



OFFICIAL REPORT
OF THE
STATES OF THE
ISLAND OF ALDERNEY

HANSARD

The Court House, Alderney, Wednesday, 19th March 2014

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

Volume 2, No. 2

Present:

Mr Stuart Trought, President

Members

Mr Raymond Berry

Mr Matthew Birmingham

Mr Neil Harvey

Mr Louis Jean

Mr Robert McDowall

Mr Steve Roberts

Mr Chris Rowley

Mr Francis Simonet

Mr Ian Tugby

Representative of the Lieutenant Governor:

Colonel Colin Mason

The Greffier of the Court

Mrs Sarah Kelly

Business transacted

Silence in honour of former States Member, Mr Paul Arditti.....	33
Billet d'État for Wednesday, 19th March 2014.....	33
I. Chief Pleas	33
II. The Speed Trials (Alderney) Ordinance, 2014 – Approved.....	34
III. By-Election 2014 – Arrangements for 12th April approved.....	34
IV. Commonwealth Parliamentary Association – Mr Roberts elected to Management Committee.....	35
V. Election of Alderney Representatives to sit in the Guernsey States of Deliberation – Mr Harvey elected as Alderney Representative; Mr Birmingham elected as Alternative Representative	36
VI. The Building (Alderney) Regulations, 2014 – Resolved not to be annulled	38
VII. St Anne's Church Repair Works 2014 – Budget and works approved	42
VIII. Road Resurfacing Contract 2014 – Capital funding approved.....	44
IX. The Alderney (Application of Legislation) (Food and Drugs) Ordinance, 2014 – Approved.....	45
X. The Separation, Maintenance and Affiliation Proceedings (Alderney) (Amendment) Law, 2014 – Projet de Loi approved	46
XI. The Road Traffic (Compulsory Third-Party Insurance) (Commencement and Application of Provisions) (Alderney) Ordinance, 2014; and The Motor Vehicles (International Motor Insurance Card) (Alderney) Ordinance, 2014 – Approved	47
XII. Questions and Reports.....	47
<i>The Assembly adjourned at 6.12 p.m.</i>	<i>47</i>

States of Alderney

*The States met at 5.30 p.m. in the presence of
Colonel Colin Mason, a representative of His Excellency Air Marshal Peter Walker, C.B., C.B.E.
Lieutenant-Governor and Commander-in-Chief of the Bailiwick of Guernsey*

[THE PRESIDENT *in the Chair*]

PRAYERS

The Greffier

Silence in honour of former States Member, Mr Paul Arditti

The President: Let us convene a minute's silence for our missing States Member before we start. Thank you.

Members stood in silence.

5

The President: Thank you very much.

ROLL CALL

The Greffier

Billet d'État for Wednesday, 19th March 2014

I. Chief Pleas

The President: Madam Greffier, if you would move to Item I, please.

10 **The Greffier:** Sir, Item I is the Chief Pleas and as of Friday, I have received no Chief Pleas, sir.

The President: Thank you very much indeed.

Mr Simonet as the Convener, would you like to make your initial report on the People's Meeting, please?

15

Mr Simonet: Yes, sir. On this Item I, one person questioned the process. It was confirmed that the request for Chief Pleas should be lodged with the President four days before the States meeting.

The President: Could you also report on the number of people present, as well, please?

20

Mr Simonet: Yes, sir. There were four States Members excluding the Convener, 15 members of the public, which was 1.2% of the electoral roll, and three press.

The President: Thank you very much, Mr Simonet.

25

**II. The Speed Trials (Alderney) Ordinance, 2014 –
Approved**

Item II.

The States is asked to approve ‘The Speed Trials (Alderney) Ordinance, 2014’.

The President: In that case, Madam Greffier move on to Item II, please.

The Greffier: Sir, Item II is The Speed Trials 2014.

The States is asked to approve ‘The Speed Trials (Alderney) Ordinance, 2014’.

30

The President: Thank you very much.

Mr Simonet, as Convener, were there any comments from the People’s Meeting on the Speed Trials?

Mr Simonet: There were no comments on this Item, sir.

35

The President: Thank you very much indeed.

Mr Rowley, I believe you wish to propose this Item?

Mr Rowley: Yes, that is right, sir. I would like to propose it.

40

The President: Thank you very much.

Mr Harvey, I believe you wish to second this?

Mr Harvey: Indeed, I am very happy to second this.

45

The President: Thank you very much indeed.

Does any Member wish to speak on this Item?

Mr Rowley: Yes, sir. I would just like to say I am pleased to be able to report that the Guernsey Kart and Motor Club applied to the General Services Committee for permission to organise a three-day Sprint and Hill Climb event from the 18th to 20th September this year. The Committee having delegated permission to the Chief Executive’s office has noted the times and dates of the event and raised no objection. The necessary Ordinance has been prepared.

50

The Ordinance will allow competing vehicles to exceed the speed limit etc. and to permit the closure along the course (a) on the road extending from Whitegates to Route des Mielles, that is Corbletts Bay car park, (b) the road extending from Le Grand Val, Judges Pond, to Tourgis Hill and (c) Tourgis Hill along the extent of the Hill Climb course, from the road junction of the Petit Val with Route de Picaterre to the junction of Tourgis Hill Road with Le Grand Val.

55

As in past years, the Guernsey Kart and Motor Club have undertaken to put in place all necessary safety precautions and to liaise with the Police, Ambulance and Fire Service for these events.

60

Sir, I would be grateful if ‘The Speed Trials (Alderney) Ordinance, 2014’ is placed before the States of Alderney.

The President: Thank you, Mr Rowley.

65

Does any other Member wish to speak on this Item?

Then, Madam Greffier, I think you can take it that the States has approved The Speed Trials (Alderney) Ordinance, 2014. Thank you.

The Greffier: Sir.

**III. By-Election 2014 –
Arrangements for 12th April approved**

Item III.

The States is asked to approve of the arrangements for the By-Election 2014 to be held on Saturday, 12th April 2014.

70

The President: We move to Item III, please.

The Greffier: Item III, sir, is the By-Election 2014.

The States is asked to approve the arrangements for the By-Election 2014 to be held on Saturday, 12th April 2014.

75 **The President:** Thank you very much, Madam Greffier.
Mr Simonet as Convener, please?

Mr Simonet: There were no comments on this Item, sir.

80 **The President:** Thank you.
If you would care to remain on your feet, you can propose this. Thank you.

Mr Simonet: Yes, sir. This is just the standard statutory requirement for the By-Election, which I am pleased to propose.

85 **The President:** Thank you very much.
Mr McDowall, I believe you wish to second this?

Mr McDowall: Yes, I would like to second it, Mr President, thank you.

90 **The President:** Thank you very much.
Does any Member wish to speak on Item III, By-Election?
Madam Greffier, you can take that as approved, please.

95 **The Greffier:** Sir.

IV. Commonwealth Parliamentary Association – Mr Roberts elected to Management Committee

Item IV.

The States is asked to elect one member to sit on the Management Committee in the affairs of the Alderney Branch of the Commonwealth Parliamentary Association (the President being ex-officio Chairman) in place of Mr Paul Arditti.

The President: We move on to Item IV, please.

The Greffier: Sir, Item IV is the Commonwealth Parliamentary Association.

100 The States is asked to elect one member to sit on the Management Committee in the affairs of the Alderney Branch of the Commonwealth Parliamentary Association, the President being *ex-officio* Chairman, in place of Mr Paul Arditti.

The President: Thank you very much.
Mr Simonet as Convener?

105 **Mr Simonet:** Yes, sir. One person asked whether the Convener had someone in mind for the position. I replied that the election of members was a matter for the States Members at the States meeting.

The President: Thank you very much, Mr Simonet.
110 Now, as we are going to be voting, we have to decide whether we are going to take this vote by the default position, which is written vote, or whether we are going to vote for a verbal vote.
Madam Greffier, would you care to explain the details behind that, please?

The Greffier: Yes, sir. Section 20 of the Rules of Procedure states that voting for elections in the States
115 of Alderney are to be carried out by written ballot.

However, Members can resolve to have voting by another manner, but of course, they will need a proposer and a seconder for that, if required.

Just to say that in the last set of elections, it was proposed and seconded that we have an open verbal ballot.

120

The President: Thank you very much.

Mr Simonet, I believe you wish to propose the resolution that we take this by open ballot?

Mr Simonet: I do indeed, sir.

125 I would be pleased if the States would recommend an open ballot on this.

The President: Thank you very much.

Do you have a seconder for this proposition, please?

130 **Mr Berry:** I will second that, sir.

The President: Thank you very much, Mr Berry.

Does any other Member wish to speak with regard to whether we have an open ballot or closed ballot?

Madam Greffier, I think the resolution is passed. We may proceed with an open vote.

135

The Greffier: Sir.

The President: We can now move to the actual Item – who we want to take as the member of the Commonwealth Parliamentary Association – and I will ask any Member if they wish to propose anybody for this position?

140

Mr Simonet: Yes, I would be pleased to propose Mr Steve Roberts, sir.

Mr President: Mr Steve Roberts, thank you very much.

145

Mr Birmingham?

Mr Birmingham: Yes, I would be delighted to second him.

The President: Thank you very much.

150

Does any other Member wish to propose anybody else for this position?

We have no other proposals, Madam Greffier. Therefore, I think it right to congratulate Mr Steve Roberts on being elected to the CPA.

Mr Roberts: Thank you very much.

**V. Election of Alderney Representatives to sit in the Guernsey States of Deliberation –
Mr Harvey elected as Alderney Representative;
Mr Birmingham elected as Alternative Representative**

Item V.

Following the procedure as laid out in the Resolution of The States of Alderney dated 18th October 2006 and the Plebiscite election of 1st December 2012, the States is asked:

(a) to elect Mr Neil Harvey to be the Alderney Representative to sit in the Guernsey States of Deliberation for 2014, and

(b) to elect one other member as the Alternative Representative for 2014 to sit in the Guernsey States of Deliberation.

155 **The President:** We move to Item V, please.

The Greffier: Sir, Item V is the Election of the Alderney Representative to sit in the Guernsey States of Deliberation.

160

Following the procedure as laid out in the Resolution of The States of Alderney dated 18th October 2006 and the Plebiscite election of 1st December 2012, the States is asked to elect Neil Harvey to be the Alderney Representative to sit in the Guernsey States of Deliberation for 2014; and to elect one other Member as the Alternative Representative for 2014 to sit in the Guernsey States of Deliberation

The President: Thank you very much indeed.

165

Mr Simonet as Convener, were there any comments on this, please?

170 **Mr Simonet:** The same person as spoke on the previous Item queried whether the States had someone in mind for the vacant position. The Convener again stated that this was a matter for the States Members at the States meeting. The questioner stated that the public had not been consulted. The Convener informed him that Mr Harvey had stood for election and the convention was that any additional appointees were a matter for the States.

The President: Thank you very much indeed.

175 We are going to take this in two sections, two votes, section (a) and then we are going to have to get somebody proposed for section (b). We have already decided this evening that we are taking votes by open vote.

So I think, we will take Item V(a) to elect Mr Neil Harvey to sit on the States. I think if you just put that to the vote, please Madam Greffier.

180 **The Greffier:** Sir.

A vote was taken and the results were as follows:

FOR	AGAINST
Mr Tugby	None
Mr Birmingham	
Mr Berry	
Mr Jean	
Mr Harvey	
Mr Simonet	
Mr McDowall	
Mr Rowley	
Mr Roberts	

185 **The Greffier:** Thank you.
That is passed unanimously, sir.

The President: Thank you very much, Madam Greffier.

190 We move on to Item V(b), to elect one other Member as the Alternative Representative for 2014 to sit in the Guernsey States of Deliberation.

Does any Member wish to propose anybody for this position? Mr Simonet.

Mr Simonet: I would indeed, Mr President. I would like to propose Mr Matt Birmingham.

195 **The President:** Mr...?

Mr Simonet: Mr Matt Birmingham.

200 **The President:** Thank you very much indeed.
Do I have a seconder?

Mr Berry: I will second that, sir.

205 **The President:** Does any other Member wish to put someone forward for this position?

Mr Jean: I would like to speak, sir, if I may, on this part of the proposition. I have –

Mr President: In that case, you can rise and speak.

210 **Mr Jean:** Thank you.

Sir, Members of the States, in speaking on this Item regarding the appointment of a third candidate for the Alderney Representative (**The President:** Fourth.) or Alternative Representative – surely this should be a by-election, as the public have no say in these matters, and I do not believe we have been faced with a situation such as this before, although I stand to be corrected.

215 The public are concerned about their own lack of a voice in these matters, as has been clearly pointed out by Mr Simonet – representation without election.

Those years ago when the Constitution and Review Committee, Guernsey wrote to all the Alderney residents on the electoral roll requesting their views as to how they would like to proceed as to the voting

220 electorate – would they like to elect their Alderney reps? Forty-seven percent wanted the States’ involvement to be discontinued. These views were ignored by the States of that day.

I shall vote against this part of the proposal.

The President: Thank you, Mr Jean.

225 Madam Greffier, for the sake of the record, would you please read out the procedures as laid down, so it is clear to all the public and Mr Jean why this is being done.

The Greffier: Yes, sir.

The Alderney Representatives Law says that the Alderney Representatives to the States of Guernsey Deliberations are voted in by the States of Alderney.

230 In relation to how the view of the public is sought in relation to that, we have a Plebiscite Procedure and the first Plebiscite Procedure, sir, I believe was 2006, which gained the public view of who should represent them in Guernsey, and the States resolved at that time to follow that view.

But of course, sir, we are in a position where we have a place free for the States of Guernsey Alternative Representative and sir, these States are tasked with voting that Representative in.

235 **The President:** Thank you very much indeed. And the precedent is there, for example Mr Rowley was not on the Plebiscite and was appointed by the States.

The Greffier: Yes, sir.

240 **The President:** What I would say, with regard to any of these Laws or Procedures, if there is strong enough public feeling for people wanting to change, the States, of course, do have the authority to ask for this to be changed. So this is not imposed on anybody from above. These have been passed by the States, by previous States, and they remain in force until they are changed by the States.

245 **Mr Jean:** Thank you.

The President: Thank you very much.

250 At which stage, we will move to Item V(b) to continue with the election which has been proposed and seconded, and I will ask again, does anybody else wish to propose anybody else, apart from Mr Matt Birmingham who has already been proposed for this position? Thank you very much.

Seeing as we have someone who is not in total agreement, Madam Greffier, would you please put the election of Mr Birmingham to the vote.

255 **The Greffier:** Sir.

A vote was taken and the results were as follows:

FOR	AGAINST	ABSTAINED
Mr Tugby	Mr Jean	Mr Roberts
Mr Birmingham		
Mr Berry		
Mr Harvey		
Mr Simonet		
Mr McDowall		
Mr Rowley		

260 **The Greffier:** Thank you. Sir, that is passed, seven votes, sir.

The President: Thank you very much indeed.

VI. The Building (Alderney) Regulations, 2014 – Resolved not to be annulled

Item VI.

The States is asked to resolve that ‘The Building (Alderney) Regulations, 2014’ not be annulled.

The President: We will move on to Item VI, please.

265 **The Greffier:** Item VI, sir, is The Building (Alderney) Regulations, 2014.
The States is asked to resolve that those Regulations not be annulled.

The President: Thank you very much.
Mr Simonet, as Convener, where there any comments on this in the People's Meeting, please?

270 **Mr Simonet:** Yes, sir. One person said that he thought the Regulations were a good thing but queried who would enforce the Regulations. The Convener said that there were members of staff whose responsibility it is to inspect buildings and to ensure compliance. One other person said, referring to page 82 of the Regulation, that it was necessary to ensure that there were adequate qualified individuals on the Island to install appliances which needed to be tested.

275 **The President:** Thank you very much indeed.
Mr Birmingham, I believe you wish to propose this?

Mr Birmingham: Thank you, Mr President, fellow Members, ladies and gentlemen.
280 As you will no doubt remember, in January 2014, we debated the Building Development Control (Alderney) (Amendment and Fees) Ordinance, 2014. This Ordinance included changes to section 39 of the BDCC Law – the section which gives the Committee the power to create building regulations. These changes had to be made to the Law to enable the legal adoption of modern building regulations, and subsequently up-to-date building regulations were approved by the Building Development Control
285 Committee at a meeting of the Committee on 13th January.

However, the Building and Development Control Law also requires that any new regulations must be laid before the full States after they are created by the Committee, as this is standard provision in nearly every Alderney and Bailiwick Law where regulations are to be adopted on the recommendation of a States Committee, and the reason for this is that it gives the power to the States to annul those regulations, should
290 they choose to do so. This is to ensure that the legislature, in this case the States of Alderney, as Alderney's Parliament, has some scrutiny of the regulations which are made by the Committee rather than by the States itself. And, so this accounts for the rather unusual wording of the proposition in that it requests regulations not to be annulled, as those regulations have already been put in force by the Committee, and it now comes to this body to ensure that they are well scrutinised.

295 It is rare for a States Member to ask for a debate on regulations as to whether they should be annulled. But the standard provision in the Law is there simply so that there is provision for scrutiny of those regulations and to annul them if they vote to do so.

I hope this explains the Item satisfactorily and that Members will support the BDCC's decision and vote not to annul the adoption of the new Building Regulations.

300 **The President:** Thank you very much.
Mr Simonet, I believe you wish to second this?

Mr Simonet: Yes, sir. I would be pleased to second this. I have nothing to add at this stage, sir, but I
305 would reserve the right to speak later if I feel it is necessary.

The President: Thank you.
Does any other States Member wish to comment on Item VI?

310 **Mr McDowall:** Yes, I do, have something.

The President: Mr McDowall.

Mr McDowall: Yes, I am going to support these, but I find them extraordinarily detailed and
315 prescriptive, when it comes down to finding things like urinals and sanitary ware and so on. It is extraordinarily prescriptive. Next thing they will be advising what sort of drapes we have on the windows!

I do support it, but it is extraordinarily detailed and prescriptive.
Thank you.

320 **The President:** I think you will find they already do that on certain occasions, and so it would not be anything new. *(Laughter)*
Mr Jean.

325 **Mr Jean:** Sir, Members of the States, in speaking of Part I of the Building Regulations Statutory Instrument 2014, on page 14, EU Regulations are mentioned, with or without modification, extended or applied. Have any modifications been applied for by the Building and Development Control Committee?

On the same page, under the heading Part II, Approved Documents:

- '(a) issue any document or part of a document (whether or not prepared by the Committee), or
- (b) approve any document or part of a document issued or proposed to be issued otherwise than by the Committee, if in the opinion of the Committee the document or part of the document is suitable for that purpose.

Page 1, paragraph (4):

- '(4) The Committee may amend an Approved Document or any part thereof –
- (a) by issuing a revision of it, or
- (b) by approving any revision or proposed revision of it.
- (5) The Committee may rescind an Approved Document or any part thereof.'

330 This power in the hands of such an inexperienced Committee is a real concern to me. This kind of discretion should be for the full States alone. I also worry about this kind of power which could lead to customer documentation being treated in the same way, if those documents did not meet with the Committee approval.

335 On page 32, which talks about insulation to British standard and EU regulations standardisation – just to echo a few in slightly more detail than Mr McDowall's points of over-readiness to be verbose – we should take care to remember there is no grant system for insulation here in Alderney or any measures of this nature open to Alderney residents, unlike the UK and the EU.

340 Pages 33 and 34 show the Committee is increasing its powers over heating installation or structural design. Again, all these proposals will be in place if passed by February 2014, and are – with the assurances of Mr Birmingham – already in use, which I am surprised at, before they come to the full States. Has anyone thought about the expense for the public and will this be another blow to an industry just showing some signs of recovery?

Again on page 43, another EU regulation on energy performance of buildings.

My view is loose application in such a fragile economy as Alderney's is the right approach now.

345 On page 50, Fire and Safety, I am in now way critical of proper fire regulations, but what does concern me, sir, is the difficulties being encountered by members of the public while these regulations are being implemented. Where can they find the money, especially as last year with the EFC Committee, I did explore at one of our monthly meetings, whilst I was Chairman during 2013, these concerns?

350 I notice in the January agenda of the now General Services Committee, changed name, the Fire Officers have told that Committee there will be no need for them to attend a meeting in 2014, as was my proposal in 2013 that they would visit again owing to dispute. Please keep a watch over these matters on behalf of the public at the General Services Committee, and I am asking the Chairman to particularly bear that in mind for me.

355 **The President:** Mr Jean, with all due respect, we are talking about the building regulations.

Mr Jean: I am sorry, but this is all together in the building regulations, sir, if you will forgive me.

The President: Okay, carry on.

360 **Mr Jean:** I am coming off that subject now. I do not care to dwell on it, on behalf of the public at GSC Committee level.

365 Should in the case of dispute with members of our business community, as was the case last year, when I invited the Fire Officers, on page 86, we will see the mention of a possible breach of documentation, which may be relied on in court proceedings, it is intended that most such approved documents will be Guernsey technical standard issue and that the Guernsey building regulations with modification to reflect any difference in the requirements in Alderney. Can I ask the Chairman of Building and Development Control, throughout all of these new Laws that you are proposing, has the Building and Development Control Committee asked for any modifications on Alderney's behalf which would make these proposals a better fit for Alderney in this climate, whose circumstances are so different from those of Guernsey?

370 And finally, winding up, sir, on page 87, Part VI contains new powers for the Committee to issue completion certificates certifying that the requirements of these regulations specified in the certificates have been met. I think at this stage without the results of the Arup's Review, I am worried about the cost implications on a severely weakened economy.

375 I urge Members to vote against these proposals.

The President: Thank you very much, Mr Jean.
Does any other Member wish to speak on Item VI? Mr Tugby.

380 **Mr Tugby:** Sir, I read these the other night, and then I read them again last night, because I could not believe some of the nonsense that is in them. It is absolutely ridiculous some of the... We are supposed to be making building easier, and when you read through this – well, the person who drew them up no doubt earned a lot of money for doing it all – and you need a lawyer to go through the ordinary things. It is absolutely ridiculous. Some of the daft things...

385 What is a demolition? I think anybody knows what demolition is! Another thing is what is a flat? What is a house? God, what are we...? And then the best one yet is you have got to have water going to your urinal or bidet. You could get in quite a mess if you did not have water going to the bidet, I can assure you. (*Laughter*) It is just unbelievable.

390 I thought we were going to rewrite the laws to make things much more simple and straightforward. All we are doing is adding more regulations. My son is building a place in England and because it does not extend it by more than four metres, he has not even got to get planning permission and here, well, you have got to get planning permission to put water and everything! It is common sense, half of it.

Well, I definitely will not vote for them.

395 **The President:** Thank you very much, Mr Tugby.
Any other Member? Mr Roberts.

Mr Roberts: I think that us comparing ourselves with the EU and England, this is a totally different ball game in Alderney. We need a tailor made... I agree that changes are needed, there are changes needed, but Alderney is Alderney. It is a very, very different place from living on the mainland, to me, and I think that this is premature and needs to be tailor made to fit Alderney.

I will be voting against this.

405 **The President:** Thank you very much, Mr Roberts.
Does any other Member wish to speak?

Mr Simonet: Just briefly to say, sir, that –

410 **The President:** Mr Simonet, just please wait a minute. You can in a minute, but if you are exercising your reserved right, (**Mr Simonet:** Yes.) then please go ahead.

Mr Simonet: Thank you, sir.

415 It is just to say briefly, these are standard regulations and they are accepted almost anywhere in the Western world. They are there for good reason. It is to see that building practices are adhered to, otherwise they become dangerous. They become failsafe in fact and they fail... Building regulations have to be in place if building is to progress and be built to a fair and proper standard. That is all these regulations do.

The President: Thank you, Mr Simonet.
Does any other Member wish to speak on these regulations? No?
420 In that case, Mr Birmingham, would you care to sum up?

Mr Birmingham: Yes, thank you very much.

425 I have no disagreement with Members who are concerned with unnecessary regulation. I share that opinion. But this is not what building regulations are really about. Building regulations are about safety and having good solid structural building in place, and they are a protection for the public as well, against cowboy building, as one example.

430 Mr Jean raised one point which was relating to having not necessarily having it imposed on you, but there is a section within the Law that does allow someone to appeal a decision. So there is the ability to appeal a decision made in building regulations. One other consideration that must be remembered is that the regulations that we are bringing in, we are updating from, I think it is the 1978 regulations, to ones that are actually still not the most modern.

435 In the case of some of the standards involving electrical fitting, for example, many electrical contractors actually have to undertake their work to a higher standard even than the building regulations actually state within this Law, and the reason is as a member of let us say a group such as NAPIT that would be regulatory for electricians, for them to actually be able to be in compliance with their insurance obligations, for their certificate, they actually have to go up to much more modern standards than actually even our building regulations would state. And in fact this is very much the general case. Nearly all builders these

days will actually be working to these modern standards. This is a case of the States catching up with the real world, rather than the States enforcing things on to what is happening already.

440 As Mr Tugby does point out, there are some rather obvious statements made within the regulations, but unfortunately that is just the way it is with many legal documents. You have to make sure that you have those particular definitions in place, so that there is no confusion.

One other issue was mentioned which Mr Jean I think was also very concerned about, about the issues of fire safety and I am aware, as he no doubt is, that there have been some issues relating to fire inspections. 445 But of course, fire officers are dealing with the Fire Safety Law rather than the building regulations. This is where we are dealing with the construction of new buildings, to ensure that there are adequate protections in place for the people who will be living and working in that building if a fire should take place.

For me, I think there is nothing scary within these regulations. As I have said, they are pretty much already standard. They are pretty much already used by most builders, plumbers, electricians and other 450 contractors. Therefore I think this is just an issue for us bringing ourselves more up to date than we currently are. And I would ask the Members not to annul them.

The President: Thank you very much.
Madam Greffier, would you please put that to the vote?

455 **The Greffier:** Sir.

A vote was taken and the results were as follows:

FOR	AGAINST
Mr Birmingham	Mr Tugby
Mr Berry	Mr Jean
Mr Harvey	Mr Roberts
Mr Simonet	
Mr McDowall	
Mr Rowley	

460 **The Greffier:** That is carried, sir.

The President: Thank you very much indeed.

VII. St Anne's Church Repair Works 2014 – Budget and works approved

Item VII.

The States is asked to resolve:

a) To approve a budget of £119,000 from the Capital Account which includes the repair work, a small contingency, and professional fees for the 2014 repair work to St Anne's Church.

b) To approve that the 2014 repair works at St Anne's Church is undertaken by the Vaudin Stonemasons.

c) To approve that the supervision and project management work is undertaken by Lovell Ozanne & Partners

465 **The President:** In which case, we will move on to Item VII, please.

The Greffier: Item VIII is St Anne's Church Repair Works 2014.

The States is asked to approve a budget of £119,000 from the Capital Account which includes the repair work, a small contingency, and professional fees for the 2014 repair work to St Anne's Church; to approve 470 the 2014 repair works at St Anne's Church undertaken by the Vaudin Stonemasons; to approve that the supervision and project management work is undertaken by Lovell Ozanne & Partners.

The President: Thank you very much indeed.
Mr Simonet, were there any comments on this Item, please – as Convener?

475 **Mr Simonet:** Yes, sir. One person asked whether this was additional work which had been uncovered during the current works. It was confirmed that this work had been anticipated when the original scope of the work was prepared in 2011.

The President: Thank you very much.

480 Just so everybody is clear, it will be my intention to take all three of these resolutions (a), (b) and (c) as one resolution, unless we have anybody speaking against this, in which case we will take them all separately.

Mr Rowley, I believe you wish to propose this?

485 **Mr Rowley:** Yes, that is right.

The President: Could you please include your opening speech with your proposition?

Mr Rowley: Yes. Well, it is just ongoing work on the Church... It has already been agreed.

490

The President: And you are proposing?

Mr Rowley: I am proposing.

495 **The President:** Mr Berry, I believe you wish to second this?

Mr Berry: I wish to second it, sir, and reserve my right to speak if necessary.

The President: Thank you very much, Mr Berry.

500 Does any other Member wish to speak on this particular Item? Yes?

Mr McDowall: Yes I do, and I had better declare a spiritual interest, as I am the Treasurer of the Church.

505 A couple of points, I just want to emphasise that this was all part of the approved Budget for 2014. I think it is important that people understand and remember that.

I would also hope candidly that Lovell Ozanne and Partners are a little more diligent in terms of their physical presence and in terms of their project management supervision.

Thank you.

510 **The President:** Thank you very much, Mr McDowall.

Does any other Member wish to speak on this? Mr Jean.

515 **Mr Jean:** Briefly, to say just how pleased I am that this work is commencing and how important this building is to Alderney. We are so lucky to have such a treasure in our midst and we all enjoy it, whether religious or not. When we walk around the building, when we walk in the building, we are just amazed by it. We are very lucky to have it. Let us conserve it and look after it for all time.

Thank you, sir.

The President: Thank you very much indeed.

520 Does any other Member wish to speak on Item VII?

In which case, Madam Greffier, we will take this, as I said earlier, as one vote. If anybody votes against it, then I will take them all separately.

The Greffier: Sir.

525

A vote was taken and the results were as follows:

FOR	AGAINST
Mr Tugby	None
Mr Birmingham	
Mr Berry	
Mr Jean	
Mr Harvey	
Mr Simonet	
Mr McDowall	
Mr Rowley	
Mr Roberts	

The President: Thank you very much. That is unanimous.

530

The Greffier: Sir.

**VIII. Road Resurfacing Contract 2014 –
Capital funding approved**

Item VIII.

The States is asked to approve capital funding up to the value of £250,000 from the Capital Account for the 2014 road repair works to be undertaken by Ronez Limited, based on the tendered schedule of rates in accordance with the tender documents.

The President: We move on to Item VIII, please.

The Greffier: Sir, Item VIII is the Road Resurfacing Contract for 2014.

535 The States is asked to approve capital funding up to the value of £250,000 from the Capital Account for the 2014 road repair work to be undertaken by Ronez Limited, based on the tendered schedule of rates in accordance with the tender documents.

The President: Thank you very much indeed.

540 Mr Simonet, as Convener?

Mr Simonet: Yes, sir. There is just one item and it was queried whether there was a list of the work to be undertaken. It was pointed out that the work programme had been agreed at the General Services Committee meeting in February and that the public had been consulted.

545

The President: Thank you very much.

Mr Rowley, I believe you wish to propose this?

Mr Rowley: Yes, that is right, sir, and there is nothing really I want to say about it.

550

The President: Thank you very much.

Mr Berry, I believe you wish to second this?

Mr Berry: I wish to second it, sir, and reserve my right to speak if necessary.

555

The President: Thank you very much indeed.

Does any other Member wish to speak on the road resurfacing? Mr Birmingham?

Mr Birmingham: Thank you.

560

Yes, just quickly I would say that I will be supporting this Item. But I am particularly delighted actually that the GSC have moved towards a bi-annual contract. I am sure most of us living here will remember every year having Ronez over and them doing the work, but of course that means there are mobilisation costs involved for them coming each year, which actually was not cost-effective. So having a bi-annual contract like this probably means that we are saving something in the region of about £30,000 which actually goes towards the cost of fixing the roads, and that has to be a good thing. I congratulate General Services for taking that route.

565

The President: Thank you very much indeed.

Does any other Member wish to speak on Item VIII?

570

Mr Berry, do you wish to exercise your reserved right?

Mr Berry: I wish, yes, to give some understanding to the Members and to the general public, what Mr Birmingham has mentioned is quite correct. We saw fit to go to a bi-annual means of repairing our roads because of the cost-effective way of doing it, and not having to pay the fees for getting Ronez over on a yearly basis. And as the General Services Committee Member responsible for looking after roads and so forth, we have given due credence to the needs of the people as to how they wish the roads to be repaired and where the problems are. I, as my responsibility, have also pointed out, and Members may be aware of this, and the general public can be made aware of it, that I am hoping potholing will be done as part of this, and I shall put it to the Committee.

575

So it may be inconvenient at times when roads are closed, and I thank the public for their forbearance at times like this.

580

Thank you, sir.

The President: Thank you very much, Mr Berry.

585 Mr Rowley do you wish to sum up?

Mr Rowley: Well, nothing much to say really, sir. It is just the usual annual resurfacing work that has been ongoing for some time –

590 **The President:** Thank you very much

Mr Rowley: – and I am glad to see it happening, because...

The President: Thank you.
595 Madam Greffier, would you put that to the vote, please?

The Greffier: Sir.

A vote was taken and the results were as follows:

600

FOR	AGAINST
Mr Tugby	None
Mr Birmingham	
Mr Berry	
Mr Jean	
Mr Harvey	
Mr Simonet	
Mr McDowall	
Mr Rowley	
Mr Roberts	

The Greffier: That is passed, sir.

IX. The Alderney (Application of Legislation) (Food and Drugs) Ordinance, 2014 – Approved

Item IX.

The States is asked to approve:

'The Alderney (Application of Legislation) (Food and Drugs) Ordinance, 2014'.

The President: We move to Item IX, please.

605 **The Greffier:** Item IX, sir, is The Alderney (Application of Legislation) (Food and Drugs) Ordinance, 2014. The States is asked to approve that Ordinance.

The President: Thank you very much.
Mr Simonet, as Convener, were there any comments on this Item?

610

Mr Simonet: No comments on this Item.

The President: Thank you very much.
Mr Simonet, I believe you wish to propose this?

615

Mr Simonet: I do indeed, sir. This has appeared on the Billet before. It was then found that it needed some slight redrafting. These drafting issues have now been resolved and it comes back here for us to vote it through if we see fit.

620 **The President:** Thank you very much.
Mr Harvey, I believe you wish to second this?

Mr Harvey: I do, Mr President yes, indeed. I am prepared to second this. Thank you.

625 **The President:** Thank you very much indeed.
Does any Member wish to speak on Item IX? Nobody wishes to speak?
Mr Simonet, do you wish to say any more to sum up or are you happy?

Mr Simonet: No, I have nothing further to add, sir.

630 **The President:** Madam Greffier, I think we can take that as passed. (**The Greffier:** Sir.) Thank you very much indeed.

**X. The Separation, Maintenance and Affiliation Proceedings (Alderney) (Amendment) Law, 2014 –
Projet de Loi approved**

Item X.

The States is asked to approve the Projet de Loi entitled 'The Separation, Maintenance and Affiliation Proceedings (Alderney) (Amendment) Law, 2014', 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.

The President: We move to Item X.

635 **The Greffier:** Sir, Item X is The Separation, Maintenance and Affiliation Proceedings (Alderney) (Amendment) Law, 2014.

The States is asked to amend that Law, 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.

640 **The President:** Thank you very much indeed.
Mr Simonet, as Convener?

Mr Simonet: There were no comments on this Item, sir.

645 **The President:** Thank you very much.
Mr Simonet, I understand you wish to propose this?

Mr Simonet: Yes, indeed, I do, sir, and this is, as you see, the Separation, Maintenance and Affiliation Proceedings. It is really to attach the powers to arrest where there has been a breach in the injunction issued by the court in the case of domestic violence, and I must say that seems a very good amendment.

650 **The President:** Thank you very much, Mr Simonet.

Mr Simonet: Not that I have suffered from it myself. (*Laughter*)

655 **The President:** Mr Roberts, I believe you wish to second this?

Mr Roberts: Yes, I do, I cannot believe that... This is one Law in Alderney that really does need upgrading. It is here partially because there is no provision and no protection for any partner.
So, yes I do, I would like to second this.

660 **The President:** Thank you very much, Mr Roberts.
Does any other Member wish to speak on Item X? No?
Mr Simonet, do you wish to sum up, or are you happy?

665 **Mr Simonet:** I am quite happy, sir.

The President: Thank you very much.
Madam Greffier, I think that is carried. I have not heard anyone speak against it.

670 **The Greffier:** Thank you, sir.

XI. The Road Traffic (Compulsory Third-Party Insurance) (Commencement and Application of Provisions) (Alderney) Ordinance, 2014; and The Motor Vehicles (International Motor Insurance Card) (Alderney) Ordinance, 2014 – Approved

Item XI.

The States is asked to approve:

'The Road Traffic (Compulsory Third-Party Insurance) (Commencement and Application of Provisions) (Alderney) Ordinance, 2014';

and 'The Motor Vehicles (International Motor Insurance Card) (Alderney) Ordinance, 2014'.

The President: We move to Item XI, please.

675 **The Greffier:** Sir, Item XI is The Road Traffic (Compulsory Third-Party Insurance) (Commencement and Application of Provisions) (Alderney) Ordinance, 2014; and The Motor Vehicles (International Motor Insurance Card) (Alderney) Ordinance, 2014. The States is asked to approve those Ordinances.

The President: Thank you very much indeed.

680 Mr Simonet, as Convener, were there any comments on this at the People's Meeting?

Mr Simonet: No comments, sir.

The President: Thank you very much indeed.

685 Mr McDowall, I believe you wish to propose this?

Mr McDowall: Yes indeed, thank you, Mr President. These are two small pieces of regulation that need to be tidied up and clarity brought to. I think the Law Officers have done that.

The first is in respect of ensuring that the Health and Social Security can recover charges off third party insurers who are liable to compensate injured people.

690 And the second is to give clarity to the need for what we call green card or international motor insurance cards. Small pieces of regulation tidying up. I propose the motion.

The President: Thank you very much, Mr McDowall.

695 Mr Berry, I believe you wish to second this?

Mr Berry: I wish to second it, sir. I have nothing to say in addition to what Mr McDowall has said quite eloquently. Thank you, sir.

The President: Thank you, Mr Berry.

700 Does any other Member wish to speak on Item, XI? That is a negative, is it? Anybody else?

Then, Madam Greffier, you can take that as passed, please.

The Greffier: Thank you, sir.

XII. Questions and Reports

The President: We will move to Item XII.

705

The Greffier: I have received no questions or reports, sir.

The President: Thank you. In which case I have nothing further to add. If you would be kind enough to close the States, please.

710

The Greffier: Sir.

PRAYERS

The Greffier

The Assembly adjourned at 6.12 p.m.