



OFFICIAL REPORT

OF THE

STATES OF THE

ISLAND OF ALDERNEY

HANSARD

The Court House, Alderney, Wednesday, 12th January 2022

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

Volume 10, No. 1

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

Billet d'État for Wednesday, 12th January 2022	4
Welcome to the Bailiff of Guernsey.....	4
I. Opening of the States of Alderney Annual Meeting.....	4
II. Election procedure – Approved.....	5
III. Election of Vice President – Mr McKinley elected.....	5
IV. Appointment of Auditors – Grant Thornton Limited (Channel Islands) appointed	6
V. Election of Committee Chairmen – Chairmen elected.....	7
1. Policy and Finance Committee – Mr Abel elected.....	7
2. General Services Committee – Mr Kelly elected	8
4. Building and Development Control Committee – Mr Gentle elected	8
VI. Election of Members of the Policy and Finance Committee – Ms Burgess, Mr Gentle, Mr Kelly, Mr Carter, Mr Harris, Mr Snowdon, Mr Roberts and Mr McKinley elected	9
VII. Election of Committee Members to other Committees – Members elected	9
1. General Services Committee – Ms Burgess, Mr Jenkins, Mr McKinley and Mr Roberts elected	10
2. Building and Development Control Committee – Mr Carter, Ms Burgess, Mr Snowdon, and Mr Harris elected.....	10

VIII. Election of Alderney Representatives to sit in the Guernsey States of Deliberation – Mr Snowdon and Mr Roberts elected as Representatives; Mr Gentle and Ms Burgess elected as Alternative Representatives.....	11
IX. Other appointments: Commonwealth Parliamentary Association – Mr Carter, Mr McKinley, and Ms Burgess appointed.....	12
X. Other appointments: St Anne’s School Management Committee – Mr Jenkins appointed	12
XI. Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 13) (Amendment) (No. 2) Regulations, 2021 – Item not annulled.....	13
XII. Separation, Maintenance and Affiliation Proceedings (Alderney) Law, 1964 Amendments – Approved	15
XIII. Questions and Reports – One report and no questions	17
<i>The Assembly adjourned at 3.22 p.m.</i>	22

States of Alderney

*The States met remotely at 2.30 p.m. in the presence of
Richard McMahon, Bailiff of Guernsey and
Acting Lieutenant-Governor of the Bailiwick of Guernsey*

[THE PRESIDENT *in the Chair*]

PRAYERS

The Greffier

ROLL CALL

The Greffier

Billet d'État for Wednesday, 12th January 2022

Welcome to the Bailiff of Guernsey

The President: May I firstly welcome, this afternoon, the Bailiff of Guernsey, who is attending in his role of Acting Lieutenant-Governor, pending the installation, on 15th February, of General Cripwell.

I. Opening of the States of Alderney Annual Meeting

5 **The President:** Secondly, as this is a remote meeting, and for the purpose of *Hansard*, I will just briefly give the statutory basis upon which this meeting is taking place.

We amended the Government of Alderney Law last year to include Emergency Procedures following the remote meetings that we held in 2020. Section 55A(2) of the Emergency Procedures provides:

The circumstances are that the President has made a determination, upon representations from the Civil Contingencies Authority, in the light of circumstances prevailing in Alderney in relation to Severe Acute Respiratory Syndrome Coronavirus 2 or another emergency, that it is appropriate for this Part to apply.

10 Subsection (3) goes on to say:

Before issuing a determination under subsection (2), the President must seek the advice of Her Majesty's Procureur in relation to the appropriateness and proportionality of such a determination in relation to the emergency in question.

I have recently received a request from the Civil Contingencies Authority to consider the implementation of section 55A in the light of present circumstances around the coronavirus. I have also taken advice from HM Procureur, who advises me that the application is both appropriate and proportionate to the circumstances in which we find ourselves. That being the case, I have made the determination that the provisions that are set out in the Emergency Procedures will apply. That is the basis on which this meeting is being held remotely.

Before I ask the Greffier to move to Item II, there is one other issue which arises from the Emergency Procedures. We do not have a People's Meeting, but, instead of that, members of the community are invited to write to a Member of the States of Alderney and provide any comments they might have on the content of the Billet. Section 55B(2) requires a Member of the States to report to this meeting and summarise the relevant comments, but having spoken to Mr Roberts, to whom those comments were invited, he has informed me that he has received no such comments on the Billet. That clarifies the position there.

I think, in those circumstances, Mr Greffier, we can now move to Item II on the Billet.

II. Election procedure – Approved

Item II.

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

The Greffier: Thank you, Mr President.

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

The President: Thank you.

I would like to thank Mr Abel for providing me with a list of all the relevant Members who would propose to be on each Committee, which I think will simplify matters considerably.

In relation to Item II, I understand, Mr Abel, that you are proposing this, it is to be seconded by Mr Carter, and the view of your members is that the voting should take place verbally.

Mr Abel: That is correct, Mr President. Hence, I propose that we proceed on that basis.

The President: Unless anybody has a further comment, I think that resolution will pass.

The Greffier: That is, then, passed, Mr President.

III. Election of Vice President – Mr McKinley elected

Item III.

The States of Alderney is asked to elect a Vice President for 2022.

The Greffier: The next matter on the Billet is Item III, the election of a Vice President. The States of Alderney is asked to elect a Vice President for 2022.

45 **The President:** Again, I have had very helpful notification in advance that, Mr Roberts, you would like to propose Mr McKinley, and, Mr Gentle, you would like to second that Proposition.

Mr Roberts: That is correct, sir. I would like to propose Mr McKinley to be Vice President.

50 **The President:** Mr Gentle.

Mr Gentle: Mr President, I am more than happy to second Mr McKinley for the role of Vice President.

55 **The President:** And are you happy to offer yourself forward, Mr McKinley?

Mr McKinley: Indeed, I am, sir.

The President: Are there any other nominations?

60 In those circumstances, for the second year running, Mr McKinley, you will be the Vice President. Congratulations.

Mr McKinley: Thank you very much, sir.

65 May I just say a couple of words to thank my proposer and seconder, Mr Steve Roberts and Mr Kevin Gentle, and to thank everybody else also?

Last year, there was not really very much for a Vice President to do, but I think perhaps this year, with the celebration of Her Majesty's 70th Coronation, there will be quite a lot to do. On 2nd June, for four days, we will be having a holiday, so perhaps I will be able to help you, sir, on that occasion.

70 Coincidentally, 2nd June happens also to be my birthday. It happens also, I believe, to be the birthday of Mr Steve Roberts, so there will be three celebrations on that day. I thank everybody for voting for me.

Thank you, sir.

75 **The President:** Certainly we will look forward to that.

IV. Appointment of Auditors – Grant Thornton Limited (Channel Islands) appointed

Item IV.

The States of Alderney is asked to appoint Grant Thornton Limited (Channel Islands) to be the States' Auditors for 2022.

The President: Item IV, please, Mr Greffier.

The Greffier: Item IV is the appointment of auditors.

80 The States of Alderney is asked to appoint Grant Thompson Limited (Channel Islands) to be the States' Auditors for 2022.

Mr Abel: Correction, Mr President: Grant Thornton.

The President: Yes, Grant Thornton Limited (Channel Islands). (**Mr Abel:** Correct.)
I understand that that will be proposed by Mr Snowdon and seconded by Ms Burgess. Is that
85 correct?

Mr Snowdon: That is correct, sir, yes. Thank you.

Ms Burgess: That is correct, yes.
90

The President: Unless anybody else has anything to contribute on that Item, we can say,
Mr Greffier, that that one is also approved.

The Greffier: It has been recorded as approved, Mr President.

V. Election of Committee Chairmen – Chairmen elected

Item V.

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

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

95 **The Greffier:** Item V is next: the appointment of Committee Chairmen.

The States of Alderney is asked to elect the Chairmen of the following Committees: Policy and
Finance Committee, General Services Committee and Building and Development Control
Committee.

1. Policy and Finance Committee – Mr Abel elected

100 **The Greffier:** Perhaps we could take item 1 first, Mr President.

The President: Thank you very much indeed.
I understand, Mr Kelly and Mr Snowdon, that you would like to propose and second Mr Abel.

105 **Mr Kelly:** It is my pleasure and privilege to propose Mr Abel as Chair of P&F, sir.

The President: Thank you very much indeed.
Are there any other nominations?

110 **Mr Snowdon:** Just to say that is seconded, sir. I am very happy to second Mr Abel as Chairman
of P&F.
Thank you.

The President: Thank you very much indeed, Mr Snowdon.
115 Any other ...? That being the case, Mr Abel, welcome to the chair of Policy and Finance for a
second year.

Mr Abel: Thank you, Mr President.

120 If I may say a couple of words – I would just like to thank everybody for the support I have had during this last year. It has not been an easy year with regard to COVID and various other challenges on the Island, and certainly we are still faced with a number of difficulties in this coming year, for which I am sure I will have the support of the P&F members, as I have this last year.

Many thanks to Mr Kelly and Mr Snowdon for proposing and seconding me.
Thank you, Mr President.

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

2. General Services Committee – Mr Kelly elected

The President: Now we move to General Services.

Ms Burgess, I think you would like to put forward Mr Kelly for that role; and, Mr Gentle, you would like to second that.

130 **Ms Burgess:** Yes, thank you. I would be very pleased to nominate Mr Kelly as Chair of General Services Committee.

Mr Gentle: Yes, thank you, sir, delighted to second Mr Kelly for General Services.

135 **The President:** Are there any other nominations?

Mr Kelly, you have your second year as Chair of the General Services Committee.

140 **Mr Kelly:** Thank you, sir, and thank you to both my proposer and seconder. Also, thank you to all the members of the General Services Committee who have supported me in my role for the last 12 months. Thank you very much indeed.

The President: Thank you.

4. Building and Development Control Committee – Mr Gentle elected

145 **The President:** Now we come to the Building and Development Control Committee. Mr Harris, I believe that you would like to propose Mr Gentle, and, Ms Burgess, you would like to second that nomination.

150 **Mr Gentle:** Thank you, sir. Very happy to propose Mr Gentle for the chairmanship of the Building and Development Control Committee.

Ms Burgess: And I am very pleased to second him. Thank you.

The President: Thank you.

Are there any other nominations?

155 Mr Gentle, you will be the Chair of BDCC for another year.

Mr Gentle: Thank you very much, sir, and, in the same vein as the two previous Chairmen, thank you to my proposer and seconder, Committee members and everybody else.

Thank you.

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

Item VI

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

160 **The Greffier:** Item VI, Mr President, is the appointment of Members of the Policy and Finance Committee.

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

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

Mr Abel, I understand that you wish to propose eight Members for the Policy and Finance Committee and they will be the same membership as last year with the exception of Mr Jenkins. Is that correct?

170 **Mr Abel:** That is correct, Mr President.

For the record, the Members being proposed are Ms Burgess, Mr Gentle, Mr Kelly, Mr Carter, Mr Harris, Mr Snowdon, Mr Roberts and Mr McKinley.

Thank you, Mr President.

175 **The President:** Thank you.

I believe, Mr Jenkins, that you would like to second those proposals.

Mr Jenkins: Yes, more than happy to second them, sir. Thank you.

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

I do not think there will be any other observations. That being the case, that will be the membership of the Policy and Finance Committee.

The Greffier: That is marked as passed, Mr President.

**VII. Election of Committee Members to other Committees –
Members elected**

Item VII.

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

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

185 **The Greffier:** We move to Item VII, the appointment of Committee Members of other Committees.

The States of Alderney is asked to elect the members of the following Committees, in addition to the Chairmen: a minimum of two Members for the General Services Committee and a minimum of two Members to the Building and Development Control Committee.

**1. General Services Committee –
Ms Burgess, Mr Jenkins, Mr McKinley and Mr Roberts elected**

190 **The Greffier:** Mr President, with your permission, we will start with number 1, a minimum of two Members to the General Services Committee.

The President: Thank you very much indeed.

195 Mr Kelly, I understand that you would like to propose Ms Burgess, Mr Jenkins, Mr McKinley and Mr Roberts.

Mr Kelly: That is correct, sir, the previous members of last year's Committee, absolutely.

200 **The President:** Thank you very much indeed.
I think, Mr Abel, you are going to second that.

Mr Abel: That is correct. I would second those appointments, Mr President, thank you.

205 **The President:** Thank you.

Does anybody else wish to offer themselves for membership of the General Services Committee? That being the case, the Members I have just read out will be duly elected to the General Services Committee.

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

210 **The Greffier:** Number 2 of Item VII, two Members to the Building and Development Control Committee.

The President: Mr Gentle, I understand that you would like to propose Mr Carter, Ms Burgess, Mr Snowdon and Mr Harris.

215 **Mr Gentle:** Yes, please, sir. Thank you.

The President: And again, Mr Abel, you are happy to second those nominations?

Mr Abel: I am happy to second those nominations, Mr President, thank you.

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

Are there any other nominations for the Building and Development Control Committee? That being the case, those Members are duly elected.

The Greffier: And marked as such, Mr President.

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

Item VIII.

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

- (a) To elect two Members to sit in the Guernsey States of Deliberation for 2022, and*
- (b) To elect two other Members to sit in the Guernsey States of Deliberation as Alternative Representatives for 2022.*

225 **The Greffier:** The next Item is Item VIII, the election of Alderney Representatives to sit in the Guernsey States of Deliberation.

Following the procedure as laid out in the Resolution of the States of Alderney dated 18th October 2006 and the Plebiscite election of 12th December 2020, the States of Alderney is asked to elect two Members to sit in the States of Deliberation for 2022, and to elect two other
230 Members to sit in the States of Deliberation as Alternative Representatives for 2022.

Could we start with the matter listed as action (a), to elect two Members to sit in the Guernsey States of Deliberation for this year?

235 **The President:** I think, Mr Carter, you would like to propose Mr Snowdon and Mr Roberts, and that would be seconded by Mr Abel.

Mr Carter: That is correct, sir.

240 **Mr Abel:** That is correct. Thank you.

The President: Thank you very much indeed.

Are there any other nominations? That being the case, Mr Snowdon and Mr Roberts, you will be the Representatives in the States of Deliberation for the next year.

245 **Mr Snowdon:** Thank you, sir.

The Greffier: That takes us to part (b) of Item VIII, Mr President, to elect two other Members to the Guernsey States of Deliberation as Alternative Representatives for this year.

250 **The President:** Thank you.

Again, Mr Carter, you would like to propose Mr Gentle and Ms Burgess; and, Mr Abel, you would like to second that.

255 **Mr Carter:** That is correct, sir.

Mr Abel: That is correct, sir. Thank you.

The President: Thank you.

Any other nominations for the alternates? Mr Gentle and Ms Burgess are duly appointed.

260 **The Greffier:** Marked as such, Mr President.

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

Item IX.

The States of Alderney is asked to elect three Members to sit on the Management Committee in the affairs of the Alderney Branch of the Commonwealth Parliamentary Association (the President being Ex-officio Chairman) for 2022.

The Greffier: Item IX, other appointments: Commonwealth Parliamentary Association.

265 The States of Alderney is asked to elect three Members to sit on the Management Committee in the affairs of the Alderney Branch of the Commonwealth Parliamentary Association, the President being Ex-officio Chairman, for 2022.

The President: Thank you very much indeed.

270 Mr Gentle, I think you would wish to propose Mr Carter, Ms Burgess and Mr McKinley; and, Mr Harris, you would like to second those nominations.

Mr Gentle: Yes, please, sir. Thank you.

Mr Carter: Thank you, sir. Happy to second.

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

Does anybody else wish to put themselves forward? Are there any other nominations? No. That being the case, the aforementioned are appointed to the Commonwealth Parliamentary Association.

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

Item X.

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

280 **The Greffier:** Item X on the Billet, Mr President, is other appointments: St Anne's School Management Committee.

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

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

Mr Snowdon, you would like to propose Mr Jenkins to continue in that role; and Mr Gentle, I think you would second that.

Mr Snowdon: Yes, delighted to propose Mr Jenkins, sir.

290 **Mr Gentle:** Very happy to second Mr Jenkins. Thank you.

The President: Thank you very much indeed.

Are there any other nominations for that role?

295 Mr Jenkins, the role is yours for the second year.

Mr Jenkins: Thank you, sir.

The President: I think, Mr Greffier, that completes the election of Committees for this year.

300

The Greffier: It does, Mr President. Thank you.

**XI. Emergency Powers (Coronavirus) (General Provision)
(Bailiwick of Guernsey) (No. 13) (Amendment) (No. 2) Regulations, 2021 –
Item not annulled**

The States of Alderney is asked not to annul the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 13) (Amendment) (No. 2) Regulations, 2021.

The Greffier: The next Item on the Billet is Item XI: Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 13) (Amendment) (No. 2) Regulations, 2021.

305 The States of Alderney is asked not to annul the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 13) (Amendment) (No. 2) Regulations, 2021.

This is proposed by Mr Abel. It is seconded by Mr Snowdon.

The President: Mr Abel.

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

With regard to Item XI, these Regulations are a second amendment to the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 13) Regulations, 2021, the details of which are provided in the supporting documentation to this and the December Billet.

315 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 and the disease caused thereby, COVID-19, which was made a notifiable disease for the purposes of the Public Health Ordinance, 1936 on 10th February 2020.

320 These Regulations extend the requirement to wear face coverings to cinemas, theatres, concert venues and places of worship, with exemptions for people in those places while singing, playing musical instruments, giving a reading, preaching or otherwise performing, other than as a member of the audience or the congregation. They also make an offence of failing to comply with a requirement to wear a face covering, punishable on conviction by a level 2 fine, in addition to
325 being a fixed penalty notice offence.

Mr President, the States of Alderney are asked not to annul the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 13) (Amendment) (No. 2) Regulations, 2021.

Thank you.

330

The President: Thank you very much indeed.

Have you anything to add, Mr Snowdon?

335 **Mr Snowdon:** Nothing to add, sir, but can I reserve my right to speak? Nothing to add at the moment, but happy to second.
Thank you.

The President: Yes, of course you can.
Does any other Member wish to make a contribution to this Item?
340 That just leaves you, Mr Snowdon.

Mr Snowdon: I think Mr Roberts had his hand up.

The President: Mr Roberts, yes.
345

Mr Roberts: Yes, sir, sorry, I did not quite get there.
I would like to thank the CCA, and the President indeed, for all the work they have done in the past couple of years. It has been an *awful* time for everybody and it has frightened a lot of people on Alderney. I think you have done a fantastic job, absolutely fantastic, so please do not take anything I say as a criticism.
350

I just think that Alderney could perhaps have a bespoke ruling, we can differ our ruling from Guernsey. I think, with us being a smaller community, we are perhaps better placed to keep our numbers lower. For instance, in the same household, if somebody tests positive and yet another three people in that household test negative, those people are actually allowed out into the community. They could carry COVID out to our elderly and out to the shops and spread it even further. I know we have to keep the economy going and we have to keep our Airport and our essential workers going, but you could give a dispensation for those workers at the Airport, the Ambulance Service and everywhere else it should be applied. In everyday use that should be applied, unless you have an exemption.
355

I do not agree with that ruling, where someone in the household has COVID but other people can go out into the community if they test negative. I do not agree with it. That is just one of the tweaks that we could have made, to give dispensation to essential workers and agree the difference of an essential worker. That is all I would like to say.
360

I would really like to thank Mr Abel, the President and the CCA for all the work they have done. It has been absolutely fantastic – that is just the one little niggling thing that I have about this business.
365
Thank you very much, sir.

The President: Thank you very much indeed, Mr Roberts.
370 Anybody else wish to speak on this Item?
Mr Abel, would you like to exercise your right of reply?

Mr Abel: Yes, I think so, Mr President, if I may.
I note Mr Roberts' comments and I understand them fully. I think, if we look back over the last year, there have been some particular regulations passed in regard to Alderney alone, particularly on the travel side. This particular item on isolation has been raised with the CCA and discussed, and I will take it up yet again in the coming weeks as possibly the isolation rules are reviewed going forward.
375
Thank you.

The President: Thank you very much indeed.
380 I think, in the light of Mr Roberts' comments, we will take a vote on this one, please, Mr Greffier.

A vote was taken and the results were as follows:

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

The Greffier: Unanimously carried, Mr President.

385 Thank you.

The President: Thank you.

**XII. Separation, Maintenance and Affiliation Proceedings
(Alderney) Law, 1964 Amendments –
Approved**

Item XII.

The States of Alderney is asked to decide whether after consideration of the Policy Letter entitled 'Separation, Maintenance and Affiliation Proceedings (Alderney) Law, 1964, Amendments' dated 17th December 2021, they are of the opinion to:-

- i. Direct the preparation of such legislation to give effect to the required amendments to the Separation, Maintenance and Affiliation Proceedings (Alderney) Law, 1964, to align with the matrimonial causes reforms; and*
- ii. note that the amendments to the Separation, Maintenance and Affiliation Proceedings (Alderney) Law, 1964 will be set out in a supplementary Policy Letter to the Matrimonial Causes Projet.*

The President: Now, on to Item XII, please.

390 **The Greffier:** Item XII is the Separation, Maintenance and Affiliation Proceedings (Alderney) Law, 1964 Amendments.

395 The States of Alderney is asked to decide whether after consideration of the Policy Letter entitled Separation, Maintenance and Affiliation Proceedings (Alderney) Law, 1964, Amendments dated 17th December 2021, they are of the opinion to direct the preparation of such legislation to give effect to the required amendments to the Separation, Maintenance and Affiliation Proceedings (Alderney) Law, 1964, to align with the matrimonial causes reforms; and to note that the amendments to the Separation, Maintenance and Affiliation Proceedings (Alderney) Law, 1964 will be set out in a supplementary Policy Letter to the Matrimonial Causes Projet.

This is proposed by Mr Abel and seconded by Mr Gentle.

400

The President: Thank you very much indeed.

Mr Abel, you were kind enough to draw to my attention a typographical error in the proposed resolution, which gives the date as 17th December but you have informed me that the date actually should be 6th December. Is that correct?

405 **Mr Abel:** That is correct, Mr President.

If you look at the fact that we agreed in P&F to this proposal on 16th, it does not make sense that we only had the letter on the 17th. Hence, checking back on the P&F pack, the document actually is dated 6th December.

410 **The President:** Thank you.

As this is not materially going to alter the nature of the resolution, I am happy that that amendment, Mr Greffier, can be made at this stage.

415 **The Greffier:** There are no adverse comments, Mr President, so I think the matter can be amended on the Billet.

The President: Thank you very much indeed.

Mr Abel, you are going to propose this one.

420 **Mr Abel:** Yes, Mr President, sir and colleagues.

In February 2020 the States of Deliberation agreed to repeal and replace the Matrimonial Causes (Guernsey) Law, 1939. The new Matrimonial Causes Law will be Bailiwick-wide legislation, to ensure consistency and clarity across the Islands in relation to divorce and other matrimonial proceedings.

425 It was noted within that Policy Letter to the States of Deliberation that consequential amendments will need to be made to the Separation, Maintenance and Affiliation Proceedings (Alderney) Law, 1964 to ensure that it aligns with the approved reforms to the Matrimonial Causes Law.

430 The Matrimonial Causes Law reforms aim to ensure that the Law is inclusive and reflective of a modern society and to simplify the legislation so as to reduce conflict. The main reforms agreed by the States of Deliberation in 2020 include: firstly, moving to no fault divorce by removing the fault grounds; secondly, removal of the ability to contest a divorce; thirdly, removal of the requirement for the court to consider reconciliation; and fourthly, simplifying the procedure to allow couples to process divorces themselves, where possible.

435 It is intended that the legislation to meet these changes will be approved by the end of 2022 at the latest, for implementation in 2023. Accordingly, the drafting priority assigned to this legislation is high and an initial draft of the legislation is nearing completion. The consequential amendments to the Domestic Proceedings Law are equally being addressed.

440 The Separation, Maintenance and Affiliation Proceedings (Alderney) Law, 1964 enables a party to a marriage to apply for a separation order and financial provision based on the behaviour of the other party. The basis on which applications are heard depends on the fault grounds that need to be established before an application can be granted.

445 To align the Law with the Matrimonial Causes Law reforms, the Law Officers have advised that the main sections of the Law that are likely to require amendment are in Part II relating to separation and maintenance proceedings. The Billet provides the details of the amendments to section 2, grounds of application; section 3, orders for financial provision and separation; section 4, matters to which the court is to have regard; and section 7, orders where parties are living apart by agreement.

450 It is possible that further amendments to the Law will be identified during the drafting stage to align to the other legislative changes being drafted, in addition to those proposed above. It is not expected that these will be substantive in nature. Should that not be the case, then the Committee will advise accordingly.

The Policy & Finance Committee agreed the proposed amendments at its meeting on 16th December.

455 Mr President, the States of Alderney, after consideration of the Policy Letter entitled
Separation, Maintenance and Affiliation Proceedings (Alderney) Law, 1964 Amendments dated
6th December 2021, is asked to agree, firstly, to direct the preparation of such legislation to give
effect to the required amendments to the Separation, Maintenance and Affiliation Proceedings
(Alderney) Law, 1964, to align with the matrimonial causes reforms; and secondly, to note that
460 the amendments to the Separation, Maintenance and Affiliation Proceedings (Alderney) Law,
1964 will be set out in a supplementary Policy Letter to the Matrimonial Causes Projet.

Thank you, Mr President.

The President: Thank you very much indeed.

465 Mr Gentle, do you have anything to add?

Mr Gentle: Mr President, sir, colleagues, I think Mr Abel has managed to say everything I have
written down in front of me. This is to be seen as a necessary good step, sir, and I encourage all
Members to support this.

470 Thank you.

The President: Thank you very much indeed.

Would any Member like to speak on this Item?

475 **The Greffier:** Mr Snowdon has his hand raised, Mr President.

The President: Please, Mr Snowdon, go ahead.

Mr Snowdon: Thank you, sir.

480 Just to be brief, I think this is an important step forward and I think the reforms are actually
well overdue. If anything, it should, hopefully, avoid the high cost of lawyers when people are
getting divorced and actually streamline the process, so I think this should be very much supported
and I hope there will be further engagement with P&F and Guernsey over the matter moving
forward, but I think it is a step in the right direction, and I just wanted to add that briefly.

485 Thank you.

The President: Thank you very much indeed.

Does anybody else wish to speak on this Item? No.

I suspect, Mr Abel, you do not want to say anything else?

490

Mr Abel: No, Mr President. I think I have covered it reasonably well in the presentation.

Thank you.

The President: Thank you very much indeed.

495 In those circumstances, both of those are approved, Mr Greffier.

The Greffier: Thank you, Mr President. Both matters are marked as approved.

XIII. Questions and Reports – One report and no questions

Item XIII.

The following Report was delivered by Mr Carter: Strategic Island Plan.

The Greffier: Item XIII, Mr President, is Questions and Reports.

500 **The President:** I think you have a report from Mr Carter.

The Greffier: There is a report entitled 'Strategic Island Plan' that was received from Mr Carter and was attached to the Billet.

505 **The President:** Thank you very much indeed.
Mr Carter, you will no doubt wish to deal with this matter.

Mr Carter: Thank you very much, Mr President.

510 This is a product of the Island Plan Development Group and is the product of a year's work to date, which outlines six areas of endeavour with various particular actions under each – those six areas being: guidance with regard to the development of the economy in the Island; energy policies; accessibility and connectivity; community developments; natural and manmade environment; and governance – and provides high-level guidance to where the Island could be going. It is not, in any shape or form, directive; it is there for guidance, so that we, when moving
515 forward as an Island, do not get so distracted at times that we lose the direction of travel that we really want to move in.

It is simply a guidance document, which is a dynamic document, one which can be amended. I would view it as one that will look a very different document in perhaps two or three years' time, simply because circumstances change and the action plans underneath it move the document in
520 different directions.

I would commend this as a guidance document to the States as one that will be returned to on a six-monthly basis, so that there is some momentum and reporting, and perhaps, dare I say it, some accountability as to the direction that we are moving in as an Island. That, I think, is as briefly
525 as I want to say. It is the product of several meetings of the Island Plan Group, but also a workshop of the entire P&F Committee. Civil servants have also had input into this, coupled with Islandwide consultation, with over 500 replies with regard to the input to this plan, so it is not without, I think, some weight in terms of the direction that is being set. I commend it to you.

The President: Thank you very much indeed, Mr Carter.
530 Might I just remind Members of Rule 19.3:

any member may offer a personal opinion on the report and may ask a question relating to the content of that report.

Would anybody care to make a contribution?

The Greffier: Mr Abel has his hand raised, Mr President.

535 **The President:** Mr Abel.

Mr Abel: Yes, Mr President, thank you.

540 A personal comment, if I can. I would like to thank Mr Carter and the group that put this together for the hard work done. It is a comprehensive document and has been widely consulted and discussed.

Mr Carter highlighted the fact that this needs to be reviewed on a six-monthly basis, but I would like to highlight to all Committee Chairs and members that really they have to adopt their sections of the six areas that have been tabled by Mr Carter and his group. Again, my thanks to Mr Carter.

545 Thank you, Mr President. No question.

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

Mr Snowdon: Thank you, sir.

550 Firstly, thank you to Mr Carter. It has been a lot of work putting this together, and thank you to all the Members who have taken part, including the civil service. I just want to go over a few bits and pieces, if that is okay.

It was interesting that housing and, I believe, renewable energies seemed to be at the top, from the public consultation. It really surprised me that transport was not at the top. Transport normally is always at the top, especially air links, but also the importance of sea links, so I would
555 just like clarification that ... Obviously transport was high, but not being on top is a little bit concerning regarding the public consultation, and I will come on to that a little bit more.

You have 500 replies, but then in the older parts of our community ... How much engagement has there been from the whole community of the Island? I am not very keen on this Survey Monkey thing, but everyone seems to be using Survey Monkey, which is very good if you can go online and use it, but how many people who have not got access to the Survey Monkey questionnaire have actually input into this? I filled it in once, I think there might have been one question, but do we have the data on how many people on Island have done it and how many people who are associated with the Island or have an interest in the Island have completed it?
560

I do like the report and it is good that it has highlighted the financial challenges that we need to work towards with economic development exploring new revenue streams, so I think we have to take that forward and look at new areas, but touching on – and I think I brought this up in a different debate a few months ago – regarding renewable energies, it is a really tricky one and it is a sort of a complex I will touch on a little bit more. We obviously have the natural beauty of the Island, which is absolutely outstanding and wonderful, which we do not want to damage. However, we have this Island strategy plan now highlighting the importance of renewables, which are absolutely important. Where is that balance? And how do we get that right regarding renewable energy? So if you propose a wind turbine on the Island would that conflict with the environmental policies of natural beauty? That is a conversation that I think needs to be had with the community and with the Energy Group.
565
570

Also, moving to renewable energies which we do need to try and do, and I think there are bigger steps, hopefully, for the Channel Islands, but in the shorter term there is potentially an increase on the cost of electric if we do want to move to renewable energies with a higher cost. So, I think we have to look at the whole strategy. This strategy regarding renewable energies also needs to start connecting into what Guernsey is up to and what Jersey is up to, in my opinion, and hopefully those initial conversations are already taking place.
575
580

It does also highlight the areas where we do not have responsibility but we have, potentially, influence regarding the longer runway, which I believe ... and I hope Mr Carter can correct me, but there are over 80 response in support of a longer runway from those 500 replies we have had, which is heartening but I think it gives the responsibility to P&F. Obviously we do not have responsibility for our longer runway under the 1948 Agreement, if that is going ahead at the Airport, and therefore it should really be for P&R and STSB to take forward. However, the States of Alderney and the community need to be involved in the process, if that is what we are moving towards. So, I think a little bit of clarification about what is happening with those two areas and how this plan interlinks with Guernsey's with the 1948 Agreement for transferred services I think it is absolutely essential that we are on the same page as Guernsey relating to those different items.
585
590

And then, if we take it a step further, I was looking at the contents and the action areas towards the back of the document. You have quite a lot of different areas, and when you add it all together you are looking at tens of millions of pounds' worth of investment which we do have to try and sort out and work forward, whether that be Guernsey's responsibility or the States of Alderney's
595

responsibility. On a small scale you have your pontoon in there. On a slightly larger scale, a sports hall and swimming pool.

600 That leads me on to the conversation that I think we need to start having, and we are having, regarding our civil service and the resources of the civil service to implement all of this. This document almost feels like a starting point for a lot more detailed documentation about how you actually address these items, outlining that you have got civil service support prioritising those different areas and also the cost element of those resources and then how you are going to implement it. That is really going on a little bit of what Guernsey have done with the Government
605 Work Plan. We need to take it a step further and actually see how we can start implementing all of that.

Regarding housing issues, you have quite a lot of housing in the key areas, but for me – and I think I made this quite publicly known as well – it feels like we are going around quite a lot with the housing situation, and actually we have the whole Land Use Plan, that we have already paid
610 for, which is up for review soon. We should actually start looking at what has happened in the past and what we need to take forward. You have Whitegates sitting there, which is social housing policy in the Land Use Plan – we should get on with doing that, actually implementing those sorts of things.

Regarding governance, which I know is in the document as well, as one of the action points, I think there needs to be more clarification because from what I have seen already, I am still not
615 quite sure – although I actually did vote for it – of the executive government. I feel a little bit uncomfortable with what is being proposed for the executive government.

I think this document is a good start but I think there probably needs to be a further document which breaks it down into how you actually implement these, how you have the costings involved,
620 how you have the resources involved and what mirrors or needs to work with the States of Guernsey or, with other stuff, renewable energy to the Channel Islands as a whole, and how you take that forward.

I think in one way it is a start, and I do thank Mr Carter for all the hard work, and everyone involved, but I think if we want to take things a lot further forward there is actually a lot more
625 involvement and work that we need to do regarding all of this.

Those are the comments I would like to make at the moment. Obviously, although we have had the 500 Survey Monkey responses – or whatever you call it – it did not go to the People’s Meeting because we did not have a People’s Meeting, so I think maybe further engagement and further workshops about how we take this forward, actually using some of our community, which
630 we are using on our different working groups and action groups, a bit more connection with the community and how we actually address it and looking at different areas.

But for me, I think it feels like a start – and I do thank Mr Carter because obviously we have not had to get a consultant in, at £30,000 or £50,000, to do this; Mr Carter and Members have done this with a bit of help from the Civil Service – but I just think that we need to try and move forward
635 and actually put a bit more meat on the bones.

Thank you very much to Mr Carter. I am not trying to criticise, but I hope it was useful feedback for colleagues. Thank you.

The President: Mr Carter, would you like to respond to that?
640

Mr Carter: Yes.

On consultation, Barbara Bedingfield very kindly worked with several of those members of the community who do not have access to the internet, to get feedback there, but as with all feedback, one can only talk to the people who want to feed back.
645

I do not have data for those who are on Island and those who may be off Island.

I think Mr Snowden has identified quite precisely what a strategic plan is: it is a start point, and underneath each of those areas will need to be development of an action plan with all of those

650 issues that he has raised, i.e. how you interact with Guernsey with regard to specific areas that
are dependent upon their input, how you cost those particular issues, and how you actually align
your civil servants to enable you to undertake the work itself.

I certainly make no claim that this is a plan where tomorrow you would actually be able to go
ahead and do these things, because the very nature of a strategic plan for an Island or for a large
organisation is that it is interconnected and you cannot usually do one thing in isolation because
always there is a knock-on effect on the others. So, I take on board precisely what Mr Snowdon
655 has said, because he has identified what a strategic plan is; and yes, underneath each of those
items will have to be derived – and that is where the hard work comes – a specific plan to make
the things happen.

I think that is probably as much as I can say because the specific areas will be undertaken by
the Housing Group, by the Good Governance Group and by the Energy Group, and it would not be
660 for me, at this point, to actually make any judgement about how they would want to take those
areas forward.

So, that would be my answer. I hope, Mr Snowdon, that helps. It is, as I said initially, a living
document that does need a lot more flesh on the bones and it is very definitely just the bones that
are here.

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

I notice Mr Roberts would like to make a contribution – unless there is anybody who has
indicated before Mr Roberts, Mr Greffier?

670 **The Greffier:** Ms Burgess did raise her hand, then it went down again. She raised it at about
the same time as Mr Snowdon, so if Ms Burgess wishes to speak, she was next in the queue, as it
were.

675 **The President:** Ms Burgess?

Ms Burgess: Thank you very much.

I did raise my hand because, as part of the group that was looking into the Island Plan I wanted
to actually voice my thanks to Mr Carter for his lead and his hard work on this.

680 Listening to Mr Snowdon's points, I just really want to support what Mr Carter said in reply,
and that was, of course, that it is a strategic plan and it is a starting point. It just highlights the
areas that we have to work on and expand on, and that is why we do have working groups, as
again Mr Carter has highlighted, looking at housing, good governance and energy.

I was more in the position of wanting to thank Mr Carter for his work, rather than making any
points or questions.

685 Thank you.

The President: Thank you very much indeed.
Mr Roberts.

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

Really, a lot of it has been said by Mr Snowdon, what I have written down here. I think the
number-one thing on the Island Plan should be connectivity. That is the most important thing. I
have been on about it for nine, nearly 10 years. Connectivity to this Island is the key thing to our
progress, absolutely. We have suffered over the years. It got a little bit better, but we are still
695 down to two aircraft, and it is things like this where we have to put the pressure button on. That
is my number one and I think it should be the number-one priority of this Island.

The second thing is the environment. I agree with Mr Carter, he has done some very good work
on the environment and I look forward to the furtherance of this. But I hope it will include

700 protection for local landowners and protection for their rights of way to get to their particular
parts of land, because I think it is *very* important that we do not ignore those customs that we
have had for so many hundreds and hundreds of years.

That is about all I can say. I would like to see improvement down at the harbour.

705 I would like to thank Mr Carter because I think he has done an incredibly large amount of work,
with the help of the civil service, of course.

Those are my comments. Mr Snowdon actually kicked the stool from under my feet on one or
two subjects – I agree with him totally. Thank you very much indeed.

The President: Thank you, Mr Roberts.

710 Does anybody else wish to make a contribution to this Item?

The Greffier: I can see no hands raised, Mr President.

The President: That concludes our business for this afternoon.

Mr Greffier, would you care to close the meeting, please?

PRAYERS

The Greffier

The Assembly adjourned at 3.22 p.m.