



## DELIBERATIONS OF 20-06-2008

**Date: 20th June, 2008**

DELIBERATIONS OF THE MEETING HELD ON WEDNESDAY 20TH JUNE AT 17:30 HOURS

Present:

Sir Norman Browse

Mr R Cox

Mr B Pengilley

Mrs L Maurice

Mr R Willmott

Miss B Benfield

Mr B Walden

Mr C Williams

Mr I Tugby

Mrs E Bennett

Reverend A Mignot represented His Excellency The Lieutenant-Governor of the Bailiwick of Guernsey.

### Item I Chairman of Building and Development Control Committee

The States resolved that the subsequent election be by an open vote.

The following names were put forward for Chairman of the Building and Development Control Committee:

Miss Barbara Benfield (proposed By Mr Williams and seconded by Mr Tugby.)

Mrs Lin Maurice (proposed by Mr Pengilley and seconded by Mr Cox.)

Following an open vote, Miss Barbara Benfield was elected Chairman of the Building and Development Control Committee.

(For Miss Benfield: Messrs Willmott, Walden, Williams, Tugby, Mrs Bennett and Miss Benfield.)

### Item II Building and Development Control Law

The following amendment to The Building and Development Control (Alderney) (Amendment) Ordinance, 2007 was proposed by Mr Pengilley and seconded by Mr Tugby.

"Section (14) in section 33(1)(a) 16 years in any 20 year period.

Except for those people who have already purchased building land whose names are registered in the Planning Office as at the commencement of this ordinance, be exempt from the proposed 16 years in any 20 year period and be allowed when appropriate to be granted a "C" permit under the present qualifying period of 10 years in any 15 years.

(Amendment failed. For the amendment Messrs Cox, Pengilley, Tugby and Mrs Maurice Against the amendment Messrs Willmott, Walden, Williams, Mrs Bennett and Miss Benfield )

The original proposition was then voted on.

The States resolved to approve of " The Building and Development Control (Alderney) (Amendment) Ordinance, 2007".

(Proposed by Miss Benfield and seconded by Mr Willmott.)

(Approved by a majority. All in favour except Mr Pengilley who voted against.)

18:45 Mrs Maurice left the meeting

## **Item III Waste Strategy**

The following amendment to the Waste Strategy was proposed by Mr Williams and seconded by Mr Willmott:-

"Resolution 1 remains as is.

Resolution 2. That the States of Alderney undertake a due diligence process and associated contract negotiations that shall include:

- i. Evidence of the arrangement of a letter of credit to procure the necessary plant and buildings in Alderney.
- ii. The receipt of undertakings confirming ownership of the intellectual property associated with the plant and evidence of an indemnity to protect SOA from any claims that might arise from third parties.
- iii. Evidence of an insurance bond for funding the removal of the plant and buildings in the event that satisfactory performance of the plant is not achieved as defined by the contract.
- iv. Undertakings that the use of the SOA name shall not be used in any promotional or fund raising activities without the express approval of SOA.

Resolution 2 becomes 3 - as is

Resolution 3 becomes 4 - as is."

(Amendment carried. All in favour except Mr Pengilley who voted against.)

The proposition as amended was then voted on.

(An error in the submission letter was noted. The trading name of "GEHS" was incorrect; the current trading name should read EHS.)

The States resolved to approve that:

1. The States of Alderney negotiate a contract and associated lease with EHS to process Alderney's waste arisings as defined in the "A" list [see appendix 1 to the Chairman of the General Services Committee's letter to the President dated 5th June 2007], at a gate price of £135 per tonne fixed for 15 years where EHS provide the capital for the plant and equipment, take full responsibility for removal of all materials arising from the process from the island and provide a bond to finance the removal of the said plant should it fail to meet expectations.
2. The States of Alderney undertake a due diligence process and associated contract negotiations that shall include:
  - i. Evidence of the arrangement of a letter of credit to procure the necessary plant and buildings in Alderney.
  - ii. The receipt of undertakings confirming ownership of the intellectual property associated with the plant and evidence of an indemnity to protect SOA from any claims that might arise from third parties.
  - iii. Evidence of an insurance bond for funding the removal of the plant and buildings in the event that satisfactory performance of the plant is not achieved as defined by the contract.
  - iv. Undertakings that the use of the SOA name shall not be used in any promotional or fund raising

activities without the express approval of SOA.

3. Should proposal 1 fail to be implemented for whatever reason, to prepare a new tender process for incineration to meet a lower cost target compared with the present processes for dealing with Alderney's waste arisings.

4. If the EHS proposal is approved and implemented and then fails to deliver the accepted performance, then if a time period of more than two years has elapsed, a re-examination of how alternative technology and the Guernsey position have developed should be made.

(Proposed by Mr Walden and seconded by Mr Williams.)

(Approved by a majority. All in favour except Mr Pengilley who voted against.)

## **Item IV Island Plan**

The States resolved to note the progress of those recommendations contained in the Island Plan and subsequently agreed to by the Policy and Finance Committee, the General Services Committee and Building and Development Control Committee, and to request further updates on a six monthly basis.

## **Item V Questions and Reports**

Mr Willmott reported on the recent successful due diligence trip to the Netherlands, by Mr Tugby, the Chief Executive Officer, the Assistant Engineer and himself, to meet with clients of Verweij en Partners and to view both new and restoration projects that they had been involved with. Mr Willmott stated that the visit had served to reassure them about the choice of developer for Fort Tourgis.

Mr Cox reported on his attendance at the recent Commonwealth Parliamentary Association British Islands and Mediterranean Region 38th Regional Conference hosted by the branch in Belfast on 13-17th May 2007. The informative four day event commenced with a cultural day, followed by plenary sessions, workshops and talks by guest speakers. The overarching theme of the conference was Equality.

The President reported on the successful and enjoyable visit by Her Royal Highness The Princess Royal on Monday 11th June 2007. The President reported that he had received letters of thanks from Her Royal Highness's Lady-in-Waiting and from His Excellency The Lieutenant-Governor.

The President was pleased to announce the appointment of Ms Julie Turner to the post of States Engineer, effective from 1st July 2007. The President stated that he would like to take this opportunity to thank Mr Steve Price, on behalf of the States, for all the hard work he had carried out during his nine years service as the States Engineer and hoped that the next stage of his career was successful.

The President was disappointed to report that there had been no nominations for the proposed June by-election.

Meeting ended 19:10

Issued: 25th June 2007