

STATES OF ALDERNEY



BILLET D'ETAT

WEDNESDAY 18TH APRIL 2012

STATES OF ALDERNEY

BILLET D'ETAT **FOR WEDNESDAY 18TH APRIL 2012**

Members of the States:

I have the honour to inform you that a Meeting of the States will be held at 5:30 pm on Wednesday 18th April 2012. This will be preceded by the People's Meeting, which will be held on Wednesday 11th April 2012 at 7:00 p.m. in the Island Hall.

W Stuart Trought
President

Item I **Wireless Telegraphy and Related Matters (Deemed Registration and Validation) (Bailiwick of Guernsey) Law, 2012**

The following letter has been received from W Stuart Trought, President of the States of Alderney:-

"Please find enclosed a letter from the Bailiff, dated 13th March 2012, seeking approval of the above law.

I would therefore be obliged if you could debate this matter at your meeting of 18th April 2012 and give your approval as set out in the letter.

W Stuart Trought
President"

The States is asked to approve "The Wireless Telegraphy and Related Matters (Deemed Registration and Validation) (Bailiwick of Guernsey) Law, 2012"

Note: A copy of the Projet de Loi can be seen at the States Office, Island Hall, and at the Library.

Item II **The Sea Fish Licensing (Bailiwick of Guernsey) Law, 2012**

The following letter has been received from W Stuart Trought, President of the States of Alderney:-

"Please find enclosed a letter from the Bailiff, dated 14th March 2012, seeking approval of the above law.

I would therefore be obliged if you could debate this matter at your meeting of 18th April 2012 and give your approval as set out in the letter.

W Stuart Trought
President"

The States is asked to approve "The Sea Fish Licensing (Bailiwick of Guernsey) Law, 2012"

Note: A copy of the Projet de Loi can be seen at the States Office, Island Hall, and at the Library.

Item III **The Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) (Amendment) Law, 2012**

The following letter has been received from W Stuart Trought, President of the States of Alderney:-

"Please find enclosed a letter from the Bailiff, dated 13th March 2012, seeking approval of the above law.

I would therefore be obliged if you could debate this matter at your meeting of 18th April 2012 and give your approval as set out in the letter.

*W Stuart Trought
President"*

The States is asked to approve "The Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) (Amendment) Law, 2012"

Note: A copy of the Projet de Loi can be seen at the States Office, Island Hall, and at the Library.

Item IV **The Civil Contingencies (Bailiwick of Guernsey) Law, 2012**

The following letter has been received from W Stuart Trought, President of the States of Alderney:-

"Please find enclosed a letter from the Bailiff, dated 14th March 2012, seeking approval of the above law.

I would therefore be obliged if you could debate this matter at your meeting of 18th April 2012 and give your approval as set out in the letter.

*W Stuart Trought
President"*

The States is asked to approve "The Civil Contingencies (Bailiwick of Guernsey) Law, 2012"

Note: A copy of the Projet de Loi can be seen at the States Office, Island Hall, and at the Library.

Item V **Audited Accounts 2011**

The following letter has been received from Mr Beaman, Chairman of the Policy & Finance Committee:-

"In accordance with Section 61 (5) of The Government of Alderney Law 2004, as amended, and the mandate of the Policy and Finance Committee, I attach the accounts of the States of Alderney and the States Water Board together with the Auditors' Reports thereon, in respect of the year ended 31st December 2011.

States of Alderney - Revenue Account

The overall position on the Revenue Account at the end of 2011 shows surplus of £41,722. This is a satisfactory result in the current financial climate. As there is no longer any provision for year-end flexibility a case has been made to Treasury

& Resources to retain this surplus, due to timing differences on three States Works Department projects, in a similar way to last year.

As previously reported, 2011 has been the first year that managers have had greater control of their budgets. From 2012 onwards managers will have complete control of their budgets, together with the responsibilities attached. There will be pressure on all departments to keep expenditure strictly within their budget as there are no unspent balances available to meet any deficit in the revenue account.

The detailed breakdown of the income and expenditure of the three Committees is given in the attached accounts, together with details of the accounts for 2010, original budget 2011, and revised budget (Probable Outturn) for 2011, also shown for comparative purposes.

The following comments highlight, in round figures, some of the material differences between the accounts and the revised budget (probable outturn):-

Building and Development Control Committee - *Income from planning fees is significantly higher than 2010 due to the receipt of fees from two large one-off projects. Fees reflect the level of property movement and building work. BDCC fees remain at 2009 levels pending resubmission of this matter to the States.*

General Services Committee - *The General Services Committee has continued to deliver the range of public services under its mandate, and although there are variations between individual headings, overall income was £20,000 more than anticipated mainly due to the surplus on the harbour trading account, as mentioned below.*

Expenditure was significantly less than the revised budget (£124K) due to deployment of labour on capital projects, together with uncompleted projects. Waste disposal costs have been retained within the £500K cap.

General Services Committee - Harbour - *The above figures include the Harbour trading surplus of £22K which was £14.5K more than anticipated, due to additional income from increased shipping movements and visiting yachts. Total expenditure was as predicted.*

Policy and Finance Committee - *Overall income was up by £5.8K due to a combination of factors. 2011 was a particularly good year for coin sales, due to the Royal Engagement and the Royal Wedding. Occupiers Rates were maintained at 2010 levels for 2011.*

Expenditure by the Policy and Finance Committee was £116K more than the revised budget mainly due to the one off payment towards the pension deficit. This was made possible by savings in other areas.

States of Alderney - Capital Account

The overall position on the capital account for 2011 shows a surplus of £1.5M. Capital income is derived mainly from Alderney Gambling Control Commission (AGCC) surpluses (amounting to £2.5M in 2011, sales of States property/assets, and income from Conge. Both AGCC surpluses and Conge income are higher than originally anticipated. In 2011 reserves have been built up.

Overall capital expenditure is slightly less than anticipated, and I am pleased to report that, with the exception of the revetment remediation, the Commercial Quay project has been finalised during 2011, the New Connaught Care Home has been completed, and the Water Board Capital projects, which are funded by grants from the States of Alderney capital account, continue successfully (see below).

Water Board – Revenue Account

The General Services Committee also fulfils the functions of the Water Board, which in 2011 returned an overall surplus on revenue account of £43K which is a slight improvement on 2010 and significantly better than the £17K deficit predicted at budget time. However this is partially due to late depreciation of Phase 2 as mentioned under capital below. Increased expenditure in other areas, particularly fuel & electricity, are due to the additional operating costs of the new plant and associated equipment.

Although the original budget predicted a further 10% increase in rates, being mindful of the ever increasing cost of living on the Island this was reduced to 5%, and the maintenance budget reduced accordingly.

The ultimate aim of the Board is to continue achieving an operating surplus with a view to building the depleted reserves in order to fund future capital requirements. At present a deficit is budgeted in 2012.

Water Board Capital Account

The ongoing improvements at the Water Board continue, funded by capital grants from the States of Alderney, as follows:-

Phase 2, the new filtration plant, has been completed within the budgeted £700K, however the final invoice is outstanding which has lead to late depreciation of the project.

Phase 3, the new storage tanks, are in the process of being built and should be fully operational in 2012. Again it is anticipated that the project will be completed within the £420K capital grant.

Phase 4, relating to improvement/replacement of the distribution network throughout the Island, is being carried out as a series of small projects, totalling approx £250K per annum commencing in 2012 with a similar amount anticipated over the next few years. The first 8 stages of the 2012 program have been approved, again funded by capital grants from the States of Alderney.

Conclusion

Overall the results for the year are extremely satisfactory, and reflect the considerable efforts made by States Members and staff to contain costs.

However although there are surpluses reported for 2011, keeping expenditure and income in balance will become more and more difficult going forwards, and whilst staff numbers remain under tight control, the States is under pressure to deliver more services for the same or less money.

The Capital Account is largely funded by income from the AGCC. The AGCC continues to prosper and attract new licensees. In addition to funding Alderney's Capital Programme, AGCC related business generates revenues for the whole of the Bailiwick. I congratulate those involved for their hard work.

We are also taking the opportunity of publishing extracts from the financial statements of the Alderney Gambling Control Commission, the Alderney Commission for Renewable Energy, and Alderney e-Gambling Ltd for information purposes. The financial statements relating to the Royal Connaught Residential Home will be available in due course.

I should be grateful if you would place this matter before the States with the appropriate proposition.

J Beaman
Chairman, Policy & Finance Committee"

The States is asked to approve:-

- (a) The States of Alderney 2011 Accounts, and**
- (b) The States of Alderney Water Board 2011 Financial Statements**

Item VI The Rabies (Alderney) Order, 2012

The following letter has been received from Mr Walden, Chairman of the General Services Committee:-

"Changes have been adopted in the UK to the Pet Travel Scheme which propose that animals travelling on the Pet Travel scheme are no longer required to have a 6 monthly blood test prior to travelling and dogs no longer are required to be treated for tapeworm or ticks. The requirement within the Pet Travel scheme for all pets to be vaccinated against rabies prior to importation, to hold a valid pet passport and be carried by an approved carrier still remain in force.

To provide a consistent stance with regards the conditions under which animals that are susceptible to rabies may be imported into the island Law Officers Chambers were requested to draft the necessary legislation.

The Order, a copy of which is attached, was made by the General Services Committee on 13th March 2012 and comes into effect on 18th April 2012, establishes the conditions under which animals that are susceptible to rabies may be imported into the Island. The conditions are intended to permit the movement of certain pet animals where the risks of the spread of the disease are considered to be low.

The Order also establishes the powers available to the Committee to deal with an outbreak or suspected outbreak of rabies in the Island.

I would be grateful if The Rabies (Alderney) Order, 2012 is laid before the States when it meets in April together with an appropriate proposition.

W Walden
Chairman"

The States is asked to resolve that "The Rabies (Alderney) Order, 2012" not be annulled.

Item VII The Government of Alderney (Amendment) Law, 2012

The following letter has been received from Mr Beaman, Chairman of the Policy & Finance Committee:-

"The draft Government of Alderney (Amendment) Law, 2012 has been prepared by Law Officers Chambers for your consideration and approval.

The amendments are as follows:

- 1. Sections 2 and 3 amend section 33(3) which relates to the entry of persons' names onto the register of electors; this amends an anomaly that occurred in the drafting of the 2010 amendment to the Law;*

2. *Section 4 amends section 45(1) by providing an express power for the States to prescribe rules of procedure for committees; there is not at present any express statutory power for anyone to make rules of procedure for committees; and*
3. *Sections 5 and 6 repeals section 62(5)(a) and 62(5)(b) in respect of the meaning of "ordinarily resident in Alderney".*

I would be grateful if you would place this matter before the next meeting of the States of Alderney with an appropriate proposition.

*John Beaman
Chairman"*

The States is asked to approve "The Government of Alderney (Amendment) Law, 2012" and to request the President to seek the Sanction of Her Most Excellent Majesty in Council for it to have the force of Law in the Island of Alderney.

Item VIII Syria (Restrictive Measures) (Alderney) Ordinance, 2012

The following letter has been received from Mr Beaman, Chairman of the Policy & Finance Committee:-

"In view of the violent repression against civilians in Syria, including the use of live ammunition which has resulted in the death and injury of a large number of demonstrators since 19 March 2011, the EU has implemented measures against those responsible through EU Regulation 442/2011. Alderney adopted this EU Regulation through the Syria (Restrictive Measures) (Alderney) Ordinance 2011 as amended.

Due to continued brutal repression, the EU implemented EU Regulation 36/2012 on 18th January which repeals EU Regulation 442/2011. The measures build upon restrictive measures providing for an arms embargo, an exportation ban for technical equipment (i.e. those for oil exploration) and crude oil and petroleum products and a travel ban against those responsible. The Regulation also targets a number of entities and individuals, including President Bashar al-Assad, who are subject to an asset freeze.

The EU Council Regulation adopted on 18th January, gives the asset freeze its direct effect. It is proposed that Alderney also adopts these sanctions; however, domestic legislation using the European Communities Implementation (Bailiwick of Guernsey) Law, 1994 needed to be implemented for enforcement measures and penalties. Law Officers Chambers have been requested to draft such legislation and I attach a copy of The Syria (Restrictive Measures) (Alderney) Ordinance, 2012 for approval.

I would be grateful if you would place this matter before the next meeting of the States of Alderney with an appropriate proposition.

*John Beaman
Chairman"*

The States is asked to approve "The Syria (Restrictive Measures) (Alderney) Ordinance, 2012"

Item IX **Questions and Reports**

A report on the Rock Island Trials Bike Event 21st – 22nd April 2012, has been received from Mr Walden.

Issued: 5th April 2012