a little light for where we stand at the moment.

But also I think with the whole discussion around the runway, the type of runway and length of it, we are very fortunate in having someone like Mr Bezuidenhout in place because he is very clear on his thinking and the strategy he has drawn up for air services for the Bailiwick is pretty comprehensive and certainly you get a lot more confidence when he talks to you about those
605 particular items.

With regard to increased capacity, obviously that is only going to come with the introduction of the ATR72 or an alternative, depending on what the future brings. But at the moment he highlighted there with the ATR72 fleet covering Alderney as well as the Bailiwick as a whole, we would get approximately another 20,000 seats on top of what we probably have with the two
610 Dorniers of approximately 55,000 to 65,000 seats. So there is a big positive to us and obviously it is a big future-proof item, as I have raised.

Mr Roberts, I think you raised a good point, that over the next couple of years we are going to battle a bit. I think if I look back a year we would have battled a lot more than the current Aurigny management would actually indicate in today's terms. It is important for us to see that the first
615 time we had both Dorniers out that very quickly they brought on their Twin Otter from the Scillies so there is a big commitment to something which has happened very recently. But again, yes, we are going to be challenged over the next couple of years and I have some confidence it will be handled well.

With regard to Guernsey relationships, particularly you mentioned the Energy Group, Mr Snowdon. We certainly have been discussing Aurigny with Guernsey on how they are taking things forward and I think we may be slightly ahead of them because I had to send them what I thought was their strategy so I could discuss it with them. But certainly they are on top of that. They have through their environmental group, as well a special purpose group, I think, been
620 looking at how to make their system more resilient for the Bailiwick and not necessarily rely on their connection to France. What we hope, with the interaction between us and them, is that we may be able to, if I can use the word, plug into whatever system that they come up with. I think Jersey and Guernsey do not seem to work together too well going forward and one would hope they can resolve those issues to come up with the best option for power supply for the Channel Islands as a whole. Certainly when I look at the Minkies, to me that is a fantastic spot to stick
625 monster windmills. But we will see what their final conclusion will come up with. Again, probably environmentalists possibly would not agree with me, as I heard the deep breath taken in front of me!

The other thing too, certainly when it comes to energy options for the Island, we are carrying out that work at the moment with the expert group, Catapult, who work on energy solutions
635 across the UK, particularly with regard to the ocean, the ocean side of that both with regard to floating windfarms and also with regard to tidal power initiatives, and we certainly believe we can link into that and leverage the value they get from a much broader perspective.

In terms of wind, I think it is going to be a challenge to the Island to consider the visual impact of a large turbine or turbines because to be efficient and reduce costs, if not contain costs, they
640 are not going to be small beasts that we are talking about. They may stand as high as the top of the Island on its own. So they are going to be challenging but one of the things the Island is going to have to think about and come to terms with is the trade-off between acceptable, shall I say, impacts on the environment and the visual environment, and sustainability going forward. But that is a big discussion and a lot of hard work in terms of engagement with the community and
645 getting their buy-in to the right solution.

I think I have possibly covered most of the points you raised, which are most valuable and thank you.

Thank you, Mr President.

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

(ii) Annual Report of the Building and Development Control Committee

The President: Can we now move on, please, to the second Report.

The Greffier: That is the Annual Report of the Building and Development Control Committee.

655 **The President:** Mr Jenkins.

Mr Jenkins: A comment stated that BDCC should be future-proofing the Island for retaining people to live here and that they need to look at the development on Island and rented accommodation.

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

Mr Gentle: Thank you, sir.

665 Mr President, sir, colleagues, I do not intend to read my Report, as it is there for any and all to read either in the Billet or online, but I do request that it is noted in the deliberations of this meeting.

670 A very quick précis: the current appeals process still needs a massive overhaul and, as stated in the Report, that work is progressing, I cannot tell you how quickly. The Land Use Plan review will take place throughout the year ready for adoption in March 2023. I would like to reiterate the thanks given in the Report to my fellow Committee Members, the Planning Officer, Ms Roberts, and the Committee Secretary, Mrs Baines. Thank you all.

The President: Thank you, Mr Gentle.
675 Would anybody like to talk about the Building and Development Committee?
Mr Snowdon.

Mr Snowdon: Thank you, President.

680 Yes, just to highlight a couple of observations, if that is okay, and obviously I am a Member of this Committee. I was at P&F this morning and I did hear a comment from the Chairman that his is the only open Committee, which I think has actually worked quite well; that the BDCC is an open Committee and decisions are taken in public with what we are looking into.

685 Could the Chairman just highlight how we are actually taking housing very seriously and how we will be working with the Alderney Housing Action Group – I think that is the right name for them – in collaboration with P&F and also BDCC with the Land Use Plan review coming up and that we are looking into that? That is really what I just wanted to highlight: that BDCC is quite a tough Committee for those Members that have not been on that Committee but I think it is working quite well. And also having five members means it is quite a strong Committee than in previous years having four – it went down to three, I think, sometimes – but, yes, it is working quite well at the moment, I feel.

690 I thank the Chairman for all of his hard work and we are going to have an interesting year coming up with the Land Use Plan review.
Thank you.

695 **The President:** Thank you very much indeed.
Any other contributions? Anything further from you, Mr Gentle?

Mr Gentle: Yes, sir.

700 Sir, colleagues, you are correct, I am a Member of BDCC and I am also a member of the housing working group ... I am not quite sure what they are called either! They will be working in collaboration with ourselves and BDCC, also feeding back into P&F and keeping up with the Island Plan aspirations, or being very mindful of their aspirations.

705 We are very much aware on BDCC of the current issues and we will be continuing to update the monitoring report. In fact, we should get a new monitoring report update tomorrow at our policy meeting.

The Finance Committee keep an eye on the price and date of sales but there is nothing to stop us on BDCC keeping an eye out ourselves. We will be feeding into a review of the Land Use Plan in the coming year, particularly with regard to Policy S5, Housing Needs, because the Land Use Plan states that:

Sufficient housing is vital to meeting the States of Alderney's aspiration to grow the [population of the] Island.

710 And the housing strategy in the Land Use Plan identifies that different groups need different housing, and that is going to change over time.

I think I have hopefully answered your question, sir.

The President: Thank you, Mr Gentle.

(iii) Annual Report of the General Services Committee

715 **The President:** Now, I think we can move on to the General Services Committee Report. Before you do, Mr Kelly, Mr Jenkins.

Mr Jenkins: Thank you, sir.

720 The Chief Executive was congratulated regarding the use of States of Guernsey expertise for human resource issues.

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

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

Mr President, colleagues, in placing my Report, I will perhaps not be as short and sharp as my colleague in Building Development, mainly because he gets a mention in it and I would hate him to miss out on that!

730 This year has been a busy year for the General Services Committee in both new projects, combating challenges that have arisen and undertaking reviews of some of the services that the States as a Government provide. All of these have been undertaken under the constant added factor of the pandemic.

735 I will first of all deal with the combined Fire and Rescue and Ambulance Service. I am grateful to all members of service, be they volunteers, the part-time maintenance employees and the supposedly part-time lead staff of both arms of the Service, Messrs Gaudion and McLean. I say 'supposedly part-time' as both of these gentlemen work beyond their allocated hours to supply the essential service for which the Committee and myself are extremely grateful.

740 On 1st October this year, Crew Commander Letitia Flatres completed 20 years of service with the Brigade and will be presented with the Fire Brigade Long Service and Good Conduct Medal, which makes a total of five of the crew who have currently served more than 20 years.

745 In October of this year, as a result of a request from General Services, Joe Garcia MBE and Cathryn James QAM – Queen's Ambulance Service Medal – from the Association of Ambulance Chief Executives conducted a review into the provision of the Ambulance Service in Alderney. The reviewers interviewed a wide range of stakeholders and presented a comprehensive, if somewhat uncomfortable report. All the recommendations of this report have been accepted by the General Services Committee.

Finally, in relation to both of the services, on behalf of the Committee I would like to thank all the volunteers for their commitment and dedication but also to thank their families for their support and to their employers who continue to release their staff to provide the vital emergency cover for the Island.

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As Members will remember, in August this year, the States agreed to spend an extra £737,000 to complete the extension of the Connaught Care Home to finish the final phase of the project, which will see extra accommodation, much-needed accommodation, supporting added rooms to the building. The work on the extension is continuing on time and although this is a GSC project I am grateful for the help of my colleague, Mr Gentle, who although not a member of GSC has continued to be the elected member responsible for the project continuing from 2020, when he was a GSC member.

755

As part of our continuing drive to ensure the Island's heritage is preserved, I am pleased to report that with the enormous help of the Alderney Society and in particular one of its visiting UK members, the grounds inside Fort Doyle and its surrounding area have been refurbished, with this Committee, GSC that is, offering financial assistance for the project. In addition to preserving the heritage aspect, it also provides an added tourist attraction in the same way as the Nunnery and Odeon – the latter being refurbished again by volunteers, for which I and my colleagues are grateful.

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Finally, sir, in relation to the volunteers on the Island, in addition to the help provided by the Alderney Society we are fortunate that the Island has an active Wildlife Trust, whose volunteers help to maintain and conserve the Island's wildlife and environment and maintain our RAMSAR site. Their help and advice is invaluable.

765

Improvement works to the Nunnery Heritage Site have been successfully undertaken with a new roof to the carriage store and the removal of the sunroom. Further archaeological digs are scheduled for next year. The tenancy agreement between the Alderney Bird Observatory and the States was terminated in May of this year and following a notice period members of the Policy and Finance Committee have been tasked with finding suitable tenants for the residential part of the site. As someone who took a fair amount of grief in relation to the Nunnery, sir, the process, I hope, will not take too long. However, I am pleased to hear that the Bird Observatory have now got a new viewing room on Mr Kay-Mouat's property, and I think he should be thanked.

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Moving on, the Island Hall kitchen is now fully operational, and we hope to see the facility hired on a more regular basis as a revenue stream for the States of Alderney. Again, sir, I am grateful for the assistance of the small group of people, of volunteers, who offered their services to advise on how to improve the facility.

780

The States Works Department continues with a road remedial programme whilst a suitable programme of works is being defined. During November, a States of Guernsey highways manager visited Alderney to review, identify priority roads and provide some guidance to enable the States to appoint a suitable contractor. A third party has also visited Alderney and they will submit their assessment early next month. That has been delayed by the pandemic restrictions. Due to the size of the contract the procurement process will begin shortly, with works expected to start in 2022.

785

Moving on from public works to the Water Board Department, it has been a very productive year for them, with a number of completed distribution phases. Improvements to the water infrastructure programme have progressed better than anticipated in 2021. A full audit of the filtration plant has been undertaken and I am pleased to report that the plant was in as good a condition as when it was first installed.

790

Continuing with the Water Board, sir, the digital mapping of the Water Board infrastructure is under way. Currently there are minimal records available. However, digital mapping will improve project planning, the availability of supply, emergency diversion of water and recording keeping. I am grateful to Alderney Electricity for their co-operation in sharing mapping information.

795

Moving on, sir, to the harbour. Again, due to the ongoing global pandemic, it has been a challenging year for all the harbour staff. Whilst key services have been maintained, the added responsibility has stretched the harbour team. Additional duties added to the role of the harbour

800 staff have included extended watchkeeping hours to increase policing the borders whilst travel restrictions were in place and the staffing of a patrol vessel to repel unexpected vessels from countries outside the permitted travel zones.

I am aware that due to their COVID duties, they have not been able to carry out some of their normal, domestic harbour tasks and I will speaking with the Harbourmaster and the Chief Executive about these COVID duties for next year.

805 Continuing on the harbour, the States took possession of the new Sennebogen harbour mobile crane at the end of January. However, in July an electrical fault caused by an error during its construction, the crane was rendered unusable for a period of two weeks. Whilst the fault was being traced and repaired, a temporary machine was imported from Jersey to carry out the discharge of essential cargo. The States are at present liaising with Crown Law Officers about compensation from the manufacturers and/or their agents.

810 At the request of this Committee, GSC that is, Guernsey's Harbourmaster, Captain David Barker, was tasked to undertake a peer review of the harbour operations. This was carried out in October, with the results due to be presented to the Committee in the next few days.

815 In November of this year the then GSC took the decision that due to issues with the pile structure of the pontoon, that is the dinghy pontoon, that for this year's season would be shortened. Unfortunately, this system failed, causing the whole of the pontoon to be removed pending further work. Subsequent to this work the full pontoon was able to be reinstalled. However, to try and prevent a repeat of this, the Committee has this year commissioned a full structural survey in order that any remedial work can be carried out prior to the 2022 season. 820 However, it must be stressed that the pontoon is purely for tenders of visiting yachts and local yachts and not for larger craft.

Prior to the outbreak of the pandemic, the RNLI had expressed an interest in joint funding with the States for a new multipurpose pontoon that would enable them to moor a different class of lifeboat alongside the quay, and provide space for visiting dinghies and larger commercial craft, such as the 12-seater passenger ferry. As part of their planning the Institute commissioned a study by marine engineers. However, the subsequent findings of the study into this potential joint venture ended, due to the harbour's unfavourable wave climate. Fortunately, the documentation provided by the engineers has been handed over to the States of Alderney. A second engineering firm has been appointed to carry out an additional feasibility study on behalf of GSC and a paper to include options, costings and advice on how best to go ahead will be presented to GSC for consideration once it has been received. We basically, sir, want to improve the current situation in relation to the small dinghy pontoon.

830 May I conclude by saying a huge thank you to my fellow Committee members for their help and co-operation this year, to the civil servants who have aided the Committee, for their endeavours and, may I say, patience, and to the many volunteers who have worked hard helping the Committee in providing the services to the Island. I wish you all a Happy Christmas and health and happiness in 2022.

Thank you, sir.

840 **The President:** Thank you, Mr Kelly.
Would anybody like to comment on Mr Kelly's Report?
Mr Snowdon.

Mr Snowdon: Thank you, President.

845 I just wanted to go through a few points, if that is all right, with this Report. I do thank you, it is a very detailed report, I think it covers quite a lot of different subjects. But I just want to get some reassurances and confidence hopefully that the few issues regarding the harbour will be addressed.

850 I do not want to go back in history too much but what I would like clarification on is that certain things will happen at certain times. For instance, the moorings will be checked at a certain time,

there are not going to be delays and the boat is not going to be able to go in the water because moorings have not been checked, and hopefully COVID will not come into it. But is there some sort of action plan that is actually put together where this happens on certain times during the year to make sure that things are implemented? I am sure there is, but I would just like some reassurances that that is the situation.

855 Regarding the mobile harbour crane, I think the clue is in the title: mobile harbour crane. Are there some reassurances that we are going to try and look after that asset as much as possible? It was a tremendous amount of money which the States of Alderney approved to buy that mobile crane. I do get concerned, and I know other Members have raised it as well, that potentially –
860 hopefully it will not be any more – it is left on the quay for quite some time. We have got quite dramatic weather hitting it, and would we put our own private car on that quay in that weather? I do not think so. So should we be ensuring that there is some looking after of that crane and making sure that we are going to get as much life out of it as possible.

865 Touching on the water taxi, the same as the moorings, hopefully that will be resolved. I thank the harbour staff and the people that have signed up to run that operation but it would really be better in private hands in my view, but maybe there were not any expressions of interest when that went out last time.

I look forward to hearing more about the peer review of harbour operations. However, I might have missed in the report, but I did write it down, we have got the Harbourmaster plan, which is
870 a slightly different thing obviously, being put together, I believe that is GSC and not P&F, which will hopefully look at the way forward with how the harbour area is going to develop and all different parts of it.

Another issue that we do need to look into as well is the pontoon, because obviously, with the staycations being so strong, and we had so many people over, unfortunately I think it was an
875 embarrassing situation that we need to avoid in the future. I do understand in the Report you are looking at it, you are getting stuff hopefully moving forward. However, will there be a new pontoon commissioned or are we happy that this pontoon has got enough life in it without having any dramatic situations in the summer with it sinking or anything like that again? I would just like some clarification on that.

880 Changing onto a different subject, and I thank you for the Nunnery update, I do actually share your observation regarding the Nunnery that it is a property that we are getting back now. Maybe it could be used for renting to people that actually need it now, until some other proposal or plan comes forward regarding heritage or whatever that might be. But are there any updates with the Old Connaught, Whitegates and other properties that may be under the guidance of GSC? What
885 is happening with those properties? I probably know the answer – what is going to come back is that the housing working group is looking into that. But my follow-up question would be, thank you, Housing Action Group, or whatever the name is, for looking into that, but regarding the old Connaught, I believe there was stuff that was proposed more like a commercial hub, centre, or something like that, and I am not quite sure whether that is in the mandate, maybe it needs to be
890 added to the mandate of the Housing Action Group; whether the commercial aspects of these properties are being looked into or if it is residential areas of these properties being looked into. I just wanted to highlight that one as well.

To totally echo your points regarding the hardworking volunteers that have opened up the Nunnery and the Odeon, those are fantastic sites and they have been recognised by visitors
895 coming into the Island, and special thanks to Visit Alderney for that. Hopefully the momentum can keep going with other sites being opened up because in wet weather and so on we do need those to be opened up as visitor attractions. But tremendous thanks to everyone involved who have got those very much open. I think there are others in the pipeline and hopefully they will get similar support when needed.

900 And thank you very much to Mr Kelly. It is a very hard role. I think you are doing quite a good job but it is challenging.

Thank you.

The President: Before you respond to that one, Mr Kelly –

905 **Mr Kelly:** I would love to, sir!

The President: I would like to ask whether anybody else would like to join this discussion?
Mr Roberts.

910 **Mr Roberts:** I would also like to thank Mr Kelly for his excellent Report, comprehensive Report. It is not an easy job and we have had many problems on the Committee through the year, with one thing after another thrown at us. I was very glad to hear Mr Kelly thank the ABO as well. I was a little bit worried that they were not going to get a mention for the excellent work they have done through the year.

915 All I was going to ask: could the Chairman please give an update on the crane shed at Grosnez, for the public, which is vital to protect our large investment for the crane? I know that plans are going forward for it to have a shed, I wonder if you could give the public an update of where we are at?

Thank you.

920

The President: Anybody else? In that event, you can now exercise your right of reply, Mr Kelly.

Mr Kelly: I am grateful to you, sir.

925 I think the first one is thank you for the almost compliment, I am 'doing quite a good job'. I appreciated that, thank you. (*Laughter*)

930 I will deal with the moorings and the water taxi all in one, if I may, Mr Snowdon, sir, through you. Just over two or three months ago we asked the Harbourmaster to put out adverts for tenders for a private water taxi company and also for the inspection of moorings. There was a two-month delay, two-month period given, so we were hoping for replies from the Harbourmaster last week but unfortunately, because of absences, we did not get that report. So we are waiting for that. Hopefully between he and the Treasury we should have the details of the people that submitted tenders for both of those services. I totally agree we should not be waiting until next year – we are on the case.

935 The crane, my favourite subject! I think you said that the title 'mobile harbour crane', the clue was in the title. You are absolutely right, it is mobile but it is also a harbour crane. And no, I would not leave my car on the quay because my car is not designed to be stored in a harbour, it is not used to operate there. However, I will be serious, on a serious note, and in answer to Mr Roberts' question, for the members of the public, because obviously Mr Roberts will be aware, being a member of the Committee, the crane shed at Fort Grosnez has been trialled and tested. The space that we wanted to keep it in is big enough for it. We have not got to do too much remedial work, we have not got to move any stone work, we have not got to produce a cradle for the jib, which we thought we might have to do.

940 I spoke to the Harbourmaster this morning about it and I am informed that we are waiting for one more piece of work to be done, so hopefully the crane will be in the shed at Grosnez shortly.
945 To be frank, I do not expect it to move mid-week but certainly, like you gentlemen, I expect it to be moved at the weekend. The policy they have at the moment is that when it is not in use at the weekend it should be stored by the gate, not on the end, and I apologise to Members for lapses of the harbour staff's concentration when it has not been left there. But I am not going to publically criticise and publically praise; those men have been under the cosh this year and because we have given them extra work to do, which is why I said I shall be looking to the civil service to see how we can let them concentrate on their normal work and not have extra work put on to it.
950

The peer review: what is a peer review? It is not a public document. The peer review we are doing is via Teams, in conversation with Captain Barker on Monday when we will go through his

955 report point by point and question him. Having questioned and listened to what Captain Barker has to say, then we will speak to the Harbourmaster and go through that but that is a separate report to the Harbourmaster plan. That is being taken not by GSC, by P&F, which will cover not just the immediate part around the water there but also encompass the land around it.

960 The pontoon – my apologies if I did not make it clear. The pontoon, in relation to the current small pontoon hopefully, again because of absence last week we did not have the report from the Harbourmaster, but hopefully I will be in a position to say the engineers go yes or no; the engineers will say, ‘Yes it is capable of taking the full structure’ or ‘No you ought to shorten it.’ But that is only a short- to medium-term solution. The long-term solution for safely getting people offshore is enabling the 12-seaters to moor up, which is why we are having a second report done by people
965 to say can we have an improved and better structure.

I think I have covered everything there. Oh, properties. Mr Snowdon touched a little button there with me. Yes, I would love to sell a number of the properties, as you well know. One of them being the Old Connaught, one of them being the Fire Station, one of them being the old abattoir and then I will let you guess what the fourth one is going to be; I am not going to mention it today.
970 To sell those, because they are redundant properties, but that was taken out of GSC hands, quite rightly, because it is a P&F matter; the final decision. GSC had valuations done in March, which is why it is a little frustrating for me. In March we had valuations and in December we have still got redundant properties. I shall be requesting P&F next year to do something about those.

Thank you, sir.

975

The President: Thank you, Mr Kelly.

VIII. Intellectual Property Regulations – Regulations noted

Item VIII.

The States of Alderney is asked to note:

The European Union (Performers’ Rights) (WPPT) (Brexit) (Bailiwick of Guernsey) Regulations, 2020;

The European Union (Copyright) (Marrakesh Treaty) (Brexit) (Bailiwick of Guernsey) Regulations, 2020;

The European Union (Patent Co-operation Treaty) (Brexit) (Bailiwick of Guernsey) Regulations, 2020;

The European Union (Registered Designs) (Hague Agreement) (Brexit) (Bailiwick of Guernsey) Regulations, 2020;

The Copyright (Bailiwick of Guernsey) (Amendment) Ordinance, 2021;

The Copyright (Prescribed Libraries, Archives, Museums and Galleries and Copying of Copyright Material) (Bailiwick of Guernsey) Regulations, 2021.

The President: Item VIII, please.

980 **The Greffier:** Yes, Mr President, that is Intellectual Property Regulations. The States of Alderney is asked to note: the European Union (Performers’ Rights) (WPPT) (Brexit) (Bailiwick of Guernsey) Regulations, 2020; the European Union (Copyright) (Marrakesh Treaty) (Brexit) (Bailiwick of Guernsey) Regulations, 2020; the European Union (Patent Co-operation Treaty) (Brexit) (Bailiwick of Guernsey) Regulations, 2020; the European Union (Registered Designs) (Hague Agreement) (Brexit) (Bailiwick of Guernsey) Regulations, 2020; the Copyright (Bailiwick of
985 Guernsey) (Amendment) Ordinance, 2021; and the Copyright (Prescribed Libraries, Archives,

Museums and Galleries and Copying of Copyright Material) (Bailiwick of Guernsey) Regulations, 2021.

The President: Mr Jenkins.

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Mr Jenkins: Thank you, sir.

It was advised that these Regulations are for noting by the States of Alderney. They have already been approved by the States of Guernsey, as they are Bailiwick Regulations.

995 The Chief Executive advised that further information on Laws and Regulations can be found on the Legal Resources website.

The President: Thank you very much indeed.

Would anybody have any objections to these all being noted? Thank you very much indeed.

**IX. The European Union (Sea Fisheries, etc.) (Brexit) (Bailiwick of Guernsey)
(Amendment) (No.2) Regulations, 2021 –
Regulations noted**

Item IX.

The States of Alderney is asked to note “The European Union (Sea Fisheries, etc.) (Brexit) (Bailiwick of Guernsey) (Amendment) (No.2) Regulations, 2021.”

1000 **The Greffier:** They being duly noted, Item IX, the European Union (Sea Fisheries, etc.) (Brexit) (Bailiwick of Guernsey) (Amendment) (No.2) Regulations, 2021. The States of Alderney is asked to note the European Union (Sea Fisheries, etc.) (Brexit) (Bailiwick of Guernsey) (Amendment) (No.2) Regulations, 2021.

1005 **The President:** Does anybody have any objection to noting those?

Mr Snowdon: Not objection, but...

The President: Oh, you would like to speak?

1010 **Mr Snowdon:** If that is okay, sir.

The President: Yes, please do.

1015 **Mr Snowdon:** Sorry, I just wanted to brief on this one because the recent events that have happened with our local fishermen are totally unacceptable. To be having threats of harassment or action taken against our local fishermen for trying to earn a living and trying to put his fish into Cherbourg, it makes me concerned that this situation regarding fishing has not be handled in the right way. We did not vote for Brexit at all and then we are getting forced into this situation. But I do believe that the item has now been resolved, so a special thanks to Jonathan Le Tocq for resolving that issue.

1020 We do have these things that keep coming up to us and we are passing them, understandably, but I think there needs to be more listening on the ground with the situations and the authorities in France do need to take the appropriate action when needed to make sure that our fishermen can sell their stocks when required, and that is the Bailiwick fishermen and also Jersey. So I hope
1025 that is actually going to be resolved now because otherwise we could quite literally turn around and say, ‘Well, stop fishing in our waters as well, if you want to play that game.’ Hopefully that

will not be the way forward and everyone can work together, but I just wanted to highlight that on this Item here.

Thank you.

1030

The President: Mr Abel.

Mr Abel: Yes, I think just to clarify this particular set of Regulations. Sadly, the way that it has been described, as the European Union (Sea Fisheries, etc.) (Brexit) (Bailiwick of Guernsey) (Amendment) (No.2), this actually refers to – not so much to fishing in this case – a modification of regulations to be extended to the Police Force Guernsey Law and also to permit officers of the UK police force or the States of Jersey police force to exercise the powers of the Guernsey police officer to cross the Bailiwick, and these are really in place only until the end of March next year.

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So this one, even though the title predominantly says ‘sea fisheries’, is to do with authorising other police forces to assist and the support the Bailiwick police forces. I just wish to point that out. But Mr Snowden’s comments are valued.

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Thank you, Mr President.

The President: And I am sure noted.

X. Questions and Reports – No questions for verbal reply and one Report

Item X.

The following Report was delivered by Mr Carter: Environment Policy Objectives 2020-2025.

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The Greffier: Item X, Mr President, Questions and Reports. There being no questions received, the following Report from Environment Policy Objectives 2020-2025 was received from Mr Carter.

The President: Thank you; and I think there was a comment on this at the People’s Meeting, Mr Jenkins.

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Mr Jenkins: There was, Mr President.

Regarding the policy on renewable energy, it was commented that the States of Alderney would have to be the driving force on this to initiate change for our young people.

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The President: Thank you.
Mr Carter, your Report.

Mr Carter: Thank you.

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This is really just a Report tendered to remind the current States of the work undertaken in 2019-20 by a previous States and to reinforce our commitment to the Blue Island Charter, which underlies policy objectives relating to the environment that we share. I would hope also that it helps to frame the Island Plan in those areas as well.

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The Report is also brought to you at this juncture, perhaps just to remind you of the continuing issues with regard to climate change and obviously the continued issues raised by COP26. Key points are reducing carbon footprint, increasing recycling and policies on renewable energy but there are many others there, that again are overarching policy objectives which I think we need to pay due regard to as we develop the plans that we have going forward.

If you would like to consider that, I am happy to take questions.

Thank you.

1070 **The President:** Does anybody have anything for Mr Carter?
Mr Snowdon.

Mr Snowdon: Thank you.

1075 Thank you to Mr Carter for bringing this up and, I think, reminding the States. We probably needed a bit of a kick on this one. But could I just get some reassurances with number 5. What we will achieve where it says:

... including establishing and maintaining legal protections

1080 Obviously any new laws that will come in, we will make sure that public consultation takes place and input is taken from our community explaining what that new law might be and that we will listen to the community before implementing anything. I have had people contacting me about that number 5, so just a little bit of clarification that we are going to obviously listen before we implement bits and pieces. I think on the previous debates we did touch on that to achieve renewable energy is very important but it is not as simple as it may seem. So getting that balance right is important for our community and I am sure those discussions will hopefully take place next year when we know where we are moving with things.

1085 I just want to say thank you to Mr Carter for all his hard work on this and hopefully if we are getting all that Island Plan stuff together with a good direction for political input and also civil service direction. So thank you.

1090 **Mr Carter:** Just in reply, I, too, have had several conversations with members of the community about the contribution or how we went about maintaining any legal protection. I reassured people that for any form of legal protection there would have to be a very full consultation process, starting with people before you start putting to law anything. When I am referring back to a previous States perhaps the way that things were done in the past was not as effective as it could have been and it needs a very much more soft approach that will actually be effective with our community. You always do things *with* rather than *to*; I find that very effective.

1095 Thank you.

The President: Thank you.
Mr Gentle.

1100 **Mr Gentle:** Sir, colleagues, thank you; and thank you, Mr Carter.

1105 Islands are susceptible to the impacts of the climate crisis and sea levels are going to rise. Is it possible for you to give clarification that the States of Alderney, going forward, will recognise the threats posed by the climate crisis and how exactly we might adapt and thrive in the face of these challenges?

Mr Carter: Well, there is a question! I shall try and give some reassurance, but I am not God.
(*Laughter*)

1110 The effects of climate change are obviously the ideas of rising sea levels are I think in the vast majority of cases accepted scientifically. I do not think we on our own can do anything to stop that but what we can do, and I am very aware that several States Members and members of our community and members of the Island Innovation group, which is a worldwide group of people who are living on islands, many of them living on islands, many of them living on islands in the South Pacific who climate change does have immediate effects on, i.e. their island disappears, and certainly through group learning from those areas we can help at least try to look at what could be the implications to us. I do think when we look at any form of development on the Island, whether it be with regard to the harbour, with regard to Braye Bay, that we need to take these

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things into account in our thinking. It is worth those sorts of conversations with areas of the world where it does have a real impact as to what they do to mitigate some of those effects.

1120 I think it is pointless for us to certainly put our heads in the sand and say, 'Well, it does not affect us here.' It does. And I suppose what I would say, and the reason why I tabled this Report, it is a case of just reminding us that we are not immune from the effects of climate change.

So no, I cannot reassure you. But what I can do is say I think I will be that little voice at the back of committee saying, 'Have you thought about this?'

1125 Thank you.

The President: Ms Burgess.

Ms Burgess: Thank you, Mr President, fellow States Members; and thank you, Mr Carter.

1130 Just an interesting thing to add on to this subject is that next year Alderney is going to be hosting an interisland meeting and it is just to bring that into the fact that we are actually ... it is an ongoing conversation.

The President: Thank you very much indeed.

1135 Would anybody else ...? Mr Harris.

Mr Harris: Thank you, Mr President and fellow colleagues.

It is more of a comment than anything else, but it is mentioned here:

To move towards a complete ban on single-use plastic entering the Island and in particular the marine environment.

1140 I think we would all agree that our environment is our biggest asset, together with our community. We sat here a couple of years ago debating the use of single-use plastic bags and I have noticed that some of our larger retailers have now reverted back to using single-use plastic bags for the packing of vegetables etc. I am just raising awareness to my fellow colleagues that that rule that we implemented a few years ago is now being flouted or disregarded, and I think that is a shame, sir. I think we really need to put out a message, ... again, at some point in the future, that single-use plastic is not acceptable. We want to move away from that use and we want to move into the 21st century.

1145 Thank you.

The President: I think that is everybody who wanted to make a contribution.

President's report

1150 **The President:** I wonder if before we close the Meeting I might be permitted to make a very short President's report.

It has been, from my perspective ... I of course have the advantage of being able to observe the political process on a day-to-day basis and also observe the civil service delivery of the policies that are passed by the politicians, and I would like to extend my thanks, and I am sure the thanks of all the community, for the incredible work that the political body have carried out this year.

1155 It is very easy to get carried away with the COVID response but Government still has to go on and so those two responses have been a challenge to all of us. But I can say that our elected Members have discharged their roles, I have to say, admirably, as have the civil service. So I think as a Government we can be very pleased that we have served the community well over the last 12 months.

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I am not going to mention all the other myriad people who have contributed across the Island to help keeping us safe and delivering on Government. They know who they are. But I think I would just finally like to say a very Merry Christmas to you all and let us hope for a new year which perhaps allows us to look forward to the future with perhaps some certainty. Thank you.

1165 Would you like to close the Meeting, please, Mr Greffier.

PRAYERS

The Greffier

The Assembly adjourned at 4.04 p.m.